

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5

32, 26, 10, 1, 22

DAILY 3

Afternoon picks: 9, 0, 2

Evening picks: 1, 3, 0

DAILY DERBY

1st Place: 7, Eureka

2nd Place: 4, Big Ben

3rd Place: 9, Winning Spirit

Race Time: 1:41.60



NEWS OF THE WEIRD

by Chuck Shepard

The school district based in Elgin, Ill., decided in August that, although four new schools that cost \$40 million were ready to be occupied, the district has no money to operate them and that they will thus stay locked up for the entire school year, at least. And a September General Accounting Office report described (based on undercover work in seven states) the customer-friendliness that motor vehicle offices display when people try to obtain driver's licenses fraudulently; clerks routinely give "applicants" back their bogus papers (instead of confiscating them) and cheerfully instruct them exactly how to "correct" the applications to assure that they'll get that license on the next attempt.



QUOTE OF THE DAY

"I believe that the power to make money is a gift from God."

— John D. Rockefeller



INDEX



Horoscopes

Be original, Leo 2



Local

Ponder your purpose 3



Opinion

Local pols should watch backs 6



Entertainment

'Cruelty' completely tolerable 8



State

Time to act for Arnold 10



National

Philly officials bugged 14



People in the News

Manilow sings happy tune 20

Slain teenager's parents seek psychological records of killer

Case set to be heard by a jury in December

BY CAROLYN SACKARIASON

Daily Press Staff Writer

Psychological records of the teenager who killed a Santa Monica High School sophomore are at the heart of a court case set to go before a Santa Monica jury in December.

A lawyer for the parents of Deanna Maran, who was stabbed at a party on Nov. 17, 2001, has asked for the records in a quest to show that Katrina Sarkissian was prone to violence.

Sarkissian, 17, stabbed Maran at an unsupervised party in Westwood attended by

teenagers and hosted by a 15-year-old boy whose parents were out of town.

Santa Monica residents Harriet and Ilija Maran sued Angelique Sarkissian Bernstein and Sarkis Sarkissian in May 2002, claiming that they should have known their daughter, Katrina Sarkissian, was emotionally unstable and violent.

The suit also targets Sarkissian's 15-year-old half-sister, whose name is being withheld because she's a minor. She allegedly kicked Maran while Sarkissian stabbed her in front of dozens of onlookers.

According to the Marans' complaint, Deanna Maran got into an altercation with the

See MARAN, page 4



Deanna Maran

Beware of the fire extinguisher 'repairman'

By Daily Press staff

Police are on the hunt for a man who poses as a fire extinguisher repairman, accepts payment and then makes off without ever completing the job.

On Monday, Santa Monica Police responded to the 200 block of Broadway regarding a theft investigation. Officers spoke to a store merchant who said the suspect entered his store and said he was there to service the store's fire extinguishers. Apparently, he acquired money for servicing the fire extinguishers and left without performing the work.

"They've had incidents in Beverly Hills, too," said SMPD Lt. Frank Fabrega.

The suspect is described as white, 40 to 45 years old, 5'10", 280 pounds with brown hair. The suspect was wearing a dark-colored jacket and blue jeans.

The Santa Monica Fire Department enforces the California Code of Regulations Title 19 that requires fire extinguishers be serviced once a year. Businesses should check the tag that is affixed to their fire extinguisher for that information, police said. On the tag is the date and month it was last serviced. State-licensed contractors are the only ones approved to conduct this type of service, police said.

Anyone with information regarding this incident is encouraged to call the Santa Monica Police Department at (310) 458-8491.



Carolyn Sackariason/Daily Press

A homeless man holds police at bay while threatening to kill himself by jumping from the Palisades Bluffs to the Pacific Coast Highway below on Thursday.

Suicidal man on the edge

Local authorities talk him off the Palisades Bluffs

By Daily Press staff

A homeless man was talked off the Palisades Bluffs Thursday after threatening to commit suicide by jumping onto the Pacific Coast Highway below.

Friends identified the man as "J.R." and said he has been living in Santa Monica for more than a year. He recently began a three-

month drug binge, regularly shooting up the methamphetamine called 'crank,' friends said.

The northbound lanes on the Pacific Coast Highway were closed off, which caused traffic throughout Santa Monica to be backed up. Police officers diverted cars off of I-10 at the Fourth Street exit and directed them through Santa Monica Canyon. Some motorists reported that traffic was backed all the way to Crenshaw Boulevard and delays lasted up to 45 minutes.

See SUICIDAL, page 4

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HOROSCOPE

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JACQUELINE BIGAR'S STARS

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

HAPPY BIRTHDAY for Friday, October 10, 2003:

Take charge of your immediate surroundings, expressing an understanding of what you need to make your life work. You will tend to go overboard financially without intending to. You can make a lot happen very quickly, if you simply go with the flow. Your ability to get past problems will come through hard work and endurance. You will also develop new verbal and communication skills. If single, you will notice that you attract many. You could have a difficult time choosing who, what and where. You will, no matter your status, learn to juggle your needs with others', establishing better boundaries. If attached, there is much caring that exists between the two of you, though you need to learn to act on it more frequently. Share more of your personal life as well. ARIES is your friend.

ARIES (March 21-April 19)

★★★★★ This particular Full Moon might make you feel pulled in two different directions at once. You might need to rethink what is happening in a key relationship; be expressive of who you are with a special person or associate in your life. Tonight: Whatever floats your boat.

TAURUS (April 20-May 20)

★★★★★ Someone expresses a sweetness that might touch you on such a deep level that you might not be able to express yourself. Actions count more than words. Do something special for this person, if you can. Tonight: Get some extra zzz's.

GEMINI (May 21-June 20)

★★★★★ Follow your friends, who take you down a unique course right now. Someone has something heartfelt he or she wants to share, which could involve your work. Your ability to push through this project can make this person's day. Tonight: Where are your friends? Follow them.

CANCER (June 21-July 22)

★★★★★ Take the lead, and others will follow. Your intellectual viewpoint when expressed with your sensitivity and creativity mix into a brew that spells "winner." Let nothing stop you now. Revamp a work project if need be. Tonight: A must appearance.

LEO (July 23-Aug. 22)

★★★★★ Your mind might already be gone for the weekend; now only your body needs to follow! In this unique sense of detachment, you'll gain a perspective on a personal matter as well as a very important relationship. Share your perceptions. Tonight: Do something you have never done before.

VIRGO (Aug. 23-Sept. 22)

★★★★★ Deal with one person at a time, letting someone know how important he or she is to you. A change within you or domestically could help you move emotionally from one point to another. As fall comes on, schedule a checkup for your heating system. Tonight: A close night for two, if possible.

LIBRA (Sept. 23-Oct. 22)

★★★★★ Others want to indulge you while still somewhat challenging you. You might feel as if you are caught in a revolving door! Stop the cycle, and pull back. Don't forget how much you have to offer. Put your best foot forward professionally. Tonight: Go along with another's request.

SCORPIO (Oct. 23-Nov. 21)

★★★★★ How you handle a personal or work-related matter might be a lot different right now from usual. You express unusual caring and gentleness toward others. Use this recent gift of charm and high energy together. Tonight: Put your feet up. Make it a lazy night.

SAGITTARIUS (Nov. 22- Dec. 21)

★★★★★ Understanding what others want might be step one in sorting through today's Full Moon. You might not be sure of a loved one. Could this be too good to be true? You recognize what needs to happen here. Tonight: Play the weekend in.

CAPRICORN (Dec. 22-Jan. 19)

★★★★★ You might not understand what someone is saying to you, or you might not understand why he or she is saying it. Relax with the moment, trying not to jump to judgments. Rather, listen more openly. Tonight: Be spontaneous. Respond to a friend.

AQUARIUS (Jan. 20-Feb. 18)

★★★★★ Keep reaching out to others. You finally find that a boss is willing to work with you on a more amiable and easy level. Use special caution with your spending. You might be working through anger in that manner. Tonight: At a favorite spot.

PISCES (Feb. 19-March 20)

★★★★★ How you say what is on your mind has a lot to do with the end response. Check out what might be going on behind the scenes before swallowing office gossip. Verify everything you hear rather than taking it as "right." Tonight: Your treat.

Santa Monica Daily Press

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LOCAL



A smear campaign?



Photo courtesy of Michael Gruning

In high profile elections, spirited opposition is expected, but "dirty" politics is another matter. When Dr. Michael Gruning arrived at work on election day, he was greeted with feces smeared on his Montana Avenue office window, with an extra helping below on the sidewalk.

COMMUNITY BRIEFS

Calling all artists: Twilight series needs new look

By Daily Press staff

The Santa Monica Pier Restoration Corporation is now accepting designs for its second annual Twilight Dance Series Poster Design contest. All digital media and graphic design artists — including students, amateurs and professionals — are welcome to compete for the single poster design, which will officially advertise the 10-week Twilight Dance Series. Santa Monica Pier's free summer concert series is attended by nearly 100,000 people each summer.

The poster entries, which should be informative about concert dates and performers, and convey the diverse spirit of the Twilight Dance Series, will be judged by polling the residents of Santa Monica via mail. The winning design will then be highly publicized, with over 50,000 posters and fliers being printed and seen by hundreds of thousands of tourists and residents.

The winning poster will also join an exclusive group of previous winning designs that can be found framed in many city offices and at many entertainment venues.

Entries are due at the Santa Monica Pier Restoration Corporation office at 200 Santa Monica Pier, Suite A, by 5 p.m. on Oct. 30. The winner will be announced during the Spring Arts Festival 2004.



surf report

We'll see mixture of fading WNW swell and also a building combo of WNW/NW energy today. A large swell was filling into the Northern Coast today and we'll see some of the lower edge of that storm/swell on Friday although we'll miss the real meat of the energy.

OUTLOOK: The weekend could be a little slower. Stay tuned.

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

Today the water is:

63

Sunrise: 6:45 a.m.
Sunset: 7:01 p.m.

	LOW TIDE				HIGH TIDE			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	12:16	-0.1	12:10	2.9	7:21	4.3	5:55	5.4
SUNDAY	1:07	-0.2	1:07	2.3	7:53	4.7	6:56	5.6
MONDAY	1:48	-0.2	1:52	1.8	8:21	4.9	7:44	5.6
TUESDAY	2:22	-0.1	2:30	1.3	8:45	5.2	8:26	5.6
WEDNESDAY	2:50	0.1	3:50	1.0	9:08	5.4	9:03	5.4
THURSDAY	3:16	0.4	3:37	0.7	9:29	5.5	9:39	5.2
FRIDAY	3:38	0.8	4:10	0.5	9:49	5.6	10:14	4.8

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For more information about contest rules, design submission or design content, visit www.twilightdance.org or call (310) 458-8901.

Find out your purpose in life

By Daily Press staff

Why are you on this planet?

Try and find out on Saturday during the "40 Days of Purpose Seminar," at which organizers claim you'll discover your life purpose.

It will be a national simulcast at the Trinity of Santa Monica Church. The simulcast, with host and best-selling author Rick Warren, begins at 10 a.m. Breakfast will be served at 8:30 a.m. The event is free and open to the public. Child care is available. Attendees should R.S.V.P. for breakfast and child care at (310) 395-9961, or visit www.trinitysantamonica.com.

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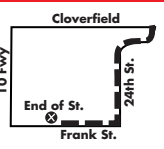
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LOCAL

Parents of victim look for justice in courtroom

MARAN, from page 1

15-year-old girl at the party, which was attended by about 40 to 60 people, the majority of which were minors.

Deanna Maran had told the 15-year-old girl to stop breaking planters and other property at the home, according to the complaint. The two girls briefly fought before partygoers broke it up.

The 15-year-old then allegedly called her half-sister, Sarkissian, who came to the party and "viciously attacked Deanna, with fists and a weapon, ultimately causing her death," the complaint states.

Sarkissian and the 15-year-old then left the party and reportedly conspired to get rid of the murder weapon, the complaint states. Police have neither found the weapon, nor determined what exactly it was. Deanna Maran's autopsy states that she suffered a fatal stab wound to the chest.

A jury trial has been scheduled for Dec. 15 at the Santa Monica Courthouse. Santa Monica Superior Court Judge Linda K. Lefkowitz is presiding over the case.

Bernstein and Sarkis Sarkissian have filed for a summary judgment, seeking to have the case thrown out of court. Their attorneys have declined to comment on the case.

Santa Monica attorney Tony Glassman, who represents the Marans, said he plans to file opposition to the motion next week. An Oct. 30 hearing has been set, at which Judge Lefkowitz is expected to rule on whether the case should go to trial.

Glassman has asked the court to allow Katrina Sarkissian's psychotherapy records and testimony from her psychologist and psychiatrist as evidence to establish her alleged previous violent behavior patterns.

However, Bernstein and Sarkis Sarkissian are arguing that those records and doctor testimony shouldn't be admissible because of patient-doctor confidentiality rules. Glassman argues that because Katrina Sarkissian is dead, the confidentiality agreement is void.

Sarkissian died while in police custody on Nov. 18 — the day after the murder. The Los Angeles Coroner's Office ruled that she overdosed on anti-depressants.

Bernstein and Sarkis Sarkissian filed a wrongful death claim against the Los Angeles Police Department, alleging that

detectives could have prevented their child's death while she was in custody on suspicion of murder. They claim that detectives questioning Sarkissian should have immediately summoned paramedics when she collapsed unconscious while she was being interrogated.

**"I want to send a message
that how you raise your
kids eventually catches up
with society ..."**

— HARRIET MARAN
Deanna's mother

After months of investigation by the LAPD, the district attorney's office charged the 15-year-old with one count of battery, a misdemeanor, for her alleged role in the murder. The DA's office also charged her with a felony — making a terrorist threat that's not related to the case. The girl is said to have threatened someone over the Internet months after the party.

The 15-year-old received 100 hours of community service and was ordered to pay \$100 in restitution for the battery charge, sources said. The felony charge was dropped because witnesses and the person threatened decided not to come forward.

The Marans claim that the parents of Sarkissian could have prevented their daughter's death because they knew she had "violent, vicious and destructive tendencies" prior to Maran's murder, according to the suit. The Marans argue that Sarkissian's parents and her half-sister had an obligation to control her from harming others.

"If Katrina didn't show up, it would be what people would call a normal unsupervised party, but a catalyst for violence came and went," said Harriet Maran. "I want to send a message that how you raise your kids eventually catches up with society ..."

"I hope they see that she didn't drop from the sky homicidal."

Friends say suicidal man on three-month drug binge

SUICIDAL, from page 1

Dozens of police officers responded to the scene. Fire trucks, ambulances and police cars were stationed around the area, just north of Wilshire Boulevard. Lifeguards and more police were stationed below the bluffs on the PCH.

Authorities spent the afternoon trying to talk J.R. off the cliff, eventually succeeding and taking him to a mental hospital where he was to undergo a 72-hour evaluation.

A shirtless J.R. appeared angry and distraught as officers tried to reason with him. Though he spent much of the time sitting down and looking over the edge of the bluffs, on several occasions he stoop up and shouted, waved his arms and hurled rocks toward the officers.

Terry Marcellino, a 20-year resident

of Second Street, said she had seen J.R. before.

"He needs his meds," the graphic artist said. "He's schizophrenic ... he's definitely got issues. He's a loud talker in the middle of the night."

John Ellis, a homeless man from South Carolina who moved to Santa Monica in 1998, said J.R. had been acting crazy since he started shooting up regularly.

"It's amazing he made it this long before somebody took him in," Ellis said.

Some onlookers were bothered by the measured response of authorities.

"This is Santa Monica — the land of the liberal," said George Lander, a screenwriter who lives in Torrance. "Back in the big city, in New York or Chicago, they wouldn't have put up with this for five minutes."

LOCAL



Fatal bear attack in Alaska recorded on videotape

Malibu couple heard screaming on footage

BY RACHEL D'ORO
Associated Press Writer

ANCHORAGE, Alaska — The graphic sounds of a fatal bear attack were recorded on tape, Alaska State Troopers discovered this week while reviewing videotape recovered from the campsite where a wildlife author and his girlfriend were killed.

The remains of Timothy Treadwell, 46, and Amie Huguenard, 37, both of Malibu, were found Monday at Katmai National Park and Preserve on the Alaska Peninsula.

Trooper Chris Hill said the tape suggests the video camera was turned on just before Treadwell was attacked. The recording is audio only and the screen remains blank for all six minutes.

"They're both screaming, she's telling him to play dead, then it changes to fighting back. He asks her to hit the bear," Hill said. "There's so much noise going on. I don't know what's him and what might be an animal."

"It's pretty disturbing. I keep hearing it in my mind."

An air taxi pilot who arrived to pick up the couple near Kafia Bay contacted the National Park Service and troopers to report a brown bear was apparently sitting on top of human remains in the camp.

A ranger shot and killed a large brown bear when the animal charged at them through the dense brush. Troopers and rangers later killed a smaller bear apparently stalking them.

An autopsy on the human remains con-

firmed the couple were killed by bears, according to results released Wednesday.

Troopers recovered video and still photography equipment as well as three hours of video footage from the site, which is located across Shelikof Strait from Kodiak Island.

Much of the footage is closeup shots of bears. Treadwell built his reputation as an author and videographer living among Katmai bears each summer for more than a decade. Huguenard, a physician's assistant, had been traveling to the park for the last couple of years with Treadwell — co-author of "Among Grizzlies: Living With Wild Bears in Alaska."

Some of the recovered footage has bears no more than a few feet away from Treadwell. Others show a more timid Huguenard leaning away as bears come close to her on the bank of a river.

Hill said he was stunned by what he heard. "The audio starts while he's being mauled and ends while he's being mauled," Hill said.

Perhaps Treadwell heard a bear and asked Huguenard to turn on the camera, which was found with the lens lid on and packed in a camera bag, Hill said.

"At first, she sounds kind of surprised and asks if it's still out there. I'm not sure if she was asking if a bear was outside their tent or in the brush," Hill said. "The audio stops because the tape runs out. Otherwise, it probably would have captured the whole thing."

Hill said he will attempt to transcribe the tape. There are no plans to make the recording or transcripts public, trooper spokesman Greg Wilkinson said.

On Wednesday, the Park Service focused its investigation on the campsite.

A multiagency team, including rangers and troopers, flew out to the remote area again after being socked in by bad weather Tuesday. A state biologist was on hand to take tissue samples from the dead bears for necropsies.

Human remains and a T-shirt were found in the stomach of the larger bear. But other bears had eaten most of the smaller bear or buried some of its remains, Hill said.

There's no way to tell if either bear killed Treadwell and Huguenard, said John Quinley, a Park Service spokesman.

"No doubt we'll be looking for evidence of human remains, but there's a difference between killing and consuming," Quinley said. "The fact that those bears consumed humans doesn't mean they did the killing."

Rebecca Dmytryk, who oversees an animal rescue organization in Malibu, said Treadwell was more fearful among humans sometimes than with bears.

She recalled video footage of

Treadwell before his death that showed him in a streambed near an older bear he nicknamed "Quincy."

"Quincy, do you remember when you stood over me? You were so hungry, and you should have eaten me, but you didn't. Thanks for not eating me, Quincy," Dmytryk recalled him saying to the bear in the clip. "If Quincy had eaten me, good cause. He's a nice bear. Love 'm."

Added Dmytryk: "He did love those bears. They were family. He sacrificed his life to protect them."

Treadwell's family was in shock.

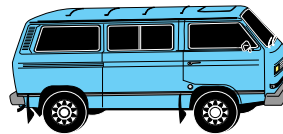
"I was dumbfounded, ready to fall through the floor," said his father, Valentin Dexter, who lives in Pompano Beach, Fla. "Oh God, I was very proud of him."

"We talked about the risk of him living by himself in the woods, but we never dwelled on it because he always came home happy and with so many good stories," said his mother, Carolann Dexter.

"Not too many get to do what they love and he did just that."

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LETTERS

Gun would have saved couple from bear

Editor:

Two Malibu residents were killed by bears at the Katami National Park in Alaska this week. The man and woman were experienced bear watchers and had been flying out to the remote area for the past dozen years. The bears were still in the vicinity when the rangers arrived to investigate and had to be shot when they approached the troopers aggressively. The news report stated that no guns were found at the scene of

the tragedy and then went on to mention that firearms are banned in the park. Now it occurred to me that had the couple bent the rules and secreted two .357 Magnums into the area and worn them as sidearms they might well have been alive today. Bears have been known to be scared off by loud noises.

While I am against hunting and the senseless killing of wildlife, it strikes me as being foolish not to allow folks to take sensible precautions for their own safety. The reasoning behind the ban on weapons in national parks is that they are inclined to make one over confident and inclined to take risks. That may well be true, however, in the past hikers, campers and wildlife observers have sometimes been attacked, even when they were obeying all the rules and staying in designated safe areas. It has happened. As a famous scout once said, "Be prepared."

N. John Gazey
Santa Monica

Who's the evil one?

Editor:

Re: "Kill Whitey" (SMDP, Oct. 9), Mr./Ms. Vejune J. Beltrusaitus, that's great that you and Louis Farakahn really see eye-to-eye. Your solution to all this "racism" must be more Affirmative Action (reverse discrimination), quotas, and equal intolerance and hatred of the "evil white man."

By the way, you forgot to blame the Jews for something.

Jeff Bender
Santa Monica

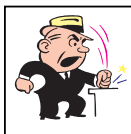


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Could recall revolt cost local politicians their jobs, too?



MY WRITE

By Bill Bauer

Whew, California's historic election is over.

I'm amazed that most of our local politicians seemed to forget the damage caused when Gov. Gray Davis diverted millions of dollars in state funds from the city, schools and community college earlier this year. This and the prediction of more serious shortages next year didn't seem to register with them.

It didn't stop them from prattling on in the Santa Monica Daily Press, Tuesday, Oct. 7, "City Council: No on recall, no on Arnie."

Mayor Richard Bloom opposed the recall, calling it "a conservative attack on the process." Then he claimed "the polls do not suggest Schwarzenegger will be elected." Richard, it wasn't conservatives, it was aliens from outer space — probably the same ones who conducted the polls you referenced.

Bloom worried that Arnold's election would "reduce Santa Monica's ability to provide basic services including fire, police and funding for schools." I'm confused. Isn't that what Davis did?

The Mayor said he'd vote for Gray, Jr. — I mean, Cruz Bustamante — I guess because even more of a bad thing is good.

Councilman Ken Genser was against the recall because "it's wrong to use the recall process when one group just generally disagrees with the policies of elected officials."

It couldn't be too wrong because the process is allowed by the state constitution and the "one group" Genser refers to is the wide majority of the electorate who voted overwhelmingly for recall.

Genser described Schwarzenegger as one who "apparently doesn't understand the fiscal realities of the state." And Davis did?

Councilman Bob Holbrook opposed recall because "it should be reserved for when someone has committed a crime ... or greatly embarrassed the office."

Sorry, Bob. I like the idea that incompetence and bad governing allow us to recall politicians.

Holbrook favored Bustamante to replace Davis because "he most nearly reflects the policies and beliefs of the governor (Davis)."

Maybe that's why Bustamante came in a distant second.

Councilman Herb Katz opposed the recall because he didn't see any malfeasance. How about rank incompetence? Like Holbrook, Katz doesn't see much changing by Arnold being elected. Let's

hope they're both wrong on that account.

Councilman Kevin McKeown came closest to winning a prize when he opined that no recall "would validate a pay-to-play governor who just last November lied to us about the severity of the state budget shortfall."

Councilman Kevin McKeown, critical of the choices provided by the two major parties, supports Peter Camejo. The Green Party gubernatorial candidate garnered just 3 percent of the vote.

Although Councilman Mike Feinstein didn't comment to the Daily Press, he contributed a lengthy opinion piece posted online at surfsantamonica.com.

Feinstein, like Bloom, believes the recall process has been hijacked by special interests for partisan purposes. And, like fellow Green, McKeown, Feinstein blames the problems on a two-party system which he describes as "the mediocrity of institutionalized duopoly upon our state."

Feinstein says the recall process is an opportunity for "society to be able to make needed changes — if/when our state's existing political structure is incapable of and/or unwilling to deliver it."

So far, so good, but he veers off course when he suggests the process is being manipulated by "strategic exploitation of this popular dissent" — the same exploiters that rigged the Florida 2000

presidential election and even an attempted 2001 coup in Venezuela. Wow, A worldwide conspiracy.

Councilwoman Pam O'Connor, who is on vacation in Africa, wasn't available to comment.

What's happened statewide could happen in Santa Monica next fall. The same reason angry voters rejected Davis and embraced Arnold could come into play here.

An electorate fed up with bad fiscal mismanagement, lavish spending on ego projects, high taxes, short-changed schools, reduced services to residents and overblown social service programs could eject some councilman and school board members from their seats.

These same politicians will claim the special interests they condemned in the recall — Republicans, hotels, developers and landlords — are hijacking the process while they themselves take largess from the same kind of special interests such as big labor.

As long as we allow politicians here, on the state level or in Washington, D.C. to sell out to special interests, push unpopular agendas and trade votes for dollars and deals, we'll get the kind of government we deserve. And we'll all pay the price.

(Bill Bauer is a longtime Santa Monica resident).

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OPINION

The Q Line

Community split over homeless man's lawsuit

This past week, Q-line asked your reaction to the awarding of \$275,000 to a homeless man who was run over by a city tractor while sleeping on the beach. the question was:

"If you were on a jury, would you have ruled for or against the man's lawsuit? Why?"

Here are your responses:

■ "If I was on the jury for this homeless man, I would not have given him anything. In the first place, he doesn't belong in California; second place, he should not have been sleeping on the beach. If he slept in a doorway, no trucks would run over him. I think that all the homeless living in Santa Monica should be picked up and taken to Malibu, Culver City, Venice and all the other cities so we don't have to take care of them and spend all of our money. I pay taxes in this city, and I expect my money to go to righteous people, not a homeless man who sleeps on the beach."

■ "Yes, the jury should have found the city guilty. (I would have) if I was sitting on the jury with the facts that I know now. Since I wasn't on the jury, and no one else was on the jury, we don't know any other facts. Liability is liability. When driving a vehicle and you hit someone, even if they're trespassing, liability is liability. The person should not have been run over, even if it was an

accident. Yes, they should have been arrested because the beach is closed at certain hours. But just because they weren't arrested, that doesn't give the city or anyone else the right to run over them. If you're going to comb the beaches, you should have plenty of lights to see what you're driving over so that accidents do not happen. But it does not excuse that an accident happened. That's why the city should be out there enforcing the camping laws more vigorously. When they give parking tickets out for street sweeping, the street sweeper doesn't run over cars ... it goes around them. The city should have paid. I don't like the idea, but they should have paid."

■ "I would probably never make it to the jury because I would argue that the homeless are not like the ordinary citizens who just happen to be (in the wrong) place at the wrong time. This lawsuit settlement is just one more reason that the city should not put out the welcome mat for the homeless."

■ "I would have ruled against (the homeless man) based on the fact that prior to living on the beach, the individual could, legally, be considered a vagrant. There is a vagrancy law on the books, but nobody pays any attention to it. One of the things that should be looked at very closely is that Ed Silverstein, a freelance writer, spelled it out explicitly ("City council faces Sophie's Choice for homeless," Oct. 8) in the Daily Press. His synopsis of what has happened to the city is so accurate ... that anything else pales by comparison ... to describe the homeless problems in this community. Santa Monica, by far and large, has the biggest homeless problem in the United States. There isn't any other city that has so many homeless for such a small population, and tries to do so much but fails constantly. It is the City Council that is at fault. Also, the lack of enforcing the vagrancy law is at the root of this."

■ "I would have ruled for the man's lawsuit because thousands of homeless people sleep on public property and dozens of them are injured in accidents in parking lots and streets. But the beach is a little different because he was injured while sleeping during the day when anyone could have been lying on the beach during the day. I don't know how these tractors cannot see someone lying on the beach during the day. I have laid on the beach during the day, when the weather was good, and have been apprehensive, even when I've been walking by the tractors coming along.

Now, when it comes to the streets and public parking lots, that's a little different because those aren't areas where people are expected to be lying down. I feel this man did deserve to have money awarded to him for his injuries and the man driving the tractor should have been a little more careful."

■ "I would have ruled for the man's lawsuit. In fact, I would have given him the \$1 million because I was in the medical field for 30 years and these kinds of injuries that that guy suffered could have a lasting effect on him. Regardless of whether or not a person is homeless, if someone gets injured by the city — take, for example, the tree that fell on the car and the guy got \$1 million — I hope that this guy, when he has settled his case, got his medical bills paid. Because if he didn't, then he's screwed. Also, the attorney should be paid for this. The city is responsible. The city shouldn't be so careless. It could have been anyone on the beach."

■ "I would have voted against it because he was sleeping in a place that was not to be slept in, and the whole thing was an accident. He shouldn't even have had a lawsuit against the city. I can't understand why, in our city, people are getting away with murder, especially when every homeless man is getting away with (breaking) every rule in the book."

■ "How can you ask the question when you don't know anything about the case?"

America must act unapologetically in order to save itself

North Korea has announced it is using plutonium extracted from spent nuclear fuel rods to make nuclear weapons. How could the United States let this happen?

In 1994, when North Korea was on the brink of economic collapse, its new leader Kim Jong Il, following in his father's footsteps, demanded the help of his reviled enemy, the United States of America. Then-President Bill Clinton agreed to supply food, oil and two light-water nuclear power reactors.

What did America receive in return? The withdrawal of a threat of nuclear war that North Korea had no capacity to wage, but which it might be able to wage some day, if it could keep itself fed, fueled and powered long enough to develop its nuclear capacity.

How could an aging dictator nicknamed "Baby Kim" extort protection money from a superpower, for no more than a promise to suspend development of nuclear weapons? Did he, like some fictional super-villain, hold some ace card? A special hostage?

Whatever Baby Kim's ace was, it worked so well that he decided to use it again.

In October 2002 Kim revealed that he had broken his promise and had resumed uranium enrichment. He demanded that America negotiate a new deal. George W. Bush refused. Kim threatened "merciless

punishment" for the United States and a "sea of flames" for South Korea. Bush declared this was a "diplomatic" not a "military" issue. Kim withdrew from the Nuclear Nonproliferation Treaty and fast-tracked his development of nuclear weapons. Bush responded by offering to consider Baby Kim's new demands, provided North Korea's neighbors were included in the talks.

How can Kim be getting away with this again? Why doesn't Bush give an ultimatum to the regime he called evil, then work out the safest way to destroy its military capacity? Whatever the risks of an attack, the risks of continued appeasement are much greater, as the result of the 1994 deal, and history, prove. So, how is it that Baby Kim is the one who makes the threats, and Uncle Sam the one who does the conceding? What does the tyrant have up his sleeve? Baby Kim does hold a couple of ace cards. They were slipped up his sleeve by Western moralists.

Every culture, they insist, is sacrosanct and can be judged only according to its own subjective standards. Accordingly, foreign regimes are immune from moral condemnation — a

brutal communist dictatorship such as North Korea must be considered morally equivalent to the United States of America. Despite his "axis of evil" rhetoric, Bush is incapable of challenging this moral relativism. Consequently, he lacks the moral certainty that would give him the courage to take decisive action. He is reduced to issuing empty threats, followed by appeasing proposals, followed by more empty threats.

But despite their explicit premise that there is no universal standard of morality, the moral relativists implicitly take one moral precept for granted, as if it were unquestionable — altruism. According to altruism, the ethics of self-sacrifice, the rich and powerful are guilty by the mere fact of their success and are duty-bound to sacrifice their wealth to those who have less. Thus, rich and powerful America must assume moral responsibility for the impoverished North Koreans.

According to this moral trap, America must not only respect the sovereignty of North Korea, regardless of Baby Kim's policies of domestic enslavement and foreign belligerence, it must also feed and empower it. If North Koreans die as

human shields or when the collective crops fail or when the food aid stops, Kim knows that it won't be he who will be denounced as morally culpable — it will be Bush who will be denounced, for attacking North Korea, or for not providing enough aid. Kim can use his people as hostages, can threaten any atrocity and demand any ransom, knowing that Bush will want to appease him rather than face the denunciation of critics wielding a morality he dare not reject.

The indecision and paralysis engendered by moral relativism, coupled with the appeasement and self-sacrifice engendered by altruism, is suicidal. If America does not throw off these moral chains, it will continue to be the prey of the Baby Kims, Ayatollahs, Arafats and bin Ladens of the world. Just as an individual must act unapologetically to preserve his life, so must America.

America must proudly proclaim its right and intention to protect its citizens, their liberty and their property. It must meet any threat with retaliation that preempts loss of American lives.

(John Dawson is a writer for the Ayn Rand Institute in Irvine. The Institute (www.aynrand.org) promotes the philosophy of Ayn Rand, author of "Atlas Shrugged" and "The Fountainhead.")

Guest Commentary

By John Dawson

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Entertainment

What's Playing

BY DAN DUNN

Special to the Daily Press

SCHOOL OF ROCK

One of the funniest, most high-spirited films of the year, combustible comic Jack Black is nothing short of brilliant.

OUT OF TIME

Director Carl Franklin's taut thriller is a steamy whodunit reminiscent of "Body Heat."

THE RUNDOWN

A rollicking, action-adventure tailor-made for Hollywood's contempo action hero. There is no shortage of high-voltage cinematic action.

UNDER THE TUSCAN SUN

A gorgeous, thoroughly enjoyable romantic dramedy about second chances and the healing power of love.

DUPLEX

Too predictable and ordinary to merit recommendation — this is a retreat that disappoints more than it delivers.

ANYTHING ELSE

As Woody Allen flicks go, it ranks in the middle of the pack with the likes of "Mighty Aphrodite" and "Small Time Crooks."

SECONDHAND LIONS

Duvall and Caine try to push this unwieldy family fare along, but the old hands can't quite advance beyond the ordinary.

MATCHSTICK MEN

An evocatively honest look at the dishonest lives of two con men, featuring stellar performances by Nicolas Cage and Sam Rockwell.

ONCE UPON A TIME IN MEXICO

There is no shortage of entertaining, eye-popping pyrotechnics and hyper-kinetic fight sequences, but what this film is sorely lacking is a sense of clarity.

DICKIE ROBERTS: FORMER CHILD STAR

Has a lot in common with star David Spade's filmography: It shows early promise, but quickly degenerates into an unfunny mess.

THIRTEEN

Nabbed the top director's prize at the 2003 Sundance Film Festival and deservedly so. This is one of the most compelling films of the year.

AMERICAN SPLENDOR

Based on the cult-classic comic book series of the same name, the film is funny and sad and disheveled and, most of all, it's us. In his first go as a leading man, Paul Giamatti just flat-out nails it.

STEP INTO LIQUID

Whether you're a SoCal beach bum or a mainlander who doesn't know a point break from a coffee break, you'll likely enjoy this exciting, beautifully crafted love letter to surfing.

OPEN RANGE

Boasts enough eye-popping scenery and well-choreographed gun battles to make it one of the better westerns in recent memory.

PIRATES OF THE CARIBBEAN

Without a doubt the best Big Screen adaptation of a theme park ride ever, this film goes a long way toward redeeming Disney for the sin that was "The Country Bears" movie.

'Intolerable Cruelty' will leave you in stitches

Review

BY DAN DUNN

Special to the Daily Press

As its name suggests, "Intolerable Cruelty" is populated with unsavory characters doing nasty things to each other in the remorseless pursuit of wealth and carnal pleasure. It's a sordid tale of ruthless divorce attorneys, philandering fat cats and gold-digging vamps who lie and cheat and steal and, most of all, make us laugh. And laugh and laugh and laugh 'til we cry. It's Coen brothers comedy at its gut-busting, tear-duct-filling finest.

George Clooney evokes the comedic cool of Cary Grant as formidable L.A. divorce attorney Miles Massey, whose patented "Massey prenup" is legendary in its impenetrability. Despite enjoying fabulous success and the envy of his peers, Massey is disenchanted and looking for something — anything — to shake things up. Enter the devastatingly gorgeous Marylin Rexroth (the devastatingly gor-



George Clooney and Catherine Zeta-Jones in 'Intolerable Cruelty.'

geous Catherine Zeta-Jones) the soon-to-be ex-wife of Miles' client, developer Rex Rexroth (Edward Herrmann). Marylin, with the help of ace private eye Gus Petch (a hilarious Cedric the Entertainer), catches Rex with his pants down and is banking on

a lucrative divorce settlement. But thanks to Miles' considerable courtroom cunning, she winds up with nothing.

Undaunted, Marylin again marries money, and again divorces it. This time, tapping into the bottomless well of a

dimwitted Texas oil tycoon (Billy Bob Thornton). Next up is Miles, who can't help but fall head over heels in love with a beauty who is even more cold and calculating than he is. He forsakes his career and ties the knot with Marylin without the protection of his iron-clad prenuptial agreement. Before long, the pair is squaring off in a riotous battle of the sexes. As is their wont, the Coen brothers imbue the quirky characters in "Intolerable Cruelty" with enough caustic traits to make them somewhat difficult to embrace. But the sleaze is cartoonish enough so as not to detract from the undeniably appealing chemistry between Clooney and Zeta-Jones. They attack these meaty roles like hungry pit bulls, no doubt certain that audiences will eat it up. And besides, they're not in it to make us love them. They're in it to make us laugh. And on that count, they're guilty as charged.

(Rated PG-13 for sexual content, language and brief violence. Running time: 100 minutes)

Clooney and Zeta-Jones crack themselves up

BY DAN DUNN

Special to the Daily Press

George Clooney and Catherine Zeta-Jones claim they had a ball together from the moment they arrived on the set of the Coen brothers' latest film, "Intolerable Cruelty." At a recent press junket to promote the film, the good times kept a rollin as the two mega-stars yukked it up about everything from Ben and J-Lo to the trouble with lawyers. Here are some highlights:

Question: Did you model your characters in "Intolerable Cruelty" after anyone you know?

George Clooney: Ben and Jen.

Catherine Zeta-Jones: Which one were you playing, George?

Q: OK, then, having made the film, do you feel any differently about lawyers?

GC: We all feel the same way, which is we love to make jokes about them, and they sure can be irritating, and we sure think we can live without them. And then, every once in a while, it's sure nice to have a good lawyer.

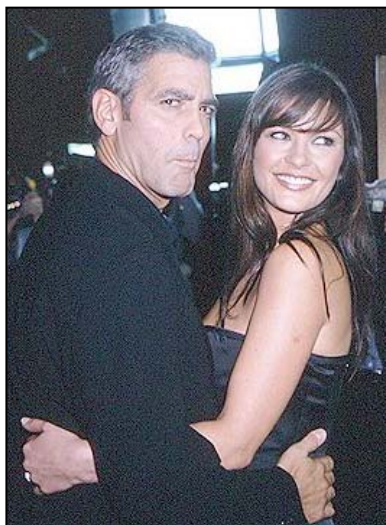
Q: What are your thoughts on prenuptial agreements? Are they a necessary evil, especially in a place like Hollywood, where the institution of marriage isn't exactly sacred?

GC: I'll take that question, Catherine.

CZJ: Thanks, George.

GC: Why, yes, I think they're very important. I have a prenup, and I'm not married. I give it to anyone I go to dinner with — here, sign this.

CZJ: People sign whatever they want to



George Clooney and Catherine Zeta-Jones at 'Intolerable Cruelty' premiere.

sign, and do whatever they want to do.

Q: George, which do you prefer making, comedies or dramas?

GC: Comedies are fun to do. It's always a blast to do them. I thought "Solaris" was pretty funny (laughs). "Batman and Robin" was a hoot. I've been working on comedies for a while now. Look, if you can do comedies with people like Joel and Ethan (Coen) and Catherine, it's really fun. I'm lucky enough

that a lot of films I did early on weren't particularly successful, so I didn't get pigeonholed into having to do one particular thing. I get to screw up everything now.

Q: Catherine, you were pregnant when you filmed "Chicago," and you did "Intolerable Cruelty" just prior to that. So where does the pregnancy fall relative to shooting?

CZJ: I'm not going to mention any specific dates, but I got pregnant right at the end of it. (Laughs) Oh God, I'm in trouble now. Then all of sudden I had a baby, because it went really quick. So it's great. I have a little lady in waiting, who is just going to drive her dad nuts in about 15 years. And my son is just a lot of fun to be around. He's a showman.

Q: George, how has working with the Coen brothers influenced you as a director?

GC: You mean, did I steal from them? Yes. Of course it had a big effect. They have things they do that other people don't do, generally.

Q: Catherine, yours is one of the most celebrated faces in the world. But what makes you feel beautiful?

CZJ: My little 3-year-old boy telling me I have the prettiest eyes he's ever seen makes me feel very special.

Q: And you, George?

GC: I drink to feel beautiful.

Q: As we discover in the film's trailer, Catherine's character "fascinates" you. What fascinates you about the real thing?

GC: Well, it's fascinating to me to discover she was pregnant while I was doing the movie with her. I guess that sparkle in her eye wasn't for me.

ENTERTAINMENT



'Kill Bill' should be killed right off the big screen

Review

BY DAN DUNN

Special to the Daily Press

Truth be told, I expected to be let down by "Kill Bill – Vol. 1." I just never expected to be quite so disappointed. The hype surrounding what Miramax's movie posters and TV ads pompously hail as "the fourth film by Quentin Tarantino" will no doubt bring many people to the theaters, but believe you me, a great deal of them will leave feeling cheated. What the Miramax publicity machine isn't crowing about is that the third film by Quentin Tarantino was a bit of a flop called "Jackie Brown" that so unnerved the director, it took him six years to get back in the saddle again (and he apparently still hasn't recovered). Or that "Kill Bill" was conceived and shot to be one movie, and that Tarantino's self-indulgence (he collected so much footage, the production went \$20 million over budget) combined with a shameless money grab by the studio means we're expected to pay twice — now, and again when the second half of the film opens in February.

Besides the over-the-top violence — this is without a doubt one of the goriest movies of all-time — what stands out most in "Kill Bill – Vol. 1" isn't what happens in the film, it's what doesn't happen. There is no discernible first, second or third act, and no real surprises or engaging



Uma Thurman as Deadly Viper Assassination Squad member Black Mamba in 'Kill Bill.'

subplots to draw us in. And none of that rat-a-tat-tat dialogue that seasoned "Pulp Fiction" and "Reservoir Dogs." If any of the characters in the film experience a single emotion, they sure as hell aren't letting anyone in on it. But most of all,

what's absent here is a reason to care about what's going on ... unless, of course, you're a devotee of the "grind house" kung fu films that so greatly inspired the non-stop combat in "Kill Bill." And in fairness, Tarantino should be

commended for the inventive fight scenes, which rival anything in "The Matrix." Too bad that's all there is.

Here's what passes for plot: Uma Thurman plays The Bride, aka Black Mamba, who is (or was) a member of an elite group of assassins called the Deadly Viper Assassination Squad (DiVAS). In the grisly opening sequence, the very-pregnant Bride is shot in the head by her colleagues and left for dead among the slaughtered bodies of her entire wedding party. But she doesn't die, and when she awakes from a coma four years later, she's understandably ticked off. So she makes a list, the "Death List 5," and sets out on a blood-splattered, body- and limb-strewn road to revenge. She starts in Pasadena with Vernita Green, aka Copperhead (Vivica A. Fox), stabbing her to death in front of her young daughter, then moves on to Tokyo to take on O-Ren Ishii, code-name Cottonmouth (Lucy Liu). And that's it. The End. Tune in February for the exciting conclusion.

There's more that could be written here about "Kill Bill," but I'm going to follow the filmmaker's lead and save it for early 2004 when we get to fork over another eight bucks to see the rest of the fourth film by Quentin Tarantino. I've even got a clever name all ready to go: "Disappointing Review – Vol. 2."

(Rated R. Running time: 110 minutes)

ART BRIEFS



Get Back: Beatles' Reunion album on display

By Daily Press staff

The Beatles' Reunion album cover, designed by the local graphic firm EPOS, will be featured in the "Greatest Album Covers That Never Were" national exhibit, presented at Santa Monica's Track 16 Gallery.

"It is truly an honor to have my fantasy album included in this exhibition," said EPOS founder Gabrielle Raumberger. "I jumped at the chance to express my love for the Beatles and to illustrate their fans' collective dream for a reunion. But I couldn't have done it without the photo illustration talents of designer Chad Goodson. We saw this vision together."

Goodson joined Endless Possibilities Productions, Inc. (EPOS) in 2000, after graduating from the University of Houston with a degree in graphic design. Raumberger has been an art director designing music packaging since 1984. She worked at Warner Bros. Records in Burbank and headed the Geffen Records art department before opening her own studio in 1990. She has received numerous design honors, including a Grammy nomination for best CD packaging.

There will be an opening reception on Saturday from 6 p.m. to 9 p.m., and the exhibit will run until Nov. 15. The Track 16 Gallery is located at 2525 Michigan Ave., with free parking available at Bergamot Station.

Garcia, library engage in 'Monkey' business

By Daily Press staff

The Santa Monica Public Library presents acclaimed novelist Cristina Garcia, who will be reading from her new novel, "Monkey Hunting," and discussing her life as a writer at the Fairview Branch Library.

Cristina Garcia was born in Havana and grew up in New York City. Her first novel, "Dreaming in Cuban," a story of three generations of women torn apart by the Fidel Castro-led revolution, was nominated for a National Book Award. Garcia has been a Guggenheim Fellow, a Hodder Fellow at Princeton University, and the recipient of a Whiting Writers' Award. She recently edited and wrote the introduction to "A Cubanessimo!," an anthology celebrating contemporary Cuban literature.

In "Monkey Hunting," her first novel in six years, Garcia writes a lyrical tale about an extended Chinese-Cuban family, encompassing five generations, four countries and two turbulent centuries.

All ages are welcome to attend the lecture, which begins at 7:30 p.m. The library is located at 2101 Ocean Park Blvd. For more information about this free "Teen Read Week" event, call (310) 458-8600.



'King of Afro Punk' brings his show to Santa Monica

By Daily Press staff

What do you get when you mix a hard rocking band like Metallica with a splash of reggae legend Bob Marley?

D.H. Peligro, also known as the "King of Afro Punk."

He is the original member of and songwriter in the California punk quartet, The Dead Kennedys. He also is a former member of the Red Hot Chili Peppers, Nailbomb and SSI.

The St. Louis native took a machete to the music world and carved a path so uniquely his own that he's influenced some of today's popular punksters like Offspring, No Doubt and many others.

This fall, Peligro can add one more title to his list of accomplishments — action movie star. He's been tapped to play the lead in the action movie "The Four Horsemen." The film is described as having the intrigue of "Clear and Present Danger" (Harrison Ford), the grit of "Traffic" (Michael Douglas) and the fast-paced action of "Lethal Weapon" (Mel Gibson and Danny Glover).

"I'm performing my own stunts in this movie, which means I have to stick to a strict workout regimen," says the rocker, who besides acting is the frontman of the menacing rock trio Peligro. Their third album, "Sum of our Surroundings," is scheduled for release later this year.

"It's tough, but unlike some of today's top action stars who depends mostly on stunt doubles to make them look good,



D.H. Peligro, aka 'King of Afro Punk.'

I'm doing my own stunts and give people their money's worth," he said.

When asked how it feels to have such a great musical impact on so many people Peligro said, "It's mind blowing. While touring with the Dead Kennedys, I would see kids worldwide singing along to our songs and sporting their Dead Kennedys T-shirts. It shows how much love they still have for us after all these years."

Peligro was recently featured on MTV.com, The Allan Handelman Show, Playboy and radio stations across the United States and Canada.

The show at 14 Below starts at 11:30 p.m. on Thursday, Oct. 16. The bar is located at 1348 14th St. Admission is \$6.

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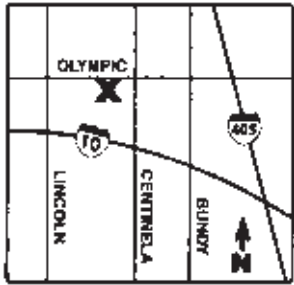
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STATE

For Schwarzenegger, now comes the hard part

BY ERICA WERNER
Associated Press Writer

LOS ANGELES — Arnold Schwarzenegger named a congressman to head his transition team and fielded calls from President Bush, Nelson Mandela and other leaders as he settled into his biggest role yet, California governor-elect.

The hard part is still to come for the Republican actor as he attempts to translate his luminous campaign-trail promises about restoring the California dream and bringing back jobs into real solutions for the state's troubled economy and budget deficit. His proposals will have to go through a Legislature controlled by Democrats who were angered by a recall process some considered a hostile takeover of the state's top political job.

Schwarzenegger's first press conference Wednesday, a day after he snatched away Gov. Gray Davis' job, yielded few new specifics about how he plans to fix California's ills.

He reiterated plans for an independent audit of the state's books before revealing program cuts, pledged to repeal the recent tripling of the car tax on his first day in office, said he'd sit down with Indian tribes to negotiate more casino revenues for the state and promised again not to raise taxes.

More specifics of the Schwarzenegger administration were likely to emerge Thursday. He was set to hold a joint press conference in Santa Monica with Rep. David Dreier, R-San Dimas, chairman of his transition team, to announce other members of the team.

Schwarzenegger's toughest and first challenge: the state's looming, \$8 billion budget deficit. That deficit will grow by another \$4 billion if the tripling of the car tax is repealed. Schwarzenegger also has said he will not cut education, and much of California's budget is committed to specific programs by law, leaving the new governor potentially little room to maneuver.

"In the very near future, I will be announcing what I will do," he said.

Schwarzenegger expressed confidence that California lawmakers in Sacramento would see the message voters delivered in

Tuesday night's election and follow his leadership as he seeks to take the state in a positive direction.

"The legislators up there have gotten this message last night, that the people of California want change," he said.

Democrats were quick to offer support. Schwarzenegger spoke Wednesday with Sens. Dianne Feinstein and Barbara Boxer, state Senate Leader John Burton and state Assembly Speaker Herb Wesson. All promised to work with the new governor, who will be sworn in by mid-November, while urging him to get to work on his programs.

"I believe I will have a very good personal relationship with the governor-elect," Burton told reporters. "How we do politically is a very different thing. Tip O'Neill and Ronnie Reagan had wonderful personal relationships and they fought over policy, as we should. Hopefully, we will find enough common ground to get the state out of this mess."

As of Wednesday night, the secretary of state reported the recall of Davis was approved 55.4 percent to 44.6 percent, and Schwarzenegger won 48.7 percent of the vote, while runner-up Lt. Gov. Cruz Bustamante, a Democrat, got 31.6 percent.

Schwarzenegger takes office as the lone Republican statewide officeholder in a state where heavy majorities of the state Senate, Assembly and congressional delegations are Democratic.

And while they gave Schwarzenegger a resounding victory, the state's voters lean Democratic, too — 44 percent to 35 percent Republican.

Still, more voters supported Schwarzenegger than voted against recalling Davis. It was an outcome Schwarzenegger aides touted as a mandate after weeks of predictions from Democrats that the winner might triumph with a small percentage of the vote.

"The fact that he got more votes than Gray Davis puts him in a position of strength," said Allan Hoffenblum, a GOP consultant. "There's going to be some Democrats up there who are going to want to play ball reasonably with Arnold Schwarzenegger."

School official to stand trial for stealing \$36K in aid, lying

The Associated Press

INGLEWOOD — School board trustee Cressia Green-Davis has been ordered to stand trial for two separate cases — one accusing her of receiving \$36,000 in aid after lying on welfare applications, and the other alleging she lied about her academic background on job applications.

In the first case, the former school board president faces one count of welfare fraud and seven counts of perjury.

Green-Davis also faces two counts of grand theft for allegedly collecting a salary after lying about her academic background on job applications.

During a preliminary hearing in the welfare fraud case Tuesday, prosecutors presented W-2 forms and other financial statements to support allegations that Green-Davis earned too much money between 1995 and 2001 to qualify for

welfare aid.

Green-Davis' attorney, Winston McKesson, said his client was not a "welfare queen," but was living under the poverty level and trying to provide for her family.

Prosecuting attorney Alfred Coletta said there was no need to withhold information from the government unless "it's with the intent of hiding it."

During a preliminary hearing in the second case Wednesday, prosecutors presented an allegedly altered transcript that stated Green-Davis earned a bachelor's degree in social work and an official transcript from Eastern Michigan University which showed she had not.

W-2 forms show that Green-Davis worked for the Compton and Centinela Valley school districts between 1995 and 2003, earning a total of \$126,432. Prosecutors allege that during that time, she essentially stole her salary.

STATE



Davis, Democrats getting busy before getting boot

BY DON THOMPSON
Associated Press Writer

SACRAMENTO — Gov. Gray Davis and other Democratic leaders hurried Wednesday to lock in their successes of the last five years, even as they prepared to surrender their total control of state government.

Government employees who thought their jobs were secure for three more years scrambled to set up a weeklong transition after voters recalled Davis Tuesday. And Sacramento citizens reacted with skepticism to governor-elect Arnold Schwarzenegger's plans to commute by private jet from Los Angeles instead of moving to town.

"If he's going to 'clean house' like he says he is, he ought to live in the house," said Cary Jung, 48, a city employee eating lunch at an outdoor cafe near the Capitol. "Worse, we're going to miss out on seeing Maria (Shriver, the incoming first lady) in the grocery store."

Democratic Senate leader John Burton considered a special session to approve Davis' appointees before Schwarzenegger takes office next month.

"As long as Gov. Davis is the governor, which he will be until Mr. Schwarzenegger is sworn in, he has the constitutional right to appoint people," said Burton, D-San Francisco.

The suddenly lame-duck Davis hurried to fill vacancies, quickly naming a series of new judges, and announcing an appointment to the California Coastal Conservancy within hours after he was recalled, in the wee hours Wednesday morning.

He has about 100 pending appointments to make, 15 of which require Senate confirmation, in addition to another 21 that already are pending before the Senate, spokesman Steve Maviglio said.

Of 2,700 Davis appointees, about 1,100 serve at the pleasure of the governor and will be imperiled by the transition.

Davis spent the day closeted in Los Angeles, reviewing approximately 250 bills before him from last month's legislative session. His cabinet announced an afternoon meeting to begin discussing the transition — then postponed it until Thursday.

Davis' Finance Department and other agencies began preparing budget documents and briefing papers for a new administration that will have a matter of weeks to find its footing because of the shortened recall timetable.

"They're asking us to do 2 1/2 months' work in two weeks," Maviglio said. "That's when they want to start meeting with us" to begin the transition.

The administration ordered 350 archival boxes to begin packing away state papers, he said. Davis will be allocated \$100,000 and Schwarzenegger \$550,000 for the transition.

Schwarzenegger spoke to leaders of both parties to call for cooperation. Burton and Assembly Speaker Herb Wesson, D-Los Angeles, responded in kind, with Wesson saying in a statement that Californians want no gridlock from the new partisan split.

But Schwarzenegger has no mandate, Burton said, and he has unrealistic expectations about campaign promises like immediately rolling back the tripling of the vehicle license fee and a law giving driver's licenses to illegal immigrants.

"Forty-eight percent of the vote is not a mandate. I think the mandate was people did not want the incumbent in the governor's office," said Burton, who can block much of Schwarzenegger's agenda if he chooses. "I think he had a good, decisive victory. That and a quarter will get you a cup of coffee."

The mercurial Burton nonetheless said he expects to get along with the new governor as he did with former Republican governors Pete Wilson and Ronald Reagan.

"Hopefully we'll find enough common ground to get the state out of this mess," said Burton, who had a notoriously rocky relationship with Davis, his fellow Democrat.

"They're asking us to do 2 1/2 months' work in two weeks," Maviglio said.

"That's when they want to start meeting with us."

— STEVE MAVIGLIO
Gov. Gray Davis spokesman

Democratic Treasurer Phil Angelides said Schwarzenegger will have a tough time rolling back taxes while fulfilling campaign promises to balance the budget, protect education and law enforcement and expand health care for children.

"I hope Arnold Schwarzenegger is bringing with him his best special effects team" to deal with a budget deficit projected at up to \$8 billion next year despite massive borrowing, said Democratic Controller Steve Westly.

Burton joked that Democrats already have signature gatherers in the streets seeking to recall Schwarzenegger. State Democratic Party spokesman Bob Mulholland said Democrats will give Schwarzenegger 100 days in office to solve all the state's problems before considering a recall attempt.

Some state employees are concerned they may lose their jobs either to political machinations or budget cuts they believe will leave agencies hard-pressed to meet legal mandates.

But most are protected by civil service laws, and several were glad there was an end to the recall uncertainty.

"We've been on a roller coaster ride the past six to eight months because of the budget. Now we get to move on. Whatever that direction is, we're going to have a direction," said Richard Myren, a Department of General Services employee for four years.

This is the second change in administrations for Bill Zellmer, who has worked for the Office of Statewide Health Planning and Development for seven years.

"I'm 90 percent excited, 10 percent fearful," Zellmer said. The last transition "was seamless, except at the upper levels — they were preparing their resumes. But not at my little level."

Capital residents were more concerned that Schwarzenegger may try to govern from Los Angeles.

"He will have a hard enough time taking office after this bloodless coup," said Bethany Fischer, 24, of Sacramento. "This is another way of Hollywoodizing and watering down the work of government."



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STATE

CALIFORNIA BRIEFS

Salvador closing shop, heading for Vegas

The Associated Press

SANTA ANA — The Salvadoran Consulate is set to close at the end of the month. Salvadoran government officials said the closure of the 11-year-old consular office is due to reduced need in Southern California. They plan to open a new office in Las Vegas, where officials estimate about 35,000 Salvadorans will be served.

"I do not understand the reasoning to close this office," said Santa Ana Consul Ana Morot-Gaudry. "But these are the orders and we have to follow them."

Community leaders argue that Salvadorans will lose a full day's work if they have to travel to Los Angeles for service. An estimated 300,000 to 400,000 Salvadorans live in the area south of Los Angeles that is served by the Santa Ana consulate.

City officials have appealed to the Salvadoran government to change its decision.

Although Morot-Gaudry said her office services 2,250 people a month, a spokeswoman for the Salvadoran secretary of foreign relations in San Salvador, Claudia Quintanilla, said the number is closer to 300. The aging Salvadoran population in Santa Ana has reduced demand, Quintanilla said.

Korean-Americans provide Bush with boost

The Associated Press

LOS ANGELES — More than 100 Korean-Americans marched through Koreatown in solidarity with the Bush administration's request for South Korean troops to serve with U.S.-led forces in Iraq.

Many marchers wore Army fatigues during Wednesday's rally and march. Members of the Coalition of Korean American Patriotic Organizations submitted a letter to the Korean Consulate urging South Korean President Roh Moo-hyun to grant the request made last month by the United States.

"There is a long-standing blood tie between Korea and America, because American soldiers shed their blood to protect the Korean people during the Korean War," said marcher Ki-Ryang Kim.

Opinion on the request has been divided in Los Angeles' large Korean community.

James Oh, a member of the Los Angeles chapter of the group Nosamo, said there was no justification for the war in Iraq, other than what he said was the United States' interest in oil.

"Unless the United States itself is attacked, I don't think South Korean troops should be mobilized to help," Oh said.

It's raining men: Victim settles skydiving suit

The Associated Press

SIMI VALLEY — City attorneys agreed to settle a lawsuit filed by a retired mechanic who was injured when a skydiver landed on top of him, the victim's attorney said.

Ronald Bohle, 53, was at a street fair in May when a skydiver hired to parachute into an adjacent city-sponsored event flew off course, according to the lawsuit.

Newport Beach attorney Ryan Harris said the amount of the settlement was confidential, but that it was enough to cover Bohle's medical expenses and attorney's fees.

City Attorney David Hirsch declined to comment on the suit.

City anything but blithe after virus surfaces

The Associated Press

BLYTHE — Authorities have discovered the St. Louis encephalitis virus in sentinel chickens here, and health officials are warning the public.

The virus was found in blood drawn from chickens used to monitor mosquito-borne diseases. Mosquitoes spread the virus from infected birds.

Although St. Louis encephalitis can cause illness or death in rare cases, most people experience mild symptoms such as fever, muscle aches and fatigue.

Named after an epidemic that struck the Missouri city in 1933, St. Louis encephalitis is closely related to the fast-spreading and more dangerous West Nile virus, which arrived in New York City from overseas in 1999.

From 1964 to 1998, 122 cases of the St. Louis encephalitis were confirmed in California, according to the Centers for Disease Control and Prevention.

In July, state health officials found mosquitoes carrying St. Louis encephalitis near Coachella.

Health officials advise the public to stay away from areas with mosquitoes and use repellents containing the chemical DEET.

Student used eye drops to loosen up teacher

The Associated Press

SANTA ANA — A 16-year-old high school student was arrested for allegedly putting eyedrops in a teacher's water bottle in hopes it would bring on a bout of diarrhea, police said.

The unidentified student told authorities his 48-year-old female high school teacher talked down to him when he did not understand lessons, said Placentia police Detective Corrine Loomis.

The student earlier considered loosening the straps securing a television so that it would fall on the teacher, but decided against it, Loomis said.

Loomis said the teacher suffered no ill effects, but the student faces food tampering charges in juvenile court.

NATIONAL



Border Patrol frees illegal immigrants for lack of space

BY SUZANNE GAMBOA

Associated Press Writer

WASHINGTON — A stepped-up effort in Texas to keep illegal immigrants in custody hit a snag this week when the federal government had no more space available, forcing the release of 64 Central and South Americans in Laredo, officials said this week.

The releases on Tuesday triggered loud protest from Laredo Mayor Betty Flores, who was angry already over a U.S. Border Patrol program in which immigrants arrested in Arizona were deposited in Texas border communities and sent into Mexico.

"What does that mean to our Border Patrol men and women who are risking their lives every day that they come in one door and out the other?" Flores said.

Asa Hutchison, Department of Homeland Security undersecretary, decided this week to form a team of senior officials to look into the situation, an agency spokesman said.

Federal officials said that on any given day, the number of immigrants awaiting deportation or hearings far outnumbers the bed space it buys to hold them. Therefore, many are released on bond with orders to show up for deportation hearings.

The federal government contracts with local officials for 21,000 beds a day nationwide, said Garrison Courtney, Immigration and Customs Enforcement spokesman. How many beds are used can vary daily depending on arrests, scheduled hearings and when immigrants start and complete their detention sentences.

"This isn't a new issue. This is a historical issue where every year a request is made for more money to procure more bed space," Courtney said.

The lack of space became a problem in Laredo when Border Patrol Sector Chief John Montoya found himself forced to release 64 immigrants Tuesday, an unusually high number for a single day in the sector.

He said he let them go after the San Antonio immigration detention and removal office told him the 21,000 beds were taken. He said detention space was found for eight Brazilian immigrants. Before releasing the other immigrants, he notified the Laredo mayor.

"It's my practice to advise the community of anything that might affect the community. We let (the mayor) know this was going to happen," he said. "Some of these people have no visible means of support or family members or people in United States who could be responsible for them."

The Border Patrol said 54 of the immigrants bought bus tickets to other U.S. locations with money wired from families.

Immigration officers have two routes they can take when they arrest illegal immigrants. They can handle deportation through an administrative process, which allows some people to be released on bond. Or they can pursue criminal prosecution. If an immigrant is convicted, detention is mandatory.

For the past two months, the Laredo sector has been pursuing criminal prosecutions to try to stem illegal crossings.

Montoya has been reluctant to release some of the immigrants on bond even though a federal magistrate has been rejecting the criminal illegal entry charge against them. He has the option to hold them longer if there's room.

Courtney said the agency sets priorities for detention beds to ensure those who commit crimes or present some other risk to the community are not released.

Meanwhile Immigration and Customs Enforcement is testing electronic ankle bracelets to track released immigrants in Miami, Detroit and Anchorage, Alaska. The agency plans to expand their use to eight cities in the coming months and nationwide in about a year, Courtney said.

Their bracelets cost \$3.80 a day, including monitoring, versus an average \$100 a day for beds, he said.

Driver pinned under vehicle uses jack to free himself

By The Associated Press

SALT LAKE CITY — An 18-year-old former wrestler whose leg became pinned under his overturned Jeep managed to reach a car jack, ratchet up the vehicle and free himself.

As college freshman Clancy Wright lay trapped last week, he said he thought of the climber whose arm had been pinned by a boulder last spring.

"I didn't want to cut my leg off like the guy who cut off his arm," Wright said.

Wright was driving alone Oct. 2 at a popular off-road area near Minersville, about 200 miles south of Salt Lake City, when his Jeep rolled, pinning his left leg under a corner of the windshield and part of a roll bar.

He was able to reach a jack in the vehicle.

He said he tried three times to find the right placement for it under the roll bar. Wright, who wrestled as a heavyweight last year in high school and took fifth place in his division, eventually was able to lift the Jeep.

"As the pressure released, I could feel the blood rush out of the leg," he told The Salt Lake Tribune in Thursday's editions.

The skin, muscle and tissue in his left calf, from the knee to the ankle, was torn from his leg bones, which were completely exposed but not broken, he said.

Wright said he wrapped the leg with his T-shirt, and a passing rider found him shortly afterward and summoned an ambulance. He underwent surgery and was sent home the next day.

"They told me to go home, lay on the couch, put your foot up and pray," Wright said.

Wright said he has feeling in his leg and can wiggle his toes.

"Maybe this will slow him down a little," his father, Chris Wright, said.

Climber Aron Ralston of Aspen, Colo., was hiking alone in southeastern Utah on April 26 when his right arm became pinned beneath an 800-pound boulder. He freed himself on the fifth day by snapping his bones and using a knife to cut through his arm.

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NATIONAL

Justice Department recommends FCC approve Qwest long distance

BY ARTHUR H. ROTSTEIN
Associated Press Writer

TUCSON, Ariz. — The Federal Communications Commission should approve Qwest Communications' application to provide long distance services in Arizona, the Justice Department said Thursday.

R. Hewitt Pate, assistant attorney general in charge of the antitrust division, said the Justice Department believes "there are no longer any material obstacles to competition in Arizona created by Qwest."

The department conducted an evaluation of an application by Qwest to offer long distance services in the state, concluding that the company has been generally successful in allowing competition in its local markets.

"Conditions in Arizona local telecommunications markets appear favorable to fostering competition. Facilities-based competitors have made progress in penetrating both the business and residential mar-

kets," Pate said.

"This recommendation by the DOJ was the cleanest recommendation that we have seen within our 14 states, without stipulations and caveats," said Jeff Mirasola, a spokesman for Qwest in Phoenix.

He said such a positive recommendation proves the company has opened its markets to competitors and that Qwest's entry into the long distance business should be good for customers.

Mirasola said the FCC is expected to make its final determination on Dec. 3 — within 90 days — "and we fully expect and are optimistic and confident that we're going to get FCC approval."

If that happens, after a 10-day waiting period, Qwest will be able to sell long-distance service by mid-December, he said.

Qwest started the process seeking approval for long distance service in February 1999, but officially filed its

application Sept. 4 to offer long distance services under the Telecommunications Act of 1996, Mirasola said.

Qwest and other independent Bell operating companies have been prohibited from providing such services in their respective regions as part of the divestiture of AT&T and also by the Telecommunications Act — until showing the FCC they have met legal requirements aimed at opening up a particular state's local telecommunications markets to competition.

Mirasola said 20 percent of the local service market in Arizona now is served by Qwest competitors. "Competition is robust; this is a good thing for consumers," he said.

The FCC is required to consult with the Justice Department and to give substantial weight to its assessment of competitive conditions and whether a Bell operating company should be allowed to offer in-region long distance.

FBI keeping mum over word on Street

By The Associated Press

PHILADELPHIA — Pennsylvania politicians from both parties demanded that the FBI explain why it apparently planted secret bugging devices in the offices of Philadelphia's mayor just weeks before he is up for reelection.

"I think given this extraordinary situation with four weeks to go in the campaign, it is incumbent upon the FBI to say why they planted the device," Gov. Ed

Rendell said this week.

Mayor John Street, a Democrat, is locked in a bitter rematch against Republican businessman Sam Katz, and the campaign has been marked by charges of intimidation and race-baiting.

Rendell, a Democrat, and U.S. Sen. Arlen Specter, a Republican, were among the politicians who called on the FBI to tell the public what it knows about the eavesdropping equipment.

The FBI made no such public disclosure, and it was unclear what federal prosecutors revealed to Street about the investigation in the two days since the bugs were discovered.

Three federal law enforcement officials, who spoke on condition of anonymity, acknowledged that the FBI was responsible for the bugs, but refused to provide any details about the nature of the probe.

Street late Wednesday said one of his advisers had been told by the U.S. Attorney's office that the mayor was not the target of an investigation.

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Violence in Baghdad kills 10, including Spanish diplomat

BY HAMZA HENDAWI

Associated Press Writer

BAGHDAD, Iraq — A suicide car bomber drove through the gates of police station in northeast Baghdad and detonated an explosive Thursday morning, killing eight people and injuring 28, police and the U.S. military said. The car's driver and a passenger also died in the blast.

Outside Baghdad, a 4th Infantry Division soldier was killed in a rocket-propelled grenade attack on a U.S. convoy. U.S. Central Command said the soldier died from wounds received in the attack at 2 a.m. Thursday in Baqouba, 30 miles northeast of Baghdad.

Also Thursday, a Spanish military attaché was shot to death by a group of men as he was opening his front door, Spain's Foreign Ministry said. Jose Antonio Bernal Gomez was an air force sergeant attached to Spain's National Intelligence Center, according to a ministry statement.

A Spanish diplomat in Baghdad said one of the gunmen who killed Bernal was disguised as a Shiite Muslim cleric.

The man dressed all in black as if a Shiite imam knocked on the military attaché's door between 6 a.m. and 7 a.m., the diplomat said on condition of anonymity. Without explaining how he knew the details, the diplomat said Bernal was suspicious and ran outside where he was shot in the neck by several men sitting in a dark-colored car.

Thursday's death of an American sol-

dier brought to 92 the number killed in hostile fire since President Bush declared an end to major fighting on May 1. A total of 321 U.S. soldiers have died in Iraq since the war began on March 20.

At the bombing site, mangled police cars were scattered around and debris filled the big courtyard in front of the one-story police building. A U.S. officer said the blast left a crater in the courtyard that was about 10 feet across and 4 feet deep. Scores of U.S. soldiers surrounded the building in Humvees.

Capt. Sean Kirley, of the 2nd Armored Cavalry, said three policemen and five civilians were killed. Iraqi police Capt. Bassem Sami said two people were in the car that exploded.

The attacker drove the white Oldsmobile through the police compound gate, was fired at by officers, then detonated the bomb, police Maj. Majid Abdel-Hameed said.

A dozen ambulances raced toward the facility in the Shiite Muslim slum known as Sadr City. The attack happened just as 50 police officers were gathered in the yard to collect their pay.

Sgt. Saad Drawal al-Dharaji, 29, injured in the leg, said a local Shiite Muslim imam had threatened the police.

"We will have our revenge for this. The one who did it threatened us first. I don't know his name. He is the imam of Friday prayers at the al-Mohsen mosque," al-Dharaji said.

"Last Friday at the mosque he threatened us. He sent us letters and sent letters

to other police stations. He told the police to hand over a policeman for punishment because he said he had worked with Saddam Hussein's regime."

Police Sgt. Jassim Mhos, 31, confirmed that threats had been issued against police.

An Iraqi policeman who pushed through the thousands-strong crowd around the scene was stabbed in the upper right arm after being set upon by the mob. He was treated by military medics at the scene.

His arrival created a commotion among the crowd, which began chanting: "No, no to America."

Associated Press Television News camera crews also were attacked by the crowds and had some equipment stolen. One crew member was slightly injured.

A mosque near the scene was blaring warnings to the thousands of residents who had gathered at the station to leave the area for fear of a second booby-trapped car.

"It was a huge blast and everything became dark from the debris and sand. I was thrown to the ground," said Mohammed Adenine, 35, who sells watermelons from a rickety stand across from the blast.

Also opposite the police station, vegetable-seller Fakhriya Jarallah said two of her sons were repairing the outside wall of the compound when the blast occurred.

"I ran across the road like a mad woman to find out what happened to my sons. But thanks to God they are both safe," she said.

U.S. soldiers conducted a big raid near the Syrian border and detained 112 suspects, including a high-ranking official in the former Republican Guard, officials said Thursday.

The massive raid Sunday in Al-Qa'im, about six miles from Iraq's western border with Syria, ended with the capture of a man intelligence officials said was a major general in the guard air defense branch.

"The general officer that they captured, Abed Hamed Mowhoush al-Mahalawi ... was reported to have links with Saddam Hussein and was a financier of anti-coalition activities, according to intelligence sources," a military spokeswoman said, on condition of anonymity.

Troops from the 1st and 4th squadrons of the Third Armored Cavalry cordoned off sections of the town and searched 29 houses to find "subversive elements," including 12 of the 13 suspects they had targeted for capture, she said.

Bernal, who had been working at Spain's embassy in Baghdad for two years, is Spain's second casualty in Iraq after the U.S.-led invasion that ousted Saddam Hussein six months ago. Navy Capt. Manuel Martin Oar was among the 22 killed in the Aug. 19 truck-bombing of the U.N. headquarters in Baghdad.

The government of Prime Minister Jose Maria Aznar supported the war, despite strong opposition among Spaniards, and subsequently sent about 1,300 peacekeeping troops who are based at Diwaniyah, 100 miles south of Baghdad.



WORLD BRIEFLY

Fly the friendly skies to Vietnam

By The Associated Press

HANOI, Vietnam — Vietnam and the United States initialed a landmark agreement on Thursday, allowing passenger and cargo flights between the two countries for the first time since the end of the Vietnam War.

The agreement was initialed in Hanoi by Pham Vu Hien, deputy director of Vietnam's Civil Aviation Administration, and Laura Faux-Gable, deputy director of the U.S. State Department's Office of Aviation Negotiations.

"This is the first agreement between our two countries," Faux-Gable said. "It is a really significant step that will bring major benefits not just to the economies of both countries but to many other travelers and businesses in the region."

It was unclear when flights would begin, but representatives of some U.S. carriers said service could start as early as next spring.

State-owned Vietnam Airlines said it would likely take longer to initiate flights to America, but San Francisco was its first choice of destinations from Ho Chi Minh City, said Pham Ngoc Minh, airline executive vice president.

Texas lawmakers drawing lines in sand

By The Associated Press

AUSTIN, Texas — Texas finally looks ready to redraw its congressional boundaries.

Republicans ended weeks of squabbling Wednesday and reached a tentative agreement on a new redistricting map in a breakthrough brokered by U.S. House Majority Leader Tom DeLay during closed-door meetings.

Lt. Gov. David Dewhurst said a final redistricting plan would be unveiled this week. Details of the tentative deal were not disclosed.

The state GOP engaged in its own battle over redistricting — one that pitted oil interests against agricul-

tural concerns in West Texas — after Democrats held up the crafting of a new congressional map for months.

The plan still must be approved by the majority of the House and Senate. Both chambers are scheduled to convene again Friday.

Republican Gov. Rick Perry is expected to sign the redistricting bill once it passes.

GOP not looking for payback from Iraqis

By The Associated Press

WASHINGTON — Republicans, starting to push an \$86.7 billion package for Iraq and Afghanistan through the House, say they should be able to fend off lawmakers trying to turn Iraqi rebuilding aid into loans.

The House Appropriations Committee planned to vote on the measure Thursday. The bill largely mirrors the \$87 billion plan President Bush proposed last month, though it pares his \$20.3 billion Iraqi reconstruction proposal to \$18.6 billion.

Seeking to head off loan supporters, the White House invited numerous committee members for visits in recent days. The lawmakers were briefed by officials including Secretary of State Colin Powell and Condoleezza Rice, Bush's national security adviser.

"I believe we have the votes to maintain the president's position," Appropriations Committee Chairman Bill Young, R-Fla., told reporters Wednesday.

The committee's lead Democrat, Rep. David Obey of Wisconsin, said this week he would propose augmenting the bill's defense expenditures and encouraging more foreign contributions toward Iraqi rebuilding. He would provide no specifics.

Bush is peppy, praises postwar progress

By The Associated Press

WASHINGTON — President Bush, campaigning to counter rising criticism about Iraq, is praising postwar developments there as he thanks military reservists

straining under long overseas deployments.

Bush's pep talk to the weekend warriors Thursday was to be the opening leg in a long day that had him shuttling north to New England to speak to troops and talk up the economy, then southwest to Kentucky to raise money for a Republican locked in a tight gubernatorial contest.

Bush was saluting members of the New Hampshire Air National Guard, Army National Guard and reservists Thursday morning in Portsmouth, N.H. In a separate address to the Greater Manchester Chamber of Commerce, Bush was again stressing progress, this time economic.

Bush was raising money in Lexington, Ky., Thursday for Rep. Ernie Fletcher, who is tied in polls with Democrat Ben Chandler in the race for Kentucky's governor.

Deficit forecast: Some sun, mostly cloudy

By The Associated Press

WASHINGTON — Administration and Congressional budget officials now say the federal deficit should fall below \$400 billion for the fiscal year that just ended, a little better than previously forecast.

That would be a departure from the past two years when actual figures have been worse than projections from both the White House and the nonpartisan Congressional Budget Office.

Even so, the 2003 numbers remain on track to be the worst ever, easily exceeding the \$290 billion record shortfall amassed in 1992. And the government is still staring at a gloomy long-term fiscal prognosis that envisions huge annual deficits.

"If you lost a game 9-0, is that better than 10-0?" said Robert Reischauer, a former head of the Congressional Budget Office who is now president of the Urban Institute.

White House budget director Joshua Bolten told reporters Wednesday, "The fiscal year '03 deficit will be comfortably under \$400 billion."

Bolten provided no specific figures. He would only ascribe the improvement to higher revenue collections and lower spending than expected.

Separately, the director of the Congressional Budget Office said in an interview that his agency sees the past year's shortfall "moving toward \$380 billion."

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PEOPLE IN THE NEWS

Manilow comes to aid of Yom Kippur fire victims

The Associated Press

■ **NEW YORK** — Barry Manilow has donated \$25,000 to help families who were displaced by a fire on the high holy day of Yom Kippur in the Brooklyn neighborhood where he grew up.

The singer made the donation to a fund that the American Red Cross will administer, his publicist and the Red Cross confirmed Thursday.

Manilow, who was born Barry Alan Pincus, donated the money after "he read the headlines in the newspaper about the fire on a street a block from where he lived," said his publicist, Jerry Sharell. "He wanted to help the victims who were left homeless recover."

No civilians were injured in the Saturday night blaze in Williamsburg, which damaged three buildings and a synagogue. Many of the displaced families are Orthodox Jews.

Leslie Gottlieb, a Red Cross spokeswoman, said the money will be used for immediate emergency needs, such as food, medicine, clothing and shelter. As of Thursday, she said, the agency had registered 103 people who needed help. She said that number likely would go up.

"We are grateful," Rabbi David Niederman, executive director of the United Jewish Organizations, told the New York Post. "It's wonderful that people remember their roots."

The 57-year-old entertainer, known for such ballads as "Looks Like We Made It" and "Mandy," now lives in Palm Springs, Calif. His latest release is "A Christmas Gift of Love." He also produced Bette Midler's album of Rosemary Clooney cover tunes.

■ **PITTSBURGH** — Actor-comedian Tommy Chong reported to a privately run federal prison to serve his nine-month sentence for conspiring to sell bongs and other drug paraphernalia over the Internet even as his attorneys prepared to argue for his release pending appeal.

Chong, 65, was sentenced Sept. 11 by U.S. District

Judge Arthur Schwab in Pittsburgh. He reported Wednesday to a minimum-security facility run for the Federal Bureau of Prisons near Bakersfield, Calif.

The judge has set an Oct. 16 hearing on a request by Chong's attorney to release the actor, best-known as the drug-addled Chong in the Cheech & Chong movies and comedy routines, while he appeals the sentence to the 3rd U.S. Circuit Court of Appeals.

At his sentencing, Chong said he got carried away with the fictional persona, but had quit smoking pot and wanted to use his celebrity to help people stay off drugs.

Assistant U.S. Attorney Mary Houghton argued that Chong grew wealthy glamorizing drug use and trivializing law enforcement in his films and said Chong used his characters to promote his business.

Chong's attorneys argued that he should be sentenced no more harshly than any of the other defendants thus far in the national drug-paraphernalia investigation. They wanted him to be sentenced to no more than six months' house arrest and six months' probation.

■ **HOUSTON** — After a highly publicized failed attempt last year, 'N Sync singer Lance Bass still hopes to go into space one day.

And if a group of Houston middle school students has any say, Bass will do it in "Lance's Lab" while eating chicken strips with salsa, wearing stylish pants and T-shirts and listening to and recording music to fight motion sickness.

On Wednesday, Bass visited Ortiz Middle School as part of World Space Week, which commemorates the Oct. 4, 1957, launch of Sputnik 1, the first human-made satellite, and the Oct. 10, 1967, signing of a treaty that governs exploration and peaceful uses of space.

"Just stick with math and science and dream big," Bass told nearly 40 students after hearing their proposal for "Lance's Lab," part of a national competition in conjunction with World Space Week, which takes place annually from Oct. 4-10. Bass was recruited to promote the impor-

tance of academics in preparation for space travel.

The 24-year-old also discussed the training he underwent while trying to secure a ride on a Russian Soyuz spacecraft to the international space station.

He would have been the youngest person ever in space, but had to cancel his plans to fly last October after failing to raise the estimated \$20 million fare. A year ago, he trained at NASA's Johnson Space Center in Houston.

"The training is very difficult, very physical," Bass said. "There is also a lot of psychological training."

One student asked whether Bass feared being abducted by aliens if he went to space.

"I'm not scared of any aliens," he responded as students burst into laughter. "If there are aliens, I think they'll be friendly."

■ **NEW YORK** — Courteney Cox and her husband, David Arquette, are hoping to bring a new friend into their lives: a baby.

The actress says she gets pregnant easily but has had "many miscarriages." Similarly, her "Friends" character, Monica, has been trying to have a baby.

"I actually have done in vitro (fertilization)," Cox told Barbara Walters in an interview airing on ABC's "20/20" on Friday.

"It's a wonderful thing that people can do in this day and age," the 39-year-old says of the procedure. "And I'm lucky enough to be able to afford to do it. But I think it's great. And I will do it again."

Cox and Arquette, who married in 1999, say they'd consider adopting a child, but she added, "I do want his genes, and I would try probably a surrogate before that ... but then, absolutely, adoption."

She says Arquette, her co-star in the "Scream" movies, has been totally supportive during their efforts to have a child.

"He's really great. He goes to every appointment with me," she says. "And he gives me all my shots."

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