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Santa Monica Daily Press

April 10/11, 2004

A newspaper with issues

Volume 3, Issue 129

LOTTO

FANTASY 5

3, 33, 18, 23, 36

DAILY 3

Afternoon picks: 3, 0, 3

Evening picks: 2, 1, 9

DAILY DERBY

1st Place: 08, Gorgeous George

2nd Place: 03, Hot Shot

3rd Place: 05, California Classic

Race Time: 1:49.91



NEWS OF THE WEIRD

by Chuck Shepard

Send in the Snakes

■ Former judge Bob Sam Castleman and his son pleaded guilty to mailing a poisonous copperhead snake to a neighbor with whom they were feuding (Pocahontas, Ark., January).

■ An Absa Bank Ltd. customer, upset about a car loan, was charged with setting five poisonous puff adder snakes free in the bank's lobby (resulting in one worker being bitten) (Johannesburg, South Africa, January).

■ A nonpoisonous snake was found slithering around a courtroom, in Danbury, Conn.; it was believed unrelated to the dispute being heard, even though that was a divorce case.



QUOTE OF THE DAY

"I told him if he mentions Prop. 13 one more time, he has to do 500 push-ups."

— Arnold Schwarzenegger



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Nicky Five Aces/Special to the Daily Press

As part of a weekly contest, the Daily Press will give away a free prize to the first reader who can accurately describe where the photo was taken. E-mail answers to sack@smdp.com.

Infiltrating storm water runoff becomes high tech

By staff and wire reports

Asphalt, for all its productive uses, does a lousy job of absorbing water. So when it rains on parking lots and city streets, the runoff has to go somewhere. And along the coast, it inevitably will end up in the ocean.

A century ago, only 5 percent of storm water runoff reached the ocean — the rest stayed on the ground. But today, between 90 and 95 percent of the runoff water goes directly into the ocean, said Brian Johnson, manager of the environmental division in Santa Monica

City Hall.

Portland consultant Jim Lenhart realized the importance of where runoff goes in 1995, when he left the consulting business to form, along with two partners, Stormwater Management Inc.

Nine years later, the rest

See WATER, page 4

Owner ordered to refund rent

BY JOHN WOOD

Daily Press Staff Writer

SM COURTHOUSE

— A Santa Monica judge last week ordered a Venice property owner to refund two years of rent to a tenant who sued his landlord for letting him live in an apartment that didn't meet building codes — even though the owner didn't know the apartment was illegal and the renter fought to stay there.

The ruling could have a ripple effect in Santa Monica, where officials estimate there are at least 700 to 1,000 bootlegged apartments. City Hall is currently in the process of bringing the units up to code by relaxing parking restrictions and setback requirements that make many of them illegal.

In her decision, Santa Monica Superior Court Judge Lorna Parnell ordered landlord Dan Ramirez to pay tenant Juan Martinez \$7,775 — or 24 months of rent — for renting him an apartment at 718 Vernon Ave. in Venice that didn't meet Los

Angeles zoning codes.

"It is the court's conclusion that ... renting a unit which is illegal for occupancy under the zoning laws is an unlawful business practice, and thus a violation....," according to Parnell's ruling, which acknowledged Ramirez was slow-played by bureaucrats and given vague and conflicting information.

Lawyers familiar with local housing laws said it's unlikely Judge Parnell's ruling would hold up under appeal, adding in Santa Monica, as in Los Angeles, the housing stock is a protected asset.

"While I understand what she's saying, it's completely wrong, because what landlords are doing is preserving needed housing," said prominent landlord attorney Rosario Perry, who estimated there are closer to 3,000 bootlegged units in Santa Monica. "Landlords cannot remove a bootlegged unit, number one. Number two, by doing that you're

See RENT, page 4

It's a date, now hurry up and get on with it

Finding Mr. or Mrs. Right might only take a couple of seconds

BY JAMIE WETHERBE

Special to the Daily Press

Dating dozens of men in one night made me feel dirty.

But it was definitely an efficient way of getting down to business in the quest of finding Mr. Right while weeding out the inferior within a few minutes, and in some cases, seconds.

That's the idea behind a New York City-based company that recently brought its services to Santa Monicans who want to meet someone, quick.

HurryDate, which started about three years ago, is a part of the new trend of "speed dating," a hybrid between online dating and, well, actual dating.

Operating in more than 65 cities across the United States, Canada and England, HurryDate charge singles \$37 to go on several three-minute dates in one night.

"We know you aren't going to decide if you want marry someone in three minutes," said HurryDate co-founder Adele Testani. "But our parties are organized so you do meet 25 potential dates in one night."

At Gotham Hall on the Third Street Promenade, which hosted a HurryDate event last month for

straight 25- to 35-year-olds, I went on about 16 dates. And apparently the prospect of finding the man of their dreams is on the minds of many women because a HurryDate hostess had to grab another guy from the bar to even the male-to-female ratio.

After arriving at the bar,

See DATING, page 4

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Gemini, keep the duo theme



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)
 ★★★★★ Being the responsible party sometimes drags you down. Realize what it might be doing to you to always be the leader. Perhaps you want to give others time to shine and show their abilities. Make time for family. Tonight: Do for yourself.

LIBRA (Sept. 23-Oct. 22)
 ★★★★★ A loved one whispers in your ear, and you like what you hear. Of course, this person might be an associate spreading some good news as well. Don't feel pressured to do everything at once. Remember, you are only one person. Tonight: Rent a movie; visit with a friend at home.

TAURUS (April 20-May 20)
 ★★★★★ You might have your heart set on splitting, at least for a day trip. A friend or pal who was going to join you could back out at the last minute. Remain flexible and look at options that might make you happy. What haven't you done lately that you want to do? Tonight: Walk off the beaten track.

SCORPIO (Oct. 23-Nov. 21)
 ★★★★★ Expenses could be a bit overwhelming lately. You, however, could be the culprit, as you might be taking some high risks. Remember, you don't have to impress anyone. You simply need to be yourself. A talk could be difficult. Tonight: At a favorite spot. Let someone else treat, please.

GEMINI (May 21-June 20)
 ★★★★★ A partner knows what he or she wants from you, but do you know what you would like from him or her? Open up discussions over a private meal where both of you can relax. Don't immediately say "no." Be open. Tonight: Keep the duo theme.

SAGITTARIUS (Nov. 22-Dec. 21)
 ★★★★★ Do your budget. For many, you have been postponing your taxes. The time has come. You might have to say "no" to a spontaneous invitation. Unfortunately, you still might have a hard time with friends popping in. Tonight: Think "money."

CANCER (June 21-July 22)
 ★★★★★ Break past a pattern that might have restricted your fun lately. Opt for spontaneous invitations. Don't stand on ceremony. Even if you have never done something before, try it. Honor a lack of energy late in the day. Tonight: Take a nap, then decide.

CAPRICORN (Dec. 22-Jan. 19)
 ★★★★★ The world is your oyster. Keeping that idea in mind, what is it you really want? You can be spontaneous and like the results. Quit holding back and go for what is really important to you. Others would like to see you enjoy your life more. Tonight: As you like it.

LEO (July 23-Aug. 22)
 ★★★★★ Know when to stop the social whirl and relax. A partner or friend could be a bit surprised by your sudden halt. Get into a project or favorite game. Right now, you need your R and R. You cannot be high-energy all the time! Tonight: Relax. Stay home.

AQUARIUS (Jan. 20-Feb. 18)
 ★★★★★ Follow Leo's message. In your case, you might opt to do something totally alone, whether it is taking a drive or curling up with a good book. Recharge your batteries, and life will look different. Don't feel obligated. Tonight: Let others wonder where you are.

VIRGO (Aug. 23-Sept. 22)
 ★★★★★ You could be surprised and delighted by news that heads your way. Schedule time with a friend who has been down for a while. For some, this person could be a child. Help this person adopt another perspective. Tonight: Paint the town red.

PISCES (Feb. 19-March 20)
 ★★★★★ Your friends prove to be a delight. Spontaneous ideas about rabbits, an Easter parade or an egg hunt come out of the blue. Whatever you are up to, you like, but you might not have planned on doing it. Tonight: Let spontaneity rule.

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LOCAL



COMMUNITY BRIEFS

Seniors can bypass school parcel tax

By Daily Press staff

Seniors looking for relief from the school parcel tax might need to know how to get a break.

Measure "S" is a six-year parcel tax of \$225 that began last year and contains an exemption for senior citizens. If you're a senior citizen who applied for and received the senior exemption, the \$225 assessment was removed from your tax bill. Since you are now in the system, you will be sent a renewal form in May to be completed, signed and returned by July 31.

Seniors don't need to attach proofs of age and property ownership because those are still on file, officials say. A self-addressed envelope will be enclosed so that you can return the renewal form as soon as possible.

If you haven't applied for senior exemption, here are the requirements to be exempted for 2004-05:

■ You must be at least 65 years old by June 30, and you must own and occupy your property as your primary residence.

If you fulfill those requirements, call Dawn Smithfield at the Santa Monica-Malibu Unified School District at (310) 450-8338, ext. 269 and leave your name and telephone number. She will return your call and then add you to the mailing list for first-time applicants.

An application will be mailed to you in May for you to complete, sign and return — along with a copy of your proof of age (either a California driver's license, a California identification card, passport or birth certificate) and a copy of your property tax bill.

The application and supporting documentation must be returned to the school district by July 31. The deadline will remain for the duration of the Measure "S" parcel tax.

Local agency provides relief in Chad

By Daily Press staff

International Medical Corps, a global humanitarian relief agency headquartered in Santa Monica, is on the ground in eastern Chad preparing to provide health care and nutritional support to refugees fleeing violence in the Darfur region of neighboring Sudan.

The conflict in Darfur is one of the world's major humanitarian crises, precipitated by a civil war that dates back 20 years but recently took a turn for the worse. More than 110,000 people have fled over the border into the desert of eastern Chad, which is extremely short on basic resources, such as food, water, firewood and even temporary building materials. The United Nations High Commissioner for Refugees (UNHCR) is working to relocate all 110,000 refugees to proper camps.

With support from UNHCR and the U.S. Department of State's Bureau for Population, Refugees and Migration, IMC will manage and implement health care and nutrition programs for between 18,000 and 25,000 people in three camps.

"The next two weeks are crucial," explains Nancy A. Aosey, president and CEO of IMC. "There is a tremendous amount of work to be done to equip the camps and relocate the refugees, and eastern Chad is one of the most logistically challenging environments."

UNHCR already has relocated more than 20,000 refugees, but nearly 90,000 remain in ad-hoc settlements, and time is running out to relocate them, volunteers say. Host communities have been exceedingly generous in providing assistance to the refugees, but most of their residents already live hand to mouth, and the sudden increase in population is quickly driving local food and water supplies to dangerously low levels, officials say. Moreover, when the rainy season starts in May, almost all roads serving the settlements will become impassable, choking off relief workers and supplies.

IMC will provide curative care to the sick and injured, as well as immunizations and other preventive care to children and pregnant women. Nutritional assistance will be administered to malnourished children and women of child-bearing age, and local health care workers, including traditional birth attendants, will be trained.

IMC specializes in making rapid improvements to health care capacity through both direct emergency assistance and comprehensive training of local health workers. Since its founding in 1984, IMC has responded to complex emergencies and natural disasters in more than 40 countries on four continents.

surf report

Good WNW swell had many of the better exposed breaks in easy head high waves, while standout breaks were several feet overhead yesterday. This swell will be on the way down on Saturday and into the first part of next week. A smaller NW swell is lining up for mid next week. A mix of SW to SSW swell will fill in through much of next week as well.

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	LOW TIDES				HIGH TIDES			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	8:45	-0.3	7:04	2.8	12:45	5.4	4:22	3.0
SUNDAY	10:16	-0.3	9:28	3.1	1:57	5.0	6:09	3.4
MONDAY	11:34	-0.4	11:30	2.7	3:36	4.8	6:55	3.8
TUESDAY	NA	NA	12:33	-0.5	5:11	4.8	7:27	4.2
WEDNESDAY	12:41	2.1	1:18	-0.5	6:24	4.9	7:56	4.6
THURSDAY	1:32	1.4	1:55	-0.4	7:21	5.0	8:22	4.9
FRIDAY	2:15	0.9	2:27	-0.2	8:09	4.9	8:47	5.2

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Check out this week's Q-Line responses on page 6!

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LOCAL

EPA wants country to clean up its storm water runoff

WATER, from page 1

of the world realizes it, too.

Stormwater Management, which until 2003 had essentially no competition in the market for high-tech underground filtration systems, now has at least two rivals nipping at its heels. One, Australia-based CDS Technologies, released a competing filtration system last year. Another, Vortech, based in Maine, still has its filtration system in development.

The struggle, Stormwater Management chief financial officer Lanz Fritz says, is keeping ahead of the competition while evolving to meet the needs of a fast-growing — and fast-changing — business.

Fritz, though, expresses confidence. The competition proves, he said, that others recognize the potential of the market in which Stormwater Management has a commanding first-mover's advantage.

"We've positioned ourselves as the filtration experts," he said. "Now there is recognition ... that filtration is the best technology to use."

Stormwater Management, which started as a three-person operation, is growing rapidly to keep pace with its market.

The company now has 67 employees — 50 in its headquarters near Portland International Airport, a dozen sales offices scattered across the country and a second manufacturing facility in Baltimore. It plans to add 17 more employees this year.

The growth is fueled by a wave of tightening storm water regulations nationwide. As demand increases, Stormwater Management sells its systems to developers, municipalities and a number of other industries.

Johnson said Santa Monica uses its own filtration system, which is focused on treating the water and recycling it for irrigation throughout the city.

"In Santa Monica, we are really designing our systems to focus less on treat and release and more on infiltrating the water into the ground surface," he said. "Stormwater is such an immense problem that we have to find solutions to take advantage of ... and we prefer to take the water into the ground."

"It requires a new paradigm in thinking of rainwater as a resource, not a liability," Johnson added.

Fritz doesn't expect competition to slow Stormwater Management's expansion.

For one thing, he said, the company has patents on its filtration system, so competitors will not be able to duplicate its products.

For another, Stormwater's filter devices have already been approved — and, in many cases, installed — by government agencies, including the city of Portland. It will take years, he said, for competitors to catch up.

Gary Minton, a Seattle consultant and author of the textbook, "Stormwater Treatment: Biological, Chemical and Engineering Principles," agrees that Stormwater Management has a significant head start. Minton has done work for Stormwater Management, among others.

"Stormwater Management is the parent of this whole endeavor," he said. "That gives them name recognition and momentum."

Most city roads and parking lots are equipped with drains intended to send water into storm water pipes near rivers and streams. Those drains prevent flooding after rainstorms, but there's a problem: When rain falls onto paved surfaces, it picks up trash, such as cigarette butts and oil, and other pollutants left by cars.

Before the invention of filtration systems such as Stormwater Management's, the typical way of cleaning rain water involved sending it into a natural area like a pond or marsh. Plants act as natural filters by consuming some pollutants, such as phosphorous. Other pollutants, such as oil and grease, are consumed by bacteria.

That system works well but uses up a lot of land. Many urban or suburban developments don't have the space available.

That's where Stormwater Management comes in. Its devices, known as "cartridges," are installed in concrete tanks that can be put under any surface, including roads and parking lots. The cartridges can be accessed through manhole covers or other openings in the top of the tanks.

Storm water flows into the concrete tanks and is sucked through the cartridges. Once in the cartridges, water passes through a filter made of composted leaves and, or, other materials.

The material absorbs sediments, oil and grease, metals, phosphorous and other pollutants. The cartridges are exchanged about once a year. The old filtration material is removed and sent to a landfill, while the cartridges are repacked and reused.

Stormwater Management can customize the cartridges for different kinds of pollutants. The filter material made from composted leaves is best for removing oil and grease, for example. If the area is draining into a body of water where phosphorous is a problem then a different filter material, made of perlite, can be used.

It also sells cartridges that will process water more

quickly without removing such fine particles. The cartridge that gives water the most thorough cleaning is called the StormFilter and handles 15 gallons a minute. The StormScreen, configured to remove only larger particles, processes 225 gallons a minute.

Installing a concrete tank large enough with 20 StormFilter cartridges to treat storm water coming off a 1 1/2 acre parking lot, costs about \$20,000. Each cartridge costs about \$100 to replace each year, for a yearly maintenance cost of about \$2,000.

"If you have free land, it would cost less for you to use a pond or a swale," said Rex Hansen, the company's director of sales and marketing. But, he said, "If you have land constraints, our system makes sense."

It isn't only new high-tech competitors Stormwater Management has to contend with, however. Another low-tech way of treating rainwater underground is with a sand filter.

That technique, which is not patented and can be used by any contractor, involves construction of a large underground bed of sand through which storm water seeps.

The advantage of Stormwater Management's system, said Fritz, is that the company's cartridges are vertically orientated, which means they take up about half the space of sand filters, so require a much smaller underground tank.

Behind the growth in all rainwater filtration systems is a 30-year federal effort to improve water quality.

The Environmental Protection Agency, in charge of implementing the 1972 Clean Water Act, focused in the 1970s and 1980s on controlling discharges from factories, sewage treatment plants and other "point sources" of water pollution.

Billions of dollars have been spent controlling point source discharges, including \$125 billion on sewage treatment plants. Most waterways in the United States are significantly cleaner than they were 30 years ago.

The agency is now turning its attention to "nonpoint" sources, including runoff from farm fields and urban storm water runoff, that it estimates causes 40 percent of the pollution entering waterways. States and local jurisdictions issue specific rules for storm water treatment.

Lenhart, now Stormwater's vice president of research and development, was part of a consulting team that developed an early version of Stormwater Management's system in the early 1990s for Washington County.

He broke away from the W&H Pacific Consulting to form Stormwater Management, Lenhart said, after realizing "it was more of a product than a service."

The young company bought the rights to the filtration system from W&H for \$360,000 and a 20 percent ownership stake. It has been redesigning and customizing the systems ever since.

(Associated Press Writer Jonathan Brinckman contributed to this article.)

Plaintiffs were seeking more than \$130K

RENT, from page 1

just exacerbating the housing shortage.

"It's really a reverse of good business practices."

Perry noted that Judge Parnell's ruling cannot be cited before another judge because only published decisions by the Ninth Circuit Court of Appeals set a legal precedent.

Ramirez is unlikely to fight the decision, because he views it as an overall victory, his lawyer said. In the lawsuit, Martinez and fellow tenant Basilia Mejia were seeking \$130,729 from Ramirez. He bought the building in May of 1999 from former owner Robert Wood.

Mejia and Martinez claimed they were due nearly \$26,000 in back rent, another \$51,000 in damages for repeatedly being charged rent on the units and \$54,000 for elder abuse against Mejia. Parnell awarded only the back rent to Martinez, noting that Mejia's unit was not bootlegged. Wood was a co-defendant in the lawsuit but settled before the case went to court for \$7,500.

"The amount of the judgment is insignificant," said Glenn Stevens, Martinez's lawyer. "It's so much better than the \$100,000 home run that (plaintiff lawyer) Fran Campbell was after."

Meanwhile, Tim McCormick, head of City Hall's building department, said 60 potential bootleg properties are currently being investigated and all but one meet habitability requirements.

McCormick added property owners throughout Santa Monica are being notified of a new ordinance, passed by the City Council in December, which allows landlords to legalize long-standing bootlegged units that don't pose health or safety risks. The next step is to go out into the field.

"We've assigned staff to that task," McCormick said, "but it's obviously going to take some time to work through a list that size."

HurryDaters slow it down with marriage

DATNG, from page 1

HurryDate hostesses seated me at a table for two, and the men rotated — musical-chairs style — until I had dated everyone once. The hostess, who used to be a cheerleader, blew a whistle at the end of each date to keep my dates moving.

Despite the whistle and choreographed seating arrangements, the men still messed up the rotation several times, and I ended up sitting alone, staring at the wall.

During my mini-dates, the men sat across from me at the table, and depending on who it was, our three minutes together had different meanings. I initially feared that only mutants from the planet Desperate would pay to do such a thing, and indeed, there were those who reeked of insecurity. A few of them were from different countries, and I couldn't understand a word of what they were saying because their accents were so thick. They couldn't understand me either.

Listening to some of my dates conjured up memories of sitting on the couch watching a TV commercial: I make this much, I drive this car, etc. One guy spent three minutes having a lovely conversation with my boobs.

But I did meet a couple of seemingly nice guys, who were maybe just a little too shy for the high-impact LA dating scene and preferred more of a traditional date.

After every date, HurryDaters indicate on a scorecard whether they'd like to see each person again, which typically happened as the men left the table. I couldn't help trying to check out my date's card to see how I was doing, but everyone covered their scores too well — like we were taking our SATs.

Daters then can enter their "yes" and "no" responses onto the company Web site, which uses ID numbers — no full names, so people can dodge unwanted advances.

If both daters said "yes" to each other, they can get in touch via HurryDate's e-mail system. The company posts profiles with photos online to help daters remember who they met, which is helpful since I'd already forgotten most of their names by the time I left the bar.

While several of the daters said they'd HurryDated before and gotten a date or two out of the deal, company officials say others have more long-term success.

In San Francisco one HurryDate couple this month will turn three minutes into matrimony. Simon Hayhurst and Summer Roberts met at an event in January of 2003 and will tie the knot on April 13, HurryDate officials said.

HurryDate offers parties for other age groups — including 21 to 29-year-olds and for those over 40. Although no one will check your birth certificate.

"If you are older or younger than the age range for a particular party, we won't tell if you don't tell," the company Web site said. "Just pick the group that you feel most comfortable HurryDating within."

Parties are offered for straight and gay singles, and niche events include HurryDating for Catholic, Christian, Jewish, African-American and Latin singles.

And while the company promotes the importance of, albeit short, face-to-face dating, HurryDate has also launched an online dating service.



School initiative would hike homeowners' taxes

BY JENNIFER COLEMAN
Associated Press Writer

SACRAMENTO — A proposed initiative that would raise money for schools by hiking commercial property taxes could also cost homeowners billions of dollars, three anti-tax groups said this week, a charge that education advocates dismissed as "a silly scare tactic."

The Improving Classroom Education Act, spearheaded by the state's largest teachers union and director and children's advocate Rob Reiner, would raise the commercial property tax from 1 percent to 1.55 percent. Supporters are collecting signatures to put the initiative on the November ballot.

The proposal would raise \$7 billion, of which \$6 billion would go toward public education and creating a universal preschool system. The rest would go toward a tax break for small businesses.

Though single-family residences are exempt from the proposed tax increase, a "drafting error" in the language of the proposed initiative could allow the land beneath the house to be taxed at the higher rate, said Jon Coupal, president of the Howard Jarvis Taxpayers Association.

Another exemption for second homes includes mention of the land those houses are built upon, Coupal said. Because the first exemption doesn't mention the land, this could lead a judge to rule that the land under a single-family home is subject to the higher tax rate.

In December analysis, the Legislative Analyst's Office found the initiative would not affect residential property rates and only increased commercial properties.

"This initiative in no way affects homeowners," said Jim Farrell, spokesman for the Improving Classroom Education campaign. "This is a silly scare tactic, the first of many."

Coupal said his group, the Small Business Action Committee and the California Taxpayers Association were opposed to the initiative, even before uncovering the questionable language, because it erodes taxpayer protections included in Proposition 13. That initiative, approved by voters in 1978, slashed property taxes by capping rates at 1 percent and limiting increases to 2 percent a year.

Supporters said they were confident that the anti-tax groups' attack wouldn't deter voters.

"Voters of California understand that

"Voters of California understand that education is in need of money, that the plight of public schools is desperate."

— BARBARA KERR
CTA president

education is in need of money, that the plight of public schools is desperate," said CTA president Barbara Kerr.

The public understands and supports expanding early childhood education now more than ever, said Pat Phipps, executive director of the California Association for Education of Young Children. "If we had to wait for the state to be fiscally sound ... well, when they had the money, they didn't do anything."

Beyond taxes, other concerns about the initiative include how the universal preschool provision would affect preschools operated now by private or nonprofit organizations.

Under the proposal, school districts would be required to offer free, voluntary preschool to 4 year olds by July 2011. The initiative proposes a transition period, during which community preschools would become absorbed into the public school district.

Preschool employees would then become district employees and members of the teachers union.

That means more money and better benefits for preschool teachers, whose salaries often lag behind K-12 teachers by as much as \$10,000, said Edward Condon, executive director of the California Head Start Association.

The additional money invested in preschool would help schools meet rising academic standards, "raise salaries and provide a more steady and stable work force," Condon said.

But it would also put community-based preschools in competition for both students and teachers, said Yolie Flores Aguilar, executive director of the Los Angeles County Children's Planning Council.

"It's hard to take this position because we need more resources for preschool," she said. "If you're going to create a system where the pay is greater, but only if you're in the public education system, that will drive people out of business."

Faith-based childcare centers also have concerns about their employees becoming district employees, said Rick Schlosser, executive director of the California Council of Churches, which represents 4,000 churches that cover 26 denominations.

Community or private organizations that get fees or tuition from parents would be competing with free preschools set up under the districts, said Bruce Fuller, a researcher with the Policy Analysis for California Education, a joint research project at Stanford University and University of California, Berkeley.

"The intent is virtuous," he said. "It aims to create access to preschools. But the way the initiative tries to patch together a universal preschool system is kind of rickety."

PACE, an independent, nonpartisan think-tank, has studied the initiative, but doesn't take positions on ballot measures.

If public money is spent on preschool, Kerr said, "then there does need to be oversight. But there is room for everyone in the preschool business."

Oregon appeals judge backs proposal to split up 9th Circuit

By The Associated Press

PORTLAND, Ore. — An Oregon federal appeals court judge is backing a proposal to break the San Francisco-based 9th U.S. Circuit Court of Appeals into smaller jurisdictions.

U.S. Circuit Judge Diarmuid O'Scannlain told a Senate panel this week that the current configuration is too big to deliver consistent, timely rulings to people in the West.

The Judiciary Committee is studying plans to divide the court, including a bill introduced last week by Sen. John Ensign, R-Nev., to create three separate circuits, including one to serve Oregon, Washington and Alaska.

But it is unlikely Congress will act before the November election. Debate over the future of the 9th Circuit has been mired in partisan disputes since 1998, and senior Democrats signaled Wednesday they would oppose a split.

"Our federal bench should not be manipulated simply to make each circuit

homogenous," Vermont Democratic Sen. Patrick Leahy, the committee's ranking Democrat, said in a prepared statement.

Appeals courts are the highest level in the federal system before the Supreme Court, and ideology also has factored into resistance to splitting the 9th Circuit. The court has developed a reputation for having a liberal bias, particularly on environmental issues.

O'Scannlain has emerged as a leading supporter of dividing the 9th Circuit, which covers nine states and two territories. His argument builds on the court's size: It serves about one-fifth of the U.S. population, and it will employ 50 judges, about twice as many as the second-largest of 11 regional appeals courts.

As a result, O'Scannlain, a 1986 appointee of President Reagan, said judges in the 9th Circuit can go years without serving together on three-judge panels, impeding the court's ability "to speak with one consistent, authoritative voice in declaring the law."

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The Q-Line

Citizens say smoking law supresses their freedoms but protects their health

This past week, Q-line asked:

"Do you think it is OK for smoking to be prohibited on the beach in the name of public health, or do you think this unfairly violates the freedom of Santa Monica's citizens?"

Here are your responses:

■ "The use of alcohol and tobacco are very deadly habits. These two drugs lead to cardiovascular and respiratory impairment and then premature painful death. These two drugs have also driven the cost of healthcare and Medicare to soar sky high and out of reach for many individuals. Any ban on these products sits well with me, however I do not support prohibition, due to bootlegging, as that does not sit well with me either. Health education is the answer. The second worst part of these filthy habits is the residue left on city walkways in the form of cigarette butts, empty packs and beer cans and bottles to name just a few."

■ "I think the bans on smoking are getting a little ridiculous. The pier and beaches are large, open air areas and should not be so restricted. I am a non-smoker who really is bothered by cigarette smoke, but let's have a little reason and be fair. If the city is worried about our health, why can't we make the vagrants stop toting around all that smelly garbage and setting up camp in our city parks?"

■ "I think it's a good idea to have no smoking on the pier and beach. However, there is so much beach, how will they possibly control it? This City Council has taken all the rights away from the people. Eventually we won't be able to walk on the sidewalk, pier, or beach. Unless, of course, you are homeless."

■ "If I have to breathe second-hand smoke, I may as well be smoking myself. It is not fair for second-hand smoke to endanger those who are not only allergic and suffer doubly, but also those who wish to avoid cancer, emphysema, etc. Smokers have no right to inflict dangers on non-smokers. On beaches, the wind can carry the smoke and the smell for a very large distance. The beach is also frequented by children who are very susceptible to the dangers."

■ "Not only is it OK to prohibit smoking on the beach, it should also be banned in lines for movies, sporting events, and in or around outdoor eating establishments."

■ "I don't smoke, but I think it is really silly that the City Council is trying to ban smoking on public beaches. I think people should be able to smoke as long as they clean up their mess. The so-called People's Republic of Santa Monica must have better things to do than just banning smoking."

■ "Smoking on the beach prohibits my freedom to breathe clean fresh air on the beach. This ban is a wise decision."

■ "This is definitely a violation of citizens' freedom and rights. I don't smoke but to state that smoking pollutes the air on the beach is a joke. The spitting and urinating going on in the street is a far more dangerous health hazard. Why is there no fine for that? And a serious one?"

■ "I am a non-smoker, and I think this ban is ridiculous. You can't tell me this is a health hazard, not with the constant breeze we have here. That just doesn't wash. I can't see of any reason to do it other than trying to be politically correct. I don't think it will improve the beach quality."

■ "Nobody owns the air or the beach, so I shouldn't think this is legal. Who in their right mind would spend tourist money here when it's fogged in eight months out of the year and boring, overpriced, not to mention the vagrants all over the place? Now you are going to tell the European tourists that they can't smoke? Give me a break. You can't smoke in bars or restaurants already."

■ "I think this is totally unfair. If citizens are not allowed to smoke, they should also not be allowed to eat food, drink soda, or use suntan lotion because you know that can get into the water too."

■ "What next? Come on City Council! What next?"

■ "I think this is absolutely necessary in the name of public health. I don't think it is fair for smokers to infringe on the health and well-being of non-smokers. We have rights as well, obviously."

■ "I just moved here from Maine in January. I cannot believe the City Council here. I see people urinating and defecating on the street every day, and they are worried about a little cigarette smoke. One of the reasons I liked this town was because of the shops with the signs that helped bring people in. Now they are attacking that."

■ "I think this is a great idea and possibly absolutely vital to public health that smoking on the beach is banned. The butts litter the beach, the smoke puts non-smokers at risk and in general it just isn't fair that the world at large should suffer because a few people want to shorten their own lives."

■ "The Nazi Patrol, AKA, the Santa Monica City Council are at it again, throwing around their power hungry control antics on our citizens. They don't have any right passing a law that those who smoke can't smoke on the

See Q-LINE, page 7



On assignment during best weekend of sports



MODERN TIMES

By Lloyd Garver

I had my first-ever assignment as a sportswriter last weekend. I was lucky enough to be in San Antonio for the NCAA Final Four Basketball Championship. For a fan like me, this was a dream job.

When I arrived in San Antonio, I wasn't sure what I was supposed to do first. I thought that maybe I should be hanging around hotel lobbies and interviewing really tall young men or middle-aged guys with bad sport jackets. And, I had some pretty good questions to ask, like: How many players on Duke can spell Coach Krzyzewski's name? How many members of the press can do it? Do the players bring soap and shampoo from home, or just use whatever's in the shower?

Instead, I took a nap. Then I walked over to the Alamodome. As I approached the arena on Saturday, I noticed that there was a Saturn blimp hovering above. I know it's common for a blimp with a camera to cover a sports event, but the Alamodome is a closed dome arena. What was the blimp covering? The action in the parking lot?

Once inside the Alamodome, I saw a sign that read, "Cheerleaders Storage Area." I hadn't realized that cheerleaders were kept in storage. Apparently, they keep pretty well, because they don't look much different today than they looked 20 or 30 years ago.

In terms of a local "scoop," I talked to the University of Arizona's basketball coach, Lute Olson. He told me that former Crossroads' basketball star Isaiah Fox was recovering from knee surgery. The coach expects big things from the big kid next season.

I'm given to hyperbole less than anyone in the world, so I can say that the two NCAA semifinal games on Saturday were among the greatest events in the history of the world.

As was probably reported elsewhere, in the first game, the Georgia Tech Yellow Jackets beat the Oklahoma State Cowboys by two points in the last second, and then the University of Connecticut beat Duke by one point at the wire. Two exciting games and four great teams separated by a total of three points. Who could ask for anything more?

The disappointed Oklahoma State fans

didn't leave the arena right after it was over. Instead, they stayed to watch the next game. Can you imagine fans of a professional sport doing that? LA Lakers fans leave the Staples Center early even if the game is tied. I don't think they'd hang around to watch another game if their beloved team just dropped a big one.

Even after teams lost, fans continued to wear their team's colors while walking around San Antonio. On Sunday, they wore their Oklahoma State or Duke shirts and hats, telling the world that their kids had done their best, and they were still proud of them.

Because of their basketball prowess and interviewing poise, sometimes it was hard to remember that these players were kids. But I was reminded of this whenever they made a foolish mistake on the court, or when they cried in the locker room after they lost.

Unfortunately, the championship game Monday night was not the best game in history. As the experts had predicted, UConn easily beat Georgia Tech. However, the somewhat disappointing and anti-climactic nature of the game did not detract from the overwhelmingly positive feelings of the championship weekend. There might be a great deal wrong with big-time college sports, but there also is a great deal right with them. Teamwork, pride, overcoming obstacles, and the pure joy that comes from playing and watching these games are a delightful part of life.

Often on TV, they will cut to a fan who is wearing a ridiculous costume or has painted his body with his school colors. The commentator usually says something like, "Is this what his parents are paying all that tuition for?" My answer to this question is, "It sure is." Bonding with classmates, traveling to a different city on your own, being imbued with school spirit, doing something that you have never done before, and just letting loose and having fun are just as much a part of the college experience as the biochemistry course you'll forget about by next year.

This year's Final Four was an uplifting experience for all those involved, including me. So, does anybody want to send me to cover the Olympics this summer? I'll pay for my own Greek dictionary.

(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 can be reached at smdp@lloydgarver-moderntimes.com.)

OPINION



The QLine

Q-LINE, from page 6

beach. They are such a hypocritical bunch of maniacs. It's all right for them to pour toxic fluoride into our water supply, for our health's sake, but we can't smoke on the beach without being fined because they are worried about our health? What a joke. Arrogance and ignorance runs amok."

■ "I am a non-smoker, and anyone who smokes in my eyes is kind of an idiot, knowing all the health risks. However, smoking outdoors should be allowed."

■ "Public health? Are they kidding? I don't smoke but I can smell, and let me tell you, I don't smell smoke. I do how-

ever, smell urine, feces, garbage, body odor, spittle, vomit and certifiable mental cases running all over Santa Monica. You know what we need? We need a mayor backed by a City Council with no tolerance for vagrants and homeless people. This is of major importance to Santa Monica citizens. This is the real health hazard. My kids are terrified of homeless people, as much as I try to explain they won't hurt them, I myself don't believe it. I cannot believe that the City Council thinks banning smoking is of importance. Who will pay for the money for the 'no smoking' signs on the beach? Weren't they just complaining about signs, anyway? Who are these people? I am a Democrat, and I wish that I still cared about the plight of the homeless. I don't anymore. The only thing I care about

now is getting this City Council out and bringing one in who cares about the actual tax-paying, law-abiding citizens who live and work here."

■ "This law has nothing to do with our public health. This is just another exercise by the Santa Monicans for Renters' Rights to control the lives of the Santa Monica citizens. These people thrive on their power over all aspects of our lives, and they must be removed, the sooner the better."

■ "I am an ex-smoker, however, I strongly oppose this vote by the city clown council to ban smoking on the beaches. This is one more freedom being taken away by a small group intent on being politically correct and jumping on the bandwagon. They maintain that it will bring more people to Santa Monica because of our clean air. Well, what about the filth in the parks and the Promenade and also our beaches from the homeless

invited to live and eat here? Let's also ban buses and old cars. This City Council must be dreaming all night of new ways to ruin this once great city."

■ "People are not born smokers. Smoking is a behavior, it is learned, modified and can be stopped. There is no such thing as a smoker's rights. There is no fundamental right to smoke. The assertion that smoking regulations violate the rights of smokers or equal protections clauses is not based in fact or reality."

■ "This is a violation of everyone's rights. As taxpayers, we should be able to use public property as we all see fit. Let's say I am standing at the bus stop, all by myself, and I light up a cigarette. Does this mean the SMPD is going to jump all over me, even though I am by myself? It seems like that is what Big Brother, or the City Council, wants. I have to wonder what other freedoms will be taken away."

Moving on will be a challenge for Santa Monica College

Every six years Santa Monica College undergoes an extensive evaluation for accreditation purposes. Every college and university in the United States is put through a similar process. This year marks the sixth year since SMC's last evaluation, sending the school into a whirlwind of activity to impress evaluators and to find some unity in the midst of continuing tensions at the school.

The accreditation evaluation comes in the midst of a busy couple of months for administrators, who are dealing with the urgent challenge of re-growing the college's student population to what it was three years ago. The school must find a way to produce 6,500 "full-time equivalent" students for the upcoming school year, or risk losing an estimated \$13 million in state funding, making an already difficult recovery — following last year's cuts — close to impossible.

It's difficult to miss the loud and misleading banner adorning Drescher Hall on Pico Boulevard that screams "MOST CLASSES EVER, MOST FREE PARKING EVER, MOST FINANCIAL AID EVER." With tuition raised last year and another one likely in the near future, how this can be true is a mystery. I must also note, as a transplant to this area from central Iowa — land of no parking problems,

it's a sad day when a school's parking situation becomes a key factor in school attendance, but I digress.

Last week, the 12-member accreditation review committee spent a jam-packed three days at the school, evaluating classes, attending meetings held by student groups, checking to see if the new library was being utilized and talking with literally hundreds of faculty members and administrators. Their findings accompanied a self-study performed by SMC faculty and staff.

The preliminary report produced by the state-selected group of 10 administrators and two faculty members, (termed the accreditation team), was released last week. It reflected an extremely positive response to the school's primary curriculum and student programs, calling the college "outstanding" with "comprehensive and vibrant" student services programs.

Under the segment marked "areas of suggested improvement," the report cited a need for more "collegiality and mutual respect" and "clear, reliable, timely and transparent financial reports."

"The self-study was a chance for dif-

ferent groups on campus to hash out what we saw that was going well and what was going badly ... while not a complete catharsis, it provided a venue where outsiders could look at us and hear what we have to say," said Lesley Kawaguchi, a history professor and member of the self-study committee.

According to the accreditation team, the key points of improvement for the school continue to revolve around filling the craters of distrust left in the wake of last year's war over the decision to cut vocational programs in response to budget

shortfalls, and the subsequent sense among much of the faculty and staff that their input is not incorporated in decision making on campus.

And the report clearly reflects a tone of moving on from the past.

Of the four main standards that comprised the accreditation project's self-study and evaluation, the standard entitled "leadership and governance" was, predictably, the most hotly discussed.

"As far as we were concerned we had a good meeting, whether or not we were heard, that's another question," said math

professor Mitra Moassessi.

Few of the findings in the initial report come as a surprise to campus constituencies. SMC has long been considered a hot-bed of talent, both in the sense of its hugely diverse and talented student body and its often astonishingly qualified faculty. I challenge anyone to find a higher proportion of Ph.D. holders from top universities in the faculty of any other community college anywhere.

The final review for accreditation comes out in June. According to an article by Johan Mengesha in SMC's Corsair student newspaper, a program review committee has been created and members have been challenged to develop a system to evaluate so-called student learning outcomes — like what students are actually learning and to what degree. Formulating these standards will be another opportunity for the college community to improve its working relationship.

(Deborah Helt is a senior in the urban studies and planning program at Cal State Northridge who attended SMC. She is a musician and former community organizer who nows lives in Echo Park.)

Guest Commentary

By Deborah Helt

Opinions expressed are those of the writer and do not necessarily reflect those of the Santa Monica Daily Press staff. Guest editorials from residents are encouraged, as are letters to the editor. Letters will be published on a space-available basis. It is our intention to publish all letters we receive, except those that are libelous or are unsigned. Preference will be given to those that are e-mailed to sack@smdp.com. All letters must include the author's name and telephone number for purposes of verification. Letters also may be mailed to our offices located at 1427 Third Street Promenade, Suite 202, Santa Monica, 90401, or faxed to (310) 576-9913. All letters and guest editorials are subject to editing for space and content.

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STATE

OSHA takes credit for one-year decline in Mexican worker deaths

BY JUSTIN PRITCHARD

Associated Press Writer

SAN FRANCISCO — The U.S. Department of Labor is citing a one-year drop in Mexican-born worker deaths as evidence that, because of its outreach efforts, a national epidemic of on-the-job fatalities among these immigrants is no longer worsening.

The head of the department's Occupational Safety and Health Administration credited federal Spanish-language outreach efforts for that 8 percent drop in 2002, which came after yearly increases in Mexican-born worker deaths that began with the 1990s economic boom.

But the good news did not extend to the overall Hispanic immigrant population the department is trying to reach. Workers in that group — which includes Central and South Americans, as well as Mexicans — continued to die in record numbers in 2002, federal data show.

An Associated Press report last month, based on an analysis of years of federal statistics, found that the death toll for Mexican-born workers has grown to the point that one dies in the United States every day on average. Those accidental deaths are often preventable with simple safety precautions, even in the most dangerous jobs.

In the mid-1990s, Mexicans working in the United States were about 30 percent more likely to die than U.S.-born workers; in 2002, they were about 80 percent more likely. Experts agree it's a hard population to reach, and they often take the most hazardous jobs with the least safety training and equipment.

In response to AP's report, OSHA chief John Henshaw wrote in a letter to editors that while Mexican-born worker death rates "are still too high," his agency is making progress through outreach efforts. He cited increased inspections in occupations that employ many Hispanics, such as construction and landscaping, partnerships with local groups and a Spanish-language Web site.

"A departmental Hispanic Workers Task Force was created to coordinate this effort, and it is working," Henshaw wrote, citing in particular the one-year decline from 422 Mexican-born worker deaths in 2001 to 387 in 2002.

A range of experts say it's unclear why Mexican-born worker deaths declined in 2002 — the latest year of available federal data — especially since overall Hispanic immigrant worker deaths increased that year. They warned that the decline for Mexicans could prove to be an anomaly — that 2003 data, to be published in September, might show deaths among Mexican-born workers rising again.

Workplace safety experts at the Centers for Disease Control and Prevention and the National Safety Council, a nonprofit public service organization, said no research substantiates a link between OSHA's fledgling outreach and the drop in Mexican worker deaths.

"It's not something that you throw a small amount of money at and issue some pamphlets and you're going to see dramatic changes," said David Richardson, a University of North Carolina-Chapel Hill

professor of epidemiology who tracks worker deaths in the South. "It's a slow battle."

In its budget requests to Congress in recent years, the Labor Department has tried to cut what it spends on its main Hispanic outreach training grants program, most recently from \$11 million to \$4 million per year.

A Labor spokesman says the department can do more training with less money and spend the balance on other programs. However, the spokesman said OSHA cannot calculate how much money it has spent on Spanish-language outreach, or how many workers it has reached.

According to work safety specialists, statisticians and even some federal outreach workers, there's no evidence any one effort is responsible for the improvement in 2002. Possible factors include the economic recession that followed the September 2001 terror attacks and changes in immigration and border security. Mexican-born workers have stayed longer in the United States, gaining experience and perhaps decreasing their willingness to take risks.

"It's good that they're doing outreach," says Dr. Sherry Baron, a lead CDC researcher on immigrant workers. However, "a change in one year, it's hard to conclude anything. Part of it is, we need more time."

The decline in Mexican-born worker deaths came during the safest year on record for the overall workforce in the United States. From 2001 to 2002, total on-the-job deaths fell from 5,915 workers to 5,524 workers — an unprecedented 6.6 percent drop.

Deaths among U.S.-born Hispanic workers declined at an even greater rate in 2002. However, deaths among all foreign-born Hispanics rose that year over 2001, from 572 to 577. It was also the first year Mexican-born worker fatalities fell since 1994-1995, when deaths dropped from 213 to 206.

Since the federal government began tracking such data in 1992, the AP found, deaths of workers as young as 15 have followed the hundreds of thousands of Mexican immigrants across the nation from border states such as California and Texas.

Safety experts inside and outside OSHA say the agency's outreach efforts are well intentioned, but beset by limited funding and a lack of Spanish-speaking staffers.

In an interview, Labor Secretary Elaine Chao said addressing the higher death rates for Hispanics was "a top priority."

"It is not only an issue of language, but it's developing a culture of safety, where the tolerance of certain risks is just not acceptable," she said. "Part of what we need to do is better outreach with the communities."

Even some of OSHA's own Hispanic outreach officers say they need to do more.

Marilyn Velez, OSHA's sole Spanish-speaking outreach worker in the eight-state Southeastern region, isn't sure what caused the drop from 28 to 8 Mexican-born worker deaths in Georgia in 2002. But she doesn't think workers were taking fewer risks, or that bosses were more insistent on safety.

"We knew that it was not just because it was outreach," said Velez.

STATE



Hispanics fail to collect thousands in tax credits

BY JULIANA BARBASSA
Associated Press Writer

HURON — When Petra Janzer arrived at the free tax workshop, her 10-year-old car was breaking down, the tires were worn through and she had never heard of the Earned Income Tax Credit.

The \$1,307 check she got last year paid for new tires and repairs, and the 56-year-old grandmother from Huron could again rely on her car to get her to her job as a child care provider 25 miles away.

But the EITC, a federal program that can boost a low-income family's tax credit by thousands of dollars, is not reaching some of the neediest households — especially in rural Hispanic communities.

Only 36 percent of the eligible Hispanic households surveyed in California's San Joaquin Valley received the EITC they were entitled to last year — even though the credit can provide up to \$4,000 for households headed by the working poor.

The disparity was evident in the partial results of the Rural Families Speak Project — a five-year survey by universities around the country into the financial well-being of rural families.

Volunteers helping taxpayers in isolated rural communities say their clients' inability to access agencies that could tell them about the credit, along with language differences and cultural assumptions, often keep Hispanics from receiving the credit.

The large number of undocumented immigrants in the Hispanic population does not account for this difference, since the credit applies only to legal, working residents, with income less than twice the poverty level and at least one child living at home.

The Internal Revenue Service, recognizing the need for outreach, has trained 14,000 volunteers in the last three years to fill out the basic tax form and check for EITC eligibility. The effort has paid off. Last year, 20.9 million families got the credit — up from 16 million the year before.

Government auditors consider EITC a high-risk program, however, so this year, the IRS is asking some applicants for extra documentation proving they qualify. About 25,000 letters went out in December asking families to prove their children lived with them more than half the year.

Margarita Rocha, executive director of Centro La Familia, an advocacy organization that gives free tax help, said the let-

ters have intimidated some recipients.

"The literacy level of our clients sometimes is not high, or they haven't been here that long," said Rocha.

EITC is often considered the most successful federal anti-poverty program. More eligible families get the EITC than traditional assistance programs like Medicaid or food stamps. In the last tax year, it gave \$36.9 billion back to qualifying families.

Proponents say one of its advantages is the way it rewards only those who work. The amount each eligible taxpayer gets is equal to a percentage of income. If the earned income tax credit exceeds the taxpayer's liability, the Internal Revenue Service will refund the difference.

"These are really their dollars, not a handout," said Karen Varcoe, the University of California-Riverside consumer economics specialist who led the California research published in the January-March issue of California Agriculture magazine.

For Janzer, the EITC she never knew anything about before at Centro La Familia's free tax workshop last year means she has extra money to help care for her granddaughter. Now, it's tax time again and she's back, W-2 in hand, hoping the credit will keep her car rolling for another year.

Janzer qualified because she makes less than \$24,980 per year — double the \$12,490 level that marks the official beginning of poverty for a family of two.

In the Hispanic households surveyed by Varcoe and others in rural Kern and Madera counties, where unemployment is high and many workers depend on seasonal agricultural jobs, the average family income was \$19,920 a year, just under poverty for a family of five. But only a third of the eligible families filed for the EITC.

"Some even have an idea that they can get money back, but they don't know how, or if they qualify," said Wilfredo Rodriguez, who works at Centro La Familia.

Knowing who is eligible is not always simple in a community where families often include citizens, undocumented immigrants and people in the process of legalizing their status. Fear of the federal government is also common.

"The IRS to them is the federales, the people who come after them," Varcoe said. But researchers found a little information about EITC goes a long way. "We're convinced that if people have information they'll act on it," Varcoe said.

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Santa Monica Daily Press

NATIONAL

Western governors to explore energy solutions

BY BARRY MASSEY

Associated Press Writer

SANTA FE, N.M. — Governors from Western states will gather with leaders from Mexico and Canada for a summit on how to meet future energy needs in a region rich with natural resources, from oil and natural gas to opportunities for wind, solar and geothermal power.

Touted as a "North American Energy Summit" by the Western Governors' Association, the three-day meeting opening Wednesday in Albuquerque will bring together governmental and tribal leaders with energy company executives, environmentalists, researchers and other experts to consider an ambitious agenda of energy issues.

Among the topics to be explored: the future of oil production, gasoline and natural gas prices, reliability of the Western electricity grid, the role of nuclear power, renewable energy sources, improving energy efficiency and cross-border collaboration on energy policies.

A goal of the meeting is to "develop clean energy plans for the West to help meet our national energy needs and strengthen our economies," according to New Mexico Gov. Bill Richardson, WGA chairman and a former energy secretary during the Clinton administration.

The summit takes place against the backdrop of a presidential campaign and consumer complaints about skyrocketing gasoline prices at retail pumps.

Other energy problems simmer. Not quite a year ago, the nation experienced

"I expect the summit will produce a plan for the Western Governors' Association to initiate a two-year clean energy project for the West, with targets for clean, renewable energy production and energy efficiency."

— BILL RICHARDSON

New Mexico Governor

its worst electricity blackout when all or parts of eight states and sections of Canada went dark. A U.S.-Canadian task force this month called for quick congressional approval of mandatory reliability rules governing the electric transmission industry.

And in California, scene of an electricity market meltdown three years ago, there are warning of energy shortages that could hit as soon as 2006 because the state lacks enough power plants to satisfy future power demands.

"I expect the summit will produce a plan for the Western Governors' Association to initiate a two-year clean energy project for the West, with targets for clean, renewable energy production and energy efficiency," Richardson said.

"Such a plan will greatly diversify our energy sources, assist in reducing consumer gasoline and home heating oil prices, prevent unpredictability for state governments and institutions because of

spiking energy prices like what has happened this year."

The meeting begins Wednesday with a pre-summit workshop focusing on financing clean energy technologies. There will be tours of energy projects, including the world's third-largest wind generation farm, which opened last year in eastern New Mexico about 170 miles from Albuquerque, and solar energy technology tested at Sandia National Laboratories.

Leaders from three Canadian provinces and two Mexican states are expected to attend the summit along with governors from Western states, according to Billy Sparks, a spokesman for Richardson.

The West, the fastest-growing region during the past decade, accounts for slightly more than a fifth of the nation's population, according to the Census Bureau. Historically, Western states have been leading energy producers through extractive industries — oil and gas production and coal mining. New Mexico,

for instance, was the nation's No. 2 producer of natural gas and fifth largest oil producer in 2002, according to the U.S. Energy Information Administration.

However, the West also offers rich but mostly untapped resources for renewable energy: wind, solar, geothermal and biomass.

New Mexico offers a tax credit for renewable energy ventures and a law was enacted this year that requires electric utilities to invest in renewable energy. Those energy sources must make up 5 percent of the utilities' sales by 2006, and 10 percent by the year 2011.

The summit also will look at improving energy efficiency, which is the "cheapest, quickest and cleanest" way to deal with future energy needs, according to Sheryl Carter, director of the Western energy program for the Natural Resources Defense Council.

Developing and installing more efficient cooling systems, appliances and lighting in homes and buildings can save energy, potentially averting the construction of some power plants in the future.

"You're going to have leaders and policy-makers from across the West at this summit and this is a perfect opportunity for folks to show what's worked and what hasn't worked and actually dedicate themselves to developing a comprehensive energy policy for the West — something we don't really have for the nation as a whole at the moment," said Carter, a panelist at the summit.

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NATIONAL



Figures flexed in campaign sport of Extreme Math

BY CALVIN WOODWARD
Associated Press Writer

WASHINGTON — President Bush's re-election campaign says a vote for lower taxes logically can be a vote for higher ones. Democrats say putting more money into a program than the year before can really be a cut in spending.

Welcome to the campaign sport of Extreme Math, where up is down, down is up and numbers get a sweaty workout like nowhere else.

Bush's campaign stepped up the statistical slugfest with an attack on John Kerry's voting record on taxes in the Senate. "Kerry supported higher taxes over 350 times," says a Bush campaign ad. Bush himself said of the Massachusetts senator: "Over the years, he's voted over 350 times for higher taxes on the American people."

That magic number comes with a bit of poofery. In the tally, Bush's campaign counts:

-Kerry's votes for tax cuts that were not as deep as Senate Republicans had proposed. Therefore, a vote for a smaller tax cut is characterized as a vote for higher taxes.

-Kerry's votes against tax cuts proposed by Republicans. So, a vote to keep taxes the same is counted as a vote for higher taxes. The University of Pennsylvania's Annenberg Public Policy Center, in an

analysis of the Bush campaign's claims, found that the bulk of the 350 examples fit into this category.

-Multiple votes on a single tax matter, as legislation worked through the process or was repeatedly reintroduced.

For example, a Bush ad says Kerry "supported higher gasoline taxes 11 times." But nine of those cases dealt with the same increase, a 4.3-cents-a-gallon hike enacted in 1993 as part of a deficit-cutting package, the Annenberg Public Policy Center found in its analyses of claims and counterclaims by Bush and Democrats.

Five of those votes were cast as the bill moved from one stage to the other; another four came between 1996 and 2000 as Republicans tried to repeal the increase. The 11 examples include a time, in 1994, when Kerry briefly endorsed someone else's proposal to raise the gas tax by 50 cents. It never came to a vote.

Bob Lichter, president of the Statistical Assessment Service, a nonpartisan group that tries to expose the misuse of statistics, says the GOP's "artful" calculations might be defensible under the most generous interpretation.

"Even if it's factually true, it violates the spirit of the truth," he said. "You could have a lower number with greater truth, but less power."

Democrats do attack accounting, too.

One of their favorite devices, employed to good effect in

the mid-1990s debate over restraining the Medicare budget, is to characterize slower growth in spending, or spending less than the maximum authorized by law, as a cut.

An Internet ad by the Democratic National Committee says Bush "cuts key education programs" by 27 percent and "slashes job training" by 24 percent.

Bush asked Congress for less money for education than had been authorized under the No Child Left Behind Act, but that's hardly a cut. Education spending has increased almost 60 percent during the three years of his presidency, more than during the eight years of President Clinton.

And, most of the job-training money Bush is "slashing" is actually being shuffled from one program to others.

Lichter said both sides are essentially using the same logic — the Republicans consider a tax cut lower than theirs a tax increase; Democrats count a spending increase lower than theirs a cut.

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NATIONAL

Six-year drought reigns across much of Western U.S.

BY SCOTT SONNER

Associated Press Writer

RENO, Nev. — From the brittle hillsides of Southern California to the drying fields of Idaho, from Montana to New Mexico, a relentless drought is worsening across most of the West where a once-promising snowpack is shrinking early, water supplies are dwindling and the threat of wildfires is already on the rise.

"Most of the West is headed into six years of drought and some areas are looking at seven years of drought," said Rick Ochoa, weather program manager at the National Interagency Fire Center in Boise, Idaho.

Arizona faces its worst drought on record. New Mexico farmers are bracing for dramatic reductions in water supplies, and in parts of southeast Idaho, the only farmers who will get water this summer might be those with water rights dating to the late 1800s.

On the edge of the Sierra, lingering drought is pitting residents against the Reno country club that hosts a national golf tournament in a battle over water from a mountain creek.

"Some part of the West has been in a state of drought since the winter of 1995-96," said Kelly Redmond, regional climatologist for the Desert Research Institute's Western Regional Climate Center in Reno.

"For the last year or two, it has extended all the way from the Mexican border to Canada pretty consistently," he said.

An unusually warm, dry March melted snowpack and increased wildfire threats, especially in southeast Oregon, half of Arizona, most of New Mexico and parts

of Colorado.

The U.S. Natural Resources Conservation Service forecasts the potential for water restrictions and widespread crop and pasture losses in central Nevada, southern Idaho, most of south-central Montana and eastern and southwestern Utah.

"Drought? What drought? It rained here a couple of years ago," said Dick Larsen, spokesman for the Idaho Department of Water Resources.

He's straining for humor because most of southern Idaho is in a category the U.S. Agriculture Department calls "exceptional drought," along with southwest Montana and southern New Mexico.

That's a step worse than "extreme drought," which the USDA says best describes the condition of other parts of Montana, Utah, Wyoming, Arizona, Nevada and Colorado.

Those states are heavily dependent on melting snow for water supplies — snow that has rapidly disappeared the past month across the region.

Snowpack showed half or less the normal March precipitation level in the Intermountain West, Southwest, Northern Rockies, central Idaho, Oregon and California. The driest basins were in central Arizona, where less than 70 percent of normal seasonal precipitation was reported.

Most of the West was "sitting reasonably well" at the end of February, Redmond said.

"A lot of places had near-average snowpack. But we had one of the warmest Marches on record across and we didn't get any precipitation almost anywhere in

the West," he said.

"So not only did we not add to our supply in March, which is usually a very healthy month, but the temperature was so warm that the melting started early," he said.

Significant snow melt into the Merced River at Yosemite National Park in California began on its earliest date in 87 years, Redmond said.

"The situation has been repeated all over the West," he said.

In Idaho, "the further south and east you go, the worse it gets," Larsen said.

One of the hardest hit areas is in the southeast corner of the state at Bear Lake, which provides water to parts of Idaho, Wyoming and Utah.

"They are looking at historic low levels of water. It's entirely possible there will be no irrigation water available for farmers down there," Larsen said.

Arizona is on the verge of its worst drought in recorded history, according to John Sullivan, associate general manager of the Salt River Project's water group.

For nine years running, precipitation and runoff into the Phoenix area's reservoirs have been far less than normal, and the state has recorded four of its five driest years of the century in the past 10 years, hydrologist Charlie Ester said.

Two-thirds of New Mexico is in extreme drought condition or worse, said Dan Murray, water supply specialist for the USDA's conservation service in Albuquerque, N.M.

"In the northern part of the state, we get our peak snowpack about April 1 but this year it pretty much peaked out about the first week of March."

That could mean a shortage of the water New Mexico shares with Texas and especially hurt the city of Santa Fe which gets much of its water from the Santa Fe River, Murray said.

The warmest March since 1934 was recorded in Reno, where residents have asked the state engineer to re-evaluate the Montreux Golf & Country Club's use of water from Galena Creek. They don't care about the PGA Tour and the Reno-Tahoe Open. They say there won't be enough water for their pastures.

"You are going to have a new range war, the farmers and ranchers against the golf courses," Rick Taras, president of the Big Ditch Co., told the Reno-Gazette Journal last week.

In contrast, some parts of the West — western Oregon, Washington and Northern California west of the Cascades and Sierra Nevada — have near normal snowpack.

The overall water supply situation in California statewide is "not great, but it's

OK," said Frank Gehrke, chief of snow surveys for the California Department of Water Resources.

There's more concern about moisture in the soils and forests and the potential for another year of raging wildfires.

"In that respect, Southern California is not doing particularly well. They've had quite a few dry years in a row and certainly didn't do much catch-up this season," Gehrke said.

The National Interagency Fire Center identified three areas with the greatest fire risks — Southern California, the Four Corners states of Arizona, New Mexico, Colorado and southern Utah, and the Intermountain region east of the Cascade Mountains across Idaho and western Montana.

Big fires already have burned 10,000 acres in Arizona and 8,500 acres in Colorado.

"In terms of fire, I think everybody is real nervous," said Chris West, vice president of the American Forest Resource Council in Portland, Ore.

"We had lots of wet weather in Oregon this winter, but we had a very dry March. If we don't get some April showers, we are going to have a dry situation with a lot of fuels sitting there," he said.

Parts of Nevada, California and Arizona are dependent on water from the Colorado River system and its two largest reservoirs, Lake Mead and Lake Powell, which together can hold about 50 million acre feet but are only about half full.

"They've been really low the last five years. We thought this was going to be a decent year, but now it's starting to look like that is not going to be the case," Redmond said.

Utah and Montana may have been hardest hit during March, Redmond said.

"Utah has gone through four or five years of drought already and they were finally looking at a decent kind of average snow melt, but now they are looking at one of the worst on record and it all happened in a month," he said.

Likewise, parts of Montana have suffered through the driest consecutive four years on record and prospects for the year aren't much above average, he said.

Larsen likened the cumulative effects in Idaho over the years to "a snake starting to eat its own tail."

"The snowpack went down, so we had to keep tapping the reservoirs so that last year we just absolutely emptied our reservoirs," he said.

"The saddest thing about all of this is we can already see next year's train wreck coming," Larsen said.

"Pray for rain. That's about all we can do."

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NATIONAL

Bush pushing free trade agenda against Democratic criticisms

BY MARTIN CRUTSINGER
AP Economics Writer

WASHINGTON — Never mind the Democratic broadsides about soaring trade deficits and lost manufacturing jobs. President Bush is campaigning as an unrepentant free trader and criticizing Democrat John Kerry as an "economic isolationist."

Bush's secretary of Commerce, Don Evans, has gone even further, saying opponents of open trade are "waving a surrender flag rather than the American flag."

Yet for all the administration's tough rhetoric, some members of the president's own party are growing increasingly worried that his staunch defense of free trade won't sit well with voters concerned about jobs, including the shifting of jobs overseas.

"The Democrats are going to play on people's fears of losing jobs and outsourcing in a shameless way and we need to be more aggressive in answering back," said Sen. Lindsey Graham, R-S.C.

Graham said he was disappointed that the administration is refusing to support a bipartisan effort in Congress to penalize China with higher tariffs for linking its currency directly to the dollar, a practice that American manufacturers contend gives Chinese companies as much as a 40 percent price advantage.

Despite the GOP worries, Bush and his administration are pushing ahead with new trade deals.

Agreements with Australia, Morocco, five Central American countries and the Dominican Republic have been completed and are awaiting congressional approval. Bush also has directed his trade team, led by U.S. Trade Representative Robert Zoellick, to start negotiations with Thailand, Bahrain, Panama, Colombia and possibly other South American countries.

But the Republican-led Congress seems in no mood in an election year to vote on the trade pacts.

Bush sees tearing down barriers to U.S. exports as the answer to the economic threat posed by the loss of one in six U.S. manufacturing jobs over the past four years and a trade deficit that hit an all-time high of \$489 billion last year.

"I believe this nation can compete anywhere, any time, any place, so

long as the rules are fair," Bush said recently.

The administration wants to use the individual trade agreements to bolster momentum for the Doha Round of trade talks and separate negotiations to create a Free Trade Area of the Americas covering every country in the Western Hemisphere outside of Cuba.

But the Doha talks, conducted under the auspices of the World Trade Organization, have gone nowhere since a trade ministers' meeting in Cancun, Mexico, collapsed in disarray last September. Likewise, the administration has been unable to overcome serious obstacles in the hemispheric discussions, putting in jeopardy a January 2005 deadline for completing a deal.

Some trade analysts say the administration's rhetoric on free trade has not matched its negotiating offers, especially as the November elections draw closer.

In both the global trade discussions and the hemisphere-wide talks, the administration has been reluctant to make significant offers in such politically sensitive areas as agriculture and limiting the ability of U.S. companies to get anti-dumping tariffs imposed on foreign competitors.

Even in trade deals with Australia and the Central American countries, the administration carved out exceptions to the total elimination of trade barriers in such politically sensitive areas as sugar and dairy and beef products.

"Bush is talking the talk on free trade, but with an election approaching, he has been a little reluctant to walk the walk," said Gary Hufbauer, an economist at the Institute of International Economics, a Washington think tank.

Analysts see Bush's Democratic opponent, John Kerry, as going in the opposite direction.

Kerry, who has supported free trade agreements in Congress, is taking a tougher line on the campaign trail. He has gone after "Benedict Arnold" American companies who take advantage of U.S. tax laws to move jobs overseas and vowed to review all trade agreements in his first 120 days in office to make sure they provide adequate protections for American workers.

Kerry recently proposed overhauling corporate taxes to eliminate the deferral companies get on over-

seas earnings. Hufbauer said his review of the plan raised questions about whether it would be too complex to implement and might end up benefiting foreign companies at the expense of U.S.-based firms.

Many economists say the proposals by both Bush and Kerry will do little to get control of the soaring trade deficit.

Economists surveyed by the National Association for Business Economics said the deficit should be attacked by prodding foreign countries to do more to bolster domestic growth and thus boost the demand for U.S. goods. They also called for overhauling a U.S. tax system that they say favors spending over savings, resulting in a demand for goods that U.S. companies can't meet.

Bush and Kerry in neck-and-neck race

By The Associated Press

WASHINGTON — Neither President Bush nor Democrat John Kerry has gained an advantage in the presidential race, despite millions of dollars spent on advertising, though Americans are growing concerned that violence in Iraq is increasing the threat of terrorism, an Associated Press poll found.

Bush was backed by 45 percent of voters and Kerry by 44 percent in the poll conducted for the AP by Ipsos-Public Affairs. Independent candidate Ralph Nader had 6 percent support. The numbers are essentially unchanged from AP-Ipsos polls taken in early and mid-March.

Asked whether the military action in Iraq has increased or decreased the threat of terrorism around the world, half in the poll, 49 percent, said it has increased the threat, while 28 percent said it has decreased the threat.

Bush's overall job approval was at 48 percent, with 50 percent disapproving — basically unchanged from a month ago.

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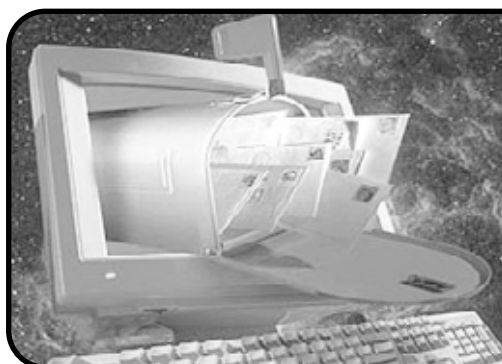
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NATIONAL

Strip-search prankster plagues U.S. restaurants

BY MITCH STACY

Associated Press Writer

The caller to the Phoenix-area Taco Bell said he was a police officer and informed the manager there was a thief on the premises. Someone's pocketbook was missing, the caller said, ordering that a female customer be detained and strip searched in a back office.

But there was no theft. Investigators believe the caller was an impersonator, possibly from north Florida, who has pulled the same stunt dozens of times nationwide since 1999 with alarming success.

The caller, who sometimes poses as a company official, has persuaded managers at restaurants and other stores to detain and search employees for drugs or money. Targets have included Taco Bell, McDonald's, Wendy's, Burger King, Ruby Tuesday, Applebee's, Perkins and others.

The caller's motive is unknown. Because his targets are primarily restaurants, one theory is that he is a disgruntled former fast-food worker. Some investigators believe he may be a sexual deviant who enjoys exercising power over people.

The searches have included male and female victims. Some businesses have been sued, and some managers have faced criminal charges.

"It's a terrible scam, and we feel badly for everyone who was involved," said

Bob Bertini, a spokesman for Wendy's International, referring to incidents at four Boston-area Wendy's outlets in February. "The people who were caught up in this scam thought they were responding to direct orders from the police, and the caller in this situation can be very convincing and persuasive."

Authorities believe the hoaxer is one male suspect who uses a phone card. Some calls have been traced to a public telephone in Panama City, Fla. Police there are investigating, but spokesman Sgt. Kevin Miller refused to discuss details.

The March 22 call to the Taco Bell in Fountain Hills, Ariz., is believed to be the first time a customer has been the victim.

In that case, the Taco Bell manager pulled aside a 17-year-old girl who roughly matched a description provided by the caller, Maricopa County Sheriff Joseph Arpaio said. Told she would go to jail otherwise, the girl submitted to the search as the caller remained on the line to direct it.

The manager is on administrative leave while the sheriff's office investigates, Taco Bell spokeswoman Laurie Schallow said.

In Massachusetts, the caller could be charged with rape for one of the Wendy's incidents, said Sgt. Victor Flaherty of the West Bridgewater police, explaining that the rape statute allows charges to be filed against someone for just directing such an act.

Flaherty said that the managers in the

local cases will not face criminal charges because police "felt they were victims, too."

But Arpaio said he thinks managers are "ignorant" to fall for the scam and should face criminal charges if warranted. He said investigators are considering whether to charge the manager in the Taco Bell case.

"It's mind-boggling," he said. "How can a responsible person in this world ever do what has been occurring just because some guy calls them on telephone and tells them he's a cop?"

Indeed, a former Hardee's assistant manager in Rapid City, S.D., was charged with kidnapping and second-degree rape after he allegedly detained and forced a female employee to strip at a caller's urging in June. He was acquitted. The man's attorney said he was the victim of a "freak who plays God."

And a Burger King manager in Odessa, Texas, was charged with illegal restraint and fined \$500 for forcing a woman to strip at the direction of the caller.

"Restaurant unit managers are about the smartest and normally the most cautious and street-wise professionals in all of food service," said Milford Prewitt, national affairs editor for the industry newspaper Nation's Restaurant News. "Why they are falling for this is about the most amazing thing I've ever seen."

But Craig Annunziata, a Chicago attorney who has defended about 20 fast-food franchisees against hoax-related lawsuits,

said it's human nature for the managers to want to help when they become convinced there's a police officer or superior on the line.

Because the incidents have been so varied and embarrassed restaurant officials are often reluctant to publicize them, police agencies didn't note the connection until the past year or so.

"It has taken this long for the pieces of the puzzle to come together and for people to start comparing notes and realizing the scope of the problem," said Terrie Dort, executive director of the National Food Service Security Council, an organization of chain-restaurant security officials.

Dan Jablonski, a former FBI agent who now operates a private investigative firm in Wichita, Kan., has been looking into the incidents since he was hired last year by a major fast-food chain, which he declined to name.

Jablonski said he's documented about 70 of the hoax calls through lawsuits, newspaper reports and police, and he figures there are more.

"This guy is a sexual deviant who in fact got his thrill initially," Jablonski said. "But as time went on, it grew more into a power and control type of thing, where he gets great pleasure out of manipulating people, convincing them to take other people's clothes off."

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NATIONAL

Sept. 11 panel: Where did intelligence go wrong?

BY HOPE YEN
Associated Press Writer

WASHINGTON — Condoleezza Rice emphatically assigned blame for the pre-Sept. 11 failures on “frustratingly vague” U.S. intelligence, setting the stage for the top men at the CIA and FBI to explain next week what went wrong and what’s been done to fix it.

In a long-anticipated public appearance, President Bush’s national security adviser on Thursday repeatedly cited flaws in U.S. intelligence agencies for hampering the administration’s ability to foresee or stop the deadly suicide hijackings.

And she cautioned that while the FBI and CIA have made marked improvements since Sept. 11, 2001, the job is not complete.

“I really don’t believe that all of our work is done, despite the tremendous progress that we’ve made thus far,” Rice testified to the independent commission investigating the Sept. 11 terror attacks.

Next week, the bipartisan panel will examine law enforcement and intelligence failures surrounding Sept. 11, with scheduled testimony from Attorney General John Ashcroft, CIA Director George Tenet and FBI Director Robert Mueller, as well as from former FBI Director Louis Freeh and former Acting FBI Director Thomas Pickard.

“This hearing will focus on four impor-

tant questions,” commission chairman Thomas Kean said. “How was our government structured before 9-11 to address the terrorist threat inside the United States? What was the threat in 2001 and our government’s response to it? How did the intelligence community address the threat? What reforms have been taken since 9-11 to respond to the terrorist threat inside the United States?”

“These questions are at the core of the commission’s mandate,” he said.

Kean also said the 10-member commission hoped the White House would publicly release by next week an Aug. 6, 2001, classified memo entitled “Bin Laden Determined to Attack Inside the United States.”

At the panel’s request, the White House said it soon would declassify the intelligence briefing, which was given to Bush just weeks before the attacks that killed nearly 3,000 people in New York City, Washington and Pennsylvania.

Democratic commissioners sharply questioned Rice as to why the memo didn’t spark immediate action against al-Qaida, the terrorist organization headed by Osama bin Laden.

Rice said the document was “historical information based on old reporting” with no specific intelligence information regarding an impending attack.

She cited other intelligence chatter picked up during the spring and summer of 2001 that she called “frustratingly

vague” “Unbelievable news in coming weeks. Big event ... there will be a very, very, very big uproar.”

“Troubling yes. But they don’t tell us when; they don’t tell us where; they don’t tell us who; and they don’t tell us how,” Rice told the commissioners.

Next week’s hearing also will highlight poor communication among the intelligence and law enforcement groups.

Among the missed signals was a July 2001 memo by a Phoenix-based FBI agent warning that al-Qaida terrorists might have been undergoing flight training at U.S. schools and the August 2001 arrest of student pilot Zacarias Moussaoui on immigration charges. Moussaoui has since been charged with conspiring in the attacks.

The CIA also failed to share information about two of the future hijackers after they were spotted attending an al-Qaida meeting in Malaysia in January 2000.

“The director of central intelligence and I think Director Freeh had an excellent relationship,” Rice testified. “They were trying hard to bridge that seam.”

“But when it came right down to it, this country, for reasons of history and culture and therefore law, had an allergy to the notion of domestic intelligence, and we were organized on that basis,” she said. “And it just made it very hard to have all of the pieces come together.”

Rice’s testimony, under oath and on live national television, came after weeks

of White House resistance. Bush yielded after repeated public requests from members of the commission that an on-the-record rebuttal was needed in response to explosive charges from former White House counterterror chief Richard Clarke.

Clarke told the commission last month that the Bush administration gave a lower priority to combatting terrorism than had former President Clinton, and that the decision to invade Iraq undermined the war on terror.

Rice responded that Bush “understood the threat and he understood its importance.” She said Bush came into office determined to develop a “more robust” policy to combat al-Qaida and told his national security adviser he was “tired of swatting at flies.”

Picking up on her testimony, commissioner Bob Kerrey, a former Democratic senator from Nebraska, noted that Bush failed to order a military strike in response to an attack on the destroyer USS Cole in Yemen that killed 17 U.S. sailors three months before Bush took office.

“Dr. Rice, we only swatted a fly once. ... How the hell could he (Bush) be tired?” Kerrey asked. That was a reference to a 1998 missile strike Clinton ordered against suspected terror training camps in Afghanistan.

Rice said the administration decided not to respond “tit for tat” with an inadequate response that that would simply embolden terrorists.

U.S. hopes to head off record opium poppy crop

BY GEORGE GEDDA
Associated Press Writer

WASHINGTON — One sector of the Afghan economy has been particularly vibrant lately. But it’s hardly the first choice of American officials to lead the way to a more prosperous Afghan future.

Afghanistan may be on pace for a world record opium poppy crop this year, says Robert Charles, the State Department’s top counternarcotics official.

The specter of nearly 300,000 acres of poppy cultivation this year would “empower both traffickers and the terrorists they feed,” says Charles. The prospective bumper crop has been aided by unseasonably warm temperatures thus far this year.

But Charles believes that if the United States and Britain act quickly and in coordination, the 2004 poppy crop could be much lower. Britain is taking the lead role in the counternarcotics effort in Afghanistan.

According to U.N. estimates, poppy exports were a \$2.3 billion business last year, nearly half of the country’s gross national product.

While 90 percent of the poppy ends up in European streets to satisfy heroin habits, American interests are negatively affected as well.

A newly declassified U.S. analysis shows that the Taliban militia, although weakened since being driven from power in Afghanistan in 2001, “almost definitely” reaps profits from the poppy trade.

Another group in the same category is Hezb-i-Islami, which uses poppy proceeds to oppose the pro-U.S. Afghan government — poppy being the main ingredient of heroin.

The group also is believed to ship funds to fundamentalist groups in

Uzbekistan, scene of a series of terrorist attacks last week.

Al-Qaida “possibly” is a beneficiary, the analysis says. Al-Qaida and the Taliban operate along the Afghanistan-Pakistan border, generally evading efforts by U.S. and Pakistani forces to hunt them down.

With sworn extremists of U.S. goals involved — or thought to be involved — in the heroin trade, the Bush administration has a strong incentive to go after the crop and the traffickers as well.

Less than a month after Afghan President Hamid Karzai took office in December 2001, he issued a decree prohibiting poppy production.

While U.S. officials don’t doubt his sincerity, Karzai’s programs to eliminate the problem have failed dismally. Karzai sounded the alarm at an Afghan donor’s conference in Berlin last week when he said drugs were “undermining the Afghan state.”

Donor nations pledged \$8.2 billion to assist Afghanistan over three years. The United States pledged \$1 billion on top of \$1.2 billion already programmed for Afghan assistance this year.

The Bush administration hopes that a multipronged approach can help defeat the Afghanistan’s poppy growers and the extremist groups that support them.

Having substantially reduced Colombia’s coca production through massive eradication efforts, the administration hopes for a similar result against Afghan poppy.

No one suggests that poppy growers can be sweet-talked into switching to alternative crops. Indeed, hundreds of poppy farmers gathered in the town of Kama in eastern Afghanistan on Tuesday to protest the government’s plans to destroy their crops.



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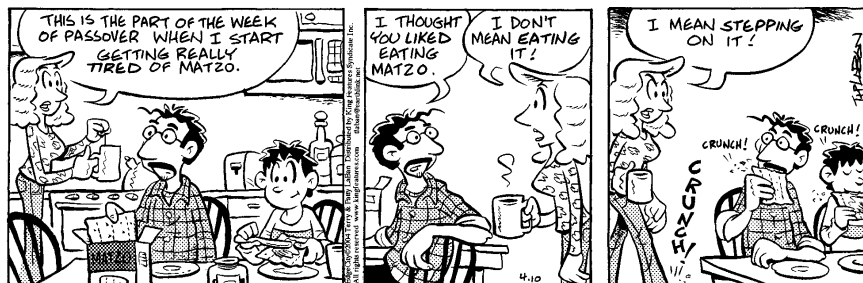
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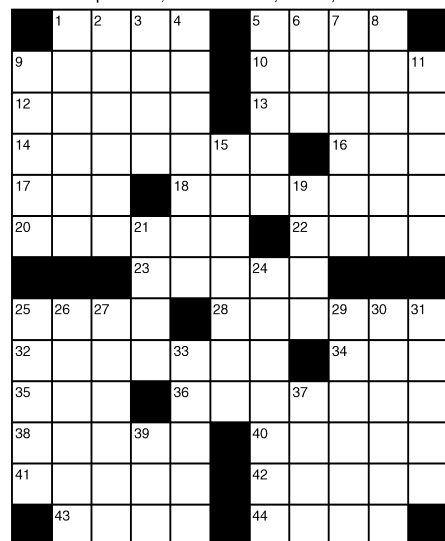
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Obituaries

NASHNER-LOIS ODLE, age 84, died on January 14 in Portland, Oregon. She was born in Pittsburgh on March 4, 1919. She received a B.A. in Music from Carnegie Mellon University when she was 19. Her husband Sydney Nashner died in 1955, and she raised her three children Marjorie, Lewis, and Robert. At the age of 50 she earned a Master's degree in Public Administration at UCLA and worked as a Human Relations Management Consultant. She was an accomplished concert pianist and performed at chamber music and other recitals in Los Angeles and Santa Monica, where she lived for 30 years with her partner Karl Kreuter. She leaves her three children, her sisters Sylvia Lilley and Jeanne Perlman, two grandchildren and two great-grandchildren.

Obituaries

WE HAVE learned that Leon Hyatt, a long time businessman of the Santa Monica West Side Area passed away, Monday April 5th from an un-named, unknown lung disease. Leon Hyatt opened the Arsenal Restaurant & Lounge in 1960. He added a successful Sports Bar in January 2000, just months before retiring to the San Fernando Valley. Mr. Hyatt was a veteran of WW II in the Asiatic-Pacific Theatre, where he served in the Army Occupation of Japan. Leon is survived by his wife Ginny, and daughters, Katrina Roberts, Cynthia Roberts, and Mona Bradley, as well as eight grandchildren.

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PEOPLE IN THE NEWS

Tarantino plotting final volume of "Kill Bill" trilogy

By The Associated Press

■ **NEW YORK** — "Kill Bill — Vol. 2" isn't even in theaters yet, but Quentin Tarantino says he's already planning volume three.

"Oh yeah, initially I was thinking this would be my 'Dollars' trilogy. I was going to do a new one every 10 years. But I need at least 15 years before I do this again," the director tells Entertainment Weekly magazine in its April 16 issue.

Tarantino says Uma Thurman, who plays a bride out for revenge in the series that began last year, won't be the star.

"The star will be Vernita Green's (Vivica A. Fox's) daughter, Nikki (Ambrosia Kelley). I've already got the whole mythology: Sofie Fatale (Julie Dreyfus) will get all of Bill's money. She'll raise Nikki, who'll take on The Bride," he says. "Nikki deserves her revenge every bit as much as The Bride deserved hers. I might even shoot a couple of scenes for it now so I can get the actresses while they're this age."

"Kill Bill — Vol. 2," co-starring David Carradine, Michael Madsen and Daryl Hannah, opens April 16.

■ **DAYTON, Nev.** — A day after a misdemeanor battery case against him was dismissed in California, former Motley Crue frontman Vince Neil pleaded no contest to battery on a Moonlite BunnyRanch prostitute.

The 43-year-old singer declined to comment when the judge asked whether he had anything to say.

"We wanted to resolve this as quickly as possible," attorney Scott Freeman said after the brief hearing Thursday in Dayton Justice Court, 12 miles east of Carson City. "Mr. Neil personally appeared out of respect for this court and this county. Now he's moving on."

Prostitute Andrea "Trixxie Blue" Terry said Neil choked her and threw her against a wall when the two

met at the Mound House brothel where Neil stopped July 10, 2003, after a concert in Reno.

BunnyRanch owner Dennis Hof said he was sorry to hear that Neil felt pressured to enter a plea.

"It's sad to see Vince do that because in my mind this girl's an opportunist and I know that Vince did nothing wrong," Hof told the Nevada Appeal newspaper. "I assume he did this to avoid having a lengthy trial. I will support him to the end, because I know he didn't do anything wrong."

Judge Bill Rogers suspended a 30-day jail sentence and ordered Neil to complete anger management correspondence courses within 60 days. He was fined \$1,000 plus court fees of \$132, and returned to his Las Vegas home afterward.

A misdemeanor battery case in Beverly Hills, Calif., against Neil was dismissed Wednesday after he completed more than 100 hours of community service, prosecutors said.

■ **TYLER, Texas** — At 70, Willie Nelson has a new album, but one that doesn't feature his signature crooning.

The country-western icon's "Nacogdoches" is a limited-release disc of jazz instrumentals recorded five years ago at Encore Studios in the historic deep East Texas town that bears the album's name.

Nelson is scheduled to arrive Saturday in Rusk County for his pre-Easter concert at the Rose Amphitheatre.

The musician's 71st birthday, April 29, also is the scheduled street date of "Nacogdoches."

"This is a labor of love that a label probably wouldn't be willing to release," Nelson told the Tyler Morning Telegraph in a telephone interview for Friday's editions.

The disc will be available exclusively through the Web site www.willienelson.com and at Texas Roadhouse restaurants, a chain sponsoring Nelson's

current tour as part of their longtime partnership. The "Nacogdoches" idea started with a telephone call from mandolin player Paul Buskirk, one of Nelson's earliest mentors and collaborators.

"I was coming in off a tour and Buskirk called me and told me some bad news he'd had and he said he just 'felt like picking,'" recalled Nelson. "I went to go back to Nacogdoches from Austin, and Buskirk had put together a bunch of great musicians. We just sat down and started playing."

He was joined by Buskirk on mandolin, Gary Weldon on harmonica and flugelhorn, Paul Schmidt on piano, Mac Nase on bass and Mac Lefarve at the drums.

■ **FREDERICK, Md.** — Paradise isn't lost but the cheeseburgers are gone.

Lawyers for singer Jimmy Buffett gave a tiny roadside grill called Cheeseburgers 'n Paradise a choice: Change the name or face a trademark-violation lawsuit.

Owner Frenis Hoffman renamed the place Beef 'n Buns 'n Paradise this week, at least the second restaurant in two months to change its moniker under pressure from Buffett's lawyers.

"I'm feeling like a guppy in a tankful of sharks," Hoffman told The Frederick News-Post for a story published Thursday.

Lawyers for the famously laid-back singer accused the Hoffmans of using the name to ride the coattails of Buffett's 1978 hit, "Cheeseburger in Paradise," Hoffman said.

"I don't even care for his music," Hoffman said. "I like his lifestyle but not his music."

Buffett's representatives in Los Angeles didn't immediately return calls from The Associated Press.

Hoffman and his wife, Faye, opened their sandwich shop 10 years ago. Buffett launched his own chain of Cheeseburger in Paradise restaurants in August 2002.

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