

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5

16, 25, 17, 12, 15

DAILY 3

Afternoon picks: 9, 0, 1

Evening picks: 8, 6, 0

DAILY DERBY

1st Place: 5, California Classic

2nd Place: 2, Lucky Star

3rd Place: 10, Solid Gold

Race Time: 1:45.13



NEWS OF THE WEIRD

by Chuck Shepard

Police in Sandwich, Mass., are so far stumped why Daniel L. Kelleher, 48, was found covered head-to-toe with roofing tar, lying in a water-filled bathtub in a room at the Sandwich Motor Lodge on Nov. 11. Kelleher, a carpenter, apparently purchased the tar and caulking guns, and he had rented the same room a week earlier and left tar in the bathroom, but he has refused to answer detectives' questions.



QUOTE OF THE DAY

"An intellectual is a person whose mind watches itself."

— Albert Camus



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Carolyn Sackariason/Daily Press

Volunteer Nicolette Fahey serves up hot food to the homeless during the Ocean Park Community Center's annual holiday party at the Civic Center Auditorium on Friday.

No champagne and caviar at this party

BY CAROLYN SACKARIASON
Daily Press Staff Writer

CIVIC CENTER — Employees of a local investment company gave up their traditional Christmas party once again this year in the name of philanthropy.

Employees of CBIC Oppenheimer spent Friday serving hot food to about 700 homeless people in the Santa Monica Civic Auditorium. They also gave away presents the homeless can use — backpacks with basic necessities like toothpaste and rain ponchos.

It was the Ocean Park Community Center's annual holiday party and Oppenheimer spent between \$5,000 and \$10,000 putting it on.

Oppenheimer's Christmas parties of the past were like those at many corporations — they were

"It's better this way, the funds go to something better."

— NICOLETTE FAHEY
David Fahey's wife

limited to only employees and thousands of dollars were spent on drinks and food that lasted for only a couple of hours.

But this year, the company's money went much further.

"It's better this way, the funds go to something better," said Nicolette Fahey, the wife of David Fahey, a sales manager at Oppenheimer.

See OPCC, page 5

'Bootlegged' units to be made legal

Landlords must pay \$8K to register each unit

By Daily Press staff

COUNCIL CHAMBERS

An estimated 1,000 illegal housing units in Santa Monica now can be made legal under a new law adopted by the City Council this week.

The law will bring in close to \$8 million for City Hall, which will charge the property owners various fees to make the buildings meet code. However, officials said they will spend that money inspecting and permitting the units, many of which haven't been official for 20 years or longer.

The new law solves an "untenable" situation for property owners and City Hall, according to a document prepared by building department head Tim McCormick, City Attorney Marsha Moutrie and Barry Rosenbaum, a land use attorney in City Hall.

Because people live in the units and are protected by rent control, the units can't be demolished, according to the rent control charter. But they're also illegal, according to City Hall's codes. The new law requires property owners to register the units if they are deemed safe by inspectors.

Most of the 1,000 units don't meet current zoning requirements,

See UNITS, page 5

Parking officers spread good cheer

By Daily Press Staff

SMPD — Parking tickets aren't the only things the Santa Monica Police Department is doling out this holiday season.

Traffic service officers, who are often verbally and sometimes physically abused while issuing tickets, are playing Santa this week by giving out free movie tickets to good little boy and girl motorists.

Between today and Christmas, if you are observed being courteous, cautious and promoting public safety, you may be given a "Good Parking Ticket" — admission and/or concessions to a Third Street Promenade movie theatre. The tickets will go to motorists, people parking their cars and to pedestrians.

"We'll give them to anyone

See TICKETS, page 5

Osama bin Laden's capture not likely any time soon

BY KEN GUGGENHEIM

Associated Press Writer

WASHINGTON — Al-Qaida suspects are being interrogated. Afghan and Pakistani villagers are being courted. Troops and unmanned aircraft are poised to strike.

But finding Osama bin Laden remains enormously difficult, much more so than capturing Saddam Hussein, say American intelligence officials, lawmakers and analysts. More than two years after the Sept. 11, 2001, terrorist attacks, there is little indication that U.S. forces are about to capture bin Laden.

Bin Laden is believed to be hiding in the vast, rugged mountains that

See BIN LADEN, page 15



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HOROSCOPE

You have a winning smile, Virgo

JACQUELINE BIGAR'S STARS
The stars show the kind of day you'll have:
★★★★-Dynamic ★★★★★-Positive ★★★-Average
★★-So-so ★-Difficult

ARIES (March 21-April 19)
★★★★ Work as a team. Carefully think through a change that revolves around your work. You have entered an unusually dynamic year, professionally and within your daily life. The Force is with you. Use it well. Tonight: Find some mistletoe.

TAURUS (April 20-May 20)
★★★★ Others want what they want, and have a charming way of demanding just that. You very well might decide to go along with what is happening, because you will like the end result. Your creativity emerges. Tonight: Say "yes."

GEMINI (May 21-June 20)
★★★★ Pace yourself so that you can get everything done. Your family adds to the quality of your life. Happiness surrounds your home base. You might want to put the finishing touches on your decorating. Tonight: Make it easy.

CANCER (June 21-July 22)
★★★★ Your creativity comes forth no matter what you do, whether it is personally or for the holidays. Return calls and finish up college. Speak about what you feel, and others will become much closer. You choose the right words. Tonight: Be a romantic.

LEO (July 23-Aug. 22)
★★★ Stay close to home. You might need to finish some last-minute holiday chores, or you might want to catch up with a friend or two on the phone. A neighbor might need some extra attention. Don't hesitate to share your warmth. Tonight: Order in.

VIRGO (Aug. 23-Sept. 22)
★★★★ Whatever you do, others will find it perfect. It is as if you can do no wrong. Work with timing and Lady Luck, and ask for what you want. Your ability to express yourself draws many to you. Finish running holiday errands. Tonight: Your smile is a winner. Just ask.

LIBRA (Sept. 23-Oct. 22)
★★★ You could blow a lot more money than you anticipated. Be careful handling your funds; you could lose a bill or two. You have a sixth sense that comes through, especially when choosing last-minute gifts. Tonight: Your treat.

SCORPIO (Oct. 23-Nov. 21)
★★★★ You know what you want. You don't even have to push, because it falls in your lap. Examine your long-term desires. If you are interested in someone special, make your move now. Excitement surrounds you. Tonight: Wherever the party is.

SAGITTARIUS (Nov. 22-Dec. 21)
★★ Someone asks you to pull a party together, visit with an older relative and/or take responsibility for someone else. Though this might not please you, you will follow through. Ultimately, you will get a lot of pleasure from what you do. Tonight: Paint the town red.

CAPRICORN (Dec. 22-Jan. 19)
★★★★ You might be at the party, but it's more likely that you are the party. You might take off to see someone at a distance or a visitor might come see you. Whatever you opt to do, you are in the Christmas spirit. Tonight: Why not go caroling?

AQUARIUS (Jan. 20-Feb. 18)
★★★★ A partner has a surprise. You could be touched, but you also could think that this person has gone way overboard. Share more of your inner self with this person. You cannot get out of a must appearance. Tonight: Add more spice to your life.

PISCES (Feb. 19-March 20)
★★★★ Others seek you out. In fact, you might have so many invitations, you won't know which way to go. Squeeze in as much as you can. Remember, this time of year only happens once each year. Celebrate. Visit. Enjoy those around you. Tonight: Just don't be alone.

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LOCAL



COMMUNITY BRIEFS

Window decorating winner to be announced Monday

By Daily Press staff

Merchants in the downtown business district have gotten into the spirit of the season with the First Annual "Winterlit Holiday Window contest."

Eleven stores have entered, ranging from restaurants to clothing, jewelry and photo shops.

"I am thrilled at the number of entries we received this year," said Marivi Valcourt, marketing manager for the Bayside District Corp., which includes the Third Street Promenade and all of downtown Santa Monica. "The Winterlit holiday window contest is another new tradition that will continue for years. The creativity and uniqueness of our merchants come through. I hope locals and visitors will come to see the windows."

The public is encouraged to view the holiday window displays through the beginning of January. Prizewinners will be announced on Monday.

Participating stores include:

- 1) Fatburger, 1218 Third Street Promenade, "Holiday Time at Fatburger!"
- 2) Coffee Bean & Tea Leaf, 1312 Third Street Promenade, "It's a Frothy Day."
- 3) Shiva Imports, 1335 Third Street Promenade, "Shiva's Holiday Window."
- 4) Yankee Doodles, 1410 Third Street Promenade, "Holiday Scene."
- 5) This Little Piggy Wears Cotton, 309 Wilshire Blvd., "It's Christmas Morning!" — toys and presents under the tree
- 6) Ron Teeguarden's Dragon Herbs 315 Wilshire Blvd., "Tis the season to be Reishi!" — Reishi mushrooms formed into trees reflecting the holiday season.
- 7) Readers Fine Jewelers, 331 Wilshire Blvd., — "Holiday Under the Stars."
- 8) Diane's 620 Wilshire Blvd., — "Winter Wonderland."
- 9) Taos Trading Company, 403 Santa Monica Blvd., — "Winter in Taos."
- 10) Ye Olde King's Head Gift Shoppe, 132 Santa Monica Blvd., — "Ye Olde King's Head Holiday Window."
- 11) Santa Monica Foto, 129 Broadway, "Santa Monica Foto Holiday Window."

Venice church throws holiday celebration

By Daily Press staff

The Venice Marina United Methodist Church this weekend will host its second contemporary Christmas celebration, which combines sacred traditional Christmas hymns and gospel with a modern twist, featuring a variety of choral arrangements and storytelling.

On Sunday, Cathleen Crone will direct a 20-piece choir and two liturgical dancers from Santa Monica's Church in a program called "The Tree of Light." Nelda Tittle will direct a five-piece rhythm section to accompany the singers. Also two narrators will tell the story of the birth of Christ.

The choir is made up of singers from inner-city Los Angeles churches and has "an array of terrific voices," Crone said. Crone expects the event will have the success it had last year, drawing approximately 250 people.

The event begins at 10 a.m. and is free to the public. A reception will be held afterwards with members of celebration, guests and church officials. The church is located at 1020 Victoria Ave., near the corner of Lincoln and Venice boulevards, and can be contacted at (310) 391-2314. Free parking will be provided.



Cathleen Crone

CORRECTION — In an article in the Dec. 19 edition of the Daily Press, the Coalition of Santa Monica City Employees was described inaccurately. The coalition is a group of unions for the 1,400-plus city of Santa Monica workers who are not sworn in the fire or police departments.

surf report

New W swell looks strongest this morning before slowly fading through the afternoon. Many spots will see surf in the shoulder-to head-high range. We'll also see SW today with waist-high sets.

OUTLOOK: Look for the surf to be dropping off on Sunday, although best spots will still see some slightly overhead sets. Those waves fade further on Monday. Watch those extreme tides!

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

Today the water is:

57°

Sunrise: 7:04 a.m.
Sunset: 4:58 p.m.

	LOW TIDE				HIGH TIDE			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	N/A	N/A	1:18	-0.7	6:09	6.4	7:36	3.9
SUNDAY	12:25	1.7	2:05	-1.3	6:50	6.9	8:31	4.0
MONDAY	1:10	1.9	2:52	-1.7	7:32	7.2	9:24	4.0
TUESDAY	1:57	2.0	3:39	-1.8	8:17	7.3	10:15	4.0
WEDNESDAY	2:44	2.1	4:27	-1.7	9:03	7.1	11:08	4.0
THURSDAY	3:35	2.3	5:16	-1.4	9:50	6.8	N/A	N/A
FRIDAY	4:30	2.4	6:05	-0.9	12:02	4.0	(10:40)	6.2

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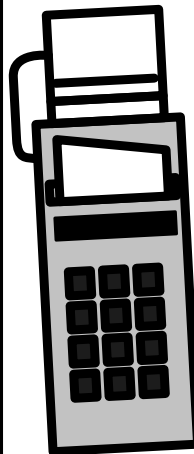
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LETTERS

Marriage law needs teeth

Editor:

The Federal Marriage Amendment as currently written does not do anything to support the "American family." If Congress and our president want to pass a "marriage" amendment that helps families, then it must be rewritten with some enforceable teeth.

The cons as currently written in the Federal Marriage Amendment are as follows:

- 1) Does not support the "American family" by defining the word "marriage."
- 2) Will not decrease divorce rates.
- 3) Will not decrease the number of single-parent households.
- 4) Will not decrease the rate of abortion.
- 5) Will not decrease unwanted pregnancy.
- 6) Does not encourage married couples to seek counseling or to take their vows more seriously when confronted with adversity.

7) Will not decrease the incidence of homosexuality in the United States.

The pros as currently written in the Federal Marriage Amendment are as follows:

- 1) Defines the word "marriage" to include only a man and a woman.
- 2) Gives Constitutional weight to over 1,000 codes, regulations and laws that use the word "marriage" to discriminate against unwed couples, not to mention future regulations that bureaucrats may create using "marriage" in the language.
- 3) Encourages discrimination against unwed couples both heterosexual and homosexual.
- 4) Encourages social violence against unwed couples both heterosexual and homosexual.
- 5) Makes a Judeo-Christian definition of marriage into Constitutional Law.

To support the American Family, the Federal Marriage Amendment needs to enforce proper behavior between heterosexual men and women who are married. I suggest that the Federal Marriage Amendment be altered to include punishment for divorce and heterosexual adultery. Taking a page from ancient Judeo-Christian texts and practices, divorce and adultery should be discouraged, respectively, by excom-

munication (i.e. lose your U.S. citizenship) and death by stoning.

If you support the idea of the FMA, please support a more practical and effective version that applies real penalties to those who violate their marriage vows.

Ed Sharrow
Santa Monica



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Your holiday shopping problems are now over



MODERN TIMES

By Lloyd Garver

I've been ambivalent about sharing a secret for quite a while. However, with the holidays upon us, I feel it's my duty to let you in on it: I know of a place where you can do all your holiday shopping in a few minutes without waiting in outrageous lines. This miraculous spot is called, "the carwash."

When I was a kid, people just went to the carwash to have their cars washed. Soon, they started selling a few things like decorative steering wheel covers, license plate holders and tire gauges. But gradually, carwashes began selling a wider and wider range of products, and now they've got something for everybody on your holiday list.

You might be hesitant about shopping for your loved ones at the same place where you get your tires Armorall'd.

Don't be. The ambience is not bad. Often, the first thing you'll see and smell are bath oils and cosmetics. Many carwashes sell candy bars, soft drinks, and coffee (some even have fancy coffees and lattes). Can you say that about the regular stores where you've been foolishly shopping? Carwashes also generally have a clean and accessible bathroom — something that can mean a great deal to holiday shoppers.

The carwash "boutique" has bath towels for babies and stuffed animals for toddlers. There are toys and puzzles. There are mouse pads for the techie on your list. There are candles, slippers and jewelry boxes. For that special somebody, you can always find a decanter shaped like an overweight chef.

Carwashes also sell books. In addition to best sellers and classics, for some inexplicable reason, many carwashes sell "inspirational books." There are New Age and religious books, and some about Zen and meditation. For that friend who is just out of rehab, there are books about addiction. There are others about curing anxiety, phobias and panic attacks. And there are books on tape.

Caveat emptor regarding some of those audiocassettes — if you buy a relaxation tape for your stressed-out friends, make sure they know not to play them in their cars. I really wouldn't recommend closing your eyes and taking deep, cleansing breaths while driving.

If you have a pet lover on your list, this is the place to shop. They sell yoga books for dogs, and manuals on how to communicate with your cat.

For those who are trying to get pregnant, the carwash can change their life with a book on fertility and conception. That volume will go nicely with the "Get 10 Washes And The Next One's Free" policy. If the lucky couple gets their car washed once a month, soon after the baby's born, they can get a wash for free! Is there a more perfect gift?

I know what you're thinking. "What if Aunt Sophie doesn't like the coaster shaped like an armadillo?" "What if Uncle Harry already has an 'I'm with stupid' T-shirt?" And maybe you don't feel comfortable telling them that they can exchange their gifts at a place that dispenses carnauba wax. I'm way ahead of

you. If you sense the "What the hell am I going to do with this?" look on the recipient's face, it probably means the gift you bought was a little too sophisticated for them. Simply tell them that you have a special store where you buy all your gifts, and you'll exchange it for them. Then, when you bring the unwanted gift back to the carwash, buy something surefire — like some vanilla-scented car deodorizer or one of those cellphone holders with the plastic fingers.

Don't be surprised after the publication of this column if carwashes become more crowded than usual. But they'll still probably be less hectic than department stores and malls at this time of year. And they have an added bonus — you don't have to worry about finding a parking place.

(Lloyd Garver has written for many television shows, ranging from "Sesame Street" to "Family Ties" to "Frasier." He has also read many books, some of them in hardcover. He writes the "Modern Times" column for CBSnews.com's opinion page and can be reached at smdp@lloydgarvermoderntimes.com).

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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Please send letters to:
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LOCAL



City Hall to generate \$7.84M in bootlegged units

UNITS, from page 1

including guidelines governing density, set backs and parking. But many of the units have existed for more than two decades and officials said neighbors are most likely used to them by now.

A smaller portion of the units are illegal for health and safety reasons. Officials said the majority of those units, which often lack heat and hot water, have bad wiring, a compromised water supply, improper waste and gas connections, or lack of proper exits, can be brought up to code. Those that can't be fixed might be taken off the market.

For years, bootlegged units came to the attention of City Hall only as complaints that trickled in. It wasn't until records from the Rent Control Board, which oversees some 40,000 units, were compared to City Hall doc-

uments, showing officials how many units are not properly permitted.

The estimated 1,000 bootlegged units are located on about 750 properties throughout Santa Monica.

Under the new law, which is in effect for only 60 days as a temporary measure so officials can gauge its effectiveness, the landlord of any unit that was registered with the rent board before April 23, 2003, can permit their unit as "legal non-conforming," which means the property is allowed to exist despite that it doesn't meet current regulations.

The cut-off date was made in April because that is when the City Council first discussed the law and therefore landlords who have created bootlegs since then would not be able to take advantage of the law.

— John Wood

Bringing it up to code...

The estimated cost for a landlord to permit a bootlegged unit:

Water meter — \$3,405

Plan check — \$2,269

Wastewater — \$991

Building permit — \$800

Water demand mitigation — \$375

Total — \$7,840

OPCC homeless shelter remains near capacity

OPCC, from page 1

Fahey spent Friday dishing up turkey, green beans, mashed potatoes and gravy to hundreds of grateful people while a jazz band played in the background.

This year's party was nearly double what it was from last year, which was held in the parking lot of OPCC on the corner of Seventh Street and Colorado Avenue in downtown Santa Monica.

OPCC, one the largest and oldest homeless shelters in Santa Monica, is almost at capacity, handling up to 300 people a day who come for a daily meal, groceries, clothes or a place to sleep. Santa Monica is not alone in experiencing an influx of homeless — communities across the country are finding their homeless populations increase.

OPCC's Access Center provides emer-

gency services, outreach programs and case management for low-income and homeless youth, adults and families in West Los Angeles.

OPCC, formerly the Ocean Park Community Center, is a network of shelters and services for low-income and homeless youth, adults and families, battered women and their children, and homeless, mentally-ill women. This year marks the 40th anniversary of OPCC.

OPCC was founded in 1963 and started as a grassroots, volunteer organization to provide assistance to the growing number of homeless and working poor congregating in the Ocean Park neighborhood. OPCC is funded partially by the city, state and federal governments, as well as by individual donations.

In the past four decades, OPCC has grown from a small program at the

Church at Ocean Park on Hill Street with a few volunteers to a network of shelters and services that serve more than 12,000 people annually throughout Los Angeles

County. Its budget is \$5 million annually and has more than 100 staff personnel for all of its services. The access center employs about 15 full-time workers.



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Police: Park, drive safely

TICKETS, from page 1

who is obeying the traffic laws during this holiday season," said SMPD Chief James T. Butts Jr. "Sometimes it's very tempting to violate our pedestrian laws and sometimes, in the rush to get those last-minute gifts, people are tempted to speed and run red lights. And for those people who resist temptation, we think they should be rewarded. It makes everybody's holiday season safer."

Police encourage everyone to park and drive safely at all times, but, with the extra pressures of the holiday season, parking can be difficult and as a result, frustrating.

That's why the SMPD wants to ticket those who handle the pressure with a little tact and compassion. Not to worry, though: No traffic school required.



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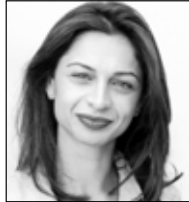
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STATE

Appellate ruling: Bush terror suspects belong in United States court

BY DAVID KRAVETS

AP Legal Affairs Writer

SAN FRANCISCO — Two federal courts ruled that the U.S. military cannot deny prisoners access to lawyers or the American courts by detaining them indefinitely, dealing twin setbacks to the Bush administration's strategy in the war on terror.

One of Thursday's rulings favored the 660 "enemy combatants" held at the U.S. naval base at Guantanamo Bay, Cuba. The other involved American citizen Jose Padilla, who was seized in Chicago in an alleged plot to detonate a radioactive "dirty bomb" and declared as an enemy combatant.

In Padilla's case, the New York-based 2nd U.S. Circuit Court of Appeals ordered the former gang member released from military custody within 30 days and if the government chooses, tried in civilian courts. The White House said the government would appeal and seek a stay of the decision.

In the other case, a three-judge panel of the San Francisco-based 9th U.S. Circuit Court of Appeals ruled that prisoners held at Guantanamo Bay Naval Base should have access to lawyers and the American court system.

The White House said the ruling was inconsistent with the president's constitutional authority as well as with other court rulings.

"The president's most solemn obligation is protecting the American people," White House press secretary Scott McClellan said Thursday. "We believe the 2nd Circuit ruling is troubling and flawed."

An order by President Bush in November 2001 allows captives to be detained as "enemy combatants" if they are members of al-Qaida, engaged in or aided terrorism, or harbored terrorists. The designation may also be applied if it is "the interest of the United States" to hold an individual during hostilities.

The Justice Department this week said such a classification allows detainees to be held without access to lawyers until U.S. authorities believe they have disclosed everything they know about terrorist operations.

But Padilla's detention as an enemy combatant, the New York court ruled 2-1, was not authorized by Congress and Bush could not designate him as an enemy combatant without such approval.

Michael Greenberger, a University of Maryland School of Law professor and former Clinton administration Justice Department official, said the government "is being painted into a corner that is not very favorable. How bad of a corner will be determined by the U.S. Supreme Court."

The court, Greenberger said, did not address the broader question of whether constitutional rights would be violated if Bush had congressional authority to designate somebody as an enemy combatant.

Padilla, a convert to Islam, was arrested in May 2002 at Chicago's O'Hare airport as he returned from Pakistan. Within days, he was moved to a naval brig in Charleston, S.C. The government said he had proposed the bomb plot to Abu

Zubaydah, then al-Qaida's top terrorism coordinator, who was arrested in Pakistan in March 2002.

In ordering his release from military custody, the court said the government was free to transfer Padilla to civilian authorities who can bring criminal charges. If appropriate, Padilla also can be held as a material witness in connection with grand jury proceedings, the court said.

"The president's most solemn obligation is protecting the American people."

— SCOTT MCCLELLAN
White House press secretary

Padilla's lawyer, Donna Newman, did not immediately return a telephone message for comment.

Chris Dunn, a staff attorney with the New York Civil Liberties Union, called the ruling "historic."

"It's a repudiation of the Bush administration's attempt to close the federal courts to those accused of terrorism," Dunn said.

Thursday's 2-1 decision out of San Francisco was the first federal appellate ruling to rebuke the Bush administration's position on the Guantanamo detainees who have been without charges, some for nearly two years. The administration maintains that because the 660 men confined there were picked up overseas on suspicion of terrorism and are being held on foreign land, they may be detained indefinitely without charges or trial.

The Supreme Court last month agreed to decide whether the detainees, who were nabbed in Afghanistan and Pakistan, should have access to the courts. The justices agreed to hear that case after the U.S. Court of Appeals for the District of Columbia ruled that the prisoners had no rights to the American legal system.

"Even in times of national emergency — indeed, particularly in such times — it is the obligation of the Judicial Branch to ensure the preservation of our constitutional values and to prevent the Executive Branch from running roughshod over the rights of citizens and aliens alike," Judge Stephen Reinhardt wrote for the majority.

Stephen Yagman, the Los Angeles civil rights lawyer who filed the suit on behalf of Libyan detainee Faren Cherebi, said if the decision survives, the government "has to put up some evidence that there is a reason to hold these people and charge them, or give them up."

Justice Department spokesman Mark Corallo said the government's position is that "U.S. courts have no jurisdiction over non-U.S. citizens being held in military control abroad."

The Defense Department announced Thursday that the Pentagon had appointed a military defense lawyer for a terrorism suspect held at Guantanamo. Salim Ahmed Hamdan of Yemen becomes the second Guantanamo prisoner to be given a lawyer. Australian David Hicks got a lawyer earlier this month and recently met with an Australian legal adviser.



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STATE

Activists, gourmets wage foie gras food fight

BY MICHELLE LOCKE
Associated Press Writer

SONOMA — Foie gras, the silky soft delicacy derived from the livers of force-fed geese and ducks, is stoking a battle of epicurean ethics in Northern California.

Animal-rights activists are campaigning to shut down Sonoma Foie Gras, the West Coast's only producer of the gourmet food. They've "rescued" ducks from the company's Central Valley farm, posted videos of the operation on the Internet and filed suit claiming animal cruelty.

Someone — the activists deny involvement — vandalized homes and a planned bistro connected to the company, causing an estimated \$50,000 in damage. A business partner in the bistro was sent an ominous videotape showing his toddler son at home.

Sonoma Foie Gras owner Guillermo Gonzalez says his product is legal, his birds are well cared for and he won't cave in to what he perceives as terrorist tactics. The company has sued activists for trespassing; the now-repaired bistro, Sonoma Savers, is expected to open next week.

The debate is stirring raw emotions in the San Francisco Bay area, famous for both civilized dining and civil disobedience.

Opponents of foie gras, pronounced fwah-grah and French for "fat liver," say the gastronome's delight creates unnecessary suffering.

"It's just a very extreme form of cruelty," says Kath Rogers, a member of the Animal Protection and Rescue League and one of four people being sued by Sonoma Foie Gras. "We've seen some horrible things inside these farms. We've seen trash barrels full of dead ducks."

Gonzalez says his opponents are the ones who are extreme.

"What kind of message would I be sending to society if I just say well, because there's a small group of people who don't like what I do and they are terrorizing me, OK, ... I'm going to shut down," he says.

Gonzalez got interested in foie gras production two decades ago while in his native El Salvador. He studied in France and then moved to Northern California. Gonzalez opened his business in the wine country town of Sonoma, about 45 miles north of San Francisco, and later moved farming operations inland to a ranch near Stockton.

Activists sneaked on to the farm earlier this year, taking a few ducks and shooting video of injured and dead birds and also of a feeder who appeared to be treat-

ing the birds in a rough manner.

Gonzalez says the video is misleading. He says all poultry farming involves some bird deaths and that his operation, where ducks spend several weeks in an orchard, provides better conditions than, say, large-scale chicken farms where birds are caged constantly.

Sonoma Foie Gras ships between 1,000 and 1,500 ducks a week, selling all the duck meat, not just the livers.

The force-feeding comes when ducks are 12 to 15 weeks old, and lasts about two weeks until slaughter, Gonzalez says. The ducks are kept 10 in a pen about 10 feet square — in low light to keep them calmer — and are fed twice daily.

To feed the ducks, a sitting worker grasps the bird's head and inserts about 10 inches of pipe down its neck. An overhead funnel connected to the pipe pumps in a dose of corn mush, creating a golf ball-sized bulge as it goes down.

Foie gras foes are appalled. They say the ducks' livers swell to 12 times their normal size, making it hard for the duck to breathe or stand. They also claim the ducks sometimes are injured by the pipes.

"Just the process itself is a cruel kind of thing — no different than having a child not wanting to eat his or her breakfast and the mother or father grabbing him by the neck and saying, 'You're going to eat this,' and forcing it down the throat of the child," says Elliot Katz of In Defense of Animals.

In Defense of Animals is joining the rescue league in the suit against Sonoma Foie Gras alleging animal cruelty. The company counters that an animal control officer who inspected the farm at activists' request last year found the facility in good condition.

Foie gras defenders say opponents are projecting human qualities onto ducks — illustrating the disconnect between urban Americans and their food.

"You have people making decisions about food production based on a concept of animals which comes out of Disney," says Francine Bradley, a poultry expert at the University of California, Davis.

Bradley has worked with Gonzalez through UC's cooperative extension program and gives the operation high marks. She says force-feeding mimics the gorging of migratory wild ducks and thinks people put off by it would probably be aghast if they could see the large fish that shorebirds swallow.



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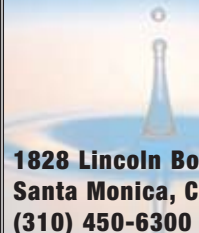
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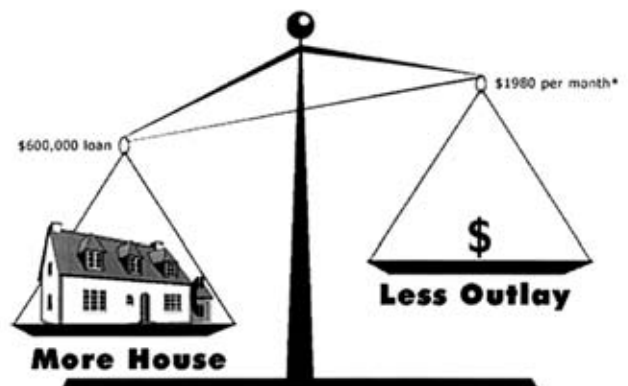
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STATE

Tortillas may be the best thing since sliced bread

DAVID A. SYLVESTER
Associated Press Writer

SAN JOSE — Move over, white bread. Make way for the bread of the future: the tortilla.

At its current rate of growth, the tortilla will surpass white bread as the top-selling bread in the United States by the end of this decade. The torrid growth of tortilla sales marks a dramatic shift in U.S. culture and culinary tastes.

"It's so universal to use," said Manny Berber, president of Mi Rancho, a tortilla company in San Leandro, Calif., with 150 employees. "There are more choices when you use a tortilla."

Mi Rancho, which sells to restaurants both in the San Francisco Bay area and nationally, has found overall tortilla sales to be robust despite the slowdown in the Bay Area economy. Sales are doing well for tortillas marketed by private-label companies as well as specialty flavors ranging from chili tomato to spinach, he said.

Nationally, tortilla sales have grown steadily by just under 10 percent a year and are expected to hit \$6.1 billion next year, according to the Tortilla Industry Association.

That may sound slow by tech standards, but it has doubled the size of the industry since 1996. According to the association, tortillas have 32 percent of the market for all types of bread, compared with 34 percent for white bread.

And the tortilla market is heating up fast. While supermarket sales of white bread dropped 0.6 percent in 2002 from the year before, tortilla sales grew 11 percent, according to market research company IRI. Private-label tortilla sales jumped a whopping 26 percent.

Tortilla sales are catching on even on the East Coast, according to the Dallas-based association. Sales have been strongest in the Southwest and far West.

George Robles is president of La Colonial in San Jose, one of a dozen medium-size tortilla baking companies in the Bay Area. A second-generation tortilla maker, he has bought automated equipment to keep his company turning out flour tortillas for 30 different sellers.

"Our sales have been steady," he said.

The traditional corn tortilla is the basic bread of Mexico. But the flour tortilla became widely used when "wrap" sandwiches caught on as a new fast food, and they now sell slightly more than the

corn tortilla.

The plain white flour tortilla has turned into a rainbow of colors: the reddish sun-dried tomato, the green spinach-flavored tortilla, even a dark-brown chocolate tortilla.

"I don't know what they use them for, but people love them," Leo Jimenez, 73, said of the chocolate tortillas made by his Fort Worth company, Leo's Foods. "We try to give customers what they want — within reason."

"I don't know what they use them for, but people love them."

— LEO JIMENEZ
Leo's Foods owner

A few large national manufacturers — such as Mission, a subsidiary of Gruma based in Mexico, and Bimbo Bakeries, also a subsidiary of a Mexican company — dominate the sales to the large supermarkets. At the same time, a dozen small-to medium-size local companies fight to compete by selling to distributors for their own label or restaurants.

The competitive squeeze broke out into a lawsuit when 18 smaller companies — including eight in California — sued Gruma and Bimbo. The small companies claim the giants have used unfair tactics and violate antitrust laws to dominate retail sales. A ruling is expected soon.

Meanwhile, some Bay Area tortilla makers have avoided the fiercely competitive retail shelves and developed niche products.

La Tortilla Factory in Santa Rosa sells low-carbohydrate tortillas to take advantage of the popularity of the Atkins diet. The company developed the product almost a decade ago, but it is only now beginning to sell well, said Jenny Tamayo, marketing manager.

To reduce the carbohydrates, the tortilla is prepared with oat fiber along with soy flour and whole wheat flour. The fiber reduces the amount of carbohydrate absorbed to only 3 grams — far less than the traditional 25 to 40 grams in most tortillas, she said.

Last month, her company, founded by her grandparents in 1977, launched a new organic tortilla to sell to niche markets and is experimenting with different flavors using various vegetables.

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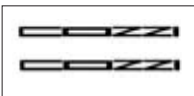
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NATIONAL

Ski resorts promote technology to boost profits

BY CHRIS WALSH
Associated Press Staff Writer

DENVER — Ski resorts traditionally have been about as high-tech as snow and mountains, relying more on Mother Nature than motherboards to lure skiers.

But the industry has schussed into the digital age during the past decade.

From on-mountain digital displays that supply updated weather, terrain and high-way conditions to snowmaking machines controlled from laptops, ski resorts are becoming increasingly wired.

Resorts use technology to groom slopes, market special deals, book reservations, find lost skiers, train workers and give lessons.

Lift-line employees armed with high-tech scanners help prevent ticket fraud, while advanced software helps ensure a quick, smooth ride up the mountain.

Some resorts have devices available for rent to skiers that track such data as average speed and distance.

While snowfall remains key to a successful season, ski resorts, like most businesses, have discovered that technology has a direct effect on the bottom line.

And it will only play a larger role in the future.

"Technology at ski resorts really has kind of cascaded in the time since 1994 or 1995, and the rate of change continues to accelerate," said Michael Berry, president of the National Ski Areas Association in Denver. "The software people are just as important now as the wrench people."

The industry actually pioneered one major technological innovation: the chairlift.

Several U.S. ski resorts began operating chairlifts in the mid-1930s, ushering in the ski industry of today.

A major advancement came 20 years ago when resorts began installing lifts that slow when people get on or off and speed up in between. That allowed resorts to get people up the mountain more quickly, meaning they could handle more skiers daily.

Since then, resorts have implemented a variety of high-tech software and programs to better manage lifts. Some resorts have networked all lifts, allowing workers to monitor braking information, lift speed and other data from a central computer.

Resorts can spot problems immediately and dispatch a technician, or even fix a lift, from their computers.

In fact, the days when a skier frequently sat swaying 20 feet high on a stalled chairlift are almost a thing of the past.

"One of the big advances is in the computing power of the brains of our ski lifts," said CA Lane, director of mountain operations at Winter Park ski resort. "We have the ability to monitor numerous (aspects) of the lift, which makes them safer and more efficient."

Ski resorts entered the digital age in the mid-1990s and have rapidly adopted technology since then.

Technology has cut costs, pushed up profits and allowed resorts to market more effectively.

For consumers, technology has made skiing more convenient, and it has given skiers access to a wealth of information about where to go and how much to spend.

"Technology has become such a big part of ski resorts that consumers have come to expect it now," said Peter Hoskins, vice president of marketing and sales for Avon-based Resort Technology Partners, a 6-year-old company that designs operations management software for the industry.

Resorts initially entered the high-tech world using automated reservation and financial systems. In the mid-1990s, they began developing Internet sites and installing Web cameras that broadcast snapshots of lift lines and weather conditions.

"As an analyst it was wonderful to see the lift-line capacity on the mountain cameras," said Dennis McAlpine, who follows Vail Resorts Inc. for Scarsdale, N.Y.-based McAlpine Associates. "If there was no one in line, you'd get scared that the resort wasn't doing too well."

Steamboat Ski & Resort invested \$6 million during the past decade to develop its online reservation engine.

Last year, it debuted a service that lets consumers book flights, hotel rooms, lift tickets and events in the city through its Web site.

To see the more tangible impact technology has made at ski resorts, look to the slopes.

Early in the season, resorts use software and satellite technology to more accurately layer their slopes with snow.

"The snowmaking operation now has the ability to control the flow of air and water using technology that tells us where to make snow and where not to make snow," said Doug Feely, vice president of information technology for Intrawest Colorado, which owns and operates several resorts in the state.

An increasing number of resorts use plastic ski passes with embedded computer chips. The passes, about the size of a credit card, are scanned at lift lines by devices equipped to scan radio frequencies.

Instead of visually verifying the authenticity of every ticket, workers simply scan the plastic card, and the device confirms whether it is valid.

Skiers can even charge a ticket to the pass while they're in the lift line, allowing them to completely bypass the ticket counter.

"In effect, the cash register has moved from the ticket window to the scanner at the base of the mountain at chairlifts," said Bill Jensen, chief operating officer for Vail and Beaver Creek resorts.

Some resorts also have unmanned ticket gates that, for an extra charge, allow skiers to get on lifts more quickly. The gates feature technology that automatically reads passes and, if the pass is valid, unlocks a turnstile-type gate.

Skiers can store credit-card numbers on the passes and use them to purchase food, hotel rooms and other resort services.

Resorts glean a wealth of information from the cards and use it to identify customer trends.

They can, for instance, create new passes or products if they find that season pass holders are not skiing very often.

"Using these cards helps us know who our customers are so we can develop a marketing strategy that meets their needs," said David Perry, senior vice president of Aspen Skiing Co., which operates four mountains in Aspen.

Some resorts even provide season pass holders — by request — with the number of times they skied in a particular season.

Other ways in which resorts use technology:

Using computers, modems and software programs, Winter Park remotely troubleshoots chairlift problems. Workers can tune or tweak motors without physically going to the lift.

Copper Mountain and Winter Park this month plan to introduce rentable GPS devices that track such information as speed and distance skied.

Ski instructors at several resorts use handheld wireless devices, such as Palm Pilots, to register students and download information on the mountain.

"I see a day maybe 10 or 15 years from now when most guests will have GPS tracking devices that tell them what run they're on, which direction to go and how busy the lift lines are at the bottom of the mountain," Jensen of Vail and Beaver Creek said.

"The future in this industry is not necessarily about the next generation of faster lifts or grooming technology. ... It'll be about the ability to have information readily available to you anywhere you are on the mountain."

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NATIONAL



Court rejects subpoenas to identify music downloaders

BY TED BRIDIS

Associated Press Writer

WASHINGTON — The recording industry can't force Internet providers to identify music downloaders, a federal appeals court said Friday in a major decision shielding online privacy while undercutting the industry's anti-piracy campaign.

The ruling does not legalize distributing copyrighted songs over the Internet, but it will greatly increase the cost and effort for the Washington-based Recording Industry Association of America to track such activity and sue those who are swapping music online.

The U.S. Court of Appeals for the District of Columbia overturned a trial judge's decision to enforce copyright subpoenas, one of the most effective tools used by the recording industry. The subpoena power was established by a law passed before the explosive growth of swapping music online.

"It's an incredible ruling, a blow for the little guy," said Bob Barnes, a grandfather in Fresno, Calif., who was targeted by one of the earliest subpoenas from the Recording Industry Association of America but isn't among the hundreds who have been sued so far.

The appeals court said the 1998 copyright law doesn't cover popular file-sharing networks used by tens of millions of Americans to download songs. The law "betrays no awareness whatsoever that Internet users might be able directly to exchange files containing copyrighted works," the court wrote.

The judges sympathized with the recording industry, which has cited declining profits, noting that "stakes are large." But they said it was not the role of courts to rewrite the 1998 law, "no matter how damaging" the practice of swapping has become to the music industry or threatens to become to the motion picture and software industries.

The chairman of the Senate Judiciary Committee, Orrin Hatch, R-Utah, said the court's decision "makes the need for reform of the subpoena process even more urgent."

Sen. Norm Coleman, a prominent critic of the subpoenas, predicted that any efforts to broaden the 1998 law would "face some serious obstacles" in the Senate.

"We clearly have to do a better job of getting law and technology and ethics into better sync," said Coleman, R-Minn.

Legal experts said they did not expect the appeals ruling to affect 382 civil lawsuits the recording industry has filed since it announced its campaign six months ago. It also was not expected to affect financial settlements with at least 220 computer users who agreed to pay penalties from \$2,500 to \$7,500 each.

Richard Warner, 49, of Petaluma, Calif., paid \$4,000 to settle a copyright lawsuit in October over allegations his 17-year-old daughter was illegally sharing more than 1,100 songs. He now wishes his Internet provider had fought against turning over his identity.

"Somebody, somewhere, should have been able to stand up and say, 'Wait a minute, these people are just trying to bulldoze and intimidate people anyway they can,'" said Warner, a wine merchant.

Friday's ruling will make identifying defendants for future lawsuits more difficult and expensive. The ruling forces the recording industry to file civil lawsuits against "John Doe" defendants, based on their Internet addresses, then work through the courts to learn their names.

Cary Sherman, president of the recording industry group, said the ruling "unfortunately means we can no longer notify illegal file sharers before we file lawsuits against them to offer the opportunity to settle outside of litigation."

Sherman promised to "continue to defend our rights online on behalf of artists, songwriters and countless oth-

ers involved in bringing music to the public."

Earlier this week, the recording industry sent letters to the 50 largest U.S. Internet providers asking them to forward written warnings in the future to subscribers caught swapping music.

Details were still being worked out, but if Internet providers agree, subscribers who swap even modest collections of music online could receive the ominous warnings.

The letters demanding an end to the practice would be forwarded without revealing subscriber identities to music lawyers. The warnings would be mailed directly to Internet account holders, potentially alerting parents or grandparents about illegal downloading in their households they might not know about.

U.S. District Judge John D. Bates had approved use of the disputed subpoenas, forcing Verizon Communications Inc. to turn over names and addresses for at least four subscribers. Since then, Verizon has identified scores of its other subscribers under subpoena by the music industry, and some of them have been sued.

Verizon appealed, and company lawyer Sarah Deutsch called the ruling Friday "an important victory for all Internet users and all consumers."

"Consumers' rights cannot be trampled upon in the quest to enforce your copyright," Deutsch said.

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NATIONAL

After leaving Senate, Alan Simpson remains outspoken

BY BECKY BOHRER

Associated Press Writer

CODY, Wyo. — The blinking light greets Alan Simpson, unshaven and a bit sluggish after returning from speaking at an Oregon college and missing breakfast to fit in an appointment.

As the messages play, he writes: A newspaper reporter wants to talk about the state quarter. A U.S. senator just wants to talk. And a women's group wants him a part of an abortion-rights event, an invitation he tells the machine he'll accept.

Nearly seven years after walking away from the U.S. Senate, the blunt-speaking Westerner remains an influential voice, sought out from his rural Wyoming hometown for perspective on issues ranging from immigration to gay marriages, and for the candor that can still raise controversy — even within his own Republican party.

"He's pretty much a tell-it-like-it-is guy. I think that, even if you don't agree with him, people appreciate that," says Jim Willox, state chairman of the Wyoming GOP.

At age 72, a battle with prostate cancer won, Simpson shows no signs of mellowing. He gives 25 or so speeches a year, often on the relationship between politics and the media; helps raise money, many for causes in the state and his own community; and keeps a hand in party politics.

Before last year's contested Republican primary election in the Wyoming governor's race, for example, Simpson was featured in ads taking jabs at two candidates, including Ray Hunkins. The candidate Simpson supported, Eli Bebout, won the primary but not the general election. And Simpson's role led to some hard feelings in the party, particularly on Hunkins' part.

"It certainly left a sour taste in my mouth, no question about that," says Hunkins, a lawyer from Wheatland who'd put out a flier singling out Bebout. "It was hurtful to my family."

Simpson, who says he talked with candidates after the race, realizes Hunkins may still have sore feelings.

"I love the scrap," he says, the faces of political friends and sparring partners smiling back from photos on the den walls.

"Politics is a contact sport. I mean, I've been called everything. What the hell. If you don't like the combat, get out."

Kathy Karpan, a Democrat and former Wyoming sec-

retary of state who's known Simpson for years, says: "With Simpson, I never felt he carried a grudge. It reminds me of a John Wayne movie where there's a bar-room brawl; they're fighting and breaking chairs and when they're done, they have a drink together."

During his 18 years in the Senate, the longtime assistant Republican leader and former football and basketball player at the University of Wyoming made, and took, a

**"Politics is a contact sport.
I mean, I've been called everything.
What the hell. If you don't like the
combat, get out."**

— ALAN SIMPSON
Former Senator

share of hits — often in scraps with the media.

He recounts them in his 1997 book, "Right in the Old Gazoo: A Lifetime of Scrapping with the Press." Among the more high-profile incidents: Simpson called cable news reporter Peter Arnett a "sympathizer" for his Gulf War coverage from Iraq. And he railed against coverage during the confirmation hearings of Clarence Thomas for the U.S. Supreme Court, in which Anita Hill raised sexual harassment allegations.

Simpson, frustrated by what he saw as Thomas being hounded, said at the time he believed Hill should be scrutinized as closely as Thomas had been by the media and others. He said letters about Hill had been received and had some put in the congressional record.

Criticism followed. And Simpson later took responsibility for his actions.

It was during that time, he says, that he lost his sense of humor, the quality some of his critics say is disarming and even renders him more likable. Simpson credits his wife for telling him to stop "digging yourself a hole."

"Humor is wonderful. It just saves you pain, that's all," says Simpson, who developed a knack for humor as a kid as a way to fend off bullies. "And then you have to

have that wonderful ability to look at yourself in the mirror and say, 'You are full of it,' and honestly know when you are."

Robert Eisinger, chairman of the political science department at Lewis & Clark College in Oregon, says: "Chances are, when the history books are written, people will not necessarily remember Senator Simpson for the foot-in-the-mouth but for his sense of humor and willingness to tackle tough issues."

In a Senate career that began in 1979, Simpson earned a reputation as well read, hard working and at times hard nosed, involved in issues ranging from immigration reform to veterans' issues, as well as Superfund legislation and the Clean Air Act.

He was assistant Republican leader for 10 years, insistent, he says, about not wanting a higher executive role like leader.

"I loved to legislate," says Simpson, who, like his brother, Peter, also served in the Wyoming Legislature. Their father, Milward, was a governor of Wyoming and a U.S. senator.

"I couldn't be a governor or executive. I'm not good at that, managing people and charts on the wall and all that crap."

Simpson says he's not a maverick though he supports abortion rights and gay rights, putting him at odds with many fellow Republicans.

He recently questioned why lawmakers were pushing a constitutional amendment defining marriage as the union of a man and a woman, saying it's an issue that states — not the federal government — should address.

Simpson, part of a gay-straight alliance seeking to make sexual orientation a nonissue within the Republican Party, does not support gay marriage but believes there should be "no special penalties and no special privileges."

He also urges college students to get more involved in politics. After leaving the Senate in 1997, Simpson taught on politics and the media at Harvard University, and he still teaches occasionally at the University of Wyoming.

Simpson serves on a range of boards and committees. The Western art and classic literature filling his house speak to his interests away from politics.

He also helps raise money for causes ranging from the university in Laramie to the local county mental health center. He introduced Vice President Dick Cheney, an old friend and fellow Wyoming native, last summer at a fund-raiser for the Bush-Cheney re-election ticket in Montana.

And he takes the occasional call, too, from someone in his hometown with questions about prostate cancer. These, like the other calls that come in, he takes.

His phone number, he says, is listed for a reason.

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NATIONAL



In Alaska, environment, development not contradictory

BY RACHEL D'ORO

Associated Press Writer

ANCHORAGE, Alaska — Leigh Ann Bauer, who has lived in Alaska for 12 years, calls herself a "big-time animal lover." She also considers herself "pretty pro-oil development."

To many people in Alaska, those two things are not mutually exclusive.

In fact, sometimes it seems as if people outside Alaska see a bigger conflict between the environment and oil and gas drilling than those living here do — a phenomenon made clear during the recent debates over exploiting new sources of energy in Alaska as existing stores are tapped out.

Alaska's economy is heavily dependent on oil, while its vast wilderness is a lure for outdoors enthusiasts. As far as many people are concerned, those two interests exist in remarkable harmony, with about 150 million acres of national parks, refuges and forests where development is either restricted or prohibited altogether.

Since 1986, the Alaska Oil and Gas Association, an industry group, has regularly tracked public opinion on opening the Arctic National Wildlife Refuge to exploration. Pollster Dave Dittman said 500 or more Alaskans are surveyed each year.

Over the years, public support has hovered around 70 percent, while the opposition average is 23 percent. Support dipped sharply only after the Exxon Valdez oil spill of 1989. That year, 54 percent supported development of the refuge, while 40 percent opposed it.

In a recent survey, 81 percent said they believed oil and gas development has been environmentally safe. Fifteen percent disagreed.

"There may be a perceived paradox between development and the beautiful wilderness, but it's largely held outside Alaska," Dittman said. "Most Alaskans believe the oil industry and the environment have gotten along

just fine."

Independent polls on the issue are hard to find. But one gauge of public opinion might be found at the ballot box — Alaskans tend to elect pro-development candidates, including Democrat Tony Knowles, Alaska's only two-term governor in two decades. The former governor is running for the Senate and plans to push oil and gas development.

"He has always said development and environmental stewardship go hand in hand. Because we have the development, we can take the steps to protect the environment," Knowles spokesman Bob King said. "I don't see a contradiction."

The history of Alaska since the arrival of the Europeans in the 18th century is all about making money off of natural resources. The Russians came for fur, followed by people looking for gold, fish, timber, oil and gas.

"Most Alaskans are realistic about the fact that Alaska is a natural resource state. That's what pays the bills," said Terrence Cole, a history professor at the University of Alaska-Fairbanks. "If you take that away, I don't know what's left. The whole idea of statehood was to develop the heck out of it."

Alaska's most recent big economic boom started in late 1960s and early '70s, when oil was discovered on the North Slope; the population more than doubled between 1963 and 1984.

"I'm a big-time animal lover and I love the wildlife up here. It's just awesome, but there needs to be a balance," said Bauer, a criminal defense attorney in Anchorage. "Responsible development is the key. I think the oil companies are doing their job well."

Without oil, she said, the state would lose much of the revenue it needs to maintain the benefits to which Alaskans have grown accustomed.

Because of its oil riches, Alaska abolished its state income tax in 1979, soon after crude began flowing

through the Alaska pipeline.

Also, practically every man, woman and child in the state gets a dividend check from the state's oil-royalty fund every year just for living here. This year's check was for \$1,107.56. The state distributed more than \$663 million in all to nearly 599,000 Alaskans.

As for the effects on wildlife, oil drilling at Prudhoe Bay has not hurt the Central Arctic caribou herd, supporters point out. In fact, the herd has increased almost six times in size — from 5,000 animals in 1974 to nearly 32,000 in the latest count by the Alaska Department of Fish and Game. Caribou are commonly seen grazing near oil rigs and pipelines.

The sheer size of Alaska means that drilling on the Arctic Circle is not exactly next door to the places most Alaskans live. For someone in Anchorage to get upset about drilling in ANWR would be, geographically speaking, like someone in Memphis, Tenn., worrying about the environment in Detroit, more than 600 miles away.

Not everybody in Alaska feels that way. Some environmentalists in Alaska, along with their Lower 48 counterparts, are vocal in their opposition to development of the arctic refuge and, more recently, the National Petroleum Reserve-Alaska. The refuge proposal was dropped recently from an energy bill in Congress.

"We're not opposed to oil development," said Stan Senner, executive director of the National Audubon Society's Alaska office. "The problem we've got with oil industry is that it's not willing to acknowledge that some places are so sensitive it should stay out of them."

Nori Pieknik of Anchorage, a 20-year Alaska resident, said the oil industry has proven itself a poor caretaker, most notably in the 11 million-gallon Exxon Valdez spill in Prince William Sound.

"After the Exxon Valdez disaster, I've been a little leery about any exploration and drilling and transfer of oil," Pieknik said. "There are other places to find oil other than Alaska."



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NATIONAL

Exxon Valdez report: Spill effects can last decades

BY RACHEL D'ORO

Associated Press Writer

ANCHORAGE, Alaska — Toxic disasters such as the 1989 Exxon Valdez oil spill in Alaska have a far greater and longer-lasting effect on the environment than isolated studies might suggest, according to a review of hundreds of research papers.

The review, led by a researcher at the University of North Carolina at Chapel Hill, is detailed in Friday's issue of the journal *Science*.

"The point was to put the pieces of the puzzle together, which gave us an overall message you might not see viewing the pieces separately," said Charles H. Peterson, a marine sciences professor at the university.

The findings, researchers said, show that the consequences of the spill extend beyond the short-term mass wildlife casualties. An estimated 250,000 seabirds and thousands of marine mammals died after 11 million gallons of crude oil spilled into Prince William Sound, contaminating more than 1,200 miles of shoreline.

In the long term, declines have been observed in various marine populations, including stunted growth and indirect mortality increases in pink salmon populations.

Sea otters and ducks also showed higher death rates years later, partly because they ate contaminated invertebrates. The animals also were exposed to oil when they dug up their prey in tainted soil, said Jim Bodkin, a federal wildlife biologist.

"The good news is that it happens over time and over a good-sized area."

— STANLEY "JEEP" RICE
Scientist

Tests showed the animals had elevated levels of enzymes used to metabolize petroleum hydrocarbons, Bodkin said.

"It's taken a long time to accumulate all the information that shows that some populations affected by the spill are not recovering as quickly as expected and are

still being exposed to oil," Bodkin said.

Researchers said some shoreline habitats, such as contaminated mussel beds, could take up to 30 years to recover.

The *Science* article acknowledges that disagreement over the effects of the spill exists between Exxon- and government-funded scientists and notes that unknowns persist.

"Nevertheless, these uncertainties do little to diminish the general conclusions: oil persisted beyond a decade in surprising amounts and in toxic forms," the authors wrote.

What happened in Prince William Sound illustrates the critical need for better environmental protections to guard against chronic exposure of pollutants, the scientists said. In a developed country like the United States, petroleum winds up in the environment in far greater quantities than the Exxon Valdez spill each year — carried through such innocuous channels as storm drains, researchers said.

It's a more subtle form of pollution, but ultimately destructive, said Stanley "Jeep" Rice, a scientist with the National Marine Fisheries Service and one of the authors of the article.

"The good news is that it happens over time and over a good-sized area," Rice said. "But when it's continuous, on a daily low level, it does burden the environment."

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WORLD BRIEFLY

Sharon does the 'unthinkable'

By The Associated Press

HERZLIYA, Israel — In an extraordinary shift of Israeli politics, Prime Minister Ariel Sharon, the leading patron of Jewish settlements in the West Bank and Gaza, is talking about dismantling some of them.

Sharon floated his once unthinkable idea this week at a national security conference, saying he is committed to the U.S.-backed "road map" plan. He also called on the Palestinian Authority to disarm militant groups as required by the plan, then enter peace talks.

The Palestinians have made clear that they will not forcefully take on the militants, and Prime Minister Ahmed Qureia has tried in vain to instead coax a no-violence pledge from them.

In a few months, if this keeps up, Israel will adopt a go-it-alone approach and redraw the West Bank map to the Palestinians' disadvantage, Sharon said.

Afghan constitution still being worked out

By The Associated Press

KABUL, Afghanistan — Delegates debating Afghanistan's first post-Taliban constitution pressed on Friday, through the Muslim day of rest, as they sought to keep a controversy over an outburst against warlords from eclipsing the historic meeting.

The meeting in a huge tent at a Kabul college campus was aimed at deciding critical issues such as how to share power in a country riven by ethnic divides enflamed by more than two decades of war.

But the slow-paced proceedings have been overshadowed by a row over a female delegate's outburst against powerful faction leaders who hold key posts at the grand council, or loya jirga.

"Some of us have come from far away and don't want to waste our time," said Fazel-ul Rahman Samkanai, a

delegate from the southeastern province of Paktia. "We want to make up for the days we have already lost."

The United Nations granted protection to Malalai Joya, a delegate from western Farah province, amid concern for her safety after she on Wednesday denounced as "criminals" faction leaders like former President Burhanuddin Rabbani and Abdul Rasul Sayyaf, a deeply conservative Islamist.

Soldiers fail to get extra protection

By The Associated Press

JEFFERSON CITY, Mo. — Fearing roadside bombs and sniper bullets, members of the Army Reserves' 428th Transportation Co. turned to a local steel fabricator to fashion extra armor for their 5-ton trucks and Humvees before beginning their journey to Iraq earlier this month.

But their armor might not make it into the war, because the soldiers didn't get Pentagon approval for their homemade protection.

The Army, which is still developing its own add-on armor kits for vehicles, doesn't typically allow any equipment that is not Army tested and approved, Maj. Gary Tallman, a Pentagon spokesman for Army weapons and technology issues, said Thursday.

"It's important that other units out there that are getting ready to mobilize understand that we are doing things" to protect them, Tallman said, "but there's policy you have to consider before you go out on your own and try to do something."

Halliburton was warned

By The Associated Press

WASHINGTON — Halliburton's own auditors warned of problems with the company's contract to deliver fuel in Iraq even before Pentagon investigators

raised similar concerns, a Democratic presidential candidate says.

Sen. Joe Lieberman, D-Conn., said a Pentagon official told him Halliburton was refusing to turn over copies of the internal audit, which Defense Department investigators found but did not copy. A company spokeswoman said all relevant documents were turned over to the Pentagon.

Meanwhile, Halliburton, which is Vice President Dick Cheney's former company, said on Thursday it saved the Pentagon money and did not overcharge for gasoline it bought in Kuwait and distributed in Iraq.

The Houston-based oil services company said in a statement that it expected to be cleared by the Defense Department of the overcharging allegations. Pentagon auditors said last week that they suspected a Halliburton subsidiary, KBR, had overcharged the department by about \$61 million on a no-bid contract to supply gasoline to Iraqi citizens.

Weapons seizure drill planned

By The Associated Press

WASHINGTON — The United States and allies next month plan to practice seizing a ship carrying weapons of mass destruction near where a North Korean missile shipment was captured last year.

The naval exercise scheduled Jan. 11-12 is part of a Bush administration effort to block shipments of nuclear, chemical and biological weapons, the material and equipment needed to make them and missiles that could be used to carry them.

It will be the third such exercise undertaken by the "Proliferation Security Initiative," a 16-nation group formed this year. Experts from the countries met in Washington this week to discuss lessons learned from those exercises — one each in the Mediterranean and Coral seas — and start planning for five more in the next four months. A "tabletop" exercise on intercepting airplanes also has been held.

The January exercise in the Arabian Sea will include forces from several other members of the initiative, though precisely which countries has not been decided, a senior Pentagon official said Thursday.

Cuts, less human spying won't help bin Laden search

BIN LADEN, from page 1

separate Afghanistan and Pakistan, where the population is largely sympathetic and U.S. forces have limited access and mobility.

"As opposed to finding the needle in the haystack, now the needle is in a mountain chain," said Senate Intelligence Committee Chairman Pat Roberts, R-Kan.

For all the United States' sophisticated spy satellites and powerful weapons, the key to finding bin Laden will likely boil down to having the right tip passed on to the right analyst at the right time — much as U.S. officials say was the case in last week-end's successful capture of Saddam in Iraq.

"The lesson that we learn and relearn constantly is that you need good human intelligence," said Sen. Jack Reed, D-R.I., a Senate Armed Services Committee member who recently traveled to Afghanistan. "You need sources on the ground that are willing to tell us where bin Laden is located. That's the hardest type of intelligence to get."

U.S. authorities "have to win over the confidence of people, or pay them, or get lucky and pick up somebody up and get them to talk," said Reed, a West Point graduate and former company commander with the 82nd Airborne Division.

Officials have tried to pry information from al-Qaida suspects seized in Afghanistan, Pakistan and elsewhere. After Khalid Shaikh Mohammed, believed to be al-Qaida's No. 3 figure, was

"You need sources on the ground that are willing to tell us where bin Laden is located. That's the hardest type of intelligence to get."

— SEN. JACK REED
D-Rhode Island

arrested in March, information from his interrogation led to raids along the southwestern stretch of the Pakistani border with Afghanistan. But those didn't lead to any arrests.

"I'm not sure if there have been any close calls. I'm skeptical," said one U.S. intelligence official, speaking on condition of anonymity.

Some critics have said the United States should devote more resources — including military and special operations forces — to the hunt for bin Laden.

"The United States does not have unlimited military resources," said Larry Johnson, a former State Department deputy chief of counterterrorism. "If you're going to devote air assets to lifting troops in Iraq, those assets are no longer available to lift troops in Afghanistan."

But America's top general, Chairman of the Joint Chiefs of Staff Gen. Richard Myers said this week that the United States, which has about 11,000 troops hunting militants in Afghanistan, is unlikely to send many more troops.

During a pre-Christmas, morale-boost-

ing visit to troops in Afghanistan, Myers said bin Laden will be caught one day "with absolute certainty."

The public also appears optimistic. On Wednesday, an Associated Press poll conducted by Ipsos-Public Affairs showed that two-thirds of 1,001 adults were confident the United States would capture or kill bin Laden, who is believed to have orchestrated the Sept. 11 terrorist attacks. That's up from about half who felt that way in a poll in September.

Many tribes in the region are sympathetic to al-Qaida and wary of Americans. Bin Laden's supporters have a religious fervor and a willingness to die for his cause.

Saddam's support was secular. And, although he inspired the loyalty of many, he also had countless enemies in Iraq.

Language difficulties have also complicated the search for bin Laden. Few Americans can speak the Pashtun language and must rely on translators. Foreigners are easily identifiable in the sparsely populated region.

"I don't know how you get 600 people into an area like that without detection

and escape," Roberts said of the Afghan border area. There were 600 soldiers in the force that carried out the raid on Saddam in Iraq.

U.S. personnel have considerable flexibility to pursue intelligence leads and conduct raids in Afghanistan. But across the border, they must be mindful of Pakistani sovereignty.

Pakistani President Gen. Pervez Musharraf has become a key ally in fighting terrorism, but his support within his own country is shaky, especially in the tribal areas along the border.

The terrain also is daunting. While Saddam was found in a "spider hole," as it was dubbed by the military, "you've got spider caves by the hundreds in Afghanistan and Pakistan," said Karl Inderfurth, assistant secretary of State for South Asian affairs during the Clinton administration.

And bin Laden is skilled at hiding, long used to life on the lam, in contrast to Saddam.

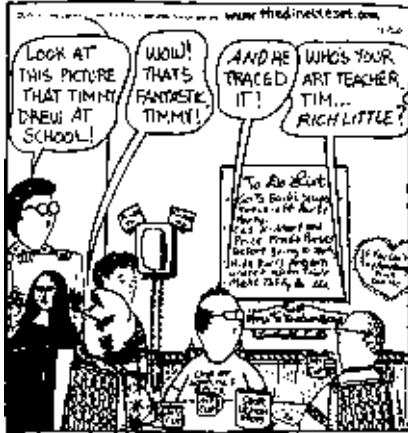
Rep. Porter Goss, R-Fla., chairman of the House Intelligence Committee, said post-Cold War intelligence funding cuts and a reduced emphasis on human spying have hurt the search for bin Laden.

But Goss said he was encouraged by how intelligence agencies and military forces are working more closely together now.

"That's going to yield results," he said. "It has in Iraq."

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DOWN

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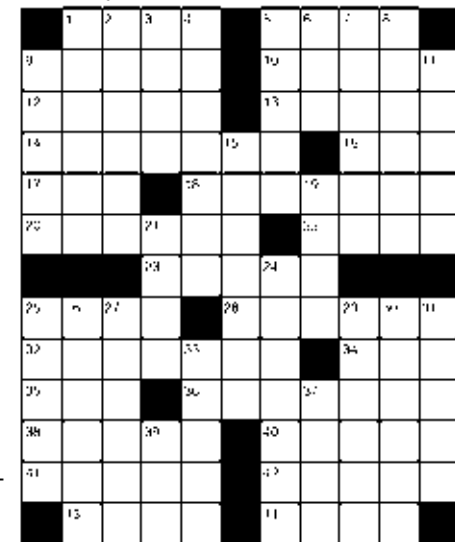
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CASHIERS AND Hourly Supervisor. FT/PT Must be reliable, excellent customer svc skills & available weekends. Experience with Low Carbohydrate diets a plus! Apply in person. Pure Foods 1820 Wilshire Blvd, SM. EOE.

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NANNY/HOUSEKEEPER SEEKS live-in, CDL, local references, call Dionne (909)940-5264.

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SALES: 43 year old Forbes 500 ranked affiliate co. is looking for sales pros to keep pace with rising gold market. Top earners make 200k+. Full benefits. No cold calling. Draw/comm. Santa Monica. Visit www.goldline.com or call (310)319-0313.

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ALL STORE fixtures for sale. Bel Mondo going out of biz, 1413 Montana Ave. (310)394-7272.

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Dual A/C, CD, Dual P/seats, third seat, alloys, much more! (ID#193678) **\$24,895**

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SPORT CROSS

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GL Turbo Hatchback, 2D, Automatic (424228)

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4D Sport Utility, Automatic, Moon, Roof Rack (146978)

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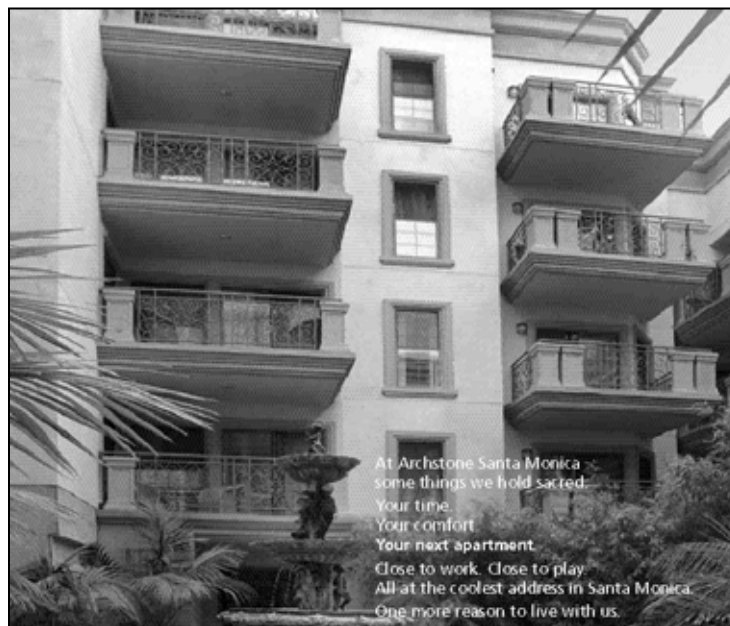


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PEOPLE IN THE NEWS

Iraqi POW will ring in new year at Times Square

By The Associated Press

■ **NEW YORK** — This year's special guest for the Times Square countdown to 2004 will be Shoshana Johnson, who spent 22 days as a prisoner of war in Iraq after being shot during an ambush.

Johnson was in a war "that was started right across the street from where we are today, on 9-11," Mayor Michael Bloomberg told a news conference Thursday at a hotel facing the World Trade Center site.

He called the 30-year-old former U.S. Army specialist from El Paso, Texas, who has relatives in New York City "the perfect choice to be our New Year's guest." He said she'll push the globe triggering the drop of a 1,070-pound Waterford crystal ball and lead a 60-second countdown to 2004.

Johnson, who was discharged from the Army last week, told New Yorkers: "Thank you for your support of my Army, my armed forces, my fellow soldiers, who were willing to do what is necessary for our freedom, for us to sit back and enjoy such a wonderful New Year's Eve."

She was a cook for the 507th Maintenance Company when it was ambushed in March. She was shot in both ankles and captured with five other soldiers, including Jessica Lynch. Nine soldiers died in the attack.

Johnson was awarded the Bronze Star, the Purple Heart and the Prisoner of War Medal for her service in Iraq.

■ **NEW YORK** — A court ruling has stopped hip-hop magazine The Source from distributing a CD of a previously unreleased recording by rapper Eminem that includes phrases such as "black girls are dumb."

Manhattan federal Judge Gerald Lynch granted Eminem's lawyers an injunction preventing the magazine from enclosing the CD in its February issue, which goes on sale in mid-January. The magazine had planned extensive coverage of the recording.

The Source said it exposed the Eminem track while investigating the forces corrupting hip-hop, including racism.

"The fact that our opinion regarding the prevalence of racism in the music industry is being censored is just another step in the effort to cover up the racial bias destroying hip-hop culture," The Source said in a statement Thursday.

Eminem's record company, Interscope Records, declined comment on the ruling.

Eminem's lawyers had argued that distributing the CD violates copyright laws.

Last month, The Source held a news conference to accuse Eminem, who is white, of racism, citing lyrics on the recording such as "black girls are dumb, and white girls are good chicks."

The tape was provided to the magazine by "three white hip-hop fans from Detroit who were peers of Eminem, whose real name is Marshall Mathers, in the early '90s, at the time of the recording," the Source said last month.

The 31-year-old rapper has said the recording was "foolishness" that he'd made as a teen "out of anger, stupidity and frustration" after breaking up with a black girlfriend.

Besides winning several Grammys, Eminem won an Oscar this year for his song "Lose Yourself" from the film "8 Mile."

■ **ROCHESTER, Minn.** — The family of Pauline Phillips, better known as advice columnist Abigail Van Buren, has teamed up with an anonymous donor to contribute \$10 million to the Mayo Clinic for research into Alzheimer's disease.

Phillips, who began writing Dear Abby in 1956, formally retired last year after she was found to have Alzheimer's. She hadn't been actively writing the column for several years.

Alzheimer's, which afflicts more than 4 million Americans, is a progressive degenerative disease that results in impaired memory, judgment and behavior. There's no cure, although some drugs appear to slow its progress in some patients.

The gift, announced Wednesday, is the largest donation to combat the disease ever given to the Mayo Clinic, which said it will rename its research center the Mayo Clinic Abigail Van Buren Alzheimer's Disease Research Clinic.

Phillips, 85, lives in Minnetonka with her husband, Morton.

Her twin sister, Esther "Eppie" Lederer, also doled out advice to thousands of readers under the name Ann Landers. Lederer died last year.

"This is a very important gift," said Dr. Ronald Petersen, who heads the Alzheimer's research center at the Mayo Clinic. "We're moving toward prediction and prevention for this disease, and the research this finances can take us pretty far down that road."

The gift includes \$5 million from Phillips' family and \$5 million given by an anonymous donor from the Washington, D.C., area who isn't related to the Phillips family, Mayo officials said.

DID YOU KNOW?: Klezmer music is derived from two Hebrew words, *clay* and *zimmer*, meaning "vessel of music."

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