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Santa Monica Daily Press

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Evening: 6 5 8

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2nd: 11 Money bags
3rd: 01 Gold Rush
RACE TIME: 1:48.59

NEWS OF THE WEIRD BY CHUCK SHEPARD

In a deposition earlier this year as part of his divorce proceedings (and released in November), the president's brother, Neil Bush, admitted that he had had sex with several women while on business trips in Asia, but that he did not seek them out, insisting that they simply came to his door. Asked his ex-wife's lawyer, "Mr. Bush, you have to admit it's a pretty remarkable thing for a man just to go to a hotel room door and open it and have a woman standing there and have sex with her." Responded Bush, "It was very unusual."

TODAY IN HISTORY

ON OCT. 13, 1792, the cornerstone of the executive mansion, later known as the White House, was laid during a ceremony in the District of Columbia.

■ **In A.D. 54**, Roman emperor Claudius I died, after being poisoned by his wife, Agrippina.

■ **In 1775**, the United States Navy had its origins as the Continental Congress ordered the construction of a naval fleet.

QUOTE OF THE DAY

"There are some things one can only achieve by a deliberate leap in the opposite direction. One has to go abroad in order to find the home one has lost."

FRANZ KAFKA
AUSTRIAN AUTHOR (1883-1924).

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Candidates show signs of fatigue on campaign trail

BY JOHN WOOD

Daily Press Staff Writer

With just three weeks remaining before election day, many of the 14 candidates vying for four open seats on the Santa Monica City Council are beginning to burn out on the campaign trail.

The stresses and strains of campaigning are especially trying this year, according to candidates, who point to a seemingly endless barrage of questionnaires and forums on their respective dockets. From all appearances, the stakes are higher this election season, as several new groups push for change in the city.

Still, many of the candidates said redundancy plays a major factor.

"It's the same questions over and over again, and I'm getting tired of hearing everybody's life story," said City Councilman Herb Katz, who will attend a meet-and-greet tonight for candidates backed by the local chamber of

commerce. Katz is running for his fourth term on the City Council.

The pre-election sprint kicked off last month with candidate forums hosted by a homeless advocacy group and concerned neighbors of the Santa Monica Airport. It continued with subsequent forums held by the Pico Neighborhood Association, residents of the Shores towers and the Jaycees, among others.

Add the lengthy questionnaires candidates have received from local merchant associations, political groups and the media, and many candidates said they're being pulled in too many directions. Many of the questionnaires pose dozens of queries which demand detailed, thought-out answers. Most of the groups made endorsements based off of the candidates' answers.

"I'm quite certain that when I ran for school board that I had no more than three questionnaires to fill in, and this time I know that

See **TIED**, page 4

Consumers eating, drinking, shopping

Local sales tax gains still lag behind state, county

BY JOHN WOOD

Daily Press Staff Writer

CITY HALL — Santa Monica consumers appear to be living high off the hog — buying new clothes and cars, as well as increasingly patronizing local restaurants and bars.

That's one reading of the latest sales tax figures, which show a substantial gain in sales tax revenue in the sectors of retail, restaurants and liquor.

Overall, the sales tax revenue appears to be continuing on an upswing, posting a 5.2-percent gain in the second quarter of 2004 over the same period in 2003, offi-

cials announced Tuesday.

The figures may be misleading, however. Many of the changes were due to some businesses posting their sales tax figures late and, therefore, officials place the overall sales tax "adjusted" growth at 2.8 percent. That compares to a statewide sales tax increase of 7.7 percent and a countywide increase of 5 percent.

Almost all business types posted a gain, except auto leases, which dropped by 34 percent, mostly due to a one-time adjustment in 2003, according to city officials. Revenue for new vehicle sales went up by 6.6 percent, while revenue from service stations increased 23.1 percent, due largely to higher fuel prices.

See **TAXING**, page 4

Make it snappy



Carolyn Sackariason/Daily Press

Getty Images photographer Dan Tufts snaps a photo of City Council candidate Bobby Shriver and his fellow 'hedge activists' on the steps of City Hall Tuesday. Earlier this year, residents were threatened with fines of up to \$25,000 if their hedges were deemed to be too tall. The City Council was scheduled to amend the 56-year-old law governing shrubbery at its meeting Tuesday. The issue, brought to the forefront by Shriver, has gained national media attention.

Be cool to your school: CEPS waiting on city to make deal

BY CAROLYN SACKARIASON

Daily Press Staff Writer

CITY HALL — A controversial and precedent-setting agreement between city officials and school supporters that would guarantee tens of millions of dollars for local schools is not a done deal.

Five months after City Council members promised to dedicate at least \$6 million to the Santa Monica-Malibu Unified School District, a formal agreement has yet to be signed.

Although they've been assured

by city officials that an agreement is forthcoming, members of Community For Excellent Public Schools (CEPS) are still waiting for a written contract, currently being drafted by City Attorney Marsha Moutrie and other city staff members.

"There have been moments that I've been concerned, but I'm not that worried," said CEPS co-chair Shari Davis. "It's just working through the process, and city staff is working on the language of the master agreement and sub-agreements."

See **CEPS**, page 5

Jacquie Banks

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- MOCA (Downtown L.A.)
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Tuesday, October 26

- 5:00 – 6:30 pm
- Santa Monica Community College, Board Conference Room B-11, 1900 Pico Blvd (use Lines 7, Super 7, 8, 11)

Wednesday, October 27

- 12:00 noon – 2:00 pm
- UCLA, Kerckhoff Hall, Student Union (use Lines 1, 2, 3, 8, 12, Super 12)

Thursday, October 28

- 6:00 – 8:00 pm
- Vera Davis McClendon Youth & Family Center 610 California Avenue, Venice (use Line 2)

Saturday, October 30

- 10:30 am – 12:00 noon)
- Ken Edwards Center, 1527 4th Street, Santa Monica (use Lines 1, 2, 3, 4, 5, 7, Super 7, 8, 9, 10)

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Follow the crowd, Sag

JACQUELINE BIGAR'S STARS The stars show the kind of day you'll have:

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





ARIES (March 21-April 19)

★★★ Don't let a misunderstanding punctuate your day. Clear up confusion. Through talking with someone and walking in his or her shoes, you gain greater insight. A new beginning with a relationship becomes possible in the next few months. If you are single, someone could be knocking on your door before you know it. Tonight: Go along with the program.



TAURUS (April 20-May 20)

★★ You mean one thing, but someone else hears another message. This type of chaos and confusion could mark your morning. Listen to someone who might be instrumental, both financially and emotionally. Confirm what you hear. Start a new health or diet program. Tonight: Relax.



GEMINI (May 21-June 20)

★★★★★ You have the possibility of making a major change in a relationship, though it might not happen today. In fact, look at things one month, three months and six months from now for indicators. Meanwhile, enjoy yourself. Tonight: Play the night away.



CANCER (June 21-July 22)

★★★ Your home life increases in significance. Expect a change in the next few months. You might spruce up your home. A home office might be a possibility. A new roommate might make your life sparkle. Entertain more at home. Tonight: Hang at home.



LEO (July 23-Aug. 22)

★★★★★ You have the ability to communicate, though you need to sort through a misunderstanding. You might take a comment personally. Please don't. Your ability to solve problems by tapping into your creativity emerges. Tonight: Be a local. Enjoy dinner out in the neighborhood.



VIRGO (Aug. 23-Sept. 22)

★★★ Be careful with the words you choose; you might provoke a misunderstanding. Clear it up quickly. Financial changes are in the wind. Take charge of your checkbook. You might need to revise your personal budget. Tonight: Talk money with someone who counts.



LIBRA (Sept. 23-Oct. 22)

★★★★ An Eclipse in your sign could deplete your energy. Is there anything about you or how you live your life that you would like to change? This Eclipse will empower you in the next few months. Not every moment will be a picnic, but the end results will be great. Tonight: Act and be like the top dog.



SCORPIO (Oct. 23-Nov. 21)

★★ You could feel depleted. Communications hit a snafu. Lie back and take care of yourself. Do research, but depend only on yourself. A day away from the hassles could rejuvenate your energy. Live a personal resolution. Tonight: Vanish quickly.



SAGITTARIUS (Nov. 22-Dec. 21)

★★★★★ A meeting might toss a judgment into the "iffy" category. Work with groups. Dealing with a consensus of opinion adds to your ability to succeed. Be open to different ideas besides your own. Network away. Tonight: Follow the crowd.



CAPRICORN (Dec. 22-Jan. 19)

★★★ Take charge, knowing what you want and expect. Others might balk at your instructions, so find a way to make them think that it's their idea. Work could change in the next few weeks or months. Flex and trust. Tonight: Out late.



AQUARIUS (Jan. 20-Feb. 18)

★★★★ Reach out for information. Other sources help you get a clearer picture and point you in the correct direction. Absorb information. Make decisions that work for you. School or travel might be in your near future. Tonight: Make a long-distance call first.



PISCES (Feb. 19-March 20)

★★★★ Deal with individuals rather than groups. You can and need to iron out a misunderstanding ASAP. An associate enhances your ability to zero in on the basics, be they financial or emotional. Remain confident. Tonight: Dinner for two.

Santa Monica Daily Press

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LOCAL



COMMUNITY BRIEFS

The 'Truth' about the war in Iraq

By Daily Press staff

A local activist this week will air a cut of her new documentary, which highlights American soldiers' experiences in Iraq.

"The Ground Truth: The Human Cost of War" screens Thursday, Oct. 14. The film features those who have served in Iraq. A panel discussion will follow.

Director/producer Patricia Foulkrod will screen a 30-minute cut of the film at the Laemmle Monica Theater, 1334 Second St., at 7:30 p.m. The event is free. To RSVP, e-mail thegroundtruth@yahoo.com.

Following the screening, there will be a panel discussion featuring:

- 1st Lt. Paul Rieckhoff, U.S. National Guard, Founder of Operation Truth.
- Specialist Robert Acosta, U.S. Army
- Lila Lipscomb, featured in "Fahrenheit 9/11," who lost her son in Iraq.
- Ed Ellis, Vietnam veteran; Veterans for Peace; co-Director of Arlington West.
- Steve Robinson, executive director of the National Gulf War Resource Center and a Gulf War veteran.

The event also will feature a special screening of the Operation Truth TV ads featuring Acosta and a musical performance by Sara Lovell.

Hire some veteran leadership

By Daily Press staff

War veterans looking for work may not have to look any further.

New Directions is hosting the "Hire Vets First" Job Fair on Oct. 15, from 10 a.m. to 1 p.m. at the Veterans Administration Hospital grounds.

Renata Simril, the executive in charge of Urban Growth Project for Genesis LA Economic Growth Corporation (GLA), is scheduled to speak at the event. GLA is a private non-profit corporation that offers solutions to champion economic development, job creation and community growth through urban revitalization. Partners supporting New Directions for the event are EDD's West Los Angeles Job Service Office, VA Greater Los Angeles Healthcare System, LAVEC, Union Rescue Mission and OPCC.

For more information on the job fair, call Brigitte Slayton at (310) 914-4045 ext. 201. For more information on the campaign, go to www.hirevetsfirst.org <<http://www.hirevetsfirst.org/>. The event is open to all veterans and to the public.

New Directions, Inc., recently named recipient of the 2004 Sustainable Quality Award by the Santa Monica Chamber of Commerce and the city of Santa Monica, is a long-term drug and alcohol treatment program providing housing, food, clothing, counseling, job training and psychiatric services for more than 800 homeless veterans a year. The agency operates four residential rehabilitation facilities, including the 156-bed Regional Opportunity Center, the 43-bed New Directions North for homeless veterans with co-occurring mental illness and substance use disorders, and two homes in Mar Vista for homeless women veterans.

Yiddish author celebrated

By Daily Press staff

Fans of one of the most celebrated authors of the century can learn more about him tonight during a screening of a short film and panel discussion.

The Santa Monica Pier helps celebrate the life and work of the most famous Yiddish author of the 20th Century with a screening of "The Cafeteria," followed by a discussion with leading Los Angeles film critic Kenneth Turan. The community program of the Santa Monica Public Library will be presented in the Arcadia building at 250 Santa Monica Pier today, Oct. 13 starting promptly at 7 p.m. Admission is free. Call (310) 458-8600, or visit www.smpl.org <<http://www.smpl.org/>, for more information.

2004 is the centennial year of the master storyteller Isaac Bashevis Singer, who in 1978 became the first Yiddish author to be awarded the Nobel Prize for literature. For more information, visit www.singer100.org <<http://www.singer100.org/>.



SURF REPORT

Today, look for the old NW swell mix to wind down while the SW Southern Hemi peaks. Northern LA County spots have knee-waist-chest high waves with the most size and consistency at best SW exposures. South Bay spots average under waist high while top spots in the north half of the bay see better sets.

Winds are light and variable in the morning and turn light onshore (W 6-10 knots) for the afternoon.

Today the water is:

66°

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LOW TIDES

HIGH TIDES

	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	1:22	0.4	1:22	2.4	8:04	4.5	7:05	5.1
SUNDAY	1:49	0.3	1:53	1.8	8:18	4.8	7:45	5.3
MONDAY	2:14	0.3	2:26	1.3	8:35	5.1	8:22	5.3
TUESDAY	2:39	0.4	3:00	0.7	8:54	5.5	9:01	5.4
WEDNESDAY	3:04	0.6	3:36	0.3	9:16	5.8	9:42	5.1
THURSDAY	3:30	0.9	4:16	-0.1	9:41	6.1	10:25	4.8
FRIDAY	3:57	1.3	5:00	-0.3	10:10	6.3	11:15	4.4

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The QLine

Recently, there has been much discussion in the news regarding sanitation problems in the alleys of Santa Monica. City officials say they are working with local business managers to keep these areas safe and sanitary, but they also acknowledge this is a 24/7 responsibility.

So this week, Q-line wants to know, "How can City Hall, business owners and Santa Monica residents

work together to better monitor and ensure the cleanliness and safety of the city's alleyways?"

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

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**NOTICE OF PUBLIC HEARING
AMENDMENT TO THE ACTION PLAN
(FY 2004-05)**

The City Council of the City of Santa Monica will hold a public hearing to receive public comment on the Amendment to the FY 2004-05 One-Year Action Plan. The One-Year Action Plan, which is a component of the Consolidated Plan, is submitted annually to the U.S. Department of Housing and Urban Development (HUD). It delineates the City's specific projects and activities for one-year use of CDBG and HOME funds in order to meet the City's overall housing and community development needs as specified in the Consolidated Plan (FY 2000-05) adopted by City Council and submitted to HUD in June 2000. To obtain a copy of the Amendment to the Consolidated Plan, please contact the Human Services Division, 1685 Main Street, Room 212, Santa Monica, CA 90401, telephone (310) 458-8701.

The Public Hearing is scheduled for
Tuesday, October 26, 2004
at 5:45 p.m. in the City Council Chambers
located at 1685 Main Street, Santa Monica

The Council Chambers are wheelchair accessible. If you have any special disability-related needs/accommodations, please contact the Human Services Division at (310) 458-8701; TDD (310) 458-8696.

**LOCAL**

Politicians not laughing on the way to forums

TIRED, from page 1

I've filled in no fewer than eight ... probably a composite of more than 200 questions," said Patricia Hoffman, a former school board president. "It's just exhausting ... It's been almost constant, and sometimes family and work get neglected in order to run."

"I think that as the demand on candidates gets greater, the quality of candidate is likely to drop in future races."

Hoffman hopes to focus more on campaigning in the weeks ahead.

"I think that it does get busier, but it gets busier in some of the traditional ways — of walking, making phone calls and getting out your mail, and hopefully fewer forums and less writing," she said. "But it's only three more weeks and then we will have, hopefully, relief ... The process itself is very grueling."

City Councilman Mike Feinstein offered a suggestion.

"I have informally asked League of Women Voters representatives in the past, gently, that there be a central database where all the groups that do questionnaires and endorsements actually send in their timing in advance, so the candidates can better coordinate," said Feinstein, who added he's so busy he often must choose between walking precincts and answering questionnaires.

Hoffman suggested the coordination of questionnaires be taken one step further, by using a single survey for all local organizations and allowing each group to add no more than three of their own questions, which would simplify the process and make it more difficult for candidates to give conflicting answers to different groups. The answers could then be posted online.

City banking on sales tax increase

TAXING, from page 1

Key regions of the city also improved. Santa Monica Boulevard, Wilshire Boulevard, Ocean Park Boulevard and the Third Street Promenade all posted hefty sales tax revenue gains. After adjustments, downtown saw a 22.4-percent gain, while the Promenade improved by 19.6 percent.

City Hall is banking on a 3.5-percent increase in sales tax revenue for the fiscal year, which began after the close of the second quarter, in July. City Finance Director Steve Stark said he remains optimistic the city will meet those projections, but added Sacramento can delay distributing some local sales tax revenues.

"The 2.8-percent adjusted sales tax growth for the quarter is somewhat lower than the rates of the last several quarters," Stark said. "The overall strength of the economic recovery continues to be uncertain due to current economic and political events."

The current process is especially complicated for incumbents, who must handle City Hall business while campaigning, and even more so for those incumbents with full-time jobs.

"There are more forms and more questions and the questions are more detailed than ever before," said Mayor Richard Bloom, whose private law practice and family commitments already compete for his time. Still, Bloom said the extra effort benefits residents, who need the information to make educated decisions.

Key issues in the candidate forums and news articles to date have been homelessness, traffic and parking, City Hall bureaucracy, downtown development and rent control. Those topics are expected to continue to play a central role in upcoming forums and reports.

Upcoming forums before the Nov. 2 election still include one hosted by the League of Women Voters on Thursday night at 7 p.m. at St. Anne's Catholic Church, an Oct. 19 debate in council chambers to be broadcast live on CityTV and "Squirm Night" hosted by the Santa Monica Daily Press on Oct. 27 at The Space, a nightclub located at 2020 Wilshire Blvd., beginning at 6 p.m.

Despite the outstanding obligations, Bloom said he embraces the work ahead.

"It's definitely a juggling act," he said. "For everyone who's on the council, we're pulled in several different directions because it's a part-time position. For all incumbents, we also have our ongoing business, and for the mayor that's even more the case."

"But, you know, I volunteered to be here, so I'm not complaining — and I'm signing up for four more years."

Taxing behavior

Second quarter sales tax revenue figures* for major business types:

YEAR	2003	2004
New cars	\$1.24M	\$1.33M
Restaurants — liquor	\$410K	\$419K
Specialty stores	\$333K	\$510K
Family apparel	\$351K	\$421K
Fast food	\$281K	\$293K
Auto leases	\$399K	\$263K
Service stations	\$200K	\$237K
Restaurants — beer and wine	\$196K	\$220K
Women's apparel	\$157K	\$173K
Department stores	\$185K	\$184K
Business services	\$121K	\$151K
Hotels — liquor	\$128K	\$140K
Office equipment	\$97K	\$158K
Home furnishings	\$127K	\$136K

(*These figures have not been adjusted for late reports.)



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LOCAL

City Hall assures CEPS contract is forthcoming

CEPS, from page 1

“(City Manager Susan McCarthy) has assured us that all the terms will be reflected in the contract.”

McCarthy confirmed that the contract is being crafted and is very detailed because it governs a number of agreements between City Hall and the school district, including how facilities are used by the public.

“Nobody’s dragging their feet ... it’s all being done,” McCarthy said, adding past agreements between City Hall and the school district haven’t always been done on time. “We’ve had a contract with the school district for a number of years on an annual basis and this is now a multi-year agreement.”

CEPS members gave city officials an ultimatum early this year when they announced they would attempt to change the city charter through a November ballot measure which would force City Hall to give \$6 million to the school district indefinitely.

A majority of council members felt backed into a corner, but they agreed to a compromise which was reached behind closed doors and approved publicly. The result means City Hall will give schools \$6 million annually for the next five years, and significantly more if the economy blossoms.

In presenting the compromise to the City Council, McCarthy — who negotiated the details with John Deasy, superintendent of schools — said both sides made significant concessions. School interests gave up indefinite funding that likely would have continually increased, while City Hall interests agreed to hand over the money without designating a new revenue source, something they’d pushed for.

Under the unsigned agreement, City Hall will double for the next five years the

\$3 million it gives annually to the school district in ongoing funds, with a 2 percent to 4 percent annual adjustment based on inflation. The agreement also includes loopholes for extraordinary circumstances, and options for both sides to reassess and renew the deal through the year 2014. A group of school and city leaders will meet in January 2007 to reassess the agreement. That group will decide whether to adjust the base funding by \$1 million, at most.

The future of the funding is partly why CEPS leaders had City Council candidates sign a pledge last month, indicating that they will financially support the school district under the agreement. Some school supporters were concerned that if a new majority was elected to the City Council, or the incumbents who supported the agreement were voted out of office, funding for schools could be in jeopardy.

“At every point, the elected leaders have control of it,” Davis said.

But school supporters also are confident that city officials won’t go back on their word because to do otherwise would be political suicide. CEPS is a powerful group of parents and school supporters who cross all political lines in Santa Monica. The organization has gained serious momentum this year, proving its political clout.

“Just knowing that we’re watchful helps,” Davis said.

Mayor Richard Bloom said there is no reason not to think the contract will be in front of the school district soon.

“There is absolutely no doubt in my mind there is going to be an agreement,” he said. “We bargained in good faith and there is not even the smallest reason that that goodwill and the agreement will not move forward.”

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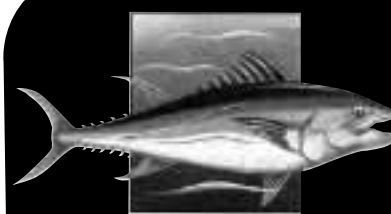


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LETTERS TO THE EDITOR

Rocky treatment for Marciano

Editor:

Mr. Marciano has made some very misleading statements in order to make his case against Israel (SMDP, Oct. 11, page 6). He quotes Tony Judt as if he is the foremost expert and last word on the history of Israel and Edward Said, a well known anti-Semite.

Modern Israel is at war. It is a war that began not in 1967, with the repatriation of its ancient homeland, but in 1948. It is fighting against people who want the Jews to leave the Jewish homeland.

Although Israel is the modern state of the Jewish people, it is not the beginning of the Jewish presence there. Three thousand years of uninterrupted and undeniable Jewish presence in Israel, which includes the land he calls "the occupied West Bank and Gaza," would make the Jews the indigenous people of Israel. Jews are the "B'nai Yisrael" (children of Israel) and the "children of Israel" are from the land of Israel. Arabs are from Arabia. They arrived in Israel after Jews had lived there for close to 2,000 years. The language of Hebrew is the indigenous language of Israel. Jews are the only people who speak this language and have been doing so for over 3,300 years. To deny this is to deny history. Arabic is the language of the Arab people who come from Arabia. To deny this is to deny history. To call Israel "Palestine" and to call the Arabs living there "Palestinian" is to deny history. "Palestine" and "Palestinians" are words that have been created by those who want to deny the Jewish people their unalienable right to their homeland. The only "occupiers" in the land of Israel are Arabs and of course they deny that it is the Jewish people's ancient homeland. The only colonizers in the middle east today are Arabs. Put another way: The Arabs living in Israel can be described as "indigenous" to Israel as I suspect Mr. Marciano would be described as "indigenous" to North America.

It is true that Israel would have an almost impossible task in remaining in its historical homeland without the help of the United States. I thank the people of this great country for that help. I dread thinking of the day Israel is left to stand alone against those same people, Arabs, who are today perpetrating colonization and genocide

against the Africans of Sudan in Darfur and those who would attack the U.S. in the name of Islam.

The United States has gone against the opinions of the majority of the nations of the world for good reason. The Muslim Arab lobby in the U.N. is unequivocally and unambiguously against the existence of the state of Israel. They have banded together and used their immense wealth and power which is derived from the oil the world depends on to coerce and bribe countries dependent on them to vote in their favor. They include countries that are the breeding ground of international terrorism. They are countries that are involved in slave trade and genocide. These countries are undemocratic. They do not tolerate other religions in their midst and do not respect human rights. How many of these Arab Muslim countries share any of the values that we care so much about in the United States? I am proud of the moral compass used by the United States in its decision to stand with Israel.

Israel is fighting against "people" (I refuse to insult pigs as the woman on Pico Boulevard does) who are not bound, nor do they care about the conventions or agreements mentioned by Mr. Marciano. They use their hospitals and ambulances to store and transport weapons. They employ children to be human bombs and shields. They blow up unsuspecting men women and children, and dance in the streets in glee at the news of these bombings. I hope and pray and am sure that the good people of this earth "G-D's garden" will stand together and put an end to the evil that justifies and rationalizes these "people's" deeds.

Shlomo Menkes
Santa Monica

Editor:

John Marciano asked, "Who is ignorant?" in his response (SMDP, Oct. 11, page 6) to previous letters that supported a local business owner's decision to express her seemingly minority opinion on the continuing violence in and around the country of

See **LETTERS**, page 7

Keeping watch on government is a full-time gig



INCITES

BY ED SILVERSTEIN

Cheney Watch 1 — During the vice presidential debates, Dick Cheney chastised John Edwards' Senate attendance record by claiming that he, Cheney, presided over the Senate every Tuesday, yet he had not met Sen. Edwards until the night of the debate. Not only had he been photographed with Edwards on at least three occasions, but the Vice President only attended Senate sessions when he was the tie-breaking vote, something that happened just three times in 2003. But that's not to say that everything Cheney said was a lie. The Vice President did go to the Senate most Tuesdays, but only to meet with Republican senators to plot party strategy, such as suggesting he had never met Edwards before.

Banana Republic Watch — In Florida, voter registration volunteers greeted new U.S. citizens as they emerged from their swearing in. The only problem was that all the registration forms they were provided had Republican already checked as a party affiliation.

Anti-Semitism Watch — According to "The Week," Wal-mart, which will not carry a magazine that shows a woman in a bikini, had no compunction about carrying "The Protocols of the Elders of Zion," a virulently anti-Semitic book that claims there is a global Jewish conspiracy. The book has been universally denounced as a fraud (and was finally pulled after protests). And yet they sell bagels.

Bush Deception Watch 1 — The boys at the Bush department of misinformation have come up with a new ad that, according to the LA Times, even a Republican pollster said was so deceptive it could backfire on the President. The commercial

claims that Sen. John Kerry called terrorism "a nuisance." But what Kerry actually said was that his goal on terrorism was to "get back to the place we were, where terrorists are not the focus of our lives, but they're a nuisance." Of course, for Bush the real nuisance is sticking to the truth.

Jewish Conspiracy Watch — I have decided to reveal the secret behind the global Jewish conspiracy (see above) — Education. That's right, millions of Jewish moms and dads have clandestinely read to their children, pushed them to excel in school — sometimes going so far as helping them with their homework — and even allowed them to form their own opinions for the sole purpose of dominating the world as well as the ability to say to their friends, "My son (daughter), the doctor." Next week — The Asian conspiracy.

Bush Deception Watch 2 — In the second presidential debate, Bush, trying to label Kerry as, dare I say, a Massachusetts liberal, claimed Kerry's voting record as the most liberal in the Senate. Unfortunately, the National Journal, which was cited by Bush, lists Kerry as only the 11th most liberal and Edwards isn't even in the top 25.

Cheney Watch 2 — Can you say President Hasert? V.P. debate moderator, Gwenn Ifill, grilled Edwards on his lack of experience and his profession. Yet she never questioned the Vice President on what could be a far more serious issue, his health. According to John Dean in "Worse Than Watergate," Cheney's estimated life expectancy after his procedure of March 2001 was two years. So who would be President if Cheney had a fatal heart attack upon learning that Bush had choked to death on a pretzel? It would be House Speaker Dennis Hastert.

According to Vote Smart, Hastert gets poor marks from organizations that deal with abortion rights, art, civil liberties, civil rights, education, the environment, family and children, foreign aid, foreign policy, gun control, health, labor, seniors,

social issues, veterans and wildlife. However, he did get the thumbs up from business, trade groups and the NRA. Hmm ... nevermind.

Banana Republic Watch 2 — Florida, which allows early voting, must have accidentally forgotten to put polling places in the black neighborhoods. In Daytona Beach, for instance, the only polling site is in a white neighborhood that has no public transportation and is 30 miles from black neighborhoods. Must be like that mistake they made last year when they pulled 90,000 black voters because of felonies they didn't commit.

Israel-bashing Watch — In his letter to the editor, John Marciano was indignant about the racism of supporters of a shopkeeper who displayed anti-Palestinian signs in her window. While I abhor such intolerance, what I found equally offensive was that Marciano supported his position with a vicious attack against Israel that was nothing more than racist propaganda and misinformation.

To begin with, it is specious to claim that the Palestinians are the indigenous natives of Israel when the Jews have a far more legitimate historical claim, but that is beside the point. The reason the Palestinians reside in refugee camps is because they, along with various Arab countries, repeatedly launched and lost wars against the Jews in Israel. Further, radical Palestinians refuse to recognize Israel's right to exist and call for the extermination of all Jews.

To this end, acting alone and as financially supported surrogates for countries such as Iran and Syria, the Palestinians have launched hundreds of terrorist attacks that have taken, proportionally, more Israeli lives than 15 World Trade Center attacks would have claimed. Yet, the U.N., dominated by extreme Islamic countries and European countries pandering to large radicalized Muslim populations, has failed to condemn these acts, instead putting out hundreds of resolu-

tions against Israel.

Such bias was demonstrated by the U.N.'s International Court of Justice in their condemnation of Israel's security fence, which Marciano derogatorily labels "the apartheid wall." What Marciano failed to mention is that virtually every democracy voted against the International Court taking jurisdiction over the fence or that similar fences have been built between North and South Korea, in Ireland, and even here on our border with Mexico without protest. But the most glaring omission by Marciano is the success in which this totally nonviolent measure has had at reducing the number of horrific terrorist attacks on innocent Israeli citizens and, by extension, the retaliations against the Palestinian people. The only legitimate complaint against the fence — that it annexed parts of the West Bank — was addressed by Israel's own courts, which deemed the annexation illegal and demanded that the military change the route. Try to imagine such justice in Iran or Syria or even in a future Palestinian State.

Of course, Marciano's solution would be to have Israel stop defending itself and throw open its borders to the Palestinians. As someone put it: If the Arabs put down their weapons today, there would be no more violence. If the Jews put down their weapons today, there would be no more Israel.

When it comes to the Israeli-Palestinian conflict, there is no question that all parties, including Israel, the Palestinians, the surrounding Arab countries, the U.S. and the U.N. share a degree of blame. But to single out Israel as the main culprit is unfair, narrowminded and dangerously naive.

(Comments or requests for copies of this column can be sent to incites@incites.net).

OPINION



LETTERS TO THE EDITOR

LETTERS, from page 6

Israel. I'd appreciate the chance to address the matter.

Marciano wrote a prototypically anti-Israel (actually, anti-Jewish) piece that referred to an apartheid wall, oppression of poor native non-Jews, and fascist and racist Israelis and their supporters. He misleadingly stated that "We must ultimately confront the fact that the Palestinians are 'the natives of Israel, an indigenous community excluded from nationhood in its own homeland: Dispossessed and expelled ... denied many fundamental rights and exposed on a daily basis to injustice ...'"

Unfortunately, anti-Judaism has been and very much remains the order of the day, and only in the case of a group making a competing claim against Jews, has the world so adamantly demanded and adhered to notions of "occupied territories" and recognition in name ("Palestine") of a state that has never existed.

From Israel's rebirth in 1948 until the Six Day War in 1967, Jordan controlled the so-called "West Bank." During that span of time, Arabs regularly attacked Jews in and around Israel, but there were no "Free Palestine" posters and T-shirts all over Hebron, Europe or America aimed at Jordanian occupation, oppression, racism and apartheid.

There were no sophomoric American or European college students protesting the Egyptian occupation of the Gaza Strip during that same time. No one was questioning Egypt's weak, and seemingly non-existent and illegitimate claim to the Sinai Peninsula; nor were they arguing that the Sinai should be duly returned to the descendants of the Romans, Persians or Judeans who owned it in the past. Only the tiny Jewish country of Israel is subjected to the horror and falsehood that portions of its land, clearly vital to its sustainability and natural growth, are classified as illegitimate or merely occupied.

I see all of the "Free Palestine" paraphernalia everywhere all the time, and it is always premised on the weak notion that there are non-Jewish Arabs who are an indigenous native community robbed of their rightful homeland by the Jews. I find it peculiar that any fair-minded American can be (1) obsessed with the plight of Arabs who make a competing claim against Jews for land in and about Israel, especially Samaria and Judea, and (2) relatively acquiescent about the much stronger counterclaim that our own native people make to Alabama, North and South Dakota, Indiana and most, if not all, of our country. For every "Free Palestine" poster, we should see 10,000 "Free Native America" posters at so-called "peace rallies" in Santa Monica, Europe and across the globe. We do not see this for reasons of ignorance and bigotry.

Ignoramuses have never sympathized with our great native population and its competing, and superior, land claims within our humungous country. However, when a much smaller and much less legitimate population of anti-Jewish natives on the other side of the globe makes a competing claim for a minuscule tract of land against incessantly beleaguered Jews with vastly superior claims — well, that seems to be a whole other (actually, ignorant and bigoted) matter.

Ivan Smason, Ph.D., J.D.
Santa Monica

Editor:

After reading the article written by Mr. Marciano (SMDP, Oct. 11, page 6), I felt he answered his own question of who is ignorant. It is obviously Mr. Marciano, with his distortion of history and the facts as they exist. To refute all his distortions and misinformation would take all of your newspaper.

Murray Greiff
Santa Monica

Prop. N will prop up local schools

Editor:

As one of the authors of the ballot argument in favor of adjusting our city's tax on tourism, I'm pleased to see Prop. N has now been supported by the chamber of commerce, the League of Women Voters and the Committee for Excellent Public Schools.

A "yes" on N creates a locally-controlled revenue stream that the state cannot take away. Our hotel bed tax hasn't been increased in 15 years, and supports city services we all enjoy — such as police, fire, paramedics, parks and recreation, environmental protection and youth programs. It helps us fund our schools.

With Prop. N, Santa Monica residents have the opportunity to sustain and improve city services without paying more themselves.

Thanks to the chamber, the League and CEPS for supporting a "yes" on Prop. N.

Kevin McKeown
Mayor pro tem

'Daily' dose a great resource

Editor:

I just wanted to express my appreciation for the fine job you do putting out the Daily Press. I read your paper almost every day and am impressed at the quality of the writing, the range of issues covered, and the pleasing look of the paper. The Daily Press is really a great resource for the community.

Thank you.

Paula A. Scott
Santa Monica

GUEST COMMENTARY **BY LARRY SALZMAN**

Coastal Commission eroding the rights of property owners

Imagine you've been enjoying your backyard picnic table and chairs for the past 10 years when suddenly, for no apparent reason, you are served notice from a government agency that you will be fined \$6,000 a day unless you remove them.

Or, imagine you would like to add a stone walkway to your garden. You begin to research the procedure and costs, only to learn that a lengthy application will be required, with multiple hearings before a state commission. You find yourself embroiled in a Kafkaesque legal battle costing tens of thousands of dollars. Finally, after years of struggle the government demands, as a condition for approving your little walkway, that you "donate" a portion of your land to the state.

Do these sound like nightmarish stories out of some totalitarian regime?

Shockingly, they are normal, everyday incidents for property owners across the nation.

In California, for example, a state agency called the California Coastal Commission routinely tramples the property rights of coastal landowners. People residing within five miles inland of California's 1,100 miles of coastline are subject to the commission's power to approve or deny improvements involving "any solid structure" on their property. This can include adding a room to a home, planting trees, adding a fence or garden walkway and, yes, in one current Orange County case, a picnic table and chairs.

Established in 1976, the California Coastal Commission's mandate is to "preserve, protect ... and restore the resources of the coastal zone for the enjoyment of the current and succeeding generations." The Commission operates on the premise that the roughly 1.5 million acres under its jurisdiction are a "priceless natural heritage of all the people," ignoring the fact that the "priceless heritage" of California's coastline is abutted by private homes and businesses whose owners paid dearly for their property.

"All the people" have no right to demand that landowners sacrifice their property for the interests, real or alleged, of non-owners. If one owns property, one has the moral right to control it — even if that conflicts with the esthetic tastes or priorities of non-owners. One has the right to acquire property and, once acquired, to use it without interference from others, subject to only one condition: An owner must not interfere

with the rights of his neighbors to do likewise. Your life and property belong to you, not to others.

The California Coastal Commission and other agencies like it stand the very purpose of government on its head. The Declaration of Independence reminds us that it is only "to secure these rights," that "governments are instituted among men." A legitimate governmental agency would not violate property rights by telling an owner how he must use his property — it would do all that it could to protect the owner in his right to develop his property according to his best judgment.

Once we accept the principle that the government can deprive some individuals of their right to property, there is no basis to reject the complete usurpation of private property. If a home owner on California's coast can be ordered to stop building a shower, a shed, or a walkway, or to refrain from placing chairs and a table in his backyard, what prevents the state from gutting the right to property anywhere in America?

Indeed, all around the country there are escalating attacks on homeowners' property rights. In Lake Tahoe the smallest details of lakeshore homes, including their paint color, are regulated by a multi-state planning board. In Washington, D.C., a landlord cannot sell his own property without permission from his tenant. Near San Francisco certain homes designated as "affordable" can be sold for no more than a government-controlled price. In Portland there are wide swaths of the city in which one cannot build a single-family home on one's own land, even if it is adjacent to other suburban homes. In hundreds of U.S. cities, various laws establishing "historical districts," "landmarks," or "improvement zones" straight jacket owners who are consequently unable to remove trees, erect fences, add rooms, or even change rain gutters.

Government boards, agencies and commissions with this kind of authority should be opposed not on a case-by-case basis, but on principle. The only proper state policy with respect to private property is: Hands off! In America, no governmental agency should have the power to deprive an individual of his property rights.

(Larry Salzman is a writer for the Ayn Rand Institute, www.aynrand.org in Irvine.)



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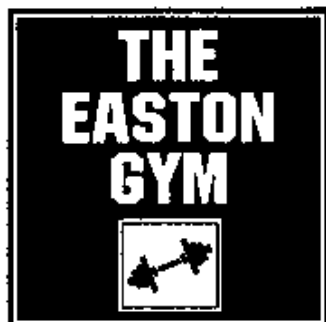
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STATE

States too underfunded to prevent water pollution

BY DON THOMPSON

Associated Press Writer

SACRAMENTO — More than 30 years after passage of the federal Clean Water Act, many states lack the money to provide enough regulation, according to a study released this week.

Budget problems mean California enforces just 23 percent of federal wastewater standards and monitors just 60 percent of storm water regulations, according to Clifford Rechtschaffen, director of San Francisco's Golden Gate University's environmental law program and co-director of its Environmental Law and Justice Clinic.

The majority of the other 16 states he surveyed also had too little money to fully enforce the key federal act, Rechtschaffen said in the study for the Center for Progressive Regulation. The nonprofit group is made up of university professors with experience in health, safety and environmental regulation.

The report comes at a time when environmental groups nationwide are pushing for more enforcement.

Last week, environmental groups in Florida sued the state's Department of Environmental Protection alleging it has done a poor job of enforcing the federal law over the last decade. The federal suit asks that the U.S. EPA be ordered to control Florida's water pollution instead of leaving it to the state.

Last month, the Environmental Integrity Project, a nonprofit advocacy group, said the federal EPA and a half-dozen Great Lakes states are failing to enforce storm water runoff regulations, threatening the regions' waterways and wildlife.

Under the 1972 Clean Water Act, the EPA delegated enforcement responsibility to the states as they met certain criteria. Forty-five states now fully or partially enforce the law within their boundaries.

Colleen Castille, Florida's environmental secretary, pointed out the federal government has neither the money nor manpower to enforce the law in every state, which is why enforcement was often delegated to states in the first place.

"The sorry truth is that the lack of enforcement by the states is undermining key provisions of the law," Rechtschaffen said.

He focused his survey on enforcement of the National Pollutant Discharge Elimination System, under which states

are supposed to issue permits to polluters. States were asked to list how much money and staff they had for enforcing the permit system, and how much they would need to do the job properly.

Seventeen states responded: Alabama, Arizona, California, Delaware, Florida, Georgia, Hawaii, Maryland, Minnesota, Montana, North Carolina, New Jersey, Nevada, Oregon, Washington, West Virginia, and Wyoming.

Eleven said they lack enough money. Georgia said it had just 20 percent of what it needed, and Wyoming 29 percent.

California reported its regional water boards were finding it more difficult to reissue permits, inspect polluters and enforce violations, and respond to public complaints.

The Natural Resources Defense Council urged the federal government to retake control of California's storm water program in the late 1990s, arguing the state was doing a poor job, said Alexis Strauss, regional director of the U.S. EPA's water division.

The federal government increased its scrutiny and encouraged the state to devote more money to the program, she said. That strengthened state enforcement, but prompted some cities to complain about the cost of compliance, a controversy still echoing today in the Los Angeles area.

"States have had quite devastating budget consequences the last 10 years. They've dealt with them in different ways," Strauss said. Though comparing states' compliance is difficult because they pursue differing enforcement policies, she said the U.S. EPA intends to try on a Web site that should be available in another month or so.

The five states that said they have enough money — Alabama, Delaware, Florida, Nevada and New Jersey — generally depend more heavily on fees paid by polluters, Rechtschaffen said. He recommended other states follow their lead. One state did not report its funding.

The lack of money means many polluters are operating under old and inadequate permits, he found. States often then fail to inspect the sites or punish excess discharges, and fines that are levied are often too small to encourage compliance.

However, California two years ago began requiring penalties for repeat, serious violators, which other research has shown has increased compliance.

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Santa Monica Daily Press

STATE



Trippi's speech shows power, limits of technology in politics

BY BETH FOUHY

AP Political Writer

SAN JOSE, Calif. — Joe Trippi was an engineering major at San Jose State University when he discovered the twin passions, technology and politics, that would define his career. He's now best known for his stewardship of Democrat Howard Dean's presidential campaign, which organized 650,000 people and raised \$50 million through the Internet before collapsing under the weight of its inexperience and hubris.

Returning to San Jose to promote his new book, "The Revolution Will Not be Televised," Trippi forcefully argued that the Internet can transform politics.

"The Internet is the most revolutionary and powerful tool in the hands of the people," Trippi argued, citing Napster's "young people wreaking havoc on a topdown music industry" as one of several ways in which cyber-populism can force traditional organizations to change.

But there's a problem with his thesis — while politics is at its best when "the people" take charge, even the most effective grass roots campaign will fail without a compelling candidate at the core.

Thanks to the Dean campaign — the technology-fueled supernova that flamed out almost as spectacularly as it soared — politicians clearly learned how powerful the Internet can be as a fund-raising tool. But Trippi says its real value is its capacity to build a sense of community and shared purpose in an increasingly fragmented world.

In Trippi's view, the Dean campaign and groups like Berkeley-based MoveOn.org proved that while one person's \$25 check or neighborhood precinct walk may not make much of a difference, millions together can exercise real power by using the Internet as a fulcrum.

"The American people now have faith in strangers again," Trippi proclaimed.

All of this resonates particularly well in California, where the state's love affair with technology and its history of direct democracy have yielded surprising results.

Trippi cited Arnold Schwarzenegger's recall election as the perfect example of how ordinary citizens can take charge of their government.

"Arnold kind of represents this bottom-up stuff," Trippi said. "I take him as a sign of how this thing is going to go."

Schwarzenegger certainly benefited from a groundswell of discontent, aimed mostly at the unpopular Democratic governor, Gray Davis, but also at government in general and "politics as usual" in particular.

Dean's angry righteousness and shoot-from-the-hip approach to political discourse ultimately scared voters away. But Schwarzenegger was the right candidate for the time — personally famous, yes, but also the right fit for California on issues and personality. His fiscal conservatism and moderate stand on social issues probably represent the views of most Californians; his trademark humor and all-important optimism helped people feel like they were casting a positive vote in the recall election, rather than just howling in protest.

Such traits weren't evident in Dean, the former governor of Vermont who was an effective organizing vehicle for Democrats unhappy about the direction of the Iraq war but never managed to appear credible as a presidential candidate, even among the left-leaning "base" voters who dominated party primaries.

The lesson of all of this seems to be that even the most effective grass roots campaign needs not just a dynamic candidate, as Dean certainly was, but a candidate who people believe can do actually the job.

Trippi virtually acknowledged as much when asked for his reaction to the vice-presidential debate Tuesday night, in which where Vice President Dick Cheney questioned how John Kerry and his running mate, John Edwards, could be expected to stand up to al-Qaida if they could barely withstand the pressures of running against Dean.

"John Kerry won and we lost," Trippi said ruefully. "I think he'll handle al-Qaida just fine."

STATE BRIEFS

Missions statement

By The Associated Press

WASHINGTON — The Senate has passed a bill to spend \$10 million to help restore California's aging Spanish missions, putting the legislation a step away from reaching the president for his signature.

The California Missions Preservation Act, authored by Sen. Barbara Boxer, D-Calif., would send grants over five years to the nonprofit foundation that's overseeing the effort to refurbish the 21 missions.

The California Missions Foundation would be required to match the money with state and private funds.

"This has been a long fight, but I am so proud that we were able to get this legislation through and begin the process of restoring these historic treasures," Boxer said in a statement Monday. "The missions are on the verge of being lost to us forever, and now is the time to ensure their place in California's history."

The Senate passed the bill late Sunday. The Senate version still must pass the House, which approved an earlier version of the bill last year. House approval is expected to happen when Congress reconvenes for a lame-duck session after the Nov. 2 election. The bill would then go to the president.

Attempting to resolve a concern that has helped stall the bill, the Senate passed an amendment saying the money can't be given out unless the Justice Department issues a finding that it does not violate the First Amendment.

Movie rating has strings attached

By The Associated Press

LOS ANGELES — Sometimes Trey Parker and Matt Stone are trying to make you laugh, and sometimes they're trying to make you squirm.

The "South Park" creators do all of the above with their new film, "Team America: World Police," which narrowly avoided an NC-17 rating by trimming a hard-core sex scene — between puppets.

"Team America" is inspired by the old "Thunderbirds" puppet sci-fi adventure TV show. Parker and Stone, who delight in pushing the limits of both comedy and taste, borrow the format to mock the Iraq war and Hollywood blow-up epics like "Con Air" and "Armageddon."

The movie follows a squad of marionette heroes who fight terrorists (never mind that they reduce Paris and Cairo to ruins in the process). They recruit a Broadway actor, Gary, as an undercover operative. But Gary isn't always on board with their aggressive ways — yet he's tired of Hollywood liberal whining and, hey, somebody's got to stop North Korean dictator Kim Jong-Il from destroying the world, right?

Parker and Stone had puppets made of President Bush and John Kerry, but ultimately cut both characters from the movie, saying they didn't want it to be blatantly political.

War of words: Nader blasts Kerry

By The Associated Press

SACRAMENTO — Saying neither of the major parties speak for a big part of the nation's voters, independent presidential candidate Ralph Nader launched his campaign Monday to get California voters to write in his name on the November ballot.

At a news conference on the Capitol steps with his running mate Peter Camejo, Nader criticized Democratic nominee John Kerry for his support of the Iraqi war.

Best known as a consumer advocate, the liberal Nader surprised many four years ago as a third-party candidate who attracted nearly 3 million votes.

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NATIONAL

Salt in wound: Facing charges, mayor quits race

BY MARK THIESSEN
Associated Press Writer

SALT LAKE CITY — The mayor of Utah’s most populous county asked Tuesday that her name be removed from the ballot, producing a doctor’s note indicating the stress of campaigning coupled with fighting two felony counts of misusing public money was too much.

“My doctor has strongly advised that, in his opinion, with the extraordinary stress of the ongoing prosecution, I cannot continue a political campaign without unreasonably compromising my health,” Salt Lake County Mayor Nancy Workman said in the statement, which was first reported Tuesday in the Deseret Morning News.

“I realize now the burden is too great to continue,” she said.

However, there have been no discussions of her resigning as mayor, said her spokesman, Dave Owen. Workman’s term expires in January.

Owen denounced critics who said Workman, a Republican, was manipulating Utah’s election law by using a provision allowing candidates to remove themselves from a ballot because of a medical disability.

“She’s always said, ‘I will not ask a doctor to lie,’ and she didn’t,” Owen told The Associated Press on Tuesday.

Workman has been placed on paid administrative

leave while she faces two felony charges for allegedly taking \$17,000 in health department funds to place a bookkeeper at a boys and girls club where her daughter was a top financial officer.

The county GOP party last week withdrew its support of Workman and instead endorsed the write-in candidacy of Republican land developer Ellis Ivory.

Salt Lake County Clerk Sherrie Swensen said she received Workman’s affidavit on Tuesday and was consulting with lawyers on what course to take.

She doubted that ballots would have to be reprinted. Stickers with either another candidate’s name or “Candidate Withdrawn” could be placed over Workman’s name, she said.

Also uncertain was the fate of at least 6,000 absentee ballots and nearly 400 absentee votes already cast in her office. Swensen didn’t believe the entire ballots would be spoiled, but was waiting for legal advice.

Swensen, a Democrat, gave no timeframe for when decisions might be made or announced.

“I’m surprised and disappointed,” said Democratic mayoral candidate Peter Corroon, a cousin to one-time Democratic presidential hopeful Howard Dean. “The mayor has said all along she would stay on the ballot and not use the medical excuse.

“For the next three weeks, we’ll still keep talking

about ethical government, economic development and smart growth,” said Corroon, who became the front-runner after Workman’s political problems surfaced.

“Hopefully, this race will get beyond the tabloid politics and get down to the issues.”

Independent candidate Merrill Cook, a former Republican congressman, charged that the party was abusing election laws to ensure a Republican winner.

If Swensen takes Workman off the ballot, the Republican party plans to add Ivory. He said Tuesday that is a decision left to the party, and while he would welcome such a move, he’s not lobbying for it.

Republicans were worried that Workman would split the conservative vote. Workman hired an attorney to fight any legal effort by the Democrat or independent candidates to keep her on the ballot in the four-way race.

After she was charged, Workman said she had made mistakes, but they had not personally benefited her or her family and shouldn’t be considered crimes. “I was doing what I believed — and continue to believe — was right,” she said.

Salt Lake County has a population of about 925,000, and about a third of those are expected to vote on Nov. 2. The county includes Salt Lake City, and accounts for about 40 percent of Utah’s population.

Nuclear waste critics say congressional bill avoids Idaho problem

BY BOB FICK
Associated Press Writer

BOISE, Idaho — Nuclear waste critics believe Idaho has dodged for now attempts to weaken cleanup efforts at the Idaho National Engineering and Environmental Laboratory, but they worry that the cleanup plan could still be attacked in Congress.

“We’re lucky that we got what we got, and that’s thanks in part to the folks at the Idaho Department of Environmental Quality keeping their eye on the ball,” Snake River Alliance Director Jeremy Maxand said. “Our concern is the process. It shut the public and interest groups out in the cold.”

Legislation won final congressional approval last

weekend to reverse a July 2003 federal court ruling that the Energy Department cannot unilaterally reclassify radioactive sludge from nuclear bomb production as low-level waste that does not have to be removed to the nation’s nuclear waste dump, now slated for Yucca Mountain in Nevada.

The entire issue was handled without hearings or public involvement and that’s what should worry state officials, Maxand said.

“So we got out of this, so the state of Idaho fought for some regulatory oversights and got them,” Maxand said. “But that doesn’t mean that the Department of Energy won’t pull something like this to our state’s detriment in the future.

“This is not how you should make policy,” he said. “This is not how you build bridges. This isn’t how you build relationships with communities.”

The department lobbied hard for the legislation following the court ruling in Idaho, ignoring warnings that failing to completely clean out the tanks would affect water supplies. Energy Secretary Spencer Abraham said the new law will accelerate waste cleanup projects and save \$16 billion.

The legislation awaiting President Bush’s signature applies only to sludge in the 51 underground tanks at the Savannah River Site in South Carolina. It keeps the 10 remaining tanks at INEEL under 1990s court-enforced cleanup agreements with the Department of Energy while specifically excluding the 177 tanks at

the Hanford Nuclear Reservation in Washington.

The government contends its plans for the South Carolina tanks protect the environment. The sludge, the final 1,000 gallons of material at the bottom of the tanks, will be mixed with grout to stabilize it and then concrete will be poured in until the entire tank is filled.

South Carolina leaders supported the plan and won the backing of Idaho lawmakers once the bill excluded material at INEEL from the reclassification provision.

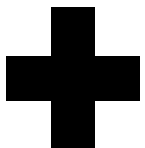
“This bill now lays out a process of using the standards of the Nuclear Regulatory Commission — and the regulatory control of the state of Idaho — to force DOE into the cleanup that we intended to extract from them all along,” Republican U.S. Sen. Larry Craig said.

GOP Gov. Dirk Kempthorne and his Democratic and Republican predecessors all criticized the attempt to legalize the reclassification of the South Carolina sludge, warning that it jeopardized Idaho’s cleanup plans. But Kempthorne dropped his opposition with the addition of the provision protecting Idaho.

The governor agreed with Maxand and others that slipping the issue into a compromise defense bill without going through normal legislative processes was not his preferred way to make policy, but said the bill “protects our legal agreements, relies on publicly vetted radiation standards and provides for independent oversight and judicial review.”

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NATIONAL



Economic models still predict decisive Bush win

BY TOM RAUM

Associated Press Writer

WASHINGTON — President Bush will be the first president in 72 years to face the electorate with a net job loss. The Iraq war has deeply torn the nation. National polls show a neck-and-neck race. Yet economy-based projections still show a decisive Bush victory on Nov. 2.

What gives?

Political scientists and many economists say this may be the year to throw the economic models out the window. Forecasters are flummoxed about the impact of Iraq, uncertain about the true state of the economy, and less sure about their projections than in any recent election.

Domestic policy is the designated topic for final presidential debate on Wednesday at Arizona State University.

And the topic drew testy exchanges in Friday night's debate in St. Louis, where Democrat John Kerry accused Bush of running up massive deficits with wartime tax cuts for the wealthy, and the president portrayed Kerry as an unabashed liberal who would raise taxes on the middle class to pay for big government programs.

Despite record deficits, surging oil prices and the loss of jobs under Bush's watch, mathematical and statistical models continue to project a Bush victory. Economists, however, are raising questions about their own models.

"Foreign policy on the average is not that big a deal. But this time could be different. You never know. Iraq is such a big issue," said Yale economist Ray Fair, who has one of the best track records for predicting elections.

His model predicts Bush will get 57.5 percent of the

vote, using such variables as economic growth, inflation, incumbency and duration in office. He has been accurate in five of the past six elections, missing only in 1992 when Bush's father lost.

The Labor Department last week delivered more disappointing news to Bush, reporting that the U.S. economy added just 96,000 jobs in September, about 50,000 fewer than expected. Because it was the last employment report before Election Day, it means a job loss is now baked in the political cake.

Though 1.8 million jobs have been added to business payrolls in the past year, there are 821,000 fewer jobs in the country than when Bush took office in January 2001.

Democrats are quick to point out Bush is the first president since Herbert Hoover in the Great Depression to oversee a net job loss. "I have a plan to put people back to work. That's not wishy-washy," Kerry asserted in Friday's debate, responding to a suggestion by a questioner that he was "wishy-washy."

Republicans, of course, emphasize the recent gains — not the overall losses. Moments after Friday's jobs report, the Bush campaign put out a television commercial crediting Bush policies for "nearly 2 million new jobs in just over a year."

In Friday's debate, Bush said: "Small businesses are flourishing. Homeownership rate is at an all-time high in America. We're on the move."

The question President Reagan famously raised in his 1980 debate with incumbent Jimmy Carter — are you better off now than you were four years ago? — is being asked again this year by Democrats.

Why do economic models still show a Bush victory?

Principally because the unemployment rate — 5.4 percent in September — is not high by historical standards, interest rates and inflation remain relatively subdued, and economic growth is moderate, if not robust. Most economic statistics have inched up since the end of the 2001 recession.

"Things are not terrible," said David Wyss, chief economist at Standard and Poor's in New York. "But I'd rather be on Kerry's side of the argument."

An economic model Wyss uses — based on the unemployment rate, the growth in real income, the change in the core inflation rate and the change in oil prices — shows a Bush victory by 54 percent, even with the run-up in oil prices. But Wyss is not so sure. "Usually elections get decided on domestic issues. But there are a lot of non-economic issues this time," he said.

Economy.com, an online provider of economic and financial research based in West Chester, Pa., gives Bush 53.7 percent of the vote and suggests he could win as many as 373 electoral votes, far more than the 270 he needs.

But Mark Zandi, chief economist at the company, is skeptical. "The economy is losing momentum going into the election, there is a lot of angst among voters. The models may not be picking that up," he said.

Economist Lawrence Chimerine, president of Radnor Consulting, an economics firm in Philadelphia, said economic models can go only so far — and don't take into account a lot of things that influence the vote.

"I wouldn't give you a nickel for those models. I think the polls showing the race is reasonably tight are probably a lot more accurate than those models," Chimerine said.

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**BUYING
AND SELLING**
BY BRENT PARSONS

(Editor's note: This is the second in a series of articles detailing how mortgages work. Last Wednesday's article outlined financing options and loans).

Buying a home can be an intimidating experience. From financing, interest rates and framing the mortgage process, there is plenty of details to consider. The following is a breakdown on everything from mortgage rates to technical terms that are necessary to understand.

INDEX:

Lenders generally use an index that will be responsive to fluctuations in our economy — usually a one-year Treasury security, or the cost of funds index (COFI). The COFI is more stable than the Treasury index because it doesn't rise or fall as sharply over the long term as the Treasury index.

MARGIN:

The margin is the difference between the index rate and the interest charged to the borrower. The margin doesn't change throughout the loan term.

TEASER RATES:

A "teaser rate" is a reduced, first-year introductory interest rate designed to attract borrowers to ARMs. In the past, lenders were losing money on fixed-rate mort-

gages because the loans were yielding less than the prevailing cost of money. Offering the adjustable-rate mortgage allowed lenders to insulate themselves from losses and increase earnings by passing the risk of interest rate fluctuations on to the borrower. To make the ARM attractive to borrowers, a low beginning interest rate was offered and through time, the introductory rates became known as "teaser rates." The interest rate would then rise at each rate adjustment period until the rate equaled the index rate plus the margin. For example, let's say that the introductory rate ("teaser rate") for your adjustable-rate loan started at 4.5 percent interest and would adjust upward 1.0 percent every six months. If your index for the loan was 5.0 percent and the lenders margin was 3.0 percent, then the interest on your loan for the first six months would be 4.5 percent. Six months later, it would increase to 5.5 percent and so on until the fully-indexed rate was reached. To find the fully-indexed rate, you would add the index to the margin (5.0 percent plus 3.0 percent). After the fully-indexed rate was reached, your loan would then fluctuate with the index on your loan. If the index goes up or down, your payment would increase or decrease with the rise or fall of the index on your adjustment period change date.

RATE ADJUSTMENT PERIOD:

The borrower's interest rates on an adjustable-rate mortgage are allowed to be adjusted at certain intervals during the loan term. Depending on the type of

adjustable loan you have, the interval could be six months, one year, three years or more.

INTEREST RATE CAP:

There are limits on just how much your payments can go up if you have an ARM. Usually the caps are in the form of interest rate caps and/or payment caps. An interest rate cap determines the maximum number of percentage points your interest can increase over the life of the loan.

**MORTGAGE PAYMENT
ADJUSTMENT PERIOD:**

The mortgage payment adjustment period is the agreed upon intervals at which the payments of principal and interest are changed. The lender can either adjust the rate periodically and adjust the mortgage payment to reflect the change, or the lender can adjust the rate more frequently than the mortgage payment is adjusted. For example, the loan agreement may call for the interest to be adjusted every six months, but the payment to be adjusted every three years. This scenario could be a problem. If in the interim between payment periods (three years), interest rates have gone up or down too much, there will have been too much or too little interest paid on the loan by the borrower over that period of time, and the difference will be added to or subtracted from the loan balance. When unpaid interest is added to the loan balance, it is called negative amortization.

MORTGAGE PAYMENT CAP:

A mortgage payment cap is the

See **REAL ESTATE**, page 16

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10/08/2004	Lot Size: 9,627	Sold Price: \$3,400,000	Bath: 7.00	
Sold	548 DRYAD RD	SANTA MONICA	90402	
Santa Monica	SqFt: N/A	List Price: \$1,990,000	Bed: 3	
10/05/2004	Lot Size: 6,000	Sold Price: \$1,980,000	Bath: 3.00	
Sold	943 17TH ST	SANTA MONICA	90403	
Santa Monica	SqFt: 3,470	List Price: \$1,795,000	Bed: 4	
10/08/2004	Lot Size: 7,497	Sold Price: \$1,800,000	Bath: 3.50	
Sold	433 SYCAMORE RD	SANTA MONICA	90402	
Santa Monica	SqFt: 0	List Price: \$1,585,000	Bed: 3	
10/04/2004	Lot Size: 0	Sold Price: \$1,525,000	Bath: 2.00	
Sold	533 17TH ST	SANTA MONICA	90402	
Santa Monica	SqFt: 1,780	List Price: \$1,895,000	Bed: 3	
10/04/2004	Lot Size: 8,940	Sold Price: \$2,000,000	Bath: 2.00	
Sold	2336 30TH ST	SANTA MONICA	90405	
Santa Monica	SqFt: 1,075	List Price: \$739,000	Bed: 2	
10/06/2004	Lot Size: 5,998	Sold Price: \$780,000	Bath: 1.00	
Sold	943 LINCOLN BL #D	SANTA MONICA	90403	
Santa Monica	SqFt: 801	List Price: \$459,000	Bed: 1	
10/05/2004	HOD: \$217	Sold Price: \$485,000	Bath: 1.00	
Sold	1001 19TH ST #E	SANTA MONICA	90403	
Santa Monica	SqFt: 853	List Price: \$499,000	Bed: 1	
10/04/2004	HOD: \$202	Sold Price: \$495,000	Bath: 1.00	
Sold	938 5TH ST #4	SANTA MONICA	90403	
Santa Monica	SqFt: 1,656	List Price: \$779,000	Bed: 3	
10/08/2004	HOD: \$200	Sold Price: \$815,000	Bath: 2.75	
Sold	1328 9TH ST #4	SANTA MONICA	90401	
Santa Monica	SqFt: 1,234	List Price: \$599,000	Bed: 3	
10/06/2004	HOD: \$300	Sold Price: \$599,000	Bath: 2.50	
Sold	707 GRANT ST #18	SANTA MONICA	90405	
Santa Monica	SqFt: 1,388	List Price: \$599,000	Bed: 2	
10/08/2004	HOD: \$300	Sold Price: \$588,000	Bath: 3.00	
Sold	2329 KANSAS AVE #8	SANTA MONICA	90404	
Santa Monica	SqFt: N/A	List Price: \$379,000	Bed: 1	
10/08/2004	HOD: \$198	Sold Price: \$369,000	Bath: 1.00	
Sold	201 OCEAN AVE #409P	SANTA MONICA	90402	
Santa Monica	SqFt: 1,600	List Price: \$1,395,000	Bed: 2	
10/07/2004	HOD: \$842	Sold Price: \$1,110,000	Bath: 2.50	
Sold	2910 NEILSON #310	SANTA MONICA	90405	
Santa Monica	SqFt: 1,305	List Price: \$849,000	Bed: 2	
10/05/2004	HOD: \$672	Sold Price: \$835,000	Bath: 2.00	
Sold	1826 PEARL ST	SANTA MONICA	90405	
Santa Monica	SqFt: 2,629	List Price: \$969,000	GI: \$64,800	
10/05/2004	Lot Size: 6,142	Sold Price: \$957,500	GRM: 15.00	

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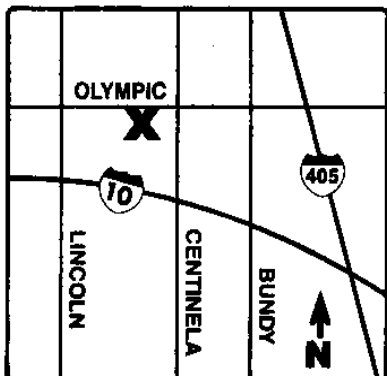


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DAYS ON THE MARKET

BY JODI SUMMERS

Kudos to the "Governator's" choice for real estate commissioner. Jeff Davi is a pillar in his home county of Monterey.

The real estate commissioner's role is to administer and enforce real estate law, as well as subdivided lands law. He also is empowered to issue guidelines, rules and regulations.

Davi brings a wealth of experience to the position. Plug the name Jeff Davi into Google and, among many other things, you'll see that Davi:

- Is a third-generation resident of Monterey County.

- Has 15 years experience in real estate sales, leasing, management and financing.

- Possesses broad-based experience in real estate, trade associations, and related public and private sector for-profit and not-for-profit entities.

- Is a member of the state Association of Realtors Board of Directors.

- Is a licensed California broker since 1994. He is currently managing broker and co-owner of a family owned and operated real estate and property management firm, as well as a licensed broker in Arizona since 2000.

- Is a proven leader and task force organizer within the Republican party, as co-founder of organizations like Monterey Peninsula Water Coalition; the Affordable Housing Steering Council of Monterey County, etc.

- Is a volunteer auctioneer, having raised more than \$1 million for non-profit boards, schools and foundations throughout Monterey County.

- Has directed key developments in the California Real Estate community as current chairman of RE InfoLink MLS and current president of Monterey County Association of Realtors.

Gov. Arnold Schwarzenegger released a statement declaring Davi's knowledge and experience would provide the Department of Real Estate "the leadership required to remain a nationwide leader in real estate licensing and regulation."

Pundits consider it an asset that Davi comes from one of the least affordable regions in California, and speculate that he will bring more attention to the state's lack of affordable housing.

"He brings a great perspective," said Alfred Diaz-Infante, executive director of Community Housing Improvement Systems and Planning Association (CHISPA). "The issue of affordability is getting out there to the state level."

According to the Monterey County

Herald, Davi and Diaz-Infante have collaborated on revising Monterey County's draft general plan, primarily in chapters that deal with low-cost housing. They also worked together to start the Monterey County Housing Alliance, a nonprofit agency that educates residents on how to buy their first home.

Davi, a Republican, twice ran for Monterey County supervisor. Opponents in that race characterized him as "pro-growth and the Sierra Club," according to the Monterey County Herald.

As commissioner, Davi will be paid \$123,255 a year to appoint and oversee a 10-person commission, which meets four times a year. According to the state's Web site, Davi will be empowered by law to issue what is known as the "Regulations of the Real Estate Commissioner," that have the "force and effect of law."

Davi will have no direct control over growth and development issues.

Davi's boss, Democrat Sunne Wright McPeak, secretary of the Business Transportation and Housing Agency, is an opponent of "dumb growth." She is part of the Governor's highly acclaimed non-partisan troupe of individuals tackling the state's monumental housing issues.

The board of the California Housing Finance Agency — all non-paying positions requiring Senate confirmation — features John Courson, chairman, president and chief executive officer of Central Pacific Mortgage Company in Folsom (politically unstated); Peter Carey, Democrat and president and CEO of Self-Help Enterprises, a non-profit housing and community development organization; and Republican John Morris, president of John Gilbert Morris, Inc., a firm that invests in commercial real estate, venture capital, leveraged acquisitions, public global equities and public global fixed income.

The California Association of Realtors supported Davi's appointment. They have stated, "CAR is confident that realtors will find a receptive commissioner on the housing policy issues that matter most to Californians. We look forward to working together to develop solutions to our state's housing affordability crisis. With his extensive background in the real estate industry, Mr. Davi will bring a unique slate of experience to his role as DRE Commissioner."

Davi said he was honored by the appointment. He succeeds Paula Reddish Zinnemann, who left the post in October 2003, when California voters recalled Gov. Gray Davis.

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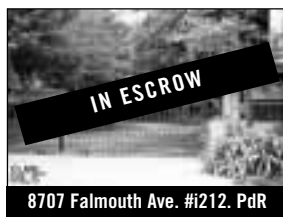
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Is your property environmentally challenged?



IN YOUR SPACE

BY CHRISTINA S. PORTER

As developers scour our city for land to build the popular mixed use projects and artists lofts, properties with older buildings, many of them industrial, are being purchased for this purpose. The shortage of vacant land in our city is forcing developers to look more seriously at "environmentally challenged" properties. This is a very touchy subject and one to be handled carefully. When purchasing a commercial property all lenders, and sophisticated commercial real estate purchasers require a "Phase I Environmental Study" to be performed as a contingency to the close of escrow. It is in the buyer's best interest to have control of this investigation — choosing the company to perform the assessment — to make sure that it is done by a reputable company, reducing the chance of contamination being overlooked. The last thing any of us want is a lengthy litigation caused by a poorly

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performed environmental assessment.

A Phase I inspection is essentially a survey that investigates the following:

- Current and past uses.
- Environmental regulatory actions pertaining to the property or to properties nearby.
- Industrial processes on, or near the property.
- Other factors that might result in some form of contamination of the property.

According to Harris & Lee Environmental Sciences, under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), "the current owner of a property at whatever time environmental contamination is found — is responsible for site investigation and clean up." However, a part of the act provides legal protection to the property buyer and lender if a quality Phase 1 site assessment is performed prior to the sale and an environmental hazard is discovered later. They also state that "this protection that is also known as the innocent landowner defense, depends on the investigator's exercise of due diligence in performing the Phase 1 site assessment, because this connotes quality."

If the Phase 1 indicates the possibility of contamination then it will be necessary to perform a "Phase 2 Environmental Inspection." A Phase 2 includes a subsurface investigation, meaning that samples of the soil are taken from random locations on the site and then analyzed for actual contamination, but could also include the testing of ground water.

If contamination is established, the seller must decide whether to remediate the contamination or to sell the property at a discount. It has come to my attention that this can be a difficult decision for many owners of contaminated properties because, if he/she chooses to sell

prior to remediation, the price discounts expected could be great because of, among other reasons, the possibility of a longer hold time and remediation failure. Additionally, the possibility of a required seller carry back may come into play because it is nearly impossible to find a lender to finance a property that is contaminated. Another disadvantage is that a buyer may require extreme indemnification and/or risk-transfer provisions in the purchase and sale documents. However, advantages are that owners may be able to transfer risk to purchasers in exchange for a lower purchase price, without incurring additional hold time or hard costs associated with remediation.

There is difficulty in comparing the advantages and disadvantages of selling a property prior to contamination remediation. But Daniel Johnson, in a article he wrote for the Commercial Real Estate Investment Magazine, says that it may be more beneficial to hold, remediate and then sell the contaminated property, since the risk discount given to the purchase price of the property may exceed the future return on your investment. However, he stipulates that in a hot commercial real estate market, like the one we are currently experiencing, with excessive amounts of equity chasing too few deals and with purchase time constraints, the premise may not hold.

The bottom line is to make sure to have a Phase 1 Environmental Assessment performed by a reputable inspection company prior to purchasing any commercial property.

(Christina S. Porter is in the business of leasing and selling office and industrial buildings and can be reached at (310) 806-6104, or cporter@naicapital.com).



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REAL ESTATE, from page 12

maximum allowable interest rate the lender can charge on your loan regardless of what happens in the market. Depending on your particular loan program, this is a percentage (usually 5 percent to 7.5 percent annually) that can be added to your fully indexed rate if the market warrants moving that high. For example, if your fully indexed rate is 8 percent and your annual cap is 6 percent, your loans life cap would be 14 percent.

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NATIONAL



Bush contends Kerry will have to raise taxes

BY PETE YOST

Associated Press Writer

COLORADO SPRINGS, Colo. — President Bush told supporters Tuesday in the conservative heart of Colorado that John Kerry cannot pay for the domestic programs he is proposing unless taxes are raised on the middle class.

"As much as he's tried to obscure it," Democrat Kerry is a confirmed liberal, Bush said in a run-up to Wednesday night's final debate. The presidential debates have "showed differences between the senator and me on issues ranging from jobs to taxes to health care to the war on terror," said the president, who underscored the importance that health care could play in the debate in Tempe, Ariz.

Bush said he has the answers to fix the health care system and that he won't wreck the federal budget in doing so.

He stressed the need for growth of community health centers to serve the poor and said the newly enacted legislation to revamp Medicare is helping senior citizens. He said Kerry's proposed changes would put millions of people looking for health care into "a government program."

"With a straight face he tried to tell Americans that ... the government has nothing to do with it," Bush said.

Bush's campaign rolled out two new television advertisements that make the same argument.

The Kerry campaign says Bush's criticism of the Democrat's domestic programs is based on studies that are misleading and have been shown to be factually dubious in estimating the costs.

"Over the past four years, we've seen health care in this country deteriorate into

a crisis, costs have hit record levels, millions of people have lost their coverage and John Kerry has a plan to deal with those issues," said campaign spokesman Phil Singer. The Kerry campaign cited the senator's proposal to end tax cuts for Americans making more than \$200,000 a year as a means to address the problem.

From Colorado Springs, Bush was heading to Arizona and a Republican Party fund-raiser in Paradise Valley.

Bush's campaigning Tuesday in the conservative heart of Colorado was an effort to counter Kerry's efforts to win a state that has voted Republican in nine of the past 11 presidential elections. One poll shows Bush ahead in Colorado; another shows the two men in a close race.

"Kerry is here to try to make up electoral votes he can't get in the South," said Colorado College political science professor Bob Loevy. "John Kerry and the Democrats are setting a tall order for themselves by making a play for Colorado."

In a last-minute flurry of accusations before their final debate, Kerry tried to tie Bush to record oil prices while the president charged that his Democratic opponent had misunderstood the war on terror.

On Monday, Kerry talked back to the president who has taken to calling him a tax-and-spend liberal with a 20-year Senate record of voting in favor of tax increases.

The record price of oil "means a lot more profit for this president's friends in the oil industry. For most middle class Americans, the Bush tax increase is a tax increase that they can't afford," Kerry said in New Mexico.

Bush, also campaigning in New Mexico, ridiculed Kerry for saying in an interview published Sunday in The New

York Times Magazine, "We have to get back to the place we were, where terrorists are not the focus of our lives but they're a nuisance."

"I couldn't disagree more," the president said. "Our goal is not to reduce terror to some acceptable level of nuisance. Our goal is to defeat terror by staying on the offensive."

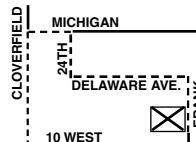
The Kerry campaign counterattacked, circulating a 2-year-old comment from

Brent Scowcroft, the national security adviser in the first Bush administration, who said the United States can break the back of terrorism "so that it is a horrible nuisance, and not a paralyzing influence."

A CNN-USA Today-Gallup poll taken Saturday and Sunday showed Bush and Kerry in a statistical dead heat, with 49 percent for the Democrat and 48 percent for Bush among likely voters. The poll's margin of error was 4 percentage points.

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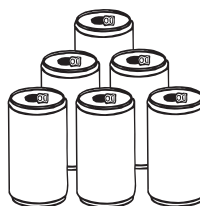


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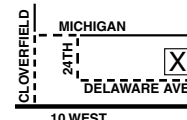
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Pay up: Appeals court rejects Qwest's challenge to city fees

BY WILLIAM MCCALL

AP Business Writer

PORTLAND, Ore. — A federal appeals court ruled Tuesday that Qwest Communications International Inc. must pay millions of dollars in fees levied by 10 Oregon cities for use of public rights of way.

The 9th U.S. Circuit Court of Appeals rejected Qwest's challenge to the fees. The 10 cities, including Portland, are charging the Denver-based regional telephone company 7 percent of revenue earned within the cities in exchange for the right to operate its equipment and lay wire.

Portland led a legal battle against Qwest over whether the Federal Telecommunications Act of 1996 prevents cities from charging fees based on revenue.

U.S. Magistrate John Jelderks ruled in March 2002 the cities could charge Qwest the fees, and the appeals court upheld his ruling.

Pam Beery, one of the attorneys representing the cities, praised the ruling.

"We're delighted with the opinion obviously," Beery said.

Qwest has been paying the cities on a regular basis pending the appeal after Jelderks rejected an initial move by Qwest that asked him to order the cities to wait until the appeals court ruled before imposing the fees, Beery said.

Officials in Portland and the other cities were not immediately available for comment.

Qwest officials were reviewing the ruling and also were not immediately available.

Besides Portland, cities imposing the fee are Ashland, Eugene, Happy Valley, Keizer, North Plains, Pendleton, Redmond, Salem and Springfield.

The appeals court also ordered Jelderks to review a separate legal issue in his ruling by comparing individual local ordinances in those cities to make sure there was no conflict with the telecommunications act.

Judge Johnnie B. Rawlinson said in the 17-page opinion that the mandate of the 1996 act "is clear — certain aspects of telecommunications regulation are uniquely the province of the federal government and Congress has narrowly circumscribed the role of state and local governments in this arena."

But Rawlinson noted that, "based on the record before us, there is no indication that Portland or the other cities ... have passed ordinances that are specific to the telecommunications process"

Beery said appeals court simply wants Jelderks to provide more details on his decision regarding the individual cities "rather than subjecting the ordinances to new scrutiny."

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INTERNATIONAL

U.S. forces stepping up efforts against Sunnis

BY ALEXANDRA ZAVIS

Associated Press Writer

BAGHDAD, Iraq — U.S. forces stepped up operations Tuesday across a wide swath of the Sunni insurgent strongholds northwest of the capital, pounding targets in two cities from the air and supporting Iraqi troops in raids on mosques suspected of harboring insurgents.

The increased military activity coincided with the approach of the Islamic holy month of Ramadan and appeared intended to avoid a repeat of the upsurge in attacks that took place last year.

U.S. warplanes struck twice in insurgent-held Fallujah, destroying a popular restaurant and a house, which the U.S. command said were used by members of Iraq's most feared terrorist organization. At least five people were killed and two wounded, the city hospital said.

More airstrikes were reported in Hit, where a hospital received two bodies. U.S. officials had no immediate comment.

At least 15 people were reported killed in an attack on an Iraqi National Guard outpost near the Syrian border. Residents claimed an American plane fired on the compound, but the U.S. Marines said insurgents staged the attack.

A 12:01 a.m. blast flattened the Haj Hussein restaurant in Fallujah as well as nearby shops, residents said. The restaurant was closed, but two night guards were killed, said Dr. Ahmed Thaer of Fallujah General Hospital.

The U.S. military command in Baghdad did not mention the restaurant but said the target was used as a meeting place for the Tawhid and Jihad terror network, led by Jordanian-born extremist Abu Musab al-Zarqawi.

The second blast occurred at 4:02 a.m. and flattened a building in northeastern Fallujah that the military said was a known terrorist safe house. Intelligence sources confirmed that al-Zarqawi associates were using the building at the time of the strike, the military said.

At least three people were killed and two wounded in that blast, Thaer said.

Residents reported hearing more explosions Tuesday evening on the eastern side of the city.

Al-Zarqawi's network has claimed responsibility for numerous car bombings, kidnappings and beheadings of foreign hostages.

Tuesday's strikes were the first in four days. The Iraqi government has reported progress in negotiations to restore control over the city 40 miles west of Baghdad.

American warplanes and helicopters struck in two parts of Hit, killing two people and injuring five, the hospital said. Residents went to the town hall to demand local authorities negotiate a cease-fire.

The previous day, U.S. aircraft attacked a town mosque and set it on fire after insurgents hiding in the shrine opened fire on Marines, the U.S. military said. Sporadic clashes continued through the night, killing at least two Iraqis and wounding 15, according to Hit General Hospital.

The Iraqi National Guard outpost east of Qaim was attacked in the early hours of the morning. Residents said U.S. warplanes were in action over the area, but the U.S. Marines said there were no American operations there and insurgents

staged the attack. Between 15 and 20 people were killed in the attack, according to Hamid Ahmed Ali, a city hospital official.

The Marines sent a team to the outpost to assess the situation and see whether any assistance was needed.

Also Tuesday, a Marine patrol took fire, but there were no American casualties, they said.

In nearby Ramadi, Iraqi forces backed by U.S. soldiers and Marines raided seven mosques in suspected of harboring terrorists, storing weapons, promoting violence and encouraging insurgent recruitment, the U.S. command said.

Sheikh Abdul-Aleim Saadi, the provincial leader of the influential Association of Muslim Scholars, was detained at Mohammed Aref Mosque, his relatives and followers said.

Angry residents accused Americans of breaking down doors and violating the sanctity of city mosques.

"This cowboy behavior cannot be accepted," said cleric Abdullah Abu Omar of the Ramadi Mosque. "The Americans seem to have lost their senses and have gone out of control."

The 1st Marine Division said the raids followed a pattern of insurgent activity in and around Ramadi mosques in recent weeks. The city 70 miles west of Baghdad has seen fierce clashes recently between U.S. and insurgent forces.

"The 1st Marine Division respects the religious and cultural significance represented by mosques," it said in a statement. "However, when insurgents violate the sanctity of the mosque by using the structure for military purposes, the site loses its protective status."

American Marines and soldiers provided backup and protection for Iraqi security forces during the raids but did not enter the mosques, said Maj. Francis Piccoli, a Marine spokesman.

Both Defense Secretary Donald H. Rumsfeld and White House officials have said they plan to use a mix of diplomacy and military force to try to wrest control of dozens of key cities from insurgents before planned January elections.

On Friday, a senior administration official, speaking on condition of anonymity, said the strategy of stepped-up military action had already been seen in recent clashes over Najaf and Samarra — and "you see it in offensive military actions that are taking place now in parts of the so-called Sunni triangle."

Shiite fighters in Baghdad's Sadr City unloaded cars full of machine guns and grenade launchers on the second day of a five-day, weapons-for-cash disarmament program. A lasting peace in the sprawling slum would allow U.S. and Iraqi forces to focus on the mounting Sunni insurgency in Fallujah, Ramadi and elsewhere.

Followers of radical Shiite cleric Muqtada al-Sadr promised the government last weekend they would hand over medium and heavy weapons for cash in a deal considered an important step toward ending weeks of fighting with U.S. and Iraqi forces. Iraqi police and National Guardsmen will then assume security responsibility for the district, which is home to more than 2 million people.

The government has pledged to start releasing al-Sadr followers who have not committed crimes, suspend raids and rebuild the war-ravaged slum.

Santa Monica Daily Press

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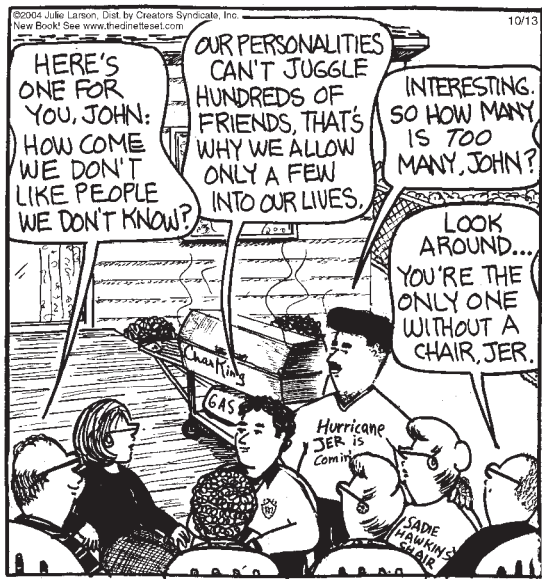
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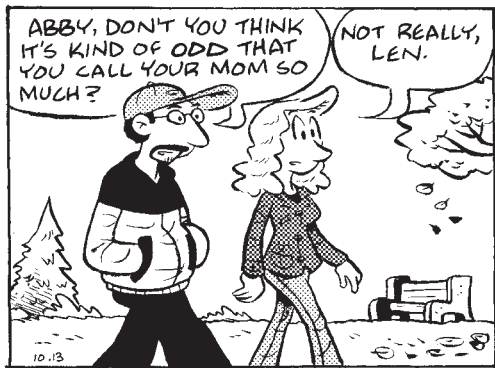


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34 "We — the World"
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36 Not relaxed
38 Kicked, in a way

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2 Left over
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5 Tobacco wad
6 Meet
7 Spotted cat
8 Common parrot name
10 Release, in a way
11 "— la vie!"
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18 Shade
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ADMINISTRATION ASSISTANT for Sales department. 3-4yrs radio administrative support experience, good attendance essential. Excellent organizational & communication skills. knowledge of Word, Excel, Power Point, & MS Outlook a must. Sensitive to detail & deadlines. EEO No phone calls please. Contact Natalie Tarpanian. P.O. Box 250028, LA 90025. Fax (310) 445-1439

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DO YOU like numbers and food? Book keeper needed for premier Santa Monica restaurant. Payroll, AP, cash handling experience required. Restaurant experience a plus. 30 hours / week \$12-\$14/hour. Fax resume to (714) 432-0111.

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MEDUSA HAIR Salon Venice is looking for 2 experienced full-time hair stylists with some clientele and a part time assistant ASAP. Please call Michelle at 323-974-0966 or fax resume to 714-432-1696

OFFICE ASSISTANT: International business in SM seeks person w/communication skills, computer literate. (Internet,) (Word,) (Excel,) Database/Quickbooks helpful. Fax resume to (310) 587-3326 Email courtgeorgeiny@AOL.com

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NICE WEST side neighborhood. 12707 Caswell - Large 2 bedroom with all of the amenities. Great layout in a quiet area. 1 yr ease. No pets. No smoking. (310) 466-9256

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For Rent

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Lost & Found

\$1000.00 REWARD! for black DELL notebook computer. No questions asked. Lost 9/14 26th/Wilshire (310) 617-9641.

DBAS

FICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 04-2280220 FIRST FILING. The following person(s) is (are) doing business as One Life Pictures, 1625 Glendon ave. #6B , LA, CA 90024. The full name of registrant(s) is/are : Edwin Porres, Jr. , 1625 Glendon ave. #6B , LA, CA 90024 This Business is being conducted by, an individual. Signed: The registrant commenced to transact business under the fictitious business name or names listed on (Date)3/3/2003. /s/: Edwin Porres, Jr. This statement was filed with the County Clerk of LOS ANGELES County on 3/3/2003. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRI-

DBAS

OR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq. Business and Professions Code). SANTA MONICA DAILY PRESS to publish 9/29/2004, 10/6/2004, 10/13/2004, 10/20/2004

FICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 04 2345654 FIRST FILING. The following person(s) is (are) doing business as Divine Chocolate, Chip Delight's, 28933 Scotsview Dr., Ranch Palos Verde, CA 90275. The full name of registrant(s) is/are : Younalanda Whitaker, 28933 Scotsview Dr., Ranch Palos Verde, CA 90275 This Business is being conducted by, an individual. Signed: Registrant has not yet begun to transact business under the fictitious name or names listed herein.. /s/: Younalanda Whitaker

This statement was filed with the County Clerk of LOS ANGELES County on . NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq. Business and Professions Code). SANTA MONICA DAILY PRESS to publish 10/13/2004, 10/18/2004, 10/25/2004, 11/1/2004

CLASSIFIED ADVERTISING CONDITIONS :REGULAR RATE: \$3.50 a day. Ads over 15 words add 20¢ per word per day. Ad must run a minimum of twelve consecutive days. PREMIUMS: First two words caps no charge. Bold words, italics, centered lines, etc. cost extra. Please call for rates. TYPOS: Check your ad the first day of publication. Sorry, we do not issue credit after an ad has run more than once. DEADLINES: 4:00 p.m. prior the day of publication except for Monday's paper when the deadline is Friday at 4:00 p.m. PAYMENT: All private party ads must be pre-paid. We accept checks, credit cards, and of course cash. CORRESPONDENCE: To place your ad call our offices 9 a.m. to 5 p.m., Monday through Friday, (310)458-7737; send a check or money order with ad copy to The Santa Monica Daily Press, P.O. Box 1380, Santa Monica, CA 90406 or stop in at our office located at 1427 Third Street Promenade, Ste. 202. OTHER RATES: For information about the professional services directory or classified display ads, please call our office at (310)458-7737.

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Must mention this ad at time of write up. Taxes extra.
 Expires 10/31/04

4-wheel alignment & Tire Inspection \$69.95

Check and adjust camber and toe. Check tread depth and condition all four tires. Additional parts and labor may be required on some vehicles. See Service Advisor for details.

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\$9.95

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