

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5

27, 37, 8, 16, 12

DAILY 3

Afternoon picks: 8, 8, 8

Evening picks: 0, 6, 4

DAILY DERBY

1st Place: 10 Solid Gold

2nd Place: 5, California Classic

3rd Place: 8, Gorgeous George

Race Time: 1:42.72



NEWS OF THE WEIRD

by Chuck Shepard

Kids who commandeered family vehicles and drove off: Ms. Taccara King's 2-year-old son (crashed a pickup truck into the B Line Transport office, Vero Beach, Fla., July). Rex Davis, 2 (crashed a car into a room at a Red Roof Inn, Tampa, Fla., September). A 5-year-old girl and her 4-year-old brother (crashed car into a McDonald's, Edmonton, Alberta, September). A 6-year-old boy (drove his baby-sitter's car 30 miles, looking for his mother, hitting only three cars along the way, Luling, Texas, July). A 7-year-old boy, assisted by a 3-year-old girl holding down the gas pedal (crashed into a tree, Hannibal, N.Y., July).



QUOTE OF THE DAY

"Imitation is the sincerest form of television."

— Fred Allen



INDEX

Horoscopes

Find other waters fast, Pisces 2



Local

Stage is set for Beach Bowl 3



Opinion

Human cloning is our duty 4



State

Bush is really a tree-hugger 7



Entertainment

'Gothika' is pathetika 8



National

Shark-bitten surfer undaunted 12



People in the News

Washington in state of Nirvana? ... 20

Carter murder still unresolved

Two families, community are waiting for answers

BY JOHN WOOD

Daily Press Staff Writer

PICO NEIGHBORHOOD

Nearly three months after Santa Monica's first homicide of the year, residents of this eastside neighborhood where 19-year-old Jalonnice Carter was gunned down are still waiting for justice.

Santa Monica Police detectives said evidence from the 20th Street shooting links a neighbor and former schoolmate of Carter's to the fatal shooting. Meanwhile, community members are accusing police of not being diligent in resolving the case.

SMPD Lt. Frank Fabrega said detectives are working the case,

but said murder investigations take time, especially when there is a lot of evidence to analyze.

Three days after Carter's heart was struck by a .22-caliber bullet shot through his back on Sept. 2, police arrested Arthur Archuleta, 21, and booked him for second-degree murder. But prosecutors decided not to pursue charges against Archuleta, saying there was insufficient evidence. He was released from jail less than a month later. During the time he was in custody, Archuleta was being held on an unknown parole violation.

Now back at home with his parents and siblings, Archuleta is in constant danger because of the arrest, his mother, Terry Archuleta said. Archuleta



Jalonnice Carter

See CASE, page 6

Drinking water suit may be settled today

City Council to hold special closed session

BY JOHN WOOD

Daily Press Staff Writer

CITY HALL — After more than three years of litigation, a massive lawsuit over the quality of Santa Monica's drinking water

is expected to be resolved today.

The City Council is scheduled to meet this morning to review the terms of a settlement agreement that reportedly calls for more than a dozen oil companies to pay City Hall hundreds of millions of dollars for allowing a toxic chemical to seep into the local groundwater.

Craig Perkins, City Hall's direc-

Beam me up



Carolyn Sackariason/Daily Press

A construction worker directs a crane as it lowers a beam into the new Circuit City building at the corner of Fourth Street and Arizona Avenue. Construction crews blocked off a part of Arizona Avenue on Thursday as work continued at the site.

tor of environmental and public works management, wouldn't discuss the details of the settlement, but is confident it will be approved.

"I would love to tell you (about the deal)," he said. "We're obviously fairly confident since we've talked to them about the agreement, that the final vote will be for approval."

City Hall's lawsuit was levied against 18 oil companies and manufacturers in 2000. The suit alleges the oil outfits are responsible for allowing MTBE, a gasoline additive, to leak into the groundwater in 1996, subsequently forcing the closure of seven of Santa

See MTBE, page 6

Dems want to pull plug on energy bill over MTBE

By The Associated Press

WASHINGTON — Congress is one vote away from sending a massive energy bill to the White House, but it could still hit a snag in the Senate over a dispute involving a gasoline additive that has contaminated drinking water in several dozen states.

The energy legislation won

solid backing from Republicans as well as a surprising number of Democrats on Tuesday as it whizzed through the House by a 246-180 margin, leaving it up to the Senate to take up the bill in the coming days.

But some Senate Democrats are counting votes to see if they might be able to derail the legislation — the product of 2 1/2

months of sometimes bitter negotiations between House and Senate Republicans — by a filibuster. They want stripped from the bill a provision that protects makers of MTBE from product liability lawsuits arising from the gasoline additive fouling drinking water.

The measure, covering some 1,100 pages, would provide \$23

billion in tax incentives and other measures to produce more coal, oil, natural gas and nuclear power and double the need for corn-based ethanol, a bonanza for the Farm Belt states.

The boost in ethanol production to 5 billion gallons a year has broad Republican and Democratic support and is viewed as a key to getting the bill passed.



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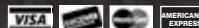
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★★-So-so ★-Difficult

ARIES (March 21-April 19)

★★★★ Hold on to your hat, with all the conflicting thoughts and vibes around you. Much could involve your perceptions. By the afternoon, you will have cleared your mind. Work on an individual basis. Tonight: Be with the apple of your eye.

TAURUS (April 20-May 20)

★★★★ Despite a challenge or two in the morning, you end this day on a great note. Don't push an associate, or you might not get what you want. Let others seek you out, and you might be quite delighted by the results. Tonight: Sort through your many invitations, then choose.

GEMINI (May 21-June 20)

★★★★ You might be romantic, but clearly someone else isn't. Don't push your luck after breakfast. Emphasize your work and projects that need to be completed. A boss might surprise you with a decision. Tonight: Give in. Be a wild thing!

CANCER (June 21-July 22)

★★★★ Getting to work might take a lot more effort than actually working. As the day gets later, you feel as if you are on cruise control. Let your ingenuity speak, and you'll find shortcuts and easier solutions. Tonight: Give in. Be a wild thing!

LEO (July 23-Aug. 22)

★★★★ Others don't seem to get the message, try as you might this morning. Do things that work for you: Catch up on e-mail, clear your desk and get ready for the weekend. Someone comes through for you at the end of the day. Tonight: Consider heading home.

VIRGO (Aug. 23-Sept. 22)

★★★★ A partner might upset you. Consider your options, but choose not to take one. Hang in there. By late afternoon, what has been a problem no longer will be. Make calls, clear your desk and leave work as soon as possible. Tonight: At a favorite spot.

LIBRA (Sept. 23-Oct. 22)

★★★★ You might feel great, but a risk could backfire today. Play it as conservatively as possible. Focus on work and enhancing your budget. The holidays are coming. In fact, you might opt to work late and put in some overtime. Tonight: Order in.

SCORPIO (Oct. 23-Nov. 21)

★★★★ Though you could run into an obstacle head-on, you still work through it, given time. Let your creativity work toward problem-solving. The Moon slides into your sign this afternoon, adding to your charisma. Tonight: What do you really want?

SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ Use the early part of the day for yourself. Don't let an obstacle stop you in your tracks. Others act in a most unpredictable manner. Know what you want. Stay focused on the big picture. Tonight: Take a night off.

CAPRICORN (Dec. 22-Jan. 19)

★★★★ Others might not agree with you, and they let you know in no uncertain terms. Just keep a tight hold on your finances, and don't let anyone convince you to spend. Also, be very careful with your wallet. A pickpocket might be closer than you think. Tonight: Party the night away.

AQUARIUS (Jan. 20-Feb. 18)

★★★★ Detach while others trigger today. You see solutions, but no one listens until late afternoon. Once others see your logic, calm will be restored. Handle a boss with kid gloves, as he or she could be difficult. Play a behind-the-scenes role, if possible. Tonight: Leader of the gang.

PISCES (Feb. 19-March 20)

★★★★ A partner plays a significant role if you let him or her. This person can give you another perspective, though you might not want to hear it. Your intuition comes through for you in the afternoon. Follow your instincts. Tonight: Split town as fast as possible.

CORRECTION: There were several errors in Bill Bauer's column ("My Write") in the Nov. 7 edition of the Daily Press: Kelly Rayes-Haitt, a political consultant hired by the Santa Monica College Faculty Association, makes \$2,000 a month for her services; she is not a Code Pink activist; and a group of dissident students, faculty and staff did not oppose SMC trustee Graham Pope's recent appointment, but opted not to endorse him.

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LOCAL



COMMUNITY BRIEFS

SMC to tackle Fullerton in Beach Bowl

By Daily Press staff

The Santa Monica College Corsairs will battle the Fullerton College Hornets in the fourth annual U.S. Bank Beach Bowl on Saturday.

The game features two teams coming off successful seasons — both ranked in the top 12 in the California Community College Football Poll for Southern California. Buoyed by a 63-0 win over East Los Angeles College, the Corsairs finished the season with a 7-3 season record, earning Southern California's No. 12 ranking and a share of the Western States Conference Southern Division Championship. The Hornets, coming off an 8-2 season, won the Mission National Division and earned the No. 5 ranking in Southern California.

"We are incredibly excited to return to the U.S. Bank Beach Bowl after a two-year absence," said SMC head coach Robert Taylor. "Our entire team is looking forward to the game — the U.S. Bank Beach Bowl has quickly built a reputation as being a high quality bowl game, and it will be a great challenge to take on a powerful Fullerton team."

The U.S. Bank Beach Bowl became part of the California community college bowl series in 2000 when SMC defeated Citrus College in the inaugural game. In 2001, Glendale College defeated Fullerton, 28-13, and in 2002, LA Harbor College defeated Mt. San Jacinto, 27-7. U.S. Bank's assistance was integral to the sanctioning of the game.

"We are very grateful that U.S. Bank has chosen to sponsor this bowl game, which means a lot to our school and community college football," said Tommie Smith, SMC athletic director and game organizer. "We deeply appreciate our year-round partnership with U.S. Bank in putting together what should be another incredibly exciting game."

U.S. Bank is continuing its support of Santa Monica and the entire Los Angeles and Orange County areas, contributing more than \$400,000 in grants during 2003.

Saturday's matchup will begin at 1 p.m. at SMC's Corsair Stadium, 1900 Pico Blvd.

SMC's Taylor named 'Coach of the Year'

By Daily Press staff

Santa Monica College head football coach Robert Taylor has been named "Coach of the Year" by the Western States Conference Southern Division.

The award comes on the heels of the SMC Corsair football team's Western States Conference Southern Division Championship, earning them a berth in the U.S. Bank Beach Bowl this Saturday against Fullerton College. Taylor is the first African-American head coach to win a football championship in the Western States Football Conference.

The award is especially meaningful for Taylor, who lost both his wife, Rae-



Carolyn Sackariason/Daily Press

Fullerton Hornets head coach Gene Murphy (left) and Santa Monica College Corsairs head coach Robert Taylor talk up Saturday's matchup in the U.S. Bank Beach Bowl. The coaches and players of both teams staged a press conference at the U.S. Bank at Fourth Street and Wilshire Boulevard on Thursday.

surf report

Look for a mixture of leftover S and NW swells and a steep NW wind and ground swell mix bringing us waist-high-and-below surf, while standout NW breaks see bigger sets.

OUTLOOK: The mix of swells continues on Saturday with similar-sized waves then. The NW mix will be on the way down on Sunday with a very modest S/SW swell mix building.

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

Today the water is:

60°

Sunrise: 6:39 a.m.
Sunset: 4:53 p.m.

	LOW TIDE				HIGH TIDE			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	N/A	N/A	8:36	0.6	11:53	4.6	N/A	N/A
SUNDAY	8:18	3.6	9:36	0.6	5:04	3.8	1:29	4.3
MONDAY	10:11	3.1	10:24	0.5	5:11	4.1	3:12	4.2
TUESDAY	11:10	2.4	11:06	0.6	5:27	4.6	4:33	4.3
WEDNESDAY	11:57	1.5	11:43	0.7	5:48	5.1	5:38	4.4
THURSDAY	N/A	N/A	12:40	0.6	6:14	5.6	6:35	4.5
FRIDAY	12:20	0.8	1:24	-0.2	6:43	6.2	7:30	4.6

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Santa Monica Daily Press



Chelle, and his mother, Beulah, earlier this year.

"After my mom and wife passed away, I didn't know if I would be able to coach this season," Taylor said. "But football helped me get through this, and the players and staff have been incredible. I'm ecstatic to have won this championship and this honor."

Taylor, of West Los Angeles, has been on the Corsair coaching staff since 1984 and was named head coach in 1994. He has won more than half his games and, since being named head coach, steered his team to three bowl games. The Corsairs defeated El Camino College, 71-67, in the 1998 South Bay Classic, garnering them a national scoring title for a bowl game, and they played in the inaugural U.S. Bank Beach Bowl in 2000, beating Citrus College.



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OPINION

LETTERS

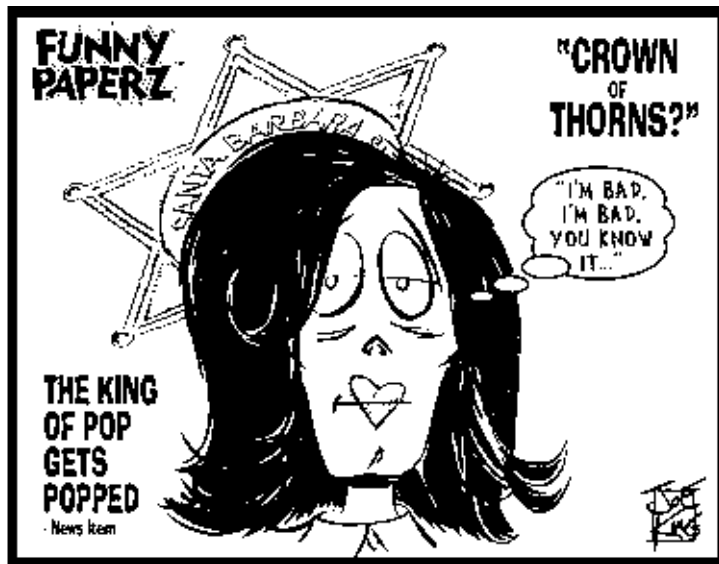
Racist comment needs attribution

Editor:

I can only say that I am absolutely stunned by the column in the SMDP by Bill Bauer in the Friday, Nov. 14, 2003 issue. To place such an inflammatory statement as "the white men had to go" and attributing it to a Pico Neighborhood Association member without a source, is not only shoddy journalism, but irresponsible. During the election process, and even before the newly elected members, I had not heard a member speak in terms of race in regard to serving on the PNA. A negative statement of that magnitude only stands to divide a community and its people and has no place in our organization. The PNA board has been — and still is — a diverse board of community people from all walks of life in support of their community. Such an obviously inflammatory statement is incredibly libelous and has defamed not only the PNA organization, but also the very members of the board.

As the Daily Press well knows, a libelous statement written without foundation can be challenged in the court of law.

Wes Terry
PNA Board Member



Member: AAE 2, MCS 022, SCS 003

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Human cloning isn't immoral, but actually mark of virtue

Biotechnological progress, long under moral and legal attack, was granted a two-year reprieve recently when the United Nations announced that it is postponing consideration of an international ban on human cloning. Members of that body have been fiercely divided between those, including the United States, who seek to ban all cloning internationally, and those who seek to ban "only" reproductive cloning. Although each side has claimed the moral high ground, both positions are profoundly immoral. Any attempt to ban human cloning technology should be rejected permanently, because cloning — therapeutic and reproductive — is morally good.

Consider first therapeutic cloning, which opponents perversely condemn as "anti-life." Senator Sam Brownback, who has sponsored a Congressional ban on all cloning, says therapeutic cloning is "creating human life to destroy [it]." President Bush calls it "growing human beings for spare body parts."

In fact, therapeutic cloning is a highly pro-life technology, since cloned embryos can be used to extract medically potent embryonic stem cells. A cloned embryo is created by inserting the nucleus of a human body cell into a denucleated egg, which is then induced to divide until it reaches the embryo stage. These embryos are not human beings, but microscopic bits of protoplasm the width of a human hair.

They have the potential to grow into human beings, but actual human beings are the ones dying for lack of this technology. The embryonic stem cells extracted from a cloned embryo can become any other type of human cell. In the future, they may be used to develop pancreatic cells for curing diabetes, cardiac muscle cells for curing heart disease, brain cells for curing Alzheimer's — or even entire new organs for transplantation. "There's not an area of medicine that this technology will not potentially impact," says Nobel laureate Harold Varmus.

Opponents of therapeutic cloning know all this, but are unmoved. This is because their fundamental objection is not that therapeutic cloning is antilife, but that it entails "playing God" — i.e., remaking nature to serve human purposes. "[Human cloning] would be taking a major step into making man himself simply another one of the man-made things," says Leon Kass, chairman of the President's Council on Bioethics. "Human nature becomes merely the last part of nature to succumb to the technological project, which turns all of nature into raw material at human disposal." Columnist Armstrong Williams condemns all cloning as "human egotism, or the desire to exert our will over every

aspect of our surroundings," and cautions: "We're not God."

The one truth in the anticloning position is that cloning does represent "the desire to exert our will over every aspect of our surroundings." But such a desire is not immoral — it is a mark of virtue. Using technology to alter nature is a requirement of human life. It is what

brought man from the cave to civilization. Where would we be without the men who "exerted their will" over their surroundings and constructed the first hut, cottage and

skyscraper? Every advance in human history is part of "the technological project," and has made man's life longer, healthier and happier. These advances are produced by those who hold the premise that suffering and disease are a curse, not to be humbly accepted as "God's will," but to be fought proudly with all the power of man's rational mind.

The same virtue applies to reproductive cloning — which, despite the ridiculous, horror-movie scenarios conjured up by its opponents, would simply result in time-separated twins just as human as anyone else. Once it becomes safe, reproductive cloning will have legitimate uses for infertile couples and for preventing the transmission of genetic diseases.

Even more important, it is significant as an early form of a tremendous value: genetic engineering, which most anticloners object to because as such it entails "playing God" with the genetic makeup of one's child. At stake with reproductive cloning is not only whether you can conceive a child who shares your genetic makeup, but whether you have the right to improve the genetic makeup of your children: to prevent them from getting genetic diseases, to prolong their lifespan or to improve their physical appearance. You should have such rights just as you have the right to vaccinate your children or to fit them with braces.

The mentalities that denounce cloning and "playing God" have consistently opposed technological progress, especially in medicine. They objected to anesthesia, smallpox inoculations, contraception, heart transplants, in vitro fertilization — on the grounds that these innovations were "unnatural" and contrary to God's will. To let them cripple biotechnological progress by banning cloning would be a moral abomination.

(Alex Epstein is a writer for the Ayn Rand Institute (www.aynrand.org) in Irvine, California. The Institute promotes the philosophy of Ayn Rand, author of "Atlas Shrugged" and "The Fountainhead". Send comments to reaction@aynrand.org.)

Guest
Commentary

By Alex Epstein

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

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OPINION

The Q-Line

Doing business in Santa Monica comes at a price

This past week, Q-line asked:

"Should the local government regulate which businesses can set up shop here?"

Here are your responses:

■ "One can only wonder about those people who are drawn to the Third Street Promenade, which only offers high-priced food and rags and the worst entertainment on the face of the earth — including the Red Elvies, who were incapable of playing in key. Those business operators who are foolish enough to pay the high rental prices should be regulated by local government."

■ "The local government should regulate the businesses that set up shop here because all we have are the large chain stores that many people can't afford. They should get rid of every one of these stores and put in stores where the normal, low-income person can shop. These big chain stores are just too out of reach to most of the people."

■ "Local governments should be able to regulate who sets up shop here. Every city, county and state have zoning ordinances. Within a zoning ordinance, it is the responsibility of the local governments to dictate what types of businesses go into which neighborhoods along which streets, and the density of those. But, regarding the Third Street Promenade, the local government should not be able to regulate how many businesses are going into the zone. That's

typical of Santa Monica and their over-rated, socialist (or should I say fascist?) views. When you have a zoning ordinance, that's what the zoning ordinance is. If you don't like the types of businesses, or the businesses are causing a lot of problems, you change the zoning ordinance. You cannot arbitrarily go in there, when it's a legally permitted use in that zone that has been set up, and say 'We want to regulate how many can go in here.' That is wrong, and I think it is illegal, but that's typical of the Santa Monica City Council — micromanaging the city when they're not looking at the big picture."

■ "Local governments should be able to regulate — to a degree. If you get too many on one block, that's not good. Too many liquor stores on one block is not good. Any smut shops or strip joints I would keep out of the community entirely. The local government should regulate some businesses, but they should only think of what will do the greatest good for the greatest number of people who live in Santa Monica."

■ "Santa Monica has been regulating the businesses for a long time. They have kicked out many of the stores that the people who live here would have liked to

have had, and they keep talking about the small-business people. Yet, when I go downtown, those small businesses are not doing too well. Maybe we need to let the market control itself. There definitely needs to be certain types of businesses in Santa Monica, but not based upon whether or not they are affiliated with chains. There needs to be some kind of monitoring in other kinds of ways."

■ "I think the City Council needs to keep their nose out of the debate over which businesses can set up shop here. They voted out Wal-Mart, but they allowed a big, mega-condo or apartment complex at the corner of Fifth Street and Santa Monica Boulevard. It's a selection of who they want and who they don't want. I think, if they keep this up, nobody will want to do business in Santa Monica, especially on the Promenade. The problems on the Promenade are also due to the homeless and the smell. If the chain stores come in, there is more variety to shop from and these little small stores can't afford the rent. So why not let the larger stores come in? Santa

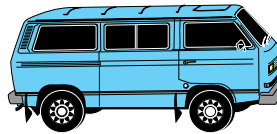
Monica is slitting its own throat. The City Council needs to let chain stores in or it's going to get pretty decadent down on the Promenade."

■ "I don't believe that the City Council should regulate who can set up shop here — they've already bumped Bubba Gump off the Pier. I think they should keep their meddling fingers out of it. I don't think they know what they're doing. I think the economics will take care of what needs to be taken care of on the Promenade. Business ebbs and flows, and restaurants come and go (stores as well) on their own. I don't think they should regulate it, even though I disapprove of chain stores like The Gap, but, hey, that's economics."

■ "No, I don't think that local governments should be able to regulate businesses downtown. I think they are just wasting taxpayer money when they do that. They are also stealing from the landlords who have a right to get as much as they can for their property."

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LOCAL

Suspect remains free pending evidence from crime lab

CASE, from page 1

and Carter lived just a few blocks from one another in the Pico neighborhood.

"He was falsely arrested. It was very unfair. The person that committed this murder — this is an act of a coward — and he's walking out there free," she said, adding that her son had to drop an educational course he was attending because the family didn't think it was safe for him anymore.

"I almost lost my son Arthur because the police were trying to pin Jalannie's murder on him," Terry Archuleta said. "This would mean that he would be in prison for the rest of his young life, or worse. I hope and pray that the police department does their job, and finds the murderer ... or else my son and my entire family, and (Carter's mother) Shirley and her family, will never be free from this nightmare."

"My 5-year-old child told me that she was never going to sleep again until her brother Arthur came home."

Fabrega said Thursday detectives are working especially hard to make sure they have a solid case. Last time police handed over evidence, the Los Angeles District Attorney's Office dropped the case.

"You don't want to rush into something and not be prepared," he said. "We feel for the family, but it's the court system that we have to work with ... We are dealing with the DA, a crime lab and the criminal justice system. It's not the police department dragging its feet."

Evidence from the shooting was

"I'm trying right now. I'm going to counseling. I don't even know what's really going on."

— SHIRLEY JOSEPH
Mother of homicide victim

recently returned from the crime lab and is now with detectives, Fabrega said. He didn't identify the nature of the evidence and said the investigation is ongoing.

In the meantime, some community leaders said the way police have handled the case has made the situation worse in the Pico neighborhood, where gunfire has frequently erupted this year.

"Now we have more problems than solutions," said Oscar de la Torre, director of the Pico Youth and Family Center. "There was a rush to judgment on the police department's behalf. I guess the outcome of that is there's no justice. There's no justice for Jalannie Carter and his family, and now there is potentially an injustice committed against the family of Arthur Archuleta."

"How would you feel if you were arrested with limited evidence for a homicide and then released back into the same community?" asked de la Torre. "That's a little harsh for a family to go through."

Fabrega said the SMPD won't share information with the suspect's family regarding the case because of constitutional issues. By doing so, it could jeopardize the outcome of the case.

"We have to be careful in sharing information because it could come up in court," Fabrega said. "Information can taint criminal proceedings and interfere with justice being served."

With the investigation approaching its

third month, Shirley and Larry Joseph — Carter's mother and stepfather — are still waiting for answers. They have hired a private attorney to look into the investigation and said they are waiting for some type of closure, but not at an innocent person's expense.

"I'm trying right now," Shirley Joseph said. "I'm going to counseling. I don't even know what's really going on. If (Arthur Archuleta) didn't do it, I'm glad he's free, because I don't want an innocent person in jail."

"All I want is justice for the person that did this to my son. That's what I'm searching for — justice."

MTBE lawsuit settlement may finally wipe slate clean

MTBE, from page 1

Monica's 11 drinking water wells.

A press conference at the Arcadia Well Fields in Los Angeles, owned by City Hall, is scheduled for later this morning, at which time officials are expected to explain the details of the settlement.

Council members declined comment on Thursday.

"I'm sworn to silence," City Councilman Herb Katz said. "We all are. We can't talk about it."

As the specifics were being hammered out last month, Perkins said the oil companies had agreed to pay whatever it costs to filter water at the wells until they are completely clean. It's a process that, at worst, will take 35 years and cost approximately \$400 million, officials said.

The only sticking point in the agreement last month was how much additional money City Hall should receive in damages for being inconvenienced, as well as for the health risks posed to residents by the contamination. That information is expected to be made public today.

Since levying the suit in 2000, City Hall has negotiated more than \$18 million in separate settlements. The City Council earlier last month accepted \$4.5 million from oil giant Ultramar Ltd., and earlier this summer, Atlantic Richfield Co. paid City Hall \$9.75 million. Conoco Inc. settled for more than \$4.5 million in the spring of 2002.

City Attorney Marsha Moutrie has called it the biggest lawsuit levied by City Hall during her 10 years at the helm. Deputy City Attorney Joe Lawrence, who has handled the lawsuit, calls it a veritable who's who of the oil business. Council members further emphasize the importance of the case, noting that it's breaking ground for cities around the country involved in similar suits.

Beginning on Jan. 1, 2004, it will be illegal to use Methyl Tertiary-Butyl Ether in gasoline throughout California. The

colorless chemical compound that, at very low concentrations, smells like turpentine and is a suspected carcinogen was originally introduced as a way to boost octane and help meet clean-fuel requirements, but was later discovered to be harmful to

**"I'm sworn to silence.
We all are. We can't talk
about it."**

— HERB KATZ
Santa Monica City Councilman

drinking water.

Leakage from underground gas storage tanks was responsible for the closing of all five wells at the city's Charnock Well Field in Mar Vista and both wells at Arcadia Well Fields in West LA. A treatment facility has since been built at Arcadia and the wells now appear to be clean. A pilot testing facility is currently being worked on at the Charnock Field to determine what design will be most effective at that site.

Because seven of Santa Monica's 11 wells had to be immediately shut down in 1996, the oil companies are paying millions of dollars a year to import about 80 percent of the 12-plus million gallons of water Santa Monica uses daily. Perkins said Santa Monica will probably start using treated water from the Charnock fields again in 2007 or 2008.

Perkins said he is anxious to have the settlement nailed down so cleanup can continue.

"This settlement will be a very important first step," Perkins said. "No matter what happens with the settlement agreement, what's important is how long it takes to clean up the water and restore it to the city's customers."

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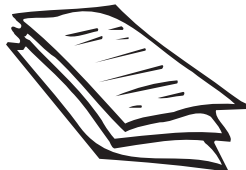
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STATE



CALIFORNIA BRIEFS

Street musician whistling happy tune again

By The Associated Press

LOS ANGELES — A musician waiting for the Red Line subway train with a bag full of his homemade CDs this week rejoiced that he was mobile again.

More than a month ago, Dadisi Komolafe had to leave transitional housing in North Hollywood to live in a Los Angeles shelter because he couldn't afford to travel the 15 miles or so to L.A. for gigs.

The end of a 35-day transit strike was a blessing for Komolafe, 47. He lives on welfare payments of \$221 a month and estimated he earns another \$200 by playing his flute and saxophone on the streets — so taxis were out of the question.

"They cost you an arm and a leg as soon as you flip the lever up," he said. "It's like three or four dollars and you haven't even went a block."

Anger and relief were the main emotions Tuesday as the buses and rail lines that serve 400,000 commuters in Los Angeles County began rolling again after a tentative contract was reached with striking mechanics.

About 60 to 70 percent of buses were back in operation. The first began rolling Monday afternoon and all 2,100 should be back in operation by Friday, said Rick Jager, a spokesman for the Metropolitan Transportation Authority.

Bush lauded for working with land owners

By The Associated Press

LOS ANGELES — Interior Secretary Gail Norton told a group of conservationists this week that the Bush Administration has helped protect open spaces and endangered species by cooperating with land owners rather than focusing on criminal penalties.

Norton said focusing merely on punishments caused people to do just the minimum to avoid penalties, and that they should be encouraged to do more to protect the environment.

"We need to go beyond minimum compliance, and reach out to harness innovation and enthusiasm," Norton said during a conference on forming government partnerships with organizations that provide volunteers or financial support for environmental protection.

But some environmentalists said the administration has failed to meet even the minimal standards of preservation Norton wants to exceed — and that its efforts to be more flexible with land owners have amounted to a hands-off approach to environmental protection.

Norton said some land owners have found species-protection laws so rigorous that they have killed animals to escape the regulations designed to keep them alive. When officials tried to protect prairie dogs in South Dakota, for example, "the sale of prairie dog poisons doubled," Norton said. "People were afraid of having endangered species."

Adventures in governing: Arnold era begins

By The Associated Press

SACRAMENTO — First he complimented a newspaper reporter's beard before taking his question and then California's newly minted Gov. Arnold Schwarzenegger answered a question this week about steroid use that Sacramento's veteran press corps considered irrelevant.

Finally, after he said he would take no more questions, Schwarzenegger gave a long personal interview to Austrian TV.

Welcome to new adventures in statehouse journalism — California-style.

Within 24 hours of becoming California's 38th governor, Schwarzenegger conducted his administration's first news conference, attracting so many reporters to hear about bonds and workers' compensation it had to be moved to one of the city's largest public auditoriums.

"Sorry, we couldn't organize the press conference in our offices," said the body-builder-turned-actor-turned-governor. "It's a little small to fit you all in."

Schwarzenegger's first appearance showed more uncharted territory in covering California politics, as journalists more interested in celebrity collided with those seeking answers to questions about the state's dire finances.

With dozens of hands raised for questions and time running out, an audible groan accompanied a question seeking the former body builder's opinions on steroid use in sports.

Cool 'Cat': Myers wants character to soothe

By The Associated Press

LOS ANGELES — You don't put a leash on a cat.

That was the philosophy the filmmakers followed to transform the simple whimsy of "Dr. Seuss' The Cat in the Hat" into a candy-colored, in-your-face comedy starring Mike Myers as the mischievous feline in a towering red-and-white cap.

Director Bo Welch said Myers designed the character himself, which meant ad-libbing jokes in an "Amazing Discoveries" infomercial parody, writing gags for his own independent-minded tail and contriving a voice.

"We agreed it would be a live-action cartoon, and talked about the sound," Welch said. "Everyone thinks they know what the Cat in the Hat should sound like, but no one has ever heard him."

The Myers performance suggests the Cat hails from New York, with a laid-back version of the urban Jewish accent he used playing Linda Richman in the "Saturday Night Live" sketch "Coffee Talk" (or "Cawwfee Tawwk," as she pronounced it).



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Entertainment

Gobble, gobble: 'Gothika' is a Thanksgiving turkey

Review

BY DAN DUNN

Special to the Daily Press

In a bid to make this film feel macabre and mysterious, director Mathieu Kassovitz and production designer Graham Walker dressed up the Woodward Penitentiary — where the bulk of the action in "Gothika" takes place — to look eerily like the set of a Marilyn Manson video. Outside, it's always raining buckets, and inside, it's darker than a coal miner's lungs. The criminal psychologists at Woodward, we're told, are some of

the brightest in the field, dedicated to treating dangerously disturbed, perpetually gloomy female psychopaths. Funny thing though, in "Gothika's" 95 interminable minutes it never occurs to the supershrinks that they might brighten everyone's mood by simply opening the drapes and replacing all the flickering lightbulbs. Of course, it's pretty clear the lights weren't on when "Gothika" was conceived because this is one of the dimmest supernatural thrillers in recent memory.

Dr. Miranda Grey has it all: She looks like Halle Berry, is married to Woodward's highly-respected chief administrator (Charles S. Dutton) and is often referred to as "brilliant," despite the fact that much of her analysis sounds as though it were gleaned from watching "Dr. Phil." Then, while driving home one dark and stormy night, she has a lights-out encounter with a dead girl who has runny eyeshadow and scary-looking split ends, and awakens to find herself imprisoned at Woodward, accused of murdering her husband. Haunted by fractured visions of the traumatic event, Miranda struggles — with the help of Dr. Pete Graham (Robert Downey Jr. in a "what was he thinking?" role) — to apply the logic that has served her career so well to a completely illogical series of events. And it doesn't help that it won't stop raining, and all the damn lights are flickering, and the dead girl intermittently pops up to smack her around. It's no wonder Miranda keeps pounding on the walls and screaming, "Why



Halle Berry in a scene from "Gothika."

are you doing this to me?" Halfway through the film, you're almost guaranteed to want to do the same.

Screenwriter Sebastian Gutierrez freely pilfers key elements from a host of superior horror flicks ranging from "The Ring" to "The Sixth Sense," but his attempts to fuse

the paranormal with a real world murder-mystery in "Gothika" are, to put it nicely, pathetika. This film is a big, fat Thanksgiving turkey, served a few days early.

(Rated R for violence, brief language and nudity. Running time: 95 minutes)

What's playing

BY DAN DUNN

Special to the Daily Press

■ MASTER AND COMMANDER: THE FAR SIDE OF THE WORLD

Russell Crowe makes a strong case for a fourth consecutive Oscar nomination in a thinking person's action-adventure movie.

■ SHATTERED GLASS

Strong film that meticulously connects the dots of the real events surrounding New Republic writer Stephen Glass' incredible fall from grace.

■ ELF

A fantastic early Christmas present for moviegoers of all ages. Will Ferrell is one of the very best comedic actors working today.

■ THE MATRIX: REVOLUTIONS

You'll stagger out of the theater feeling as though you just failed a calculus exam.

■ LOVE ACTUALLY

Ten different storylines running concurrently is too hard to follow, especially when only half of them are all that interesting.

■ THE HUMAN STAIN

Everyone in the film is dreadfully miscast, and the film fails to live up to anything but the most modest expectations.

■ IN THE CUT

Fuzzy as the visuals and performances are, one thing is crystal clear: This crime thriller fails, at every shadowy turn, to thrill.

■ ALIEN: THE DIRECTOR'S CUT

Still scarier than all hell, and the digital restoration and new six-track stereo mix make the film look and sound better than it did back in '79.

■ SYLVIA

Surely the tragic love affair upon which the film is based was a lot more complex (and interesting) than the one the makers of this plodding biopic conjured up.

■ SCARY MOVIE 3

Isn't as funny as the original, but it's a major step up from the lowly first sequel.

■ PIECES OF APRIL

Inspired performances help make this an engaging dramedy that has a little something for everybody.

■ RUNAWAY JURY

This is, arguably, the best adaptation of a Grisham novel yet. A stellar cast carries the day.

'Timeline' star no Superman, but still flies high

BY DAN DUNN

Special to the Daily Press

You gotta wonder just a little bit about a 30-year-old actor who claims the single most influential artist in his life is a one-hit hippie from the late '80s.

"I am who I am today because of Edie Brickell. I tell people that all the time," says Paul Walker of the folksy frontwoman of the New Bohemians. Hard to believe that prosaic pap such as "What I Am?" could have stirred the soul of one of Hollywood's hottest leading men, but then again, there's no accounting for taste, celeb or otherwise. If the star of such films as "Varsity Blues" and "The Fast And The Furious" thinks Brickell's the bomb, well, who are we to judge?

Walker was reared in Southern California, and he looks, talks and vibes like the die-hard surfer he's been most of his life. Acting, he maintains, is merely his job. The pursuit of a tasty wave and the love of family are true passions. Walker's latest film, "Timeline," sends him back to the Middle Ages — a great place to visit, he says, but you wouldn't want to live there.

QUESTION: So what was it like being dropped into the middle of a feudal war in the 14th century?

PAUL WALKER: I have a fascination with the Medieval period. I grew up using a trashcan lid as a shield and a stick for a sword. The thing that's so cool is that it was just so raw. There weren't really any rules. Everyone acted on their own accord. And the guys that were really cool were the



knight, because, for whatever reason — maybe it was just an innate thing — they were good people who lived by a code of honor. I like that. But when I think of the Black Plague, the stench, women with hairy legs, unclean drinking water, no toilets — stuff like that goes through my head.

Q: You turned down the role of Superman in a planned big-budget trilogy. With all the exposure and money that was at stake, that must have been a difficult decision to make.

PW: I asked ("Timeline" director Richard Donner) if he thought I needed to do "Superman." He asked, "For what?" and I said for financial reasons. He told me, "No, kid. You do it if you want to do it." I said I don't think I want to die as Superman, and he said "Well, that's your answer." He's

like a father figure to me. His opinion means a lot to me. You won't find anyone in the industry who tells it to you straighter than Richard Donner.

Q: But published reports indicated that you did seriously consider taking the part. Are there any regrets?

PW: There was pressure to do it. The real pressure came from my representatives, and from thinking about my family. You know, I want everyone to live (well). My mom and my dad, especially, because they don't have a lot of money. I hope one day to have the family compound on the big island of Hawaii. Having a jet to fly everyone out for Christmas sounds pretty sweet, too. So that was the hardest part, because signing on as Superman would have meant a lot of money for me and my family.

Q: Your first big break came in 1998 when you co-starred in "Pleasantville." How has your life changed since then?

PW: I went from being completely crazy and super-scrambled to juggling a career, making money and being a father. Now I feel like I'm kinda zoning, just kinda cool. I think I got it nailed down pretty tight.

Q: So you're not one of those stars who constantly gripe about a loss of privacy?

PW: That's such a bunch of crap. I'll tell you right now, people who whine about people bothering them and that sort of thing, well, they can get away from that. Yeah, you're going to have paparazzi and this and that, but the bottom line is, if you don't want people bugging you, don't go to the mall.

ENTERTAINMENT



Myers' 'Cat in the Hat' should be put in litter box

Review

BY DAN DUNN

Special to the Daily Press

The first thought I had as I emerged from the theater, gasping for air, following a screening of the noxious film "Dr. Seuss' The Cat In The Hat" was that if the 6-foot-tall talking feline who wears the red-and-white striped hat were to make a deposit in the litter box, whatever was left in the gravel would certainly be a damn sight prettier than this repulsive piece of crap. A brazen money grab masquerading as family fare, "The Cat In The Hat" may very well be the most gawd-awful and patently offensive picture of this or any other year. It's the cinematic equivalent of a massive flea infestation. For the crime they committed against Seuss' compact classic, everyone associated with the film should be neutered without anesthesia then forced to spend a weekend locked up with Mike Myers as he "riffs," which is entertainment-biz jargon for "annoys 'til your ears bleed." But Myers' coughed-up-hairball of a performance — his Cat plays like the mutant offspring of Charles Nelson Reilly and "Saturday Night Live" talk-show host Linda Richman — doesn't even crack the Top 20



Spencer Breslin, Mike Myers and Dakota Fanning star in "The Cat in the Hat."

Countdown of things that are terribly wrong with this movie.

Things like a slew of not-so-subtle sexual innuendo that ought to give the elementary

school kids the studio is targeting plenty to talk about at recess. Or the rave scene featuring a cameo by floozy du jour Paris Hilton — "yes, kids, she's the one from those sex videos everyone's all hot and bothered about ... want some more Gummy Bears?" Then there's Alec Baldwin in a what's-left-of-his-career-killing turn as a negative one-dimensional bad guy, and the Things — the Cat's nightmare-inducing sidekicks who look like a pair of aged, half-pint Beverly Hills housewives injected with lethal doses of Botox.

Blithely unaware or callously unconcerned that his film disembowels the beloved source material in full view of Seuss fans of all ages, Meyers winks at the camera as he shamelessly shills for Universal. The hard-sell includes plugs for both the studio's theme park (he actually holds up a brochure) and the film's soundtrack, which contains a repugnant Smashmouth cover of the Beatles' "It's Getting Better" that would surely kill John Lennon if he wasn't already dead. If there's any justice in the world, "The Cat In The Hat" will be shot down, too ... at the box office.

(Rated PG for mild crude humor and some double entendres. Running time: 81 minutes)

Music Scene

Holiday music cued up

By Daily Press staff

The Santa Monica College Music Department will present a mix of concerts in December, all of which will be held in the SMC Concert Hall, 1900 Pico Blvd., except the "Christmas Celebration" concert on Dec. 6 and 7, which will be held at the First United Methodist Church.

The lineup is as follows:

■ Thursday, Dec. 4, at 11:15 a.m.: SMC Percussion Ensemble Recital. The ensemble is under the direction of Matthew Altmire. (Free)

■ Friday, Dec. 5, at 7 p.m. and 9 p.m.: Jazz: Lesa Terry Quintet. (Tickets are \$10)

■ Saturday and Sunday, Dec. 6 and 7, at 7:30 p.m.: "A Christmas Celebration," with the Santa Monica Methodist Church Chancel Choir joining SMC Concert Chorale — both under the direction of SMC music professor James Smith. The program, narrated by special guest Peter Graves, actor and host of A&E's "Biography," will be held at the First United Methodist Church, 11th Street and Washington Avenue. (Tickets are \$15 general admission and \$10 students and senior citizens.)

"A Christmas Celebration" will include works by Johann Sebastian Bach, Gerald Finzi and Daniel Pinkham. Closing the program will be the ever-popular seasonal music with audience sing-along on familiar carols.

The annual concert features, in addition to the SMC Concert Chorale, the Chancel Choir of the First United Methodist Church, Los Angeles Concert Orchestra, South Bay Children's Choir and Spirit of L.A. Ringers.

■ Sunday, Dec. 14, at 4 p.m.: SMC Chamber Choir Recital. The chamber choir is under the direction of Drew Holt. (Tickets are \$5)

For tickets and information, call (310) 434-3000 or (310) 434-4323.

For tickets to "Christmas Celebration," call (310) 393-8258.

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STATE

Schwarzenegger's plan to borrow now, pay later is drawing swift criticism

BY DON THOMPSON
Associated Press Writer

SACRAMENTO — Voters in March should be asked to approve a carrot-and-stick approach to breaking the state's cycle of enacting fat budgets in good times that can't be sustained during economic downturns, Gov. Arnold Schwarzenegger's finance director told state lawmakers this week.

Schwarzenegger wants voters to increase the state's long-term debt by \$15 billion to cover much of the current budget deficit. That could cost taxpayers \$30 billion over 30 years to pay back, and already is drawing objections from the new governor's fellow constitutional officers as well as lawmakers.

In return, however, Schwarzenegger proposes that voters simultaneously approve spending limits to avoid a repeat of the boom-bust spending cycle that has resulted in California's record budget deficits.

Rolling the debt increase and spending limits into one ballot measure would demonstrate to voters and Wall Street that California is serious about reform, new Finance Director Donna Arduin told the Assembly Budget Committee.

That would show "this isn't going to happen again," Arduin said, and would let Wall Street know California won't borrow in the future to cover ongoing expenses.

That, Arduin said, would bring the state better interest rates and let the borrowing be shorter — less than 20 years — and cheaper than previously projected.

Schwarzenegger wants to use the \$15 billion mainly to replace about \$13 billion worth of bonds approved by the Legislature in the current budget, but which are the subjects of court challenges. That includes about \$2 billion in pension bonds struck down by a judge, and \$10.7 billion in deficit finance bonds that are being challenged in court because they were passed by the Legislature, not voters through a statewide vote.

Schwarzenegger is sorting between two proposals that would require a balanced budget without future borrowing, seeking a compromise that lawmakers can quickly approve for the March ballot, said Department of Finance spokesman H.D. Palmer.

A bipartisan group of 11 Assembly members wants to limit appropriations to 97 percent of projected revenue, with the other 3 percent going to build a budgetary reserve fund, then to fund infrastructure improvements, with possible one-time school payments and sales tax rebates. Their proposal would limit spending growth using a formula based on increases in population and personal income.

A competing plan by Assemblyman John Campbell, R-Irvine, would peg growth to a formula based on population and inflation, which grows more slowly. His proposal

would split excess revenue between a rainy day fund and debt retirement, with potential one-time income tax rebates.

It was the bond portion of Schwarzenegger's proposal that drew criticism Wednesday from state lawmakers and Legislative Analyst Elizabeth Hill, as it has previously by Democratic Controller Steve Westly and Treasurer Phil Angelides.

The state already borrows too much, Hill told the committee, and Schwarzenegger's plan continues to paper over the existing budget imbalance and would leave "future generations — my grandchildren for example" to pay for past spending.

Also, the \$15 billion deficit bond package could hurt a \$14 billion school bond already on the March ballot, said Assemblywoman Jackie Goldberg, D-Los Angeles. "People have sticker shock when they see \$30 billion on the same ballot."

Schwarzenegger's challenge, Arduin said, is to persuade voters they wouldn't be adding to the overall debt, just replacing the bonds already approved by the Legislature but challenged in court. The budget will be in extreme trouble next year if voters and the courts reject both borrowing plans, she said.

Lawmakers have just until Dec. 5 if they are to put Schwarzenegger's plan on the March ballot, and their special session is to be interrupted by the long Thanksgiving holiday.

The Senate Budget Committee is expected to begin considering the bond plan Thursday, and Assembly Budget Committee Chairwoman Jenny Oropeza, D-Long Beach, said her committee will schedule a follow up hearing.

Committee members expressed irritation that neither Arduin nor her deputies could say what spending Schwarzenegger proposes to cut from the current or next year's budget, or how he proposes to pay local governments the \$3.2 billion lost when he repealed a tripling of the state's car tax upon taking office Monday. Arduin said Schwarzenegger will wait until he reveals his budget on Jan. 10 to make spending cut recommendations.

Hill told the committee that former Gov. Gray Davis, recalled by voters last month, cut about \$285 million of the \$585 million he was supposed to trim from general fund spending by means including layoffs and labor contract negotiations.

Unions failed to approve much of the savings that Davis had sought, and Schwarzenegger said he will proceed with layoffs as a result — but not until after the holiday season.

Lawmakers also anticipated that Davis would gain \$680 million by renegotiating gambling compacts with tribes, most of whom have balked at that proposal. Hill now estimates the state will draw an extra \$50 million from tribal casinos this year. Schwarzenegger, too, says he will seek more from tribes.

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NATIONAL



House, Senate reach accord in efforts to snuff wildfires

BY MATTHEW DALY
Associated Press Writer

WASHINGTON — House and Senate negotiators reached agreement this week on a compromise bill for reducing the risks of wildfires in national forests, focusing at least half the effort on areas near homes and towns.

The final bill closely follows the Senate's version, approved last month while wildfires raged in California. The House bill, passed in May and resembling President Bush's "Healthy Forests Initiative," would have allowed more aggressive logging and did not focus on areas near homes or developments.

The bill aims to reduce the threat of catastrophic wildfires by speeding approval of projects to remove small and diseased trees and brush in overgrown forests, and limiting appeals and environmental reviews. Dry underbrush and dead trees have turned some Western forests into tinderboxes, lawmakers said.

"House and Senate members from both sides of the aisle have chosen negotiation over partisanship, compromise over gridlock and balance over ideology," said Sen. Ron Wyden, D-Ore., who helped negotiate the compromise. "We will prove that you can restore forests, protect the environment and put people back to work in rural communities."

The bill would authorize \$760 million a year for such hazardous fuels reduction projects on 20 million acres of federal land — a \$340 million increase over the current level. At least half of all money spent on forest-thinning projects must be near homes and communities.

That language mirrors provisions in the Senate bill, which was approved Oct. 30 by an 80-14 vote. The House bill did not include a dollar figure for fuels reduction or set limits on where such projects could occur.

Approval of a compromise before Congress adjourns for the year would end a three-year impasse on wildfire legislation. Lawmakers are hoping to go on vacation before Thanksgiving.

Wyden and Sen. Dianne Feinstein, D-Calif., worked out the deal with Republican Sens. Larry Craig of Idaho and Thad Cochran of Mississippi and GOP Reps. Richard Pombo of California, Robert Goodlatte of Virginia, Greg Walden of Oregon and Scott McInnis of Colorado.

The informal negotiations began after Senate Democrats blocked a formal conference, saying they feared that majority Republicans would shut them out.

Pombo, chairman of the House Resources Committee, was pleased at the compromise, which he said creates a cru-

cial "paradigm shift" in the way federal courts consider legal challenges of tree-cutting projects.

At the insistence of House negotiators, the bill requires that judges weigh the environmental consequences of inaction — and the risk of fire — when considering appeals and other legal challenges to thinning projects. The bill also would require judges to reconsider any injunctions blocking projects every 60 days.

"I want the thinning and fuels reduction projects...to start as soon as humanly possible."

— **RICHARD POMBO**
Chairman,
House Resources Committee

"I want the thinning and fuels reduction projects...to start as soon as humanly possible," Pombo said. "The sooner those start, the more we can do to protect our communities, our environment and our firefighters from the threat of catastrophic fires."

Walden, who co-sponsored the House bill, called the compromise a comprehensive solution that will improve forest health, protect species habitat, safeguard municipal watersheds and help make rural communities safer from wildfire.

Environmentalists were not so upbeat. They called the bill a giveaway to the timber industry that limits public participation and leaves old-growth and remote, roadless areas of the forest at risk of logging.

"The Bush Administration's promises to protect communities ring hollow," said Carl Pope, executive director of the Sierra Club.

In particular, environmentalists were upset with the provisions restricting public involvement and limiting appeals of thinning projects. Those restrictions were included in the original House bill, and environmentalists had hoped senators would block it from the final version.

"Under political pressure, the Senate backed down on its word and allowed a bad wildfire policy to get worse," said Robert Vandermark, director of the National Forests Campaign for the National Environmental Trust, a Washington-based advocacy group.

But Feinstein said the risk of fire was too great for the bill to languish.

"Approval of this legislation would be a major step forward toward ensuring that tragedies like the wildfires in my state do not strike other communities again and again," she said.

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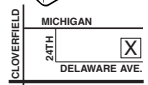


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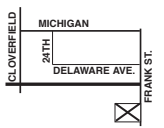
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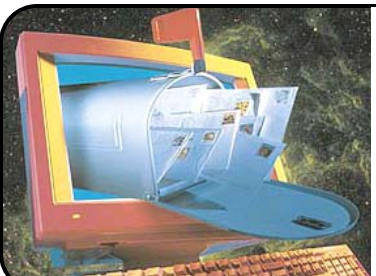
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NATIONAL

Surfer girl once bitten, but she isn't twice shy

BY MATT SEDENSKY
 Associated Press Writer

KILAUEA, Hawaii — She was lying on her surfboard, taking a break after catching some early morning waves, when the gray blur emerged near her left arm as it dangled in the Pacific.

Bethany Hamilton was suddenly being jerked back and forth.

"I looked down at the red water," she recalled. "Right away I knew it was a shark and I knew my arm was gone."

The 13-year-old lost more than half her blood and all but four inches of her arm, though those who witnessed the attack say Bethany never screamed or panicked.

"There's no need for that," she told The Associated Press nearly three weeks after the Halloween attack, in one of the first in a series of interviews and TV appearances. "I wasn't that scared. I didn't think I was going to die or anything."

Before the attack, Bethany was a top amateur surfer who was expected to turn pro. Now she is unsure whether she will ever surf competitively again. But she said she will not give up her passion.

Tall and lean, with blond hair and a tan, Bethany has accepted her misfortune with remarkable serenity.

"There's no time machine," she said. "I can't change it. That was God's plan for my life and I'm going to go with it."

For all the nightmarish drama the shark attack conveys, Bethany recounts it with nonchalance: She arose around 5 a.m. on Oct. 31, heading out to do what she loves — surfing with her best friend, Alana Blanchard. After about a half-hour of action, she took a break, dangling her arm in the ocean when the 15-foot tiger shark attacked.

Blanchard's father, Holt, surfing nearby, used a surf leash as a tourniquet.

Fellow surfers towed her in on a surfboard. She blacked out briefly, then woke up ashore.

When she reached Wilcox Memorial Hospital, another amazing part of the story unfolded: The girl's father, Tom Hamilton, had been lying on the operating table, moments away from knee surgery, when a doctor burst through the doors, saying the room was needed for a shark attack victim. When he heard it was a 13-year-old, Tom Hamilton's heart sank. He knew it was either his daughter or her best friend.

Bethany spent nearly a week in the hospital and has remained largely in seclusion since then.

When her bandages were removed — and her stump was revealed — one of her brothers turned white. Her mother nearly collapsed. And her grandmother went outside and wept.

On Thursday, her stitches were to come out and she awaited word on when she could return to the water.

"If I was like a person that just quit surfing after this, I wouldn't be a real surfer," she said. "I'm definitely going to get back in the water."

Bethany hopes to be fitted with prosthetics allowing her to continue not only to surf but also to play the guitar. She plans to try snowboarding for the first time this winter, and she is aiming for a career in photography.

Around Bethany's neck hangs a glittering gold surfboard — a get-well gift from a family friend. It has a diamond in the center and a bite taken out of the top, just like her own board, with its 16-inch gash.

Bethany said the attack is "pretty much all I think about," and she has revisited the horrible event in her dreams four times since the attack.

FBI director warns tribes: Terrorists eyeing your land

BY SUSAN MONTOYA BRYAN
 Associated Press Writer

ALBUQUERQUE, N.M. — The war against terrorism is far from over, and the federal government has a responsibility to work with states, cities and Indian tribes to make the United States secure, FBI Director Robert Mueller told American Indian leaders Thursday.

Mueller said tribes along the United States' international borders are concerned that terrorists — in addition to a stream of illegal immigrants — could use their sparsely populated lands to sneak into the country.

"While the FBI does not have primary responsibility for these border issues, we still have a responsibility to include tribes in our national counterterrorism efforts," Mueller told leaders gathered for the 60th annual National Congress of American Indians conference here.

He said the FBI has been working to strengthen its relationships with law enforcement agencies around the nation, including tribal police, since the Sept. 11, 2001, terrorist attacks.

Tribal lands make up hundreds of miles of the United States' borders with Canada and Mexico.

Along with Mueller, officials from the White House and Democratic presidential hopefuls who addressed the Indian leaders earlier this week all pushed the importance of tribal governments participating in homeland security.

But Indian leaders are concerned the federal government is not providing enough money or assistance to get the job done. Currently, states allocate federal homeland security dollars, leaving tribes to compete with cities and municipalities.

Mueller also told the crowd that more than 100 of his special agents are working in Indian country despite the agency's need to relocate agents because of homeland security.

The focus, he said, has been on violent crime, homicides and child abuse and sexual assault.

As Mueller was whisked away after his address, tribal leaders complained that the FBI has not been meeting the needs of Indian communities.

One man talked about the murder of his pregnant daughter and her unborn child and several women shouted about rape and other violence against women.

"Look at all these unsolved murders throughout Indian country," another man yelled.

NATIONAL



Utah information pipeline may put state on fast track

BY MARK THIESSEN
Associated Press Writer

SALT LAKE CITY — Eighteen Utah cities are plotting a \$470 million government-backed fiber-optic network that promises a superfast pipeline for Internet, telephone and television access, despite complaints that government shouldn't be competing with private business.

Called "Utopia" — or Utah Telecommunication Open Infrastructure Agency — the network would give nearly 725,000 residents Internet access at speeds far beyond what current high-speed customers enjoy nationwide, at a potentially far lower price.

But some large and small telecommunications companies are protesting.

"It's wrong. We don't feel like government should be messing with technical things that the private sector can do and much better," said Nancy Gibbs with the Utah Rural Telecom Association, a group that represents 14 small telephone companies.

Paul Morris, the West Valley City attorney who was tapped to lead Utopia, said the 18 cities are stepping in where the private sector hasn't.

"There's a gap," he said, that leave some Utah residents on the dark side of the digital divide.

"We wanted a network that would pass every address and every business in every city that joins so we wouldn't have the haves and the have-nots, and we wouldn't just cherry pick the rich neighborhoods," he said.

What Utopia is proposing would blow past ordinary connections, from dial-up to T1, with a fiber that can carry digital data a million times faster than copper wire, coaxial cable or wireless systems.

Utopia officials say basic Internet service on the network would likely run far less than what most households now pay for relatively pokey high-speed cable or DSL connections.

But fiber holds more promise than just surfing the Web at breakneck speed. The fiber network could not only bring the Internet into people's homes, it also could offer telephone service and high-definition television, even movies on demand.

There are practical applications, too.

Foremost among them is offering economic development along this new road, promising to be what interstates and waterways did years before. The phone capabilities could allow telemarketing firms to locate in small Utah towns or it could allow people to work from home, attending meetings via teleconference and e-mailing their work back to the job site.

The fiber network could also mean quality-of-life enhancements, Morris said. A patient could go to a doctor's office in Tremonton to see and talk to a specialist 70 miles to the south in Salt Lake City — all because of real time videoconferencing capabilities offered by the fiber network.

That also opens up distance learning opportunities for those in rural areas.

The network could hold enough space for 15 triple-play providers — Internet, television and telephone, all providing service side-by-side. However he said the more realistic number is two or three. So far, only one national provider is close to

signing on, an agreement that Morris said is required to secure financing from bonding companies. Morris wouldn't name the provider.

"We are not anti-incumbent," Morris said of current providers in each town. "But they have a monopoly and this brings competition. We don't apologize for bringing competition."

The network even has room for things that haven't even been invented yet. Morris said they chose a fiber network because it's the most "future proof."

And that's partly why some large companies appear to be taking a pass, at least for now. Utopia's envisioned network, they say, overshoots the market at a large cost to cities which are being asked to pass sales-tax increases to develop the network.

In order to get the best interest rate available on the bonds, it's asking that the 18 cities back a portion of their prorated share of the debt with sales tax.

Utopia will issue about a half billion dollars in bonds to build the network, and the bonds will be paid off by proceeds the providers will pay to be part of the network.

Getting all the cities on board will be no small feat in tax-resistant Utah, where many communities routinely reject school bonds and other basic infrastructure ballot measures.

Even if a few of the cities take a pass, it could put the project in jeopardy. While there's no magic number, Morris said if only 12 to 14 cities agree to back the plan with sales tax, then the project might have to be rethought.

And the timetable is short. All 18 cities will be asked to hold public hearings and vote in January so construction can start in the spring. If things fall into place, Morris expects the fiber network to be fully functional in about three or four years.

If the project ultimately fails, after bonds have been issued, the cities will be liable to pay their portion of what losses aren't covered by the project's insurance.

But right now, companies contend, all the speed a customer needs is available for a reasonable price. And those companies have spent millions rolling out their own networks and services.

"We have invested an enormous amount," said Jerry Fenn, Utah president for Qwest Communications, which provides phone service and Internet access through digital subscriber lines (or DSL) in 14 states. "Why would we want to be to a provider?"

"It seems a risky venture for municipalities to build a network when broadband is already available," said Fenn, who has a meeting planned with Utopia officials to seek more information about the plan.

Also nagging at the project is growing criticism of government involvement and the potential for public expense.

"It seems to me to be questionable as to whether government should get involved in a highly technical business that is outside its core competence," said Fenn.

Gibbs was more to the point. "Have you ever seen the government do anything better?"

Morris said the fiber network will not be unlike other services — like roads or airports — local governments now provide its residents.

"Salt Lake built the airport, but doesn't try to fly an airplane," he said.

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NATIONAL

Judge wades into fight over snowmobiling in Yellowstone

BY JACK SULLIVAN

Associated Press Writer

WASHINGTON — A federal judge said he may wait until the Bush administration issues a final rule allowing snowmobiling to continue in Yellowstone National Park before he answers a legal challenge to it.

U.S. District Judge Emmet Sullivan heard arguments Thursday from conservationists who want him to strike down an Interior Department decision that allowed snowmobilers to keep riding in Yellowstone and Grand Teton national parks.

In papers filed in U.S. District Court in Washington, the Greater Yellowstone Coalition contends that the Interior Department violated environmental laws when it set aside a Clinton administration plan to phase out snowmobiles.

The Interior Department, which oversees the popular Western parks through the National Park Service, wants the challenge thrown out, saying its decisions were made properly.

Yellowstone's snowmobile season begins Dec. 17, and Interior Department lawyer Andrew Emrich said the final

rule may not be published until Dec. 16.

The rule is the last formal step to implement a plan that will allow snowmobilers in the parks, but only if they ride machines with cleaner and quieter engines, make reservations and travel in guided groups. It also sets daily limits on the number of machines allowed to enter.

Earlier this year the Park Service outlined its decision to drop a plan by the Clinton administration that would have replaced snowmobiles with snowcoaches carrying groups of visitors.

Earlier this year the Park Service outlined its decision to drop a plan by the Clinton administration that would have replaced snowmobiles with snowcoaches carrying groups of visitors.

The Park Service agreed to review the ban as part of a

legal settlement with snowmobile makers.

Officials called the new plan to instead limit the number and type of machines allowed in the parks a balance between recreational use of the parks and the need to minimize environmental damage.

They said it took into account new data on how clean-burning snowmobile engines could be built. The plan also called for rangers to monitor the machines' effect on air quality, noise and wildlife and to make adjustments to the limits as needed.

The Bozeman, Mont.-based Greater Yellowstone Coalition and other groups argue that a ban is the only way to protect the park's natural resources and wildlife and say there is no justification for reversing it.

"While the Park Service ostensibly based its decision to undertake further study on the availability of 'new' information, there was nothing significantly new for the Park Service to consider," the group's lawyers said in court papers.

Another group of conservationists, led by the Maryland-based Fund for Animals, also is attacking the snowmobile rules.

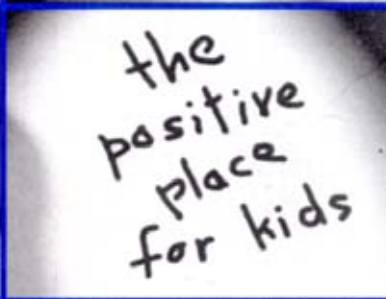
They allege that the Park Service did not adequately evaluate whether its practice of grooming snow-covered roads for snowmobiles and snowcoaches harms wildlife by creating unnatural corridors for them to move out of the park.



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NATIONAL □ INTERNATIONAL

Bombers target British consulate, London-based bank

BY ESRA AYGIN
Associated Press Writer

ISTANBUL, Turkey — Trucks packed with explosives blew up at a London-based bank and the British consulate Thursday, killing at least 27 people and wounding nearly 450.

Security forces were put on highest alert after the blasts at the high-rise headquarters of the HSBC bank and the British consulate occurred five minutes apart at about 11 a.m.

Among the dead was British Consul-General Roger Short, London's highest-ranking diplomat in Istanbul, the Turkish foreign minister said.

The blasts followed two synagogue bombings Saturday that killed 23 people, plus the two bombers.

Bush, at a new conference with Prime Minister Tony Blair, said Thursday's bombings showed terrorists' "utter contempt for innocent life."

"The terrorists hope to intimidate. They hope to demoralize. They particularly want to intimidate and demoralize the free nations. They're not going to succeed," Bush said.

British Foreign Secretary Jack Straw, who was scheduled to arrive in Istanbul on Thursday evening, described the attacks as "clearly appalling acts of terrorism" and suggested a link to the al-Qaida network. "I'm afraid it has all the hallmarks of international terrorism practiced by al-Qaida," he said in London.

A man calling the Anatolia news agency said that al-Qaida and the militant Islamic Great Eastern Raiders' Front, or IBDA-C, jointly claimed responsibility for attacks.

In Washington, a law enforcement official who spoke on condition of anonymity, said the United States was not yet will-

ing to put the blame directly on al-Qaida. Although al-Qaida involvement was still a possibility, it could be the work of groups that share a similar philosophy.

It was the worst single-day toll from terrorism in Turkey since 1977, when gunmen opened fire on leftists celebrating May Day, killing 37 people.

Turkish Premier Recep Tayyip Erdogan vowed to defeat the terrorists and deplored the timing of the attacks during the Islamic holy month of Ramadan.

"Those who bloodied this holy day and massacred innocent people will account for it in both worlds," he said. "They will be damned until eternity."

Interior Minister Abdulkadir Aksu said Thursday's blasts were "most probably" the work of suicide bombers.

At about the same time Thursday, in Iraq, a deadly truck bomb exploded in front of a U.S.-backed Kurdish political party in the northern city of Kirkuk. Officials pointed to an al-Qaida-linked militant group, Ansar al-Islam, as being behind that blast.

The first Istanbul blast was at the Turkish headquarters of HSBC, the world's second-largest bank, shearing off the facade of the 18-story building and shattering the windows of nearby high-rises.

Body parts, the charred shells of cars and broken glass were scattered around a 9-foot-deep crater in the streets outside the bank. Water gushed from the top floors of the building.

Bystanders bloodied and covered in dust looked dazed as they walked past lines of ambulances. Several people helped carry the limp bodies of victims.

Turkish army troops made a brief appearance on the streets in Istanbul, deploying on a major highway and stand-

ing guard beside police. Military ambulances were also seen.

At least a dozen Turkish soldiers, wearing helmets and camouflage uniforms and armed with G-3 assault rifles, stood by their jeeps near the HSBC headquarters. Troops later were withdrawn.

The second bomb, detonated about five minutes later and five miles away, ripped off the wall surrounding the garden of the British consulate in the Beyoglu district downtown.

At least 27 people were killed and nearly 450 wounded, Aksu said. TV reports initially said there were up to five blasts, but authorities later confirmed only two.

Straw said three or four British employees from the consulate had not reported to a roll call after the blasts.

Consulate chaplain Ian Sherwood told the BBC that Short was killed immediately by the blast. "Quite a few people have been killed — Turkish staff and some British staff. But I'm not able to say just yet who has been killed, other than the consul general," he added.

Short, 58, served as consul general in Istanbul since 2001, was Britain's ambassador to Bulgaria from 1994-98, and oversaw peace-building efforts in Bosnia-Herzegovina between 1999-2000.

"Once again we are reminded of the evil these terrorists pose to people everywhere and to our way of life," Blair said. "Once again we must affirm that in the face of this terrorism there must be no holding back, no compromise, no hesitation in confronting this menace, in attacking it wherever and whenever we can, and in defeating it utterly."

Blair reaffirmed Britain's commitment to the U.S.-led coalition in Iraq. "On the contrary, it shows how important it is to

carry on until terrorism is defeated there as well," he said.

Witnesses described horrific scenes of destruction.

"I thought somebody hit our bus from the back, then I saw black smoke rising," said a sobbing Mehmet Altan, who was on a bus near the bank when the explosion occurred. "Cars were damaged all around us. I saw the charred body of a driver at the wheel," said a sobbing Mehmet Altan.

Mehmet Celik, who was slightly injured, said a light brown pickup truck exploded in front of the HSBC headquarters.

HSBC employee Suleyman Karatas described "a bloodbath" after the explosion, according to the Anatolia news agency, with a number of the 600 bank workers wounded.

Near the British consulate, Hakan Kozan said the blast came from a white pickup truck. "I heard a slam on the brakes and 10 seconds later the explosion came," Kozan told The Associated Press.

The consulate is located in a cramped, historic district frequented by tourists with shops, bars, movie theaters and restaurants. The nearby U.S. consulate was moved months ago to a more secure location in another district, and the FBI said it knew of no American deaths or injuries and is not directly investigating the blasts.

Turkey's central bank said it was taking measures to prevent possible financial fallout from the attacks, and would intervene to prevent fluctuations in the currency. Turkey's benchmark index dropped 7.37 percent after the attacks until the stock exchange was closed for trading.

European soccer officials postponed two international soccer matches scheduled for next week in Turkey because of the bombings.



WORLD BRIEFLY

Bush, Blair stand defiant amid protests

By The Associated Press

LONDON — As tens of thousands of anti-war protesters mobilize for a march on Parliament, President Bush is standing in solidarity with Prime Minister Tony Blair, whose approval ratings have sunk as many Britons oppose their country's role in Iraq.

While Bush celebrates the two countries' friendship as "one of the great alliances of mankind," many of the British deplore the war, and as many as 100,000 protesters were expected to show their discontent Thursday in a massive march.

On the second full day of his 3 1/2-day visit to Britain, Bush laid a cream-colored wreath with a red, white and blue banner at the Tomb of the Unknown Warrior in a subdued ceremony Thursday at Westminster Abbey. The president, wife, Laura, at his side, did not speak, only somberly bowing his head in prayer before the grave.

Later, he was to meet with relatives of 53 British soldiers and civilians killed since the start of the war — the highest death toll of any American ally in Iraq.

Insurgents take aim at U.S. sympathizers

By The Associated Press

BAGHDAD, Iraq — An explosion at the offices of a Kurdish political party in the northern town of Kirkuk killed four people on Thursday, and officials said a pro-U.S. politician was assassinated in the southern port city of Basra, the latest in a string of attacks against Iraqis who support American efforts in Iraq.

Jalal Johar, an official with the party, the Patriotic

Union of Kurdistan, said several other people had been injured in the blast which he attributed to a bomb. All the casualties were civilians, he said.

The PUK is a group that supports American efforts in Iraq. Party chief Jalal Talabani is the current head of the U.S.-installed Iraqi Governing Council.

Nobody claimed responsibility, but insurgents have warned they will target anyone who collaborates with occupation authorities.

In Basra, the Assyrian Democratic Movement said its representative on the municipal council was abducted Tuesday on his way to work. The body of Sargoun Nanou Murado was found on Wednesday, a statement said.

The Assyrian Democratic Movement, which represents Iraq's Assyrian minority, is represented on the 25-seat Governing Council.

The assassination is the second this week of people working with coalition authorities in southern Iraq.

Sniper's fate a matter of life or death

By The Associated Press

VIRGINIA BEACH, Va. — A weeping former lover called him a gentle and generous man who doted on his children. A frightened ex-wife says he was a menace who repeatedly threatened to kill her as they fought over custody of the children.

Two sides of John Allen Muhammad are on display as a jury weighs whether he should die or spend life in prison for masterminding the Washington-area sniper shootings and the murder of Dean Meyers on Oct. 9, 2002 in Manassas.

Prosecutors wrapped up their case Wednesday in the

sentencing hearing, while the defense was expected to finish Thursday. Muhammad was convicted on two capital murder charges Monday following a five-week trial.

His alleged accomplice, Lee Boyd Malvo, also is on trial in nearby Chesapeake on capital murder charges.

Mildred Muhammad testified Wednesday that her ex-husband said he would kill her as their marriage dissolved and the two fought over custody of their three children.

He smiled weakly at Mary Marez as she took the stand to tell of their love affair in the late 1990s.

Marez said Muhammad doted on his children, who suffered deeply when he lost them to his ex-wife.

Lawmakers scramble to protect investors

By The Associated Press

WASHINGTON — The House has moved quickly to adopt legislation cracking down on mutual fund abuses and providing more information for investors. But lawmakers of both parties agree that substantial work is needed before a final reform measure can be enacted.

Even the principal author of the House measure, Rep. Richard Baker, R-La., said further changes are needed for Congress to send President Bush "the strongest possible reform bill."

The House's 418-2 vote Wednesday came as industry problems spread, with more big-name companies cited for allowing special trading deals that disadvantage ordinary investors and a money stampede continuing out of tainted funds. Lawmakers approved the measure after brief debate.

The legislation would impose penalties against fund trading abuses, make directors on company boards more independent from fund managers and require companies to disclose more information to investors about fees and fund operations.

It still needs approval in the Senate, where several different versions have been proposed. No action is expected before next year.

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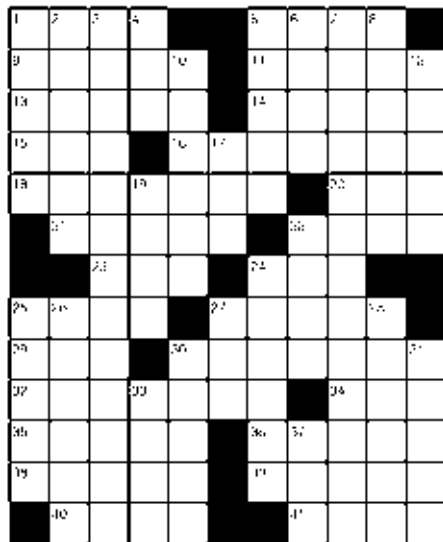
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- 1 Michigan, actor
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 - 5 Train
 - 9 Wrong
 - 11 Neighbors
 - 13 Scout leader
 - 14 Order more issues
 - 15 Frat party sight
 - 16 Regret
 - 18 Some keys
 - 20 Pro's charge
 - 21 Entangled
 - 22 Word on an octagon
 - 23 Huck's pal
 - 24 Scrooge cry
 - 25 Lyricist
 - 27 Loses color
 - 29 Mine find
 - 30 Black cat
 - 32 German cry
 - 34 Count start
 - 35 Less outgoing
 - 36 Avoid
 - 38 Cultivates
 - 39 Valentine buy
 - 40 "Legally Blonde" heroine
- DOWN**
- 1 Potato pancake
 - 2 One-celled critter
 - 3 TV series set in Texas
 - 4 Super-lative suffix
 - 5 Complains
 - 6 Cain's brother
 - 7 TV series set in Arizona
 - 8 Platter player
 - 10 Bicarb ingredient
 - 12 Win all the games
 - 17 Slippery one
 - 19 High time
 - 22 Shaker stuff
 - 24 Brit's sausage
 - 25 Shore
 - 26 Edith's hubby
 - 27 Bad review
 - 28 Name in an e-mail's From field
 - 30 Race prize
 - 31 TV's Della
 - 33 Blab
 - 37 Fireplace sight

SPAN	CROSS
PENNE	HAOLE
LATEX	ASHEN
ICE	TOPPLES
TESTED	APE
ONES	LED
RIOT	WEAR
BAN	SCAN
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MOTOR	LOGAN
ELIOT	INEPT
DIALS	ARES

Yesterday's answer

- 12 Win all the games
- 17 Slippery one
- 19 High time
- 22 Shaker stuff
- 24 Brit's sausage
- 25 Shore
- 26 Edith's hubby
- 27 Bad review
- 28 Name in an e-mail's From field
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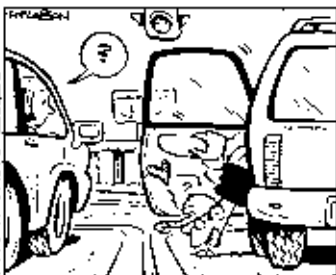
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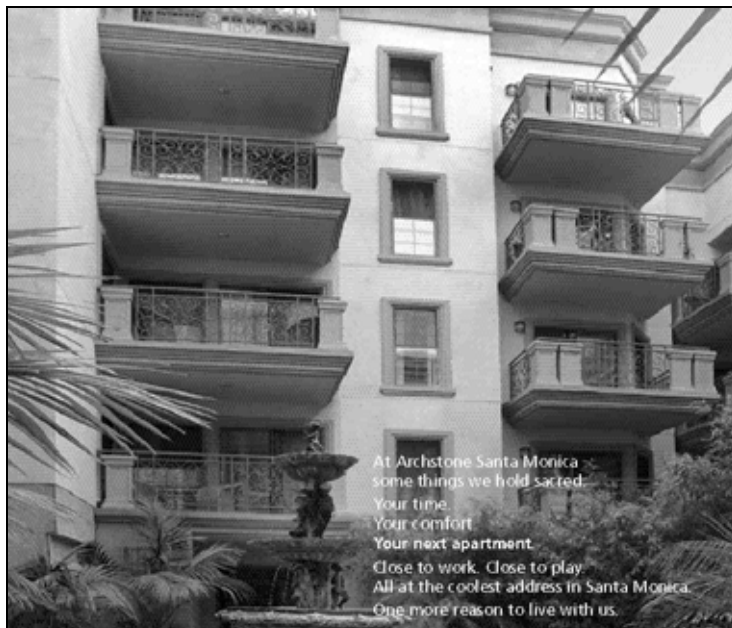
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PEOPLE IN THE NEWS

Hall of Fame gently weeps for ex-Beatle Harrison

By The Associated Press

■ **NEW YORK** — Two years after his death, former Beatle George Harrison is being inducted into the Rock and Roll Hall of Fame.

Harrison leads a class of 2004 inductees, announced Thursday, that includes Prince, Jackson Browne, Bob Seger, Traffic, ZZ Top and the Dells.

The singer and guitarist, who died in November 2001 at 58, already has been inducted into the hall as a member of the Beatles. As a solo artist, his songs included "All Those Years Ago" and "Got My Mind Set On You," although his career was always eclipsed by the legendary success of his old band.

Artists are eligible for induction into the hall 25 years after their first recording is released. Prince, whose biggest album remains the multiplatinum disc "Purple Rain," is being inducted upon his first year of eligibility.

The induction ceremony is scheduled for March 15 in New York City.

■ **SEATTLE** — Nirvana co-founder and bassist Krist Novoselic, who announced in August that he was fed up with the music industry, says he may run for Washington state lieutenant governor.

Already active in Democratic party circles, Novoselic indicated he was wary about challenging two-term Lt. Gov. Brad Owen, also a Democrat and occasional rock musician, but doesn't want to remain on the sidelines in 2004 and has been talking to party leaders.

"I've been really contemplating how I want to get involved next year and make a contribution," the 38-year-old told The Seattle Times. "It's going to be a big year and I'm trying to find a way to fit into it."

The largely ceremonial position has few duties other than presiding over the state Senate and being ready to fill in when the governor is out of the state or incapacitated, and celebrities have filled it in the past.

John A. Cherberg, a former University of Washington football coach, held the post from 1957-89. A colorful band leader, Victor A. Meyers, was lieutenant governor from 1933-53 and later was state secretary of state for eight years.

Owen, a former state senator and convenience store owner, has campaigned against drug abuse and performed at schools in a rock 'n' roll band.

He was out of town and unavailable for comment Wednesday, but his chief of staff, Glenn Dunnam, said Owen will soon announce his bid for a third term.

■ **LOS ANGELES** — David Attenborough, who has written, produced and hosted natural history television programs for 50 years, will be honored with a career achievement award by the International Documentary Association.

The 77-year-old "has made incomparable contributions to advancing our understanding and appreciation of natural history," said Michael Donaldson, president of the association.

"His 13-part series 'Life on Earth' has already been seen by nearly a half-billion people around the world, and it will surely endure for posterity," Donaldson said.

Attenborough, who studied zoology before joining the BBC in 1952, will receive the award Dec. 12 at the association's awards gala in Los Angeles.

He was granted knighthood in 1985.

■ **CLEVELAND** — "Basic Instinct" screenwriter Joe Eszterhas, who lost part of his larynx to cancer, wrote and stars in new anti-smoking announcements for the Cleveland Clinic Foundation.

The clinic hopes the three public service announcements will air in movie theaters and on TV stations nationwide as part of a new program, "Join Joe," that aims at helping people quit using tobacco.

"I'm hoping that my cancer and my voice will neutral-

ize the pro-smoking message in the movies," Eszterhas told The Associated Press Wednesday. "I describe this as a loaded weapon aimed at a 12-year-old and a 14-year-old — and the gun goes off when they're 50."

"Join Joe" will provide support for those seeking help quitting smoking through a Web site. It also will encourage people to help Eszterhas spread an anti-smoking message, and he'll host weekly one-hour Web programs beginning in January.

Eszterhas, 58, was diagnosed with throat cancer nearly three years ago and was treated at the clinic. He is now in remission.

He grew up in Cleveland and started smoking at 12. He's moved back to the area from Hollywood and has quit smoking and drinking.

In a 30-second spot airing in Cleveland-area theaters, he apologizes for glamorizing cigarettes. "I glamorized smoking in my movies. Then I got throat cancer. Maybe that's my punishment. Please, don't let people like me kill you."

The screenwriter's films also include "Flashdance" and "Showgirls."

■ **NEW YORK** — From "Dirty Dancing" to the razzle-dazzle of "Chicago" — on tour.

Patrick Swayze, whose films include "Road House," "Ghost" and "To Wong Foo, Thanks for Everything! Julie Newmar," joins the national company of "Chicago" next month as that slick, song-and-dance lawyer, Billy Flynn.

Swayze will portray Flynn when the stage version of the Oscar-winning film plays San Diego's Civic Center, Dec. 30-Jan. 4, and then the Pantages Theatre in Los Angeles, Jan. 7-18.

The touring production also stars Bianca Marroquin, who headlined the Mexico City production, as condemned murderess Roxie Hart and Brenda Braxton as her cohort-in-crime, Velma Kelly.

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