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Jan. 28, 2003, 11:56PM

Address spotlights economy, Iraq threat

By **BENNETT ROTH**

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WASHINGTON -- Offering up an unvarnished condemnation of Saddam Hussein, President Bush urged the nation Tuesday to steel itself for war should Iraq fail to disarm.

In a State of the Union speech that began with a range of domestic initiatives on health care, the economy and homeland security, the president ended with a grim reminder of the international threats facing the United States.

"The dictator of Iraq is not disarming," Bush said in the televised speech to Congress. "To the contrary he is deceiving.

"Trusting in the sanity and restraint of Saddam Hussein is not a strategy, and it is not an option."

In a somber note, he suggested that in the coming weeks the United States would likely embark on a tough course of action at home and abroad.

"This year we gather in this chamber deeply aware of decisive days that lie ahead," he said in an address laced with references to war. The hour-long speech was delivered against a backdrop of growing international tensions and domestic anxiety over the prospect of another confrontation with Iraq.

Although offering little new evidence, Bush argued that Saddam had not eliminated chemical and biological weapons it claimed to have destroyed.

He said the Iraqi intelligence officials had sought to mislead weapons inspectors by posing as scientists they wanted to interview.

Bush made it clear that the United States was prepared to lead a war against Iraq without the United Nations if the international body chooses not to act.

"We will consult, but let there be no misunderstanding: If Saddam Hussein does not fully disarm, for the safety of our people, and for the peace of the world, we will lead a coalition to disarm him," Bush said.

The president's tough rhetoric came as polls show that a majority of Americans do not want military

action without U.N. support and they back giving weapons inspectors more time to do their job. An antiwar movement has taken to the streets of Washington and other American cities to protest the prospect of military action.

In the Democratic response, Washington Gov. Gary Locke, said that Bush should not rush to war without the approval of its allies and the United Nations.

Locke also said that the war on terrorism has not been completed, noting Sept. 11 terrorist, Osama bin Laden, "is still at large." Bush never mentioned bin Laden in his address.

But Locke reserved much of his toughest criticism for Bush's domestic policies, which he suggested were being ignored as the White House plotted its Iraq strategy.

"Today, in too many ways, our country is headed in the wrong direction," Locke said. He said the president's tax plan will produce huge deficits in the coming years without stimulating the economy.

The president used the speech to promote his \$674 billion economic plan and proposals to overhaul Medicare as a way to help Americans at home. He touted his environmental initiatives on power plants and forests that have been criticized by environmentalists.

He also proposed a new plan to prepare for bioterrorism attacks on U.S. soil.

The seriousness of the president's message was evident throughout a speech that offered few lighthearted moments.

There was little of the jovial backslapping that generally accompanies the president's entrance to the House chamber.

In his speech, Bush touched on other international hotspots, including Iran and North Korea, which has acknowledged developing nuclear weapons.

Even though the White House has indicated it does not seek military confrontation with North Korea, Bush warned that regime that it "will not be permitted to dominate a vital region and threaten the United States."

Bush announced the creation of the Terrorist Threat Integration Center, which will analyze domestic and foreign intelligence information collected by government agencies, including the new Department of Homeland Security.

The office, which will be operated within the CIA, is in response to criticism that lack of intelligence coordination may have hampered the government's ability to prevent the Sept. 11 attacks.

Aware that a poor economy helped sink his father's re-election bid, Bush used the speech to press for a tax plan that so far has received a cool reception in Congress.

A Gallup poll released this week found that for the first time since he took office, more Americans disapprove of the way Bush is handling the economy than approve of it.

The centerpiece of the economic plan is the elimination of corporate dividend taxes. Bush said that "lower taxes and greater investment will help this economy expand."

The president also stressed other aspects of his domestic agenda, the success or failure of which is likely to be a major factor in the presidential 2004 campaign.

In a pitch to politically influential senior citizens, Bush promoted a plan to provide prescription drug coverage for elderly enrolled in Medicare. The plan would cost \$400 billion over 10 years.

Bush is expected to call for subsidizing private health plans that would provide drug coverage.

On health care, the president said that "instead of bureaucrats, and trial lawyers, and HMOs, we must put doctors and nurses and patients back in charge of American medicine."

But Democrats said Bush's Medicare plan would force older people into less desirable managed care plans.

The president also urged the capping of medical malpractice lawsuits, a proposal expected to face strong Democratic opposition.

Bush proposed spending \$1.2 billion for research funding for hydrogen-powered automobiles. He also called for \$10 billion in funds to combat the spread of AIDS in Africa.

The president sought to counter the criticism that his policies were tailored to the wealthy by inviting a number of "average Americans" to the speech.

They included a California man who runs a drug-free group for teens and a Pittsburgh nun who directs a family support services center.

Guests also included several families he said would be helped by his tax cut and two doctors who have been hurt by rising malpractice rates.

As a reminder of the Sept. 11 tragedy, the White House also left one seat empty in the gallery to symbolize those who lost their lives in the terrorist strike.

Democrats noted that while Bush recognized average Americans during the speech he met with GOP business lobbyists behind closed doors at the White House earlier in the day.

Jan. 29, 2003, 12:05AM

President vows Iraq evidence

By MICHAEL HEDGES

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WASHINGTON -- President Bush announced Tuesday he will dispatch Colin Powell to the United Nations next week to outline new evidence Iraq is developing lethal weapons in violation of international sanctions.

The Secretary of State will address the U.N. Security Council next Wednesday in what could prove a pivotal effort to rally support at home and abroad for a military confrontation with Iraq.

In his annual address to Congress, Bush said undisclosed intelligence sources "reveal that Saddam Hussein aids and protects terrorists, including members of al-Qaida," the network behind the Sept. 11 attacks against the United States.

In addition, the president said, British intelligence had learned that Saddam sought to buy "significant quantities of uranium" from an unnamed African country, raising the specter of Iraq eventually assembling a nuclear arsenal.

Bush accused the Iraqi leader of ordering the execution of Iraqi scientists, along with their families, if they aid U.N. inspectors.

And Bush revived charges of horrific abuse that have been leveled by Iraqi defectors, including allegations that Saddam's secret police forced confessions by "torturing children while parents are made to watch."

In the last few minutes of his speech, the president again catalogued chemical and biological weapons Iraq is believed to have created and whose destruction has not been documented as mandated by the U.N. inspectors.

The president provided little elaboration on the list of charges Tuesday. It was not clear, for example, whether the accusations of Iraqi links with the al-Qaida network are the same ones officials have previously raised without detailed documentation.

Intelligence officials so far have confirmed only that some al-Qaida terrorists passed through Iraq on the way back to other Arab nations after being dislodged from Afghanistan.

Most of the allegations outlined by Bush on Tuesday had surfaced before, and the hints at new evidence appeared to fall short of incontrovertible new proof of Iraq's threat to the U.S.

And that type of proof may be required to convince some critics.

Sen. Edward Kennedy, D-Mass., said after Bush's speech that he would push for a Congressional resolution requiring the administration to reveal "convincing evidence of an imminent threat" before invading Iraq. Kennedy said Bush's address, "did not make a persuasive case that the threat is imminent and that war is the only alternative."

The American public also remains skeptical about war with Iraq. A Gallup Poll released Tuesday shows that 52 percent favor invading Iraq with U.S. troops, and 43 percent are opposed. When asked if U.N. inspectors should be given more time, 56 percent said yes; 41 percent said no.

As part of the campaign to bolster international support for confronting Iraq, Bush plans to meet with Italian Prime Minister Silvio Berlusconi at the White House on Thursday. The president is to huddle Friday with British Prime Minister Tony Blair at Camp David, the presidential retreat in the Maryland mountains north of Washington.

Bush did not set a timetable for war in Tuesday's speech. But administration officials have been saying over the past several days that the political and diplomatic efforts were in their "final phase" and would conclude within a few weeks.

Defense Department officials have said that the U.S. military buildup in the region would permit a war of overwhelming force to be unleashed against Iraq by mid-to-late February.

The release of U.N. chief weapons inspector Hans Blix's report Monday indicating Iraq had not accounted for many chemical and biological weapons helped the Bush administration's case, officials said.

But those officials have admitted that no single decisive piece of evidence has emerged showing that Saddam is hiding weapons.

In an interview with European journalists, Powell said, "We are not suggesting there is a 9/11 link, but we are suggesting -- we do have evidence -- of connections over the years between Iraq and al-Qaida and other terrorist organizations."

But Powell hinted the U.S. might still be looking for that undeniable piece of evidence like the photos of Soviet missiles former U.N. Ambassador Adlai Stevenson showed the world in 1963 before the Cuban missile crisis.

On Tuesday, Sen. Joseph Biden, D-Del., outlined some of the consequences of an Iraqi war.

"Imagine going house to house in Philadelphia or Houston routing out two, five, ten, 70,000 fighters," Biden said. "I predict over 75,000 American forces remaining in Iraq ... five years after we secure victory."

Iraq on Tuesday repeated claims that all weapons banned by the U.N. cease-fire ending the Persian Gulf War in 1991 had been destroyed. "I would like first of all to say Iraq has been free of any weapons of mass destruction since the end of 1991 and all the inspections ... have proven this fact," Iraqi Gen. Amir Rashid said.

Countries Bush wants as allies in a looming war -- including Russia, China and France -- doubt Iraq's claims but have urged more time for U.N. inspections.

But since the release of the Blix report, Bush has been urging allies to embrace it as proof of Iraqi noncompliance with U.N. resolutions.

Jan. 29, 2003, 12:12AM

Army mobilizes reserve division based here

WWII last time entire unit activated

By LUCAS WALL

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A Houston-headquartered Army Reserve training division has been mobilized for active duty to prepare other reservists who are about to deploy overseas, another sign the military's plans for a possible war with Iraq are accelerating.

About 1,000 soldiers from the Houston area are being called up for one year of full-time service in the 75th Division (Training Support), said spokesman Maj. Wayne Marotto. The division, which also includes four brigades with more than 1,000 additional soldiers in a seven-state area, will ship out to Army forts in the central United States to train combat service and support units.

The 75th consists mostly of senior officers with prior active-duty Army experience, Marotto said, including those who served in the Vietnam and Persian Gulf wars. It was put on alert last month.

A ceremony will be held at 7 a.m. today at the Sgt. Maj. Macario Garcia U.S. Army Center, 1850 Old Spanish Trail, before the first troops board buses to their new assignments. Others will ship out **soon**.

This is the first time since World War II the entire 75th Division has been called up to active duty. The division normally trains Reserve and National Guard units during their monthly or annual training sessions.

Maj. Joe Gaudette was among the Houstonians spending a final night Tuesday at home while making final arrangements for their departure today. Gaudette, who lives in the Kingwood area and works for General Electric, kept one ear to President Bush's State of the Union address while getting his 7-year-old daughter and 5-year-old son to bed.

Gaudette was told a week ago of the deployment. He must report to the U.S. Army center at 4:45 a.m. today for a bus to Fort Sam Houston.

"I packed up most of my things over the weekend," said Gaudette, who also leaves behind a 16-year-old son and his wife, Joyce. "Tonight I'm just spending a little time with the family and getting ready to go."

Gaudette trains other soldiers in the military's decision-making process. The West Point graduate spent 11 years in the active-duty Army and served in the Bosnia and Macedonia peacekeeping missions, so his family is no stranger to his departure. But that doesn't make it any easier, he said.

"It's important we feel the support of the community and so far I've just had nothing but a positive response," Gaudette said. "That makes the situation a little easier."

Marotto said it's critical Reserve and Guard troops be ready to join active-duty Army units if war occurs.

"We have a saying," he said. "The more sweat you lose on the training field, the less blood you lose on the battlefield.' We pride ourselves in that."

Reservists and Guard members usually realize the importance of their training, Marotto said, but now there is a true sense of urgency.

"Now that they are mobilized, they know they are going to a combat theater," he said of the units the 75th will be training in the coming months. "It's going to be very, very serious -- a matter of life and death."

Units trained by the 75th are not front-line infantrymen. They are, for example, the soldiers who deliver fuel, food and ammunition to keep the troops and their equipment running. Marotto said support units play a critical role in war and are often targeted by the enemy.

"They'll always want to get at your logistics," he said. "Take out the fuel, food and ammo guys and you take out the lifeline of the Army."

A training scenario Marotto mentioned is to have a transit convoy ambushed and measure its response to defending itself and its goods.

Today is the second time in as many weeks buses are lining up at an Army Reserve facility here to load up newly activated troops. The 808th Engineer Company was told earlier this month to deploy to Fort Hood. It departed Jan. 19.

Soldiers from the 75th are being dispatched to posts, including Fort Sam Houston in San Antonio, Fort Riley in Kansas and Fort Sill in Oklahoma. The division is also responsible for training units from Missouri, Iowa, Louisiana and Arkansas. It is one of three training support divisions in the Army Reserve, Marotto said.

About 80,000 National Guard and Reserve personnel are now on active duty, according to the Defense Department.

Although portions of the division were called up before the Persian Gulf War, this call-up affects the

whole division and the ripples can be far-reaching.

Lt. Col. Alan Devenney left his wife, 8-year-old son and 10-year-old daughter in the Fort Worth suburb of North Richland Hills and his job as a manufacturing engineer at Bell Helicopter to join his unit in Houston, where he will receive orders to go somewhere else.

But Devenney's biggest job-related worry is that his wife's employer, a local hospital, won't be flexible with her schedule.

"There's a lot of responsibility every night -- homework, reading, preparing the meal, and in the near-term, caring for their emotional needs," he said.

The 75th traces its history to April 1943, when it was organized at Fort Leonard Wood, Mo. Its first combat was in December 1944 during the Battle of the Bulge. It was deactivated after World War II and reorganized in 1950 as an Army Reserve division based in Houston.

Chronicle wire services contributed to this story.

Jan. 28, 2003, 10:28PM

Kid-Care drops 4 board members

By MIKE SNYDER

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Kid-Care Inc. founder Carol Porter has dismissed four members from the troubled charity's 11-member board, including a city councilman and the Harris County district attorney.

Kid-Care's executive director, Brad Levy, said the four board members did not share Porter's vision for the nationally acclaimed charity that delivers meals to poor children.

But Councilman Gordon Quan, who served on the volunteer board for four years and donated \$50,000 last year, said Porter was trying to purge the board of critics.

"I am extremely disappointed that the four board members (who) have fought for instituting change at Kid-Care so the mission of feeding hungry children can be accomplished have been forced to resign," he said.

Kid-Care is under investigation by the state attorney general's office after media reports, led by KTRK-TV, that it had used money intended for charity for employee meals, entertainment and other questionable expenses.

Quan disputed Kid-Care officials' arguments that a later audit exonerated the charity. He said Porter and others resisted efforts to make Kid-Care more efficient and accountable.

"I think she realized that each of us were very strong in our beliefs. We were talking amongst ourselves, seeking ways to do more with the organization. Did she feel threatened by that?"

Levy said Kid-Care's concerns were that Quan had "his own agenda."

"Some people will climb the political ladder on the backs of hungry children."

Quan, who is in his second council term, has been rumored as a candidate for mayor this year.

Levy said Kid-Care is looking for new board members "who share the vision of Carol Porter -- feeding hungry children and breaking the cycle of poverty."

The other three members forced off the board last week are Harris County District Attorney Chuck Rosenthal; Roy Huffington, a prominent Houston oil executive and former U.S. ambassador to Austria; and Dr. Selina Ahmed, a Texas Southern University faculty member. None could be reached for comment Tuesday.

The four vacancies leave seven board members, three of whom are paid staff members: Levy, Porter and her husband, Hurt Porter.

Carol Porter said donations dropped sharply in August after KTRK-TV reporter Wayne Dolcefino began asking questions in preparation for an investigative report about the charity.

The dwindling donations forced Kid-Care to suspend its food deliveries for a time before resuming them on a less-frequent basis.

KTRK later reported that Kid-Care had used donated money to pay for questionable expenses, including entertainment at a topless club and expensive meals for employees.

Kid-Care received a letter from the state attorney general's office in early December seeking financial documents and other information. The attorney general's office has not commented on the case, but the inquiry appears to focus on allegations of improper spending.

Since the board members were dismissed last week, Kid-Care's strongest criticism has focused on Quan.

Levy said Quan had lost sight of the charity's mission and had criticized Kid-Care after promising during board meetings not to make public statements.

Quan said he remains mindful of Kid-Care's mission and that his statements have focused on the need for structural and operational changes to make the group more effective.

Quan and other board members have called for the board to have a stronger voice in running the charity. Five former board members sent a letter to Porter in September, offering to resume their work with Kid-Care if the board was given full control over personnel and budget. Their offer was not accepted.

Huffington offered to hire lawyers at his own expense to rewrite the charity's bylaws, Quan said, but "he wasn't getting much cooperation."

Quan and his wife gave \$50,000 to Kid-Care last year to help the organization build its new headquarters. Asked about his response to being kicked off the board, he said, "It certainly shows the true colors of the organization."

Jan. 28, 2003, 10:02PM

Harris' sobbing brings her trial to a halt twice

By ALLAN TURNER

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Anguished outbursts from murder defendant Clara Harris twice brought her trial to a halt Tuesday as a medical examiner testified to the horrendous head and chest injuries her husband suffered when he was run over by her car.

Harris was led from the courtroom and court was recessed for about 15 minutes at 4 p.m. after she pitched forward onto the defense table and sobbed uncontrollably.

The emotional display came as Harris County's deputy chief medical examiner, Dr. Dwayne Wolf, prepared to explain how David Harris' 16 fractured ribs had punctured internal organs, contributing to his July 24 death.

The incident brought an admonition from state District Judge Carole G. Davies that such outbursts would not be tolerated, and a sheepish pledge from chief defense attorney George Parnham that he would approach the bench at the first sign of another such lapse.

Ten minutes after testimony resumed, Harris' weeping again brought proceedings to a halt.

"The defendant is audibly weeping," a clearly vexed Davies told defense lawyers. "I can hear her and the jury can hear her."

"I understand," Parnham responded. "Believe me, I want this not to occur."

He attributed his client's dismay to the ordeal of hearing her husband's fatal injuries -- which she is accused of inflicting -- graphically described.

Assistant District Attorney Mia Magness complained that it "wasn't fair to the state" that jurors were not listening to prosecution testimony because "the defendant is sobbing and her lawyers are comforting and patting her."

"If the defendant cannot sit quietly, I will remove her from the courtroom," the judge said, addressing Harris. "I don't want to do it, but I will. It's your choice."

"I'll stay here, I'll stay here," Harris responded, her words almost unintelligible through her tears.

"You will stay quietly and not react, as difficult as that may be," the judge continued.

"Your honor," Harris answered, "it's the first time I've heard what's happening."

Harris, 44, who is accused of repeatedly running over her orthodontist husband outside a Clear Lake City hotel while in a jealous rage over his infidelity, listened to much of Tuesday's testimony with her face buried in her hands.

Wolf, who performed the autopsy, testified that David Harris had been run over at least twice by an automobile.

Besides the broken ribs, which punctured his lungs, Harris suffered a broken collarbone, jawbone, back and pelvis. A major blood vessel carrying blood from his heart was torn, Wolf said, and he suffered severe bruises on his back and legs.

His right ear was so badly torn from "abrasion sliding-type injuries," that "it was a little hard to recognize as an ear," Wolf testified.

His presentation was illustrated by a series of grisly autopsy photographs.

At one point during Magness' questioning of Wolf, defense attorney Dee McWilliams interjected, "At this point the defense would stipulate that David Harris was hit and run over by an automobile."

But during cross-examination of Wolf, McWilliams consistently attacked the pathologist's assertion that the victim had been run over "at least twice."

Earlier Tuesday, police had testified that Clara Harris' Mercedes-Benz sedan cleared the ground by about six inches. Through his questioning, McWilliams suggested to Wolf that some of the injuries might have resulted from dragging.

He asked Wolf if a car passing over Harris' body only once might not have caused the injuries.

"There were four wheels and he was twisting and turning when he was run over," McWilliams began.

"There were four wheels and he *may* have been twisting and turning," Wolf countered.

"Assume scientific evidence showed that he was struck once, carried and rolled over," McWilliams continued.

"If that's what the autopsy indicated, that's what I would have testified," Wolf said. "I don't see this pattern of injuries fitting the scenario you're describing."

Testifying Tuesday morning, Webster police Detective Julio Rincones told jurors he had obtained palm and fingerprints from the hood of the Mercedes-Benz and blood from the vehicle's undercarriage.

Rincones also testified that he found a variety of personal belongings inside Clara Harris' car, among them a checkbook and a photo album.

Parnham on cross-examination described the photo book as a wedding album and asked if Rincones had preserved the volume as evidence.

Rincones responded that he had regarded it as irrelevant and had not.

"I guess it's still in the car," he said.

Parnham asked the judge to subpoena the volume as evidence.

The checkbook -- accessing the Harris couple's joint account -- revealed that the defendant had spent thousands of dollars shortly before her husband's death in an apparent attempt to win him back from his mistress.

On its cover had been written the mistress's name, Gail Bridges, telephone numbers and at least one address.

On July 17, the day Harris confronted her husband about his affair, she wrote a check to a nail salon, according to the checkbook register. Another was written to a spa, and on July 19 she spent \$129 at a beauty salon.

A check for more than \$1,200 was written to a fitness center, and check records indicated purchases also were made at a Victoria's Secret lingerie shop and at other apparel shops.

On July 24, the day David Harris died, checks for more than \$5,000 were written to Dr. Thomas Wiener, a Clear Lake-area plastic surgeon.

Parnham earlier had told reporters that Clara Harris intended to have breast-enlargement surgery to please her husband.

Jan. 28, 2003, 11:53PM

Budget shortfall socks community centers

Cutting hours could save \$150,000

By KRISTEN MACK

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Houston community centers' hours are being scaled back to ease city budget constraints, parks department officials said Tuesday.

Most centers will be opening an hour later and will be closed Saturday and Sunday under a pilot schedule recommended by Roksan Okan-Vick, head of the Parks and Recreation Department.

"People using the centers in those hours obviously aren't happy," said Marene Gustin, department spokeswoman. "We tried to minimize any negative impact by reducing hours when we have fewer people using the community centers."

Okan-Vick sent out a letter last week notifying frequent park users of the cutbacks, which started Monday. Council offices, however, were not informed until this week.

Community centers, of which there are more than 50, are frequented by many older residents, and serve as the meeting place for neighborhood gatherings, including city athletic leagues. City leagues will not be affected by the cuts.

The cutbacks are expected to save the department \$150,000 in staffing this fiscal year, which ends in June.

Department directors were told by Mayor Lee Brown's administration to trim \$500,000 from their budgets to help the city meet its impending revenue shortfall of as much as \$29 million.

Al Haines, the city's chief administrative officer, said the choice of where to cut was strictly up to department directors, although he acknowledged they had little wiggle room.

His only requirements, he said, were that directors go as far as they could without layoffs or eliminating core services.

"You cannot continue to cut these departments without having an impact. I wish I could say that

everything is just fine and we can cut (\$29) million out of the budget and not skip a beat, but that can't happen," Haines said.

"Some things have to give. I wish I could say this was a temporary glitch. We're not out of the woods here."

Haines is expecting the departmental cuts to total \$9.5 million.

The parks department offered several suggestions to meet the requirement, including getting rid of the city's Funday in the Park program, but that recommendation was not accepted, city officials said.

"Because of the mayor's lack of corrective action early in the budget cycle and his unwillingness to proceed with needed layoffs, I believe he's left little alternative for department directors. Their only option is to cut services," Councilman Bruce Tatro said.

The weight room at the Judson Robinson Jr. Community Center, one of the city's most popular sites, will be closed from 6 a.m. to 9 a.m.

And the center, which used to be open on the weekend, will now be closed, as will the Fonde Community Center and other centers with gyms.

Council members said they weren't notified about the change until after the fact, leaving their offices fielding calls and e-mails from angry residents.

"I am very disturbed," said Councilwoman Ada Edwards, whose district encompasses the Judson Robinson Center. "We will be working hard with the community to get the hours reinstated."

Jan. 28, 2003, 10:32PM

Killer asks for forgiveness moments before execution

3 consecutive lethal injections set this week

By MICHAEL GRACZYK

Associated Press

HUNTSVILLE -- An apologetic former gang member and drug dealer was executed Tuesday night for fatally shooting a convenience store clerk during a robbery in Austin more than 11 years ago.

Alva Curry's execution was delayed about two hours until the U.S. Supreme Court rejected final appeals in the case.

"I pray with the help of God that you will forgive me for the pain that I have caused your family," he said, looking at relatives of his victims who watched through a window.

"I'm truly sorry. I wish I could take it back. I just pray and ask you forgive me."

He nodded to the warden, then coughed and sputtered as the lethal drugs began taking effect. He was pronounced dead at 8:09 p.m., eight minutes after the drugs began flowing into his arms.

The slaying was one of two within a week committed by Curry, 33.

Curry was the fourth Texas inmate executed this year and the first of three scheduled on consecutive nights this week.

Curry was condemned for gunning down David Vela, 20, who was shot five times even though he was cooperating with Curry and a companion, Mark Davis. The pair, who got \$220 in the robbery, were convicted of a second similar shooting death seven days later that got them \$71.15.

The Oct. 16, 1991, attack on Vela was caught on tape by the store's security camera.

"I don't think I even had a goal," Curry said last week from death row. "I had been drinking, but I'm not using that as an excuse."

"He derives sheer pleasure out of preying on the weak," Travis County Assistant District Attorney Robert Smith told jurors who convicted Curry and then decided he should be put to death.

Curry's attorneys contended in last-ditch appeals that a judge who has ruled on petitions in his case should have disqualified himself because he was working in the Travis County District Attorney's Office at the time of Curry's trial, performing research for prosecutors on the case.

"The wrong choices in life took me down a destructive road," said Curry, explaining his crimes. "I've never looked at this as punishment from God, but you reap what you sow. Your choices in life have consequences."

Curry jumped over the store counter and put a gun to Vela's head. When the clerk couldn't open a store safe, he was shot in the head, then shot four more times.

A tip to police led to Curry. At his home, detectives found clothing he and Davis wore during the Vela shooting, one of the murder weapons and the cash register drawer.

"I did confess," said Curry, an unemployed restaurant bus boy who at the time of the killings was free on bond for assaulting his sister-in-law. "I'm the one that has to live with the reality of what happened."

Davis pleaded guilty to murder and robbery and is serving two life prison sentences. Curry also was tried for killing Brendon Proske, the 23-year-old clerk in the second robbery, and received a life term.

"There ain't no doubt about it," Curry said when asked about his regret for the crimes and the grief suffered by his family and the families of his victims.

"If you don't feel regretful after that, something is wrong with you," he said.

Jan. 28, 2003, 11:34PM

Drunken driver ordered to carry photo of victim

Associated Press

SAN ANTONIO -- Drunken driver Simon Cordova has been ordered to carry with him for the next 10 years a photo of the off-duty police officer who died when Cordova fell asleep at the wheel and crashed into Sgt. Paul Rangel Jr.'s vehicle.

"I hope that the defendant, every time he opens up his wallet and sees that picture, that he'll realize that he not only affected one life, but the lives of many," Rene Rodriguez, police union president, said in a story in Tuesday's San Antonio Express-News.

District Judge Bert Richardson on Monday added the order to carry the photo as he sentenced Cordova to the 10 years probation jurors had imposed last month after Cordova pleaded guilty to intoxication manslaughter.

Richardson said he couldn't set aside the jury's decision but could add conditions. In addition to the order to carry the photo, he also added 180 days in jail, suspended Cordova's license for two years and ordered him to serve 800 hours of community service at the local Mothers Against Drunk Driving office.

Cordova, 42, admitted he was intoxicated on Dec. 17, 2000, when his car struck one driven by Rangel, 48. Cordova, who had no prior criminal record, admitted to having six beers and three shots of whiskey at a graduation party in the hours before the wreck.

Members of Rangel's family were upset with the limited jail time for Cordova.

"My son Paul was an honorable man who devoted years of his life to the safety of the city of San Antonio, protecting the citizens day and night," said Marie H. Rangel. "This man deserves to go to jail for 20 years. Once you take a life, you need to pay for it."

"The jury sent a message -- a bad message -- a mere slap on the hand for an admitted drunk, who admitted to killing my husband, a dedicated, respectable pillar of society," said Rangel's widow, Rachel Rangel, in a written statement to the San Antonio Express-News last week.

Cordova's attorney, Ed Garcia, said the picture will serve only as a physical reminder for his client.

"The photo of Paul Rangel is etched in his mind forever," Garcia said.

Jan. 28, 2003, 10:50PM

Relative charged in slaying of girl, 6

Police say child raped, strangled

Associated Press

BIG SPRING -- A relative of a 6-year-old girl has been charged with murder after allegedly raping and strangling the girl and then setting a fire in the room she was in, authorities said Tuesday.

Miguel Lopez Jr., 18, of Clovis, N.M., was arrested near the home about 30 minutes after the fire was reported early Sunday morning.

Lopez, who had been staying with family for a few days, remained jailed Tuesday on \$1 million bail.

The girl, Maria Conchita Nieto, and Lopez were cousins, Big Spring Police Chief Lonnie Smith said Tuesday. The girl lived in Big Spring but did not reside in the home where she was killed, he said. She, too, was visiting relatives, Smith said.

Lopez's arrest came after family members named him as a suspect, Big Spring police Lt. Terry Chamness said.

Several people were in the house at the time of the fire, and family members put it out by the time firefighters arrived, Big Spring police Sgt. Roger Sweatt said. The fire caused only minor damage and was confined to one room, officials said.

Howard County Justice of the Peace Bennie Green released preliminary autopsy results Tuesday that showed the girl was raped and strangled. A final report from the medical examiner's office in Lubbock probably will take about a month, Green said.

Jan. 28, 2003, 10:48PM

Houstonian's job is to sell Bush policies to Congress

By KAREN MASTERSON and BENNETT ROTH
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WASHINGTON -- Now that President Bush has laid out his agenda, it's up to a Houstonian to sell it on Capitol Hill, where lawmakers from both parties are critical of the president's economic plan and push to war.

David Hobbs, who went to Westchester High School in Houston and once ran for Congress in Fort Worth, was recently chosen to be Bush's top lobbyist.

As such, Hobbs will have to sweet-talk moderates, stare down liberals and convince even Bush loyalists that -- despite large budget deficits projected for at least the next five years -- the nation can eliminate taxes on stock dividends at a cost of \$364 billion over the next decade.

Hobbs said he's up for the job. He said he was "bitten by the political bug" 25 years ago during an internship with Rep. Bill Archer, R-Houston. Since then, the 44-year-old Hobbs has worked his way up the GOP hierarchy as a behind-the-scenes staffer, always focused on making the politicians he worked for look good.

Like other anonymous staffers, who are often the brawn behind their political bosses' might, Hobbs has given his life to working for elected leaders.

His one attempt at breaking out of the staffer mold, running for a congressional seat, ended in failure. In 1992, Hobbs attempted to unseat former Rep. Pete Geren, D-Fort Worth, but received only 37 percent of the vote.

"It was a tough race," Hobbs said. "It gave me an appreciation for what the average member of Congress faces back home."

Hobbs, a Hill veteran who throughout the 1980s worked for GOP Reps. Ron Paul of Surfside and Dick Armey of Flower Mound, returned to Capitol Hill in 1995 when Republicans took control of the House. For the next six years he was a top aide to Armey, who had become majority leader.

Now he's in what's considered the crown jewel of legislative jobs: working with lawmakers on behalf of

the president.

But he knows the second half of the president's term will be more difficult than the first half. While his predecessor, Nick Calio, enjoyed relatively good relations between the White House and Senate Democrats, those relationships have chilled.

Hobbs' friends on Capitol Hill are thrilled he was picked to push Bush's agenda. As Arney's top guy, Hobbs worked directly with the most powerful lawmakers in the House. He's also close friends with chiefs of staff and key aides within the GOP hierarchy.

"Knowing all the characters will make it easier for him to do his job," said John Feehery, spokesman for House Speaker J. Dennis Hastert, R-Ill. Feehery said his boss was "very happy" Hobbs got the job. "The speaker considers David to be a friend and he considers David as someone who will be a straight shooter."

One Democratic leadership aide called him "Evil Hobbs" because he used procedural tactics to sideline Democratic bills and amendments, a skill that earned him Republican praise.

In early 2001, Bush tapped Hobbs to be his House liaison.

But in his new job, Hobbs will have to focus mostly on the Senate. There, even Democrats in the minority can use procedural tactics to slow or kill major legislation. And Senate aides said Hobbs' years in the House create an automatic handicap for him in the Senate.

Bridging loyalties between the slow-paced, philosophically disparate Senate Republicans and the fast-acting, solidly conservative House leaders may prove difficult. The two sides have clashed in the past two years, even as they sought to support the same president and similar policies.

But Hobbs said he has a head start: "I know a fair amount of senators because a lot of them came from the House, particularly in the last eight years." Since 1995, 11 Republicans have moved from the House to the Senate.

The White House will rely on Hobbs to sell Bush policies to key lawmakers, who are skeptical of his \$674 billion economic growth plan and his prescription drug plan for the elderly, which some see as too limited.

And it's unclear whether Congress will remain firmly behind Bush on the war with Iraq.

Hobbs takes on his duties while recovering from a round of chemotherapy. He was diagnosed in September with testicular cancer.

"It hits ya like a cold slap in the face, but you don't have much choice other than to deal with it," Hobbs told the Houston Chronicle. "It's been a life-altering experience."

His initial chemotherapy treatments were at M.D. Anderson in Houston, where his parents still live. His wife, Gretchen, is also from Houston and also went to Westchester High School, now The Westchester Academy for International Studies.

Hobbs, an avid golfer, has a bachelor's degree from the University Texas and a master's from the LBJ School of Public Affairs. He has moved back and forth between Texas and Washington much of his adult life, with stints running a conservative think tank called the Institute for Policy Innovation in Fort Worth.

Ed Gillespie, another former Arme y aide and heavyweight GOP political operative with close ties to the White House, said Hobbs' personality will help him succeed as Bush's point man on Capitol Hill.

"If you don't like David Hobbs," he said, "you need to see a psychologist."

Jan. 28, 2003, 11:51PM

Prosecution rests in dead baby case

Defense attorneys vow to prove toddler wasn't violently shaken

By KEVIN MORAN

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GALVESTON -- Attorneys in one of the most contentious criminal trials in years here vowed Tuesday to prove to jurors that Heather Wilden did not shake her 2-year-old nephew to death.

Wilden, 32, a Santa Fe resident and daughter of Galveston County Precinct 4 Justice of the Peace Mike Nelson, faces up to life in prison if convicted of shaking to death Tyler Wilden after she picked him up from a day care center Jan. 31, 2001.

Her trial began two weeks ago and has been marked by dozens of objections and intense, whispered arguments at District Judge Henry Dalehite's bench as attorneys fought over what testimony jurors should hear.

Prosecutors Bill Reed and Ella Anderson rested their case Tuesday after days of testimony from expert medical witnesses who said Tyler Wilden died because he was violently shaken or because his head hit something while he was being shaken.

Prosecutors maintain that Tyler's severe brain hemorrhaging caused sudden brain death and could have occurred only after Wilden picked him up from day care.

But in an impassioned opening statement Tuesday, attorney Jyll Rekoff said the defense's medical experts will testify that Tyler's brain bleeding likely resulted from a short fall or blow to the head. The injury occurred at least many hours before he almost stopped breathing in Wilden's living room, Rekoff said.

Wilden took the unconscious child to a paramedic neighbor's home, from which he was taken to Galveston's John Sealy Hospital. He was declared dead Feb. 3, 2001.

Rekoff maintained that Tyler had an abnormally thin skull and suffered a low-impact blow to the back of his head that started slow brain hemorrhaging.

"Heather will tell you and the evidence will tell you that she is not guilty of intentionally and knowingly

causing serious bodily injury to Tyler," Rekoff told jurors. "This is not a shaken-baby syndrome case."

Immediately after her statement, Rekoff and her attorney husband, Kevin Rekoff, won what could be a crucial ruling in jurors' minds. Over prosecution objections that it might be fake, a time sheet showing that Wilden left work at a Tiki Island real estate office at 3:30 p.m. the day Tyler was injured was admitted into evidence.

Defense attorneys maintain the time sheet sharply narrows the time period in which Wilden could have injured Tyler.

"Tyler was in her possession for about 30 minutes," said Rekoff, who reminded jurors of claims that the toddler had been lethargic and out of sorts for days. "She tried to wake him and the evidence will show that she was not able to wake Tyler."

Jurors already have viewed gruesome autopsy photographs of Tyler's peeled scalp, skull and brain. Wilden broke into sobs when she saw the photographs.

Galveston County Medical Examiner Dr. Charles M. Harvey testified Monday that the hemorrhages in and around Tyler's brain were fresh. He said he believes the child was shaken and his head probably hit something while he was being shaken.

Harvey and other physicians also testified that Tyler suffered hemorrhages in both eye retinas that are characteristic in shaken babies.

One defense expert allowed to testify out of turn last week and expected back on the stand today already has told jurors that "shaken-baby syndrome doesn't exist."

Dr. John Plunkett, a Minnesota forensic pathologist who has testified in other shaken-baby cases, maintains that it is not possible to shake a child hard enough to kill him without causing visible trauma to the spine, neck tissue and muscles and other parts of the body.

Prosecutors maintain that such injuries are rare in shaken-baby cases.

The trial is expected to continue into next week.

Tyler was the son of Santa Fe residents Alexandra and Paul Wilden, who testified that Tyler was in good health and spirits in the days before his death.

Heather Wilden is married to Michael Wilden, Paul Wilden's brother.

Jan. 28, 2003, 10:49PM

Charges dropped against 3rd man in teen slayings

Associated Press

AUSTIN -- Charges have been dismissed against a third man accused in the strangulation and shooting deaths of four teenagers at an Austin yogurt shop 11 years ago.

Maurice Pierce was released from custody Tuesday, but authorities said the case would remain open.

"It is without pleasure that I announce today that the yogurt shop capital murder cases against Maurice Pierce have been dismissed," Travis County District Attorney Ronald Earle said.

Pierce had been awaiting trial since police arrested three suspects in October 1999.

Officials said in a news conference that they did not believe they could convict Pierce without reasonable doubt.

Michael Scott was given a life sentence in September for the murder of 13-year-old Amy Ayers at an I Can't Believe It's Yogurt Shop the night of Dec. 6, 1991.

Another defendant, Robert Springsteen, was sentenced to die by injection for Ayers' slaying.

A grand jury failed to indict a fourth man, Forrest Welborn.

Springsteen and Scott were the primary witnesses against Pierce and "neither is currently available to testify," Earle said. Each of them has a 5th Amendment right not to testify.

"Both have made statements that cannot be used without violating the constitutional right of Maurice Pierce to confront the witnesses against him."

Also killed were Eliza Hope Thomas, 17, and sisters Jennifer and Sarah Harbison, ages 17 and 15, at the shop where two of the girls worked.

The store was robbed, and the victims were bound, gagged and shot in the head. The store was set on fire.

Earle said the case has no statute of limitations.

Jan. 29, 2003, 12:04AM

Panel calls for changes in college aid

Education officials recommend new focus on low-income students

By **RON NISSIMOV**

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A College Board panel has urged the federal government to substantially increase Pell Grant funding and take several other steps to help low-income students afford college.

"If we do not turn the national conversation back to investment in education access and away from tax reduction, 'No Child Left Behind' will become just an empty phrase, representing broken promises, broken aspirations and broken dreams," said Gaston Caperton, College Board President and co-chair of the panel that recently issued the recommendations, in referring to President Bush's promise make education accessible to all children.

The College Board, a Princeton, N.J.-based nonprofit group of 4,200 educational institutions that administers college entrance exams, convened the panel last year to address concerns over the spiraling costs of a college education. More than 700 people from 170 organizations were interviewed.

"The most poignant testimony came from the students and the parents who see the system as woefully inadequate and also as critical to their chances to succeed in life," Caperton said.

Officials of local universities praised the recommendations.

"I think they've done an excellent job with trying to make sure all kids can afford college," said Ed Apodaca, University of Houston's vice president of enrollment management. "These recommendations would really affect us, because our campus happens to have a large proportion of first-generation, blue-collar students. Over two-thirds of our students receive need-based financial aid."

Ann Wright, Rice University's vice president for enrollment who is a College Board trustee, said the private Houston university already addresses many cost concerns by limiting tuition increases to inflation, and by capping total student debt at \$10,000.

However, she said, many other universities are unable to take similar measures, and the recommendations are "really necessary."

The panel, which included college presidents, financial aid officers and representatives from secondary schools, had 10 recommendations:

- Substantially increase Pell Grant funding, which provides grants to needy students for tuition, fees, room and board. The funding is now capped at \$9,700 per student per year.
- Improve the terms available to students under the federally funded and guaranteed loan programs; design effective insurance policies for graduates whose income is inadequate for repayment and forgive loans for students who have jobs in high-need areas such as teaching.
- Ensure that growth in merit scholarship programs is not at the expense of need-based financial aid, and that merit programs, while meeting other state needs, promote college access for needy students.
- Reaffirm commitment to need-based student aid and strive to enroll larger numbers of students from low-income and underrepresented backgrounds.
- Improve the design of and increase funding for federal matching programs to induce states, institutions, and private entities to provide more need-based financial aid to students, as well as increase the level of support to institutions that serve large percentages of high-need students.
- Simplify the federal financial aid application process for students and reduce the paperwork imposed on institutions and financial aid officers, as well as provide more early notification of eligibility for financial aid.
- Link increases in tuition to increases in need-based aid.
- Increase support for programs that provide college success skills and early information about college preparation, admissions, costs, and student financial aid, as well as those that connect and transition low-income and first-generation students to college and that promote retention and graduation.
- Support federal student support services and provide incentives for institutions, states and the private sector to fund student support and services to help students stay in college.
- Support and expand the role of clearinghouses that monitor and report on the success of students.

Jan. 28, 2003, 10:32PM

Maury Maverick Jr., 82, voice for the downtrodden

By JOHN W. GONZALEZ

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SAN ANTONIO -- Attorney Maury Maverick Jr., a descendant of early Texas settlers and known for his passionate legal defense of the downtrodden, feisty wit and unrelenting opposition to war, died of kidney cancer Tuesday at the age of 82.

In recent years, many knew Maverick as a cantankerous Sunday columnist for the San Antonio Express-News, where he penned more than 1,000 columns -- the last on Jan. 5.

But San Antonians who lived through the end of segregation in the 1950s, the civil rights struggles of the 1960s and the end of the Vietnam War in the 1970s recalled him as a giant of his time who made a mark as a rebellious state lawmaker and a flamboyant lawyer for liberal causes.

Never a wealthy man, Maverick did have a rich family history. His father was a congressman and mayor and his great-grandfather was a signer of the Texas Declaration of Independence in 1836. Another ancestor perished in the Boston Massacre. The family's history is so colorful, its name was converted into a common English expression dating to the 1870s that, according to Webster's Dictionary, means "an independent individual who does not go along with a group or party."

Born Jan. 3, 1921, Maverick as a youth had a front-row seat for the making of San Antonio history. His father presided as mayor during construction of the city's famed River Walk, and in 1939 he saw his father deal with rioting that ensued when he allowed Communist Party members to meet in Municipal Auditorium.

A few years later during World War II, wearing the uniform of the U.S. Marine Corps, Maverick was fighting his own battles on the Solomon Islands. Returning from military service, he earned a law degree from St. Mary's University in 1949. Working without pay, he gradually became an outspoken lawyer for hundreds of disenfranchised individuals and groups.

As a member of the Texas House of Representatives from 1950 to 1956, he confronted issues including the rabid anti-communism of the McCarthyites and blatant racism among some state leaders -- an experience that turned him off to holding political office but propelled him toward a different kind of public service.

"He was a very unselfish man and one of the kindest people I've ever known," said Allan Kownslar, a Trinity University professor of Texas history. He compiled about 100 of Maverick's columns in the 1997 book *Texas Iconoclast*, the closest thing to a Maverick biography.

"He was one of the few liberals I know who had a wonderful sense of humor," Kownslar said. But his biggest impact was as a civil rights lawyer who took several cases to the U.S. Supreme Court and won them all, Kownslar said.

"They were on privacy rights, First Amendment rights and due process of law. He was very skilled as a lawyer and he always gave this impression that he didn't know very much. At the same time, he was picking your pocket," the historian said.

Maverick's motivations were genuinely altruistic, Kownslar added. "He felt that his surname, Maverick, gave him a responsibility to help people, to be a dissenter, to raise questions," he said. Maverick told Kownslar that his reason for writing his columns was simply to provoke people to think about important issues.

"He said, 'People expect me to speak out. I have an obligation to when nobody else is doing it,'" Kownslar said.

In his final column published earlier this month, Maverick pondered the legitimacy of a possible war with Iraq, saying "why, for some 60 years since World War II, have we the people tolerated a non-declaration of war? Patriotism includes showing a proper respect for the professional military. Members of the military cannot speak up. We civilians must," he said.

Maverick is survived by his wife, Julie Orynski Maverick, whom he married in 1966. They had no children.

Funeral services are pending.

Deaths elsewhere

Norman Panama, screenwriter who collaborated with Melvin Frank on such films as *White Christmas*, *The Road to Utopia* and *Mr. Blandings Builds His Dream House*, Jan 13, from complications of Parkinson's disease. He was 88.

Tommy Thompson, a co-founder of the eclectic string band the Red Clay Ramblers, Jan. 24, of complications from dementia. He was 65.

Celia Stein, co-founder of The Riverdale Press, Jan. 11, at her home in the Riverdale section of the Bronx. She was 90.

Renato Matteo Pachetti, an Italian broadcast journalist and executive in New York and chairman emeritus of the International Academy of Television Arts and Sciences, Jan. 19. He was 77.

David B. Skinner, doctor who presided over the merger of New York Hospital and Presbyterian Hospital and served as president until his retirement in 1999, Jan. 24. He was 67.

Clark Waring Blackburn, who led efforts in the 1960s to get social welfare agencies to provide education and job training in addition to traditional family counseling, Jan. 18. He was 94.

Sally Michel Avery, an artist, illustrator and widow of painter Milton Avery, Jan. 9. She was 100.

Rae Carlson, a psychologist who helped shape the study of personality with her 1971 paper "Where Is the Person in Personality Research?", Jan. 20, of pneumonia. She was 76.

Narainsamy Thumbi Naicker, a political activist who helped end apartheid in South Africa, Jan. 19, of undisclosed cause, in Sacramento, Calif. He was 80.

Gustaf von Platen, a writer and former editor in chief of the Swedish newspaper Svenska Dagbladet, Jan. 26, of cancer, in Stockholm, Sweden. He was 85.

Leopoldo Trieste, an actor and screenwriter who appeared in *The Godfather: Part II*, Federico Fellini's *The White Sheik* and dozens of other films over the past half-century, of a heart attack, Jan. 26, in Rome. He was 85.

Murray Smith, brother of former first lady Rosalynn Carter, Jan. 26, of cancer, in Plains, Ga. He was 71.

Jan. 28, 2003, 11:55PM

News briefs

Area

Grand jury clears two police officers

A Harris County grand jury Tuesday refused to indict two Houston police officers in the shooting death of a robbery suspect.

Sgt. J.W. McClellan and officer K.M. Arntz shot Ronald M. Cunningham, 41, after he pointed a gun at them Aug. 6, said Assistant District Attorney Tommy LaFon.

Police said Cunningham returned to an apartment complex in the 10700 block of the Katy Freeway after robbing a pizza restaurant in the 2000 block of Gessner and had his gun out when officers approached.

He put the gun in his mouth and the officers ordered him to drop it, police said, but he then pointed it at them and they fired.

Man dies of wounds in unsolved shooting

A man shot Dec. 24 outside his southwest Houston apartment died Monday at Ben Taub Hospital.

A roommate found Enrique Garcia, 24, in the bushes near his home in the 6000 block of Gulfton. He had been shot several times.

Detectives on Tuesday had not determined a motive or suspects.

Mom, daughter give up in 1987 Houston killing

A mother and daughter charged with murder in a 1987 Houston killing have surrendered to officials in Clarksburg, W.Va.

Rita L. Sacry, 49, and Kathy Lea Brandon, 32, are accused in the death of Sacry's husband and Brandon's stepfather, Lyle Sacry, 34, found in his residence beaten with a baseball bat and shot in the head.

Randy Laws, 41, of Daytona Beach, Fla., was charged in September with Sacry's murder and is awaiting trial here. He is Brandon's former boyfriend and the father of one of her children, police said.

West Virginia police once before served the women with papers charging them. They were held in a regional jail but released when Harris County authorities failed to get necessary documents to West Virginia by a judge's deadline.

Police seek impostor in homeowner's bilking

GALVESTON -- Police are looking for a man who bilked \$9,000 from an elderly homeowner by posing as an electric utility employee.

The man knocked on the homeowner's door Jan. 22, said he was investigating a power outage and induced the resident to let him inspect the home's electrical system.

The man duped the homeowner into writing a check for the repairs and said he would return later to do the work. Instead, the impostor cashed the check at the victim's bank, using an Indiana driver's license as identification.

Investigators have identified one suspect seen driving a dark-colored pickup with another man in the passenger seat. Anyone with information is asked to call Detective Sgt. Jeff Heyse at 409-797-3756.

3 held, another sought in feud that turned fatal

Three Baytown men have been arrested and another is being sought in a fatal stabbing that climaxed a long-standing feud.

Mike Mendoza, 24, is charged with murder in the Jan. 19 slaying of Isaac Benavides in the 2100 block of Carolina and held in Harris County Jail without bail.

Mendoza's brother, Josue, 19, was held there on \$20,000 bail on a charge of engaging in criminal activity. Police said he assaulted Benavides during the stabbing.

Sam Alvarez, 31, is accused of aggravated assault with a deadly weapon and held without bail. Police said he used a gun to prevent bystanders from helping Benavides. Sought is Richard M. Espinoza, 31, a tank washer charged with engaging in organized crime for allegedly striking and punching Benavides while he was being stabbed.

Chicken Soup story libelous, lawsuit claims

A Michigan woman says she was defamed and libeled in a half-sister's short story in *Chicken Soup for the Sister's Soul*, a book whose theme is the close bond between female siblings.

Fremont resident Jane Jibson filed a federal lawsuit seeking more than \$1 million in damages against Deborah Blackmore of The Woodlands.

Jibson also sued Chicken Soup for the Soul Enterprises of California and two other companies that have a role in the *Chicken Soup* books. All the defendants deny the allegations and cite the First Amendment right to free speech as part of their defense.

Houstonian's husband, kids die in Virginia fire

A Houston paralegal's husband and two small children were killed when fire destroyed the 18th century log house the trio had moved into about a month earlier in Troutville, Va.

Micol Street, who was in the trucking business in Houston, and daughters Austin, 5, and Jessica, 4, died early Monday. Firefighters said the heat and flames were so intense, they couldn't enter the home until about two hours after they arrived at 2:30 a.m. The cause of the blaze was not determined.

Street's wife, Linda Ford, was bringing loads of furniture from Houston as she finished her paralegal job here. Her grandparents owned the Virginia house in the 1960s as a summer home and she recently had bought it back.

Two killed in crash after SUV runs light

Two people were killed when their small car was struck by a speeding sport utility vehicle that ran a red light in southwest Houston, police said.

The driver, Teshya Rae Weisent, 22, and Keven A. Conner, 28, both of Houston, died after they were thrown out of the car at 2:30 a.m. Tuesday.

Police said a fast-moving SUV on Westpark ran a red light and struck Weisent's car, which was northbound on Fondren.

The three people in the SUV ran away, police said, but two were captured. Police don't know who the driver was.

Man found fatally shot in vacant apartment

A man was found shot to death early Tuesday in a vacant apartment near downtown Houston.

Area residents reported hearing several gunshots near the 2200 block of Brackenridge. Police discovered the victim about 8:45 a.m. and said there was evidence of forced entry.

The apartment was being renovated and the man, whose identification is pending, did not have permission to be there. He was the city's 17th reported homicide victim this year.

Woman who was injured in motorcycle crash dies

A southeast Houston woman thrown off a motorcycle when its driver lost control has died in Ben Taub Hospital.

Diana Chapa, 35, was injured Jan. 20 in the 6400 block of Long when the motorcycle fell onto the road and slid into the curb.

Chapa, of the 7000 block of Moline, died Monday. The driver also was thrown and suffered injuries but wasn't taken to a hospital, police said.

Pedestrian who died in hit-and-run ID'd

A man killed by a hit-and-run driver swerving to avoid a Metro bus picking up passengers has been identified as Warren D. Wilson, 48.

He was hit Monday while walking along the 10500 block of the Eastex Freeway service road, near his home.

The vehicle was recovered later, but no arrest has been made.

Driver who was killed in car crash identified

The driver who died in a one-car crash in northwest Houston has been identified as Vidal Palancarte, 22, of the 11100 block of Pine Cone.

Police said his car slid into a ditch in the 2700 block of Brittmoore about 2 a.m. Sunday and struck a tree before rolling onto the roof.

A passenger was hospitalized, police said.

State

Indictments name 28 Austin airport workers

AUSTIN -- Federal indictments were issued Tuesday against 28 employees at Austin Bergstrom International Airport after investigators said the illegal immigrants lied repeatedly about their backgrounds in order to win their jobs.

As part of Operation Tarmac, a national effort to improve airport security, more than 5,000 Austin-Bergstrom workers had been screened since October, resulting in the 28 cases, the U.S. Attorney's Office said.

All the defendants, ages 21 to 41, have Hispanic surnames. All are accused of providing false information on security clearance forms in order to obtain crucial airport access badges.

Fifteen of the suspects were arrested Tuesday, and warrants were issued for the others. If convicted of using false documents, they face up to five years in prison and \$250,000 fines. After imprisonment, all are subject to deportation, officials said.

From staff and wire reports

Jan. 29, 2003, 12:12AM

Lays among investors suing U.S. in tax case

By TOM FOWLER

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Former Enron Chairman Ken Lay and his wife are among hundreds of investors suing the U.S. government for repayment of taxes and penalties related to a series of mid-1980s tax shelters.

The Lay suit and many others filed this week and in recent months concern investments in limited partnerships in farms in the United States and Mexico that were managed by a California firm called Amcor.

The money invested by thousands of individuals around the country was to be used to finance the purchase of the properties and tending of crops. The Internal Revenue Service began an investigation of Amcor in 1989 and determined that many partnership investors needed to pay more in taxes and penalties.

Investors have been fighting the IRS' claims for several years, particularly the penalty fees attached to the rulings, said Houston attorney Thomas Redding, who filed the suits on behalf of investors. He notes that Congress abolished those types of penalties in 1989.

Redding said a handful of cases are working their way through the civil and appeals courts in Texas will be serve as test cases for lawsuits like those filed on behalf of the Lays.

The Lays' claims of about \$130,000 are modest compared to those of other investors, who are seeking to recover more than \$300 million, Redding said.

Jan. 28, 2003, 10:31PM

Stocks rally despite glum reports

Associated Press

NEW YORK -- Bargain hunters took charge of Wall Street Tuesday, halting the market's protracted sell-off and giving stocks their first respectable advance in more than two weeks. The Dow Jones industrials climbed nearly 100 points.

Stocks rallied despite the fact that investors were waiting nervously for President Bush's State of the Union address, and his comments about a possible war with Iraq and the sluggish economy.

The market managed to rally despite a lackluster report on consumers and discouraging news about durable goods orders.

The Conference Board reported consumer confidence in January fell nearly 2 points to 79, slightly better than the 78.5 reading economists predicted.

The Commerce Department said orders to U.S. factories for big-ticket items, so-called durable goods expected to last at least three years, rose by 0.2 percent in December, smaller than the 1 percent rise economists were expecting.

But there was some positive economic news Tuesday. The Commerce Department also reported new-home sales hit a record in December, rising to a seasonally adjusted annual rate of 1.08 million last month, marking a 3.5 percent jump from November's level.

New-home sales reached a seasonally adjusted annual level of 1.08 million in December, achieving both a monthly and yearly record. Consumer spending accounts for two-thirds of economic activity and new-home sales have helped buttress an otherwise lackluster economy.

For the year, new-home sales ballooned nearly 8 percent over 2001 results.

The renewed buying on Wall Street, aided by better-than-expected earnings, pushed the Dow back up above the 8,000 mark after the blue chip average fell below that milestone Monday for the first time in three months.

Analysts said the market was due for a rebound after having seen stocks fall for seven of the previous eight sessions. But they also suspected the buying would be short-lived due to investors' ongoing fears

that a war with Iraq would undermine an already flagging economy.

The Dow closed up 99.28, or 1.2 percent, at 8,088.84, its biggest advance in more than two weeks, or since Jan. 9, when it rose 180.87.

In the previous eight sessions, the Dow dropped 853 points, more than wiping out all of its 2003 gains. On Monday, the Dow dropped 141.45 to close below the 8,000 level for the first time in three months, or since Oct. 14, when it stood at 7,877.40.

The broader market also enjoyed a lift from bargain hunters Tuesday. The Nasdaq composite index rose 16.91, or 1.3 percent, to 1,342.18. The Standard & Poor's 500 index advanced 11.06, or 1.3 percent, to 858.54.

Still, the market's gains failed to entirely wipe out Monday's declines, much less those suffered in two weeks of selling, a sign that investors were cautious ahead of Bush's address Tuesday night.

Investors were also waiting to see what action the Federal Reserve Open Market Committee would take at its two-day meeting that began Tuesday. Analysts expected the Fed to leave interest rates unchanged but to move its bias back to one of easing rates in the future.

Investors will be looking to both Bush and the Fed for reasons to have faith in the market and to commit to stocks.

Advancing issues outnumbered decliners slightly more than 9-to-5 on the New York Stock Exchange. Consolidated volume was light at 1.81 billion shares, matching Monday's volume.

The Russell 2000 index, which tracks smaller company stocks, rose 4.59, or 1.3 percent, to 373.17.

The price of the benchmark 10-year Treasury note slipped point, or 63 cents per \$1,000 in face value. Its yield, which moves in the opposite direction, rose to 3.97 percent from 3.96 percent on Monday.

In late New York trading, the euro was quoted at \$1.0819, down from \$1.0852 late Monday. The dollar was quoted at 118.66 yen, up from 118.51 yen late Monday. It rose to 10.9410 pesos from 10.9025. The peso fell to 9.1399 cents from 9.1722 cents.

In Mexico, the bolsa index closed down a modest 3.63 points, or less than 0.1 percent, to 5,919.70 points. At the end of 2002, the IPC stood at 6,127.09.

Japan's Nikkei stock average finished Tuesday down 1 percent. Britain's FTSE 100 advanced 0.3 percent, France's CAC-40 gained 0.2 percent and Germany's DAX index rose 1 percent.

Jan. 29, 2003, 12:14AM

Earthlink says 3 call centers to be closed

Associated Press

ATLANTA -- Earthlink, one day before it reports its fourth-quarter earnings, said Tuesday it is cutting about 25 percent of its work force.

The nation's third-largest Internet service provider will trim down from 5,100 to 1,300, said spokeswoman Carla Shaw.

Atlanta-based Earthlink said it will close its entire call center operations in Dallas; Sacramento, Calif.; and Seattle over a 30-day period beginning Feb. 21.

The company also announced that it will close one of its facilities in Pasadena, Calif., affecting its technical support and customer service operations.

Earthlink said customer inquiries normally handled by these facilities will be routed to Earthlink's remaining centers in Atlanta; Harrisburg, Pa.; and Roseville, Calif.; as well as its outsourced call center providers.

CEO Garry Betty cited competition that Earthlink faces. It is third behind America Online and MSN in market share among Internet service providers.

Earthlink expects to record charges of \$41 million in the first quarter of 2003 related to the cuts. The company said the cuts will reduce annual operating expenses by more than \$20 million.

Jan. 29, 2003, 12:00AM

Briefs: Nation & world

Apple speeds up G4s, lowers their prices

CUPERTINO, Calif. -- Apple Computer on Tuesday added faster processors to its three Power Mac G4 models and lowered the price by as much as 20 percent after its first back-to-back quarterly losses since 1997.

The latest Power Mac computers will cost \$1,499, \$1,999 and \$2,699.

Apple also introduced a \$1,299, 20-inch flat-screen monitor and slashed the price of two other displays for the Power Mac computers by as much as 43 percent.

Kmart closures OK'd; job losses now 67,000

CHICAGO -- Kmart Corp. won court approval Tuesday to close more than 300 stores, while new documents in its bankruptcy show its financial collapse will cost 67,000 employees their jobs -- far more than the discount retailer had indicated until now.

Kmart has said that 22,000 workers were out of jobs when the company closed 283 stores shortly after declaring bankruptcy.

In court records filed in Chicago, Kmart indicated that as of Jan. 21, 32,000 workers had lost their jobs with the Troy, Mich., discounter in the first year of its bankruptcy.

And 35,000 more will be unemployed when Kmart closes as many as 318 more stores by March.

In other news ...

- President Bush formally nominated Wall Street banker William Donaldson to be chairman of the **Securities and Exchange Commission**.

- The **SEC** will consider new rules to tighten internal controls within mutual fund companies and will open to public review the idea of creating a self-policing organization for the powerful mutual fund industry.

- **American International Group** Chairman and CEO Maurice "Hank" Greenberg said his successor at the world's biggest insurer has been chosen and is a current company executive. "The board knows who he is and the individual knows who he is," said Greenberg, 77.
- **Tenet Healthcare**, the nation's second-largest hospital chain, said it will alter the way it charges uninsured patients, offering discounted prices and pledging not to place liens on their homes.
- The ousted credit chief of **Sears, Roebuck and Co.** has sued the retailer over his dismissal, accusing Chief Executive Alan Lacy of defaming him last fall in trying to explain the credit unit's problems. Kevin Keleghan, who was president of Sears' credit division, also alleges in the lawsuit that Sears has wrongfully withheld severance benefits.
- **Walt Disney Co.** Chief Executive Michael Eisner was granted a \$5 million bonus last year, even as the company's stock plunged 34 percent from its high.
- **Delta Air Lines** will spell out today the details on its startup low-fare airline. The new airline, which Time Magazine reported will be named Song, will replace Delta's Express carrier.

Bloomberg News, Reuters, the Associated Press and Chronicle staff contribute to this report.

Jan. 28, 2003, 11:25PM

Security Alert

WORM -- SLAMMER: The Slammer worm doesn't do any damage to computers, and it doesn't directly affect home and most business personal computers. But it spreads quickly enough and is ferocious enough that, earlier this week, it effectively bogged down most of the Internet. The worm takes advantage of a security problem in Microsoft's SQL Server 2000 database server to spread from one machine running that software to another. If you're a systems administrator who put off patching that software, you're probably now paying the price. You can get the fix at www.microsoft.com/technet/security/virus/alerts/slammer.asp

Source: CERT

HOAX -- INSPIRATIONAL SPEECH: An e-mail making the rounds on the Net attributes a lengthy, inspirational speech to Ohio State football coach Jim Tressel, supposedly made before the team's big game in this year's Fiesta Bowl. The speech, complete with numbered bullet points, was never made by Tressel but actually was written by a fan as a speculative locker room speech. Basically, the fan wrote what he thought Tressel should say. The speech was originally posted in a public forum at The O-Zone at www.go-bucks.com.

Source: Snopes.com

Jan. 28, 2003, 10:58PM

Contract for Cigna, Memorial

By DARRIN SCHLEGEL

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Cigna Healthcare of Texas members will have continued access to Memorial Hermann Healthcare System hospitals under a new contract between the two parties, officials said Tuesday.

Terms of the multiyear agreement were not released.

"I am pleased that we were able to come to terms and avoid any disruption for our members," Mario DiBlasi, president of Cigna Healthcare of Texas, said in a prepared statement.

The agreement comes more than a month after Memorial Hermann, Houston's largest nonprofit hospital system, said it would terminate its contract with the insurer on Feb. 24 after talks to renew the pact fell apart.

Memorial had said that its contract rates with Cigna, which had been in effect since Oct. 1, 1999, were below market standards it had established with other managed care companies.

Cigna claimed the 11-hospital system was asking for rates much higher than it pays other area providers.

The parties began negotiating again last week to work out details of the new contract, which takes effect March 1 and includes all of Cigna's product lines.

The company has about 500,000 members in its health maintenance organization, preferred provider organization and point-of-service plan in Houston and surrounding markets.

The health plan said about 15 percent of its members use Memorial Hermann hospitals.

Jan. 28, 2003, 10:58PM

Ocean Energy profit blossoms in quarter

By NELSON ANTOSH

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Ocean Energy said fourth-quarter profits more than tripled from a year earlier as the result of greater production of oil and gas plus higher prices.

Average daily production of oil and natural gas was up 9 percent from the fourth quarter of 2001 for the Houston-based independent exploration and production company.

Most of the gain came from new production in the deep-water Gulf of Mexico, followed by successes in Equatorial Guinea. The higher volumes were achieved despite two hurricanes in the Gulf and the sale of some assets, the company said Tuesday.

For the quarter, average daily production came to 85,000 barrels of oil and 439 million cubic feet of gas. For the year, average daily production was up 3 percent to 82,000 barrels of oil and 426 million cubic feet of natural gas.

"Ocean ended the year with growing production even with bad weather and production delays," Chairman, President and Chief Executive James Hackett said in a written statement.

The company's stock gained 41 cents to close Tuesday at \$18.41.

Fourth-quarter net income was \$67 million, or 37 cents per diluted share, on revenues of \$339 million, against year-ago net income of \$21 million, or 12 cents per share, on revenues of \$217 million.

Net income for the year that ended Dec. 31 was down because of oil and gas prices and because of a \$76 million charge (\$50 million after tax) for exiting Pakistan and Block 19 offshore Angola. There also was a \$7.6 million charge for repurchasing high-cost debt.

For the year, Ocean earned \$131 million, or 74 cents per diluted share, on revenues of \$1.16 billion, compared with 2001 net income of \$270.5 million, or \$1.53 per share, on revenues of \$1.26 billion.

Jan. 29, 2003, 12:14AM

SBC forecast somewhat grim despite profit spike

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SBC Communications, the No. 2 U.S. local telephone company, posted lower fourth-quarter revenues Tuesday and said sales would fall further in 2003 as it loses telephone lines to rivals and as customer demand slows.

The San Antonio-based company's stock fell, even though its fourth-quarter net income doubled, as investors focused on the 2003 forecast for lower revenues and higher operating expenses, analysts said.

For the fourth quarter, SBC said earnings doubled to \$2.4 billion, or 71 cents a share, compared with \$1.2 billion, or 35 cents a share, for the final three months of 2001.

"The near-term pressures are going to stay with us. In fact, they may actually get worse before we see an upturn," SBC Chairman Edward Whitacre said.

Shares of SBC fell as low as \$23.40, before closing at \$24.32, down 53 cents, or 2.1 percent, on the New York Stock Exchange. The stock has fallen about 34 percent over the past 12 months.

SBC said it expects its long-distance and high-speed Internet access businesses to grow, but data revenues will suffer from the weak economy and network cutbacks by wholesale customers.

"They didn't give us a lot to get positive about," said SoundView Technology Group analyst Michael Bowen.

SBC's outlook echoed dismal forecasts last week from long-distance telephone company AT&T Corp. and local carrier BellSouth Corp., which both warned of a further drop in sales in 2003 amid increased competition and weak demand.

In other earnings reported:

- Duke Energy, citing continued losses in its merchant energy business and a sluggish economy, reported a \$52 million fourth-quarter loss after taking charges for job cuts and ice storm costs.
- R.J. Reynolds Tobacco Holdings lost \$59 million in the fourth quarter, thanks in part to a \$224 million restructuring charge and competition from rival Phillip Morris and discount producers.

- Procter & Gamble's profits rose 14 percent in its second fiscal quarter, driven by improved sales of health care, beauty care, fabric and household products.
- Shares in Xerox surged 12.3 percent after the company reported a fourth-quarter profit of \$19 million in contrast to a loss a year earlier, beating analysts' expectations.
- DuPont's fourth-quarter earnings fell sharply in comparison with the previous year's results, which included a big gain on the sale of its drug division. But the latest earnings still beat analysts' expectations.
- United Parcel Service reported solid gains in fourth-quarter profits, helped by a favorable tax settlement, growth in its international business and a surge in deliveries at the end of its holiday peak season.
- Profits soared at defense contractor Northrop Grumman in the fourth quarter on strong sales resulting from its aggressive expansion during 2002.
- U.S. Steel reported a fourth-quarter profit that fell short of analysts' expectations, but delivered on predictions that it would finish its fiscal year in the black.
- AT&T Wireless Services reported that its fourth-quarter net loss narrowed by 89 percent from last year and beat analysts' expectations.
- Drug maker Biogen reported a 37.5 percent increase in profits for the fourth quarter after royalties more than doubled after a legal settlement and offset a drop in sales of its multiple sclerosis drug Avonex. Drug makers Merck & Co. and Wyeth posted higher earnings and forecast a bright profit outlook for 2003, thanks to burgeoning sales of newer drugs
- Kraft Foods, the largest North American food company, said quarterly earnings rose 9.8 percent on a comparable basis, boosted by higher shipments and savings from its acquisition of cookie maker Nabisco.
- Pulte Homes, the largest U.S. homebuilder, said fourth-quarter earnings jumped nearly 45 percent as low mortgage rates drove demand for its new houses.

Jan. 28, 2003, 10:58PM

Court says GM truck owners can't sell class-action rebates

Associated Press

BATON ROUGE, La. -- A Louisiana appeals court has tossed a plan to allow General Motors truck owners to sell \$1,000 rebate certificates that were issued as part of a settlement of a class-action suit.

The recent decision by the 1st Circuit Court of Appeals reversed a ruling issued in 2001 by a state judge in a case involving the owners of 5.8 million C and K series trucks with sidesaddle gasoline tanks.

The owners got the certificates as part of a settlement that ended a lawsuit claiming that certain GM trucks built between 1973 and 1991 with gasoline tanks outside the frames were dangerous.

Although GM settled the case, the automaker still contends the trucks were not dangerous.

The \$1,000 certificates can be used toward the purchase of another GM vehicle. Houston-based Certificate Redemption Group offered to buy the certificates for \$100 each, which GM challenged.

The 1st Circuit ruled that the cash alternative offer would preclude "manual delivery or actual physical possession" of the settlement certificate by an eligible GM truck owner.

Both sides have asked the 1st Circuit for another hearing to clarify some points. The case could eventually be appealed to the Louisiana Supreme Court.

Jan. 28, 2003, 11:58PM

Briefs: City & state

Endowment board elects chair, member

The Houston Endowment said Tuesday its board of directors elected D. Kent Anderson as chairman and Anthony W. Hall Jr. as a board member.

Jack S. Blanton, chairman from 1990-2000, and Milton Carroll, chairman for the past two years, are leaving the board after 12 years of service each.

Anderson has been on the foundation's board for the past three years. He was president of Allied Bancshares, chairman and CEO of First Interstate Bank of Texas, and chairman and CEO of Post Oak Bank.

Hall is Houston city attorney.

The Houston Endowment is a private philanthropic foundation. Its board, which previously had nine members, will operate with eight.

HCC Insurance expects profits gain

HCC Insurance Holdings said Tuesday it expects to increase earnings 20 percent to 30 percent above 2002 earnings

The company said it expects profits of 50 cents per share for the fourth quarter and \$1.67 per share for all of 2002.

HCC also changed the name of its recently acquired underwriting

agency, MAG Global Financial Products.

The subsidiary, which has international operations based in Barcelona, Spain, and domestic operations based in Farmington, Conn., will now be known as HCC Global Financial Products.

In other news ...

- Tidel Technologies, a manufacturer of automated teller machines, said it received a delisting notice from Nasdaq for failure to file its quarterly earnings report. The company has until Feb. 10 for its stock to trade at or above \$1 per share or face another delisting call. "We've been under a dollar for more than a year," said Leonard Carr, Tidel's vice president. The stock closed Tuesday at 33 cents.**
- Moody's Investors Service may lower AMR's rating on \$13 billion in debt, a move that could further hamper American Airlines' ability to stay out of bankruptcy court.**
- Seismic company Seitel said that an agreement with noteholders provides another three days to reach a restructuring agreement on \$255 million in senior notes. The new deadline is Friday.**
- Valero Energy said fourth-quarter profits jumped 72 percent because demand and prices rose. First-quarter profits may fall short of analyst expectations on excess fuel supplies in some regions.**
- Exxon Mobil said it added the equivalent of 1.9 billion barrels to its reserves in 2002, more than replacing oil and natural gas output for the year.**
- Changes in the way stores buy merchandise are forcing landlords of the International Apparel Mart in Dallas to close the national wholesale institution after almost 40 years. The Apparel Mart will**

close next year, leaving vacant 1.8 million square feet of space.

Jan. 28, 2003, 11:00PM

Crude rises while traders wait on news

Dow Jones News Service

NEW YORK -- Crude oil futures ended higher Tuesday, as traders awaited weekly inventory data and President Bush's State of the Union address.

On the New York Mercantile Exchange, light, sweet crude for March delivery rose 38 cents to close at \$32.67 a barrel.

February heating oil slipped 0.39 cent to close at 93.04 cents a gallon. February gasoline jumped 2.57 cents to close at 92.72 cents a gallon.

On London's International Petroleum Exchange, March Brent advanced 38 cents to close at \$30.24 a barrel.

Natural gas for February delivery rose 4.8 cents to settle at \$5.44 per thousand cubic feet.

Separately, Venezuelan oil output topped the 1 million barrel a day mark, according to dissident workers at state-owned monopoly Petroleos de Venezuela.

Jan. 28, 2003, 11:47PM

HELP LINE

All those start-up hums and shakes are normal

By JAY LEE

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Q. I have a Sony Trinitron monitor. When I first turn it on, I hear a loud pop and a hum. When the image fades in, sometimes it's shaking a little bit, then it settles down. Everything is fine from then on. What are those noises at start-up?

A. The sound you hear is just the power coming on and charging up the cathode ray tube and all the electronic components of your monitor. It is quite normal.

The humming sound and the shaking are also normal. They are the result of the automatic degaussing of the display that the monitor executes when it is first turned on.

Degaussing is the removal or reduction of stored magnetic flux inside of your monitor that can cause it to lose picture clarity and color purity. The stored magnetic flux in a monitor comes from Earth's natural magnetism and also from devices like speakers, phones and radios if placed too near your display.

Flux density is measured in Gauss or Tesla which are named for Karl Friedrich Gauss, 1777-1885, and Nikola Tesla, 1857-1943.

If you ever place a magnet near a monitor, you might notice the distortion of the image and the changes in color display into a rainbow of colors.

WARNING: Do not place a magnet near your monitor. It can damage it permanently. If you want to see the effects of magnets on monitors, experiment with a monitor that functions but is no longer in service.

Many of the modern monitors, like your Sony, have the degaussing equipment built in and they run the procedure automatically.

You can also manually degauss your monitor from the monitor menu controlled by the buttons on the front of your display.

Older monitors and many of the smaller and off-brand monitors do not have built-in degauss capability

and have to be taken into a technician to be treated with a degaussing coil if the need arises.

Q. I have a laptop that runs much slower than my desktop machine, although it is much newer and has a faster central processing unit.

I suspect part of the problem is all the software that the manufacturer, Compaq, has running in the background that I have not been able to disable through msconfig, etc.

I am considering formatting the hard drive and starting with a "clean sheet" and loading only the software I need and use when on the road. My concern is losing system critical files that may be unique to the laptop.

Any suggestions on which system files I would need to back up and save for a reload?

A. Any background applications running on the system should be able to be disabled by using msconfig. If msconfig does not do it, you can try Startup Control Panel from Mike Lin at www.mlin.net. It does what msconfig does but is much more robust. Msconfig is a utility that comes with Windows 98, Windows ME and Windows XP. It can be accessed by clicking Start, then Run, then typing msconfig.

When it runs, it gives you the ability to disable programs that start up when your computer is first turned on and is great for getting rid of unwanted start-ups and for diagnosing system problems.

If you do decide to format your drive and do a clean install of just the operating system and your specific applications, you will want to visit the Compaq, er ... HP Web site and download the drivers for your modem, network card and display adapter. Burn these to a CD along with the installer for WinZip so that you can access them on your reloaded machine and reinstall them.

Name brands like Compaq/HP and Dell often require drivers that are not included in the operating system install and it is handy to have them when rebuilding the software on a computer.

Q. I am having a headache with CD-RW discs. On many occasions after I save something to the discs, the drive refuses to eject. I have tried the eject command, and finally have to go through the emergency hole to get the disc out. I've got a very good burner, Plextor 48x24x48. Whenever I use CD-Rs, I never have this problem. What is happening here?

A. The way that packet-writing software like Adaptec and Nero write to a CD-R is different from a CD-RW. This could explain why it works with CD-Rs and not so well with CD-RWs.

My suspicion is that the software is not letting go of the drive, or the system thinks the drive is still in use by the software. You might just try reinstalling your CD writing software or even trying a different program.

Jay Lee co-hosts the weekly radio show Technology Bytes at 8 p.m. Wednesdays on KPFT 90.1 FM in Houston. The program also is available on the Internet at www.geekradio.com. Send your computer questions to helpline@chron.com. Jay Lee cannot personally answer all reader questions.

Jan. 29, 2003, 12:01AM

Continental Express to recall pilots

First wave of 48 will return in April

By BILL HENSEL JR.

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In what could be a positive sign for the beleaguered airline industry, furloughed pilots for Continental Express could soon be flying again.

"Our plans right now are to begin recalling pilots at ExpressJet in April and continue those recalls on a schedule into 2004, as market conditions permit," Continental Express spokesman Jeff Awalt said Tuesday.

Continental Express is operated by ExpressJet Airlines, which was spun off from Houston-based Continental Airlines in April of last year.

A total of 48 pilots are expected to return to work in April, according to the Continental pilots union.

The move also is expected to trigger the recall of some Continental Airlines pilots who were furloughed after the Sept. 11 terrorist attacks.

Upon their return, those Continental pilots initially would fly for Continental Express, which provides the larger carrier all of its regional airline capacity at its hub airports.

However, as the economy improves, those pilots could move back into slots at Continental.

John Prater, chairman of the master executive council of the Continental pilots union, said virtually every pilot for Continental or Continental Express who was furloughed could be in a Continental Express cockpit as soon as the spring of 2004.

"It appears that the company's plans are that there will be enough flying to put everybody back to work within the next 12 to 15 months," Prater said. "So hopefully, by the spring of 2004, all of our members will be back to work."

As many as 479 pilots could be recalled, according to the union.

"The fact that we have stabilized our employment situation and not undergone more furloughs is a positive in this state of the industry," Prater said.

One reason for the recall is that ExpressJet will be taking delivery of about 100 Brazilian Embraer aircraft during the next two years.

That will provide enough to call back all of the furloughed pilots for Continental Express and even begin new hiring, Prater said.

ExpressJet has reported three consecutive quarters of improved earnings since its initial public offering in April 2002.

Continental still owns a majority interest in the smaller carrier, which was recently named regional airline of the year by Air Transport World.

The shift to increased use of regional jets by Continental is indicative of what is being done industrywide.

Other major hub-and-spoke carriers are making similar moves in an attempt to cut costs since the Sept. 11 attacks.

The terrorist attacks in 2001 came at a time when the industry already had begun seeing a slowdown in air travel because of a sluggish economy and changing business travel trends.

Mark Leneki, executive administrator of the union's executive council, noted that while some Continental pilots may not be back at the larger carrier, at least they will be flying again and providing a paycheck for their families.

"There is finally a light at the end of the tunnel," Leneki said. "The worst is behind us."

According to the union, 383 Continental Express pilots and 96 Continental "mainline" pilots were furloughed.

An additional 236 Continental mainline pilots went to Continental Express, 105 took leaves of absence, two took military leave and one is working for Continental dispatch.

At Delta Air Lines, more than 1,200 pilots were furloughed, Prater said.

American was forced to jettison more than 1,000 pilots, and Northwest let 650 go, he said.

At Continental, a "flow-through agreement" contractually allows pilots to flow up in good times,

according to the union. That means that Continental Express pilots who are in the most senior positions can go to Continental if the mainline carrier needs to hire them.

In bad times, however, the flow-through agreement works the other way, a union spokesman said.

More than 900 pilots who began their careers at Continental Express are now flying for Continental, Prater said.

Jan. 29, 2003, 12:06AM

Clout grows for national Hispanic business alliance

By **KRISSAH WILLIAMS**

Washington Post

When Thomas Castro, president of radio-station company El Dorado Communications in Houston, heard that Senate Majority Leader Tom Daschle, D-S.D., was looking for someone to fill a seat on the Securities and Exchange Commission, the Hispanic business leader thought of his business partner, Roel Campos.

Campos had experience dealing with capital markets as a co-founder of El Dorado and had practiced corporate and securities law in Los Angeles, where he'd also served as a federal prosecutor. But Campos was unknown in Washington and on Wall Street and had never practiced before the SEC.

SEC commissioners typically "are either really tight friends with the president or they come from Wall Street," said Castro, who worked for former California senator Alan Cranston in the 1970s. "Roel did not fit that profile."

To help make their case, Campos and Castro turned to members of the New America Alliance, a group of 80 wealthy Latino businessmen and professionals.

Members include Henry Cisneros, who was secretary of housing and urban development during the Clinton administration, and Jose Villarreal, a San Antonio attorney who served as treasurer of the Gore-Lieberman 2000 presidential campaign. They called Daschle, urging him to interview Campos for one of the two SEC seats designated for the political party not in the White House.

In June 2002, Campos became the first Latino SEC commissioner. Daschle spokeswoman Ranit Schmelzer said the New America Alliance played a key role in making that happen.

The New America Alliance also pushed for the recent appointment of Fred Buenrostro to head the California pension system. The group's latest effort to get more Hispanics on corporate boards has so far been less successful, members say.

Campos' appointment is the sort of thing New America Alliance founders Cisneros and Raul Yzaguirre, a civil rights activist and real estate investor, envisioned 3 years ago when they brought together some of the United States' wealthiest Hispanics.

In June 1999, they invited 45 other Latino executives to a two-hour meeting in Dallas, where they preached the importance of pooling their wealth to advance the Hispanic community.

They decided to form the New America Alliance, with members paying annual dues of \$10,000.

Many members had already made millions, but getting the attention of the mainstream centers of business power -- banks, boardrooms and institutional investment groups -- was difficult.

Even the alliance's philanthropy has a business focus. Members last year donated \$100,000 for a scholarship fund for Hispanics getting business degrees.

"This is an effort to try to take it to a different level of high finance," said Hector Flores, president of the League of United Latin American Citizens, one of the oldest Hispanic civil rights organizations in the country. "They are taking giant steps. ... Many people, while involved in more of a civil rights nature, just have not been able to penetrate the business sector."

Its members include many entrepreneurs, such as Daniel Villanueva, chief executive of Bastion Capital Corp., one of the first Hispanic-owned venture capital firms. Villanueva, a pioneer Latino in the National Football League, struggled to get funding for a Spanish-language television network he established after retiring from the Dallas Cowboys 35 years ago. He and his partners scraped together backing from Mexican investors to start the company that became Univision Communications, which he sold for \$300 million in 1988.

Other members include Joseph Unanue, who along with his brother owns Goya Food; Hollywood producer Moctesuma Esparza, whose movie credits include *Selena* and *Gettysburg*; and Texas oilman and 2002 Democratic gubernatorial candidate Tony Sanchez.

The group is almost equally divided between Democrats, such as Sanchez, and Republicans, such as Dorene Dominguez, a vice president at engineering firm Vanir Construction Management, who was a delegate for President Bush at the 2000 Republican National Convention.

Other Republican members include Lionel Sosa, who helped run media operations for the presidential campaigns of both George W. Bush and his father; and Hector Barreto, who helped found the organization but relinquished his membership when Bush appointed him to run the Small Business Administration. Before his appointment Barreto ran a financial services firm in Southern California.

In many ways, the political world has been easier for Hispanics to penetrate than corporate boardrooms, which often are populated by a chief executive's friends, relatives and fellow chief executives.

At the 1,000 largest U.S. companies, Hispanics hold only 181 board seats, less than 2 percent of the total, according to the Hispanic Association on Corporate Responsibility, which advocates more Latino representation on corporate boards.

Jan. 28, 2003, 10:59PM

Kazaa countersuing major record labels

Reuters News Service

WASHINGTON -- Big record companies, reeling from weak CD sales and the popularity of Internet song-swapping, are facing a backlash in court and in cyberspace as they battle to collect royalties on the Web.

The parent of the Kazaa song-swapping service countersued the industry this week in the same Los Angeles federal court that is hearing the industry's suit against Kazaa, whose users can download digital songs, movies and other files for free.

Meanwhile, technicians for the Recording Industry Association of America struggled to restore the trade group's Web site after a hacking attack knocked it offline last Friday.

Kazaa's parent, Sharman Networks, charged the industry with anti-competitive behavior because it sought to shut the site down rather than release songs in a format that would allow Kazaa users to make royalty payments.

The RIAA has spearheaded an aggressive legal battle against Kazaa and other Internet "peer-to-peer" networks since they emerged three years ago.

The trade group shut down pioneer service Napster only to see successors proliferate; Kazaa claims its software has been downloaded 179 million times.

The RIAA has more recently begun to target individual users of song-swap services, incurring the wrath of music fans who view big record labels as a bully.

Sharman's counter-suit accused big record labels of violating antitrust laws by promoting their own online systems, MusicNet and pressplay, rather than cooperating with Kazaa.

An RIAA statement dismissed Kazaa's claim as "laughable."

The RIAA and a motion-picture trade group won a recent legal round against Kazaa when a Los Angeles judge ruled that Sharman could be prosecuted in the United States even though it is registered in the Pacific island tax haven of Vanuatu.

Jan. 28, 2003, 11:35PM

Update

The rapid spread of the Slammer worm earlier this week did not directly affect home users, but it emphasizes the importance to all computer users of the need to keep up with security patches.

Slammer takes advantage of a security vulnerability found last July in Microsoft's SQL Server 2000 program. The people who run that software on large servers who patched it didn't have a problem. But those who put it off or who didn't keep up with the security alerts on that program are likely now infected.

In most cases, security problems are discovered well in advance of viruses that take advantage of them, or exploits. In fact, most viruses and worms rely on the fact that many people are unaware of patches and fixes.

Just because an exploit hasn't been developed to take advantage of a security hole doesn't mean you don't have to worry about it.

Make weekly or monthly checks on security issues for the software you use regularly, and update whenever you see a new patch is available.

- Version 5.03 of the Divx program for viewing downloaded movies is at www.divx.com/divx.
- A new build of ICQ Pro 2003a, the chat client, is now available at www.icq.com/download.
- Shredder 2003.01.26, which can securely delete files for the Mac OS X, is available at www.dekorte.com/Software/OSX/Shredder.

Editor's note: Read carefully about any patch before downloading it. Back up the data before applying a patch.

Jan. 29, 2003, 12:10AM

California withdraws records request

Bloomberg/Reuters

El Paso Corp., the largest U.S. pipeline company, said Tuesday that California attorneys withdrew a request for company records they had sought in an effort to prove the state's energy markets were manipulated in 2000 and 2001.

California and its utilities were seeking documents and audio records El Paso gave investigators with the U.S. Attorney's Office in Houston and the Federal Energy Regulatory Commission in connection with false prices company traders reported to an industry newsletter.

The records would help prove California consumers are owed as much as \$8.9 billion in refunds from companies that sold power to the state during the energy crisis, attorneys had argued in filings with FERC. Houston-based El Paso had sought to quash the subpoena.

California withdrew its request this week after reaching an agreement with company representatives, Kenneth W. Irvin, a lawyer for El Paso Merchant Energy, said in a filing. Irvin could not be reached for comment.

Joseph Fagan, an attorney for Pacific Gas and Electric Co., California's largest utility, said he was barred by the agreement with El Paso from discussing terms. He declined to say whether the state still plans to use evidence from the criminal probe to bolster its case for refunds.

Also Tuesday, FERC Judge Peter Young approved four subpoenas for documents related to the California crisis, including one to a former Enron analyst, Michael Driscoll.

Jan. 28, 2003, 10:10PM

Local earnings

FMC Technologies said its fourth-quarter earnings reflected the continuing strength of its subsea oil and gas systems business, offset by difficult conditions in many of its other businesses. The backlog rose to a record \$1.15 billion, on the strength of inbound orders for energy production systems. Results from a year ago are pro forma. Qtr. to Dec. 31 2002 2001

Revenues 580,200,000 546,400,000

Net income 24,500,000 21,400,000

Per share (basic) 0.38 0.33

Per share (diluted) 0.37 0.32

Full year 2002 2001

Revenues 2,071,500,000 1,927,900,000

Net income (129,700,000) 34,700,000

Per share (basic) (1.99) 0.53

Per share (diluted) (1.94) 0.53

(Figures in parentheses are losses.) FMC Technologies provides equipment and services for the energy, food and airport industries. The company was formed through a strategic reorganization of FMC Corp.

Integrated Electrical Services said its first-quarter revenues were down 7 percent from a year earlier because of noncore divestitures during the fourth quarter, a reduction in communications work and continued softness in the commercial and industrial markets. The year-ago net loss includes a \$283 million accounting charge and a \$4 million restructuring charge. Qtr. to Dec. 31 2002 2001

Revenues 348,577,000 375,179,000

Net income 3,807,000 (285,097,000)

Per share (basic) 0.10 (7.17)

Per share (diluted) 0.10 (7.17)

(Figures in parentheses are losses.) Integrated Electrical Services offers electrical system design and installation, maintenance and service to customers including general contractors, developers and corporations.

Diamond Offshore Drilling said net income for the fourth quarter included investment gains of \$1.6 million compared with \$4.9 million a year earlier. The day rate on high-specification floating rigs averaged \$99,000 with an 84 percent utilization rate, compared with \$120,000 and 98 percent during the year-earlier quarter. Other semisubmersibles averaged \$64,000 per day compared with \$70,000. Qtr. to Dec. 31 2002 2001

Revenues 183,041,000 231,104,000

Net income 6,296,000 39,808,000

Per share (basic) 0.05 0.30

Per share (diluted) 0.05 0.29

Full year 2002 2001

Revenues 752,561,000 924,300,000

Net income 62,520,000 173,823,000

Per share (basic) 0.48 1.31

Per share (diluted) 0.47 1.26

Diamond Offshore Drilling is a deep-water driller with a fleet of 46 offshore rigs, including 31 semisubmersibles, 14 jack-ups and one drillship.

Houston Exploration Co. said its increase in 2002 earnings and cash flow reflect higher production volumes and commodity prices. Qtr. to Dec. 31 2002 2001

Revenues 97,725,000 78,712,000

Net income 25,034,000 16,872,000

Per share (basic) 0.81 0.55

Per share (diluted) 0.81 0.55

Full year 2002 2001

Revenues 345,381,000 388,509,000

Net income 70,494,000 122,601,000

Per share (basic) 2.31 4.06

Per share (diluted) 2.28 4.00

Houston Exploration is an independent oil and gas company.

Input/Output said its net loss for the fourth quarter included pretax charges of \$1.7 million for severance and job cutbacks, plus \$1 million for closing facilities in Alvin and in Norwich, U.K. The company is optimistic that revenues will continue to increase and it will return to profitability this year. Qtr. to Dec. 31 2002 2001

Revenues 36,981,000 51,126,000

Net income (6,519,000) 641,000

Per share (basic) (0.13) 0.01

Per share (diluted) (0.13) 0.01

Full year 2002 2001

Revenues 118,583,000 212,050,000

Net income (120,821,000) 3,709,000

Per share (basic) (2.37) 0.07

Per share (diluted) (2.37) 0.07

(Figures in parentheses are losses.) Input/Output provides seismic acquisition imaging technology for

land, marine and transition zone exploration, production and reservoir monitoring.

Jan. 28, 2003, 9:49PM

Democrats attack White House on economic policy

Associated Press

WASHINGTON -- America under President Bush has been left with fewer jobs and not enough money for security, education and health, Democrats said Tuesday in a combative response to Bush's State of the Union speech.

"In too many ways, our country is headed in the wrong direction," Gov. Gary Locke of Washington state said in the official response from Democrats, who lost control of the Senate in the November elections and saw Republicans increase their majority in the House. He called Bush's plan to stimulate the economy "upside-down economics."

Locke, chairman of the Democratic Governors Association, also took issue with Bush's assertion that he doesn't need U.N. approval to use military force against Iraq.

"We support the president in the course he has followed so far," including working with the United Nations to insist on strong weapons inspections, Locke said. But "we need allies today, in 2003, just as much as we needed them in Desert Storm and just as we needed them on D-Day in 1944."

Sen. Edward Kennedy, D-Mass., said after the president's address that he will seek votes in the House and Senate on a new resolution requiring Bush to present "convincing evidence of an imminent threat" before sending troops to fight Iraq. Kennedy said Bush "did not make a persuasive case that the threat is imminent and that war is the only alternative."

Rep. Charles Rangel, D-N.Y., said in a statement: "President Bush failed to demonstrate that there is an immediate threat from Iraq to us or our allies."

House Democratic leader Nancy Pelosi of California said that while Bush has the authority he needs to use force against Iraq, "I think it would be important for Congress to have an open debate" about unanswered questions.

Locke's response was markedly more critical than the Democratic reaction to Bush's first State of the Union speech a year ago, when then-House Democratic leader Dick Gephardt, speaking only four months after the Sept. 11 attacks, pledged strong support for the president in his war on terrorism.

Now, Democrats are trying to regain the offensive after suffering unexpected losses in last November's

election, while focusing on the nation's growing concerns over the faltering economy and the threat of war with Iraq.

Locke, whose state has been among the hardest-hit by the economic downturn, said that under Bush's policies "states and cities now face our worst budget crises since World War II."

"We're being forced to cut vital services from police to fire to health care," he said. "We need a White House that understands the challenges our communities and people are facing across America."

Locke said Bush's 10-year, \$674 billion plan to rejuvenate the economy, mainly through tax cuts, was "upside-down economics. It does too little to stimulate the economy now and does too much to weaken our economic future."

Locke's selection to represent the party this year reflected the growing power of Democratic governors. While congressional Democrats gave ground, governors picked up four seats, for a total of 24. He is the nation's first Chinese-American governor.

He led a chorus of Democratic criticisms of Bush, joined by Senate Democratic leader Tom Daschle, who said Bush "has promised a strong economy, and the result of two years of his effort have been 2 million jobs lost, a deficit of now \$400 billion, a plummeting stock market and 1 million people without unemployment insurance compensation."

"He promised a strong homeland defense, and yet we have first responders who have no resources, we have yet to find two-third of al-Qaida, including Osama bin Laden," Daschle said.

Jan. 28, 2003, 10:19PM

Bush urged to reconnect with centrists

Moderates skeptical of leader, observers say

By JULIE MASON and KAREN MASTERSON

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WASHINGTON -- A prime strategy for President Bush in selling the ambitious vision outlined in Tuesday's State of the Union address will be in reconnecting with a former key constituency, political observers said.

The nation's political center, to which Bush campaigned aggressively in 2000 and from which he pledged to govern, increasingly is skeptical about the president's stewardship of the nation.

Many from both the Democratic and Republican parties agree that, in coming weeks, Bush's success will depend in large part on re-engaging disaffected moderates and convincing average Americans that his vision addresses their concerns.

"He needs to do what we are all here to do, which is to find out where the common ground is and try to move what we can back to the middle," said Rep. Nick Lampson of Beaumont, a moderate Democrat.

Making the case to the middle won't be easy for Bush and his allies. Recent polls have shown Democrats gaining traction in depicting the president's tax cut plan as a windfall for the rich.

And even before both chambers of Congress came under Republican control this month, official Washington largely had abandoned the bipartisan cooperation that Bush and others promised in the 2000 campaign.

Sen. Kay Bailey Hutchison of Texas, a moderate Republican, said returning to that cooperative spirit is even more essential now given the challenges facing the country.

"President Bush laid out a bold plan to get the economy moving and protect American interests at home and abroad. By working across party lines and international borders, we can make his vision a reality," Hutchison said.

A key test for Bush awaits in the Senate, where 12 Democrats were needed in 2001 to pass his earlier tax cut plan, a feat then hailed as a major bipartisan victory for a newly elected president.

But many of those one-time Democratic allies were alienated by the aggressive campaign tactics Bush used against them one year later, when winning a GOP majority became his main objective. Last year, Bush worked particularly hard to unseat Democratic Sen. Max Cleland of Georgia, a decorated war hero who was among Bush's staunchest supporters in 2001.

Democratic Sen. Bill Nelson, a centrist from Florida who voted against Bush's tax cuts, said many of his colleagues who once liked Bush no longer trust him.

"I think a lot of those Democrats (who supported him in the past) are going to think twice before being waltzed down to the White House and being sweet-talked by the president," Nelson said.

The cornerstone of Bush's domestic agenda is a \$674 billion economic stimulus package aimed at reviving the flagging economy. Its successful passage in Congress, followed by demonstrable results in turning the economy around, will be essential to Bush's re-election in 2004.

With so much at stake, the White House sales job can't be limited to moderates on Capitol Hill, observers said. To regain his political footing, Bush must reconnect with mainstream America.

"The president's views are misaligned," said Democratic pollster Stanley Greenberg. "He is out of the mainstream with what people believe about how you ought to do economic policy, what principles ought to apply."

Already, several key lawmakers are warning that Bush's plan to lift taxes on dividends won't make it out of Congress, while others are questioning why Bush's plan doesn't create more jobs.

Lawmakers' balkiness reflects changing public opinion. Polls have shown Americans disapprove of Bush's handling of the economy, and have begun to question his tactics in international affairs.

Republican Sen. John Cornyn of Texas, a close Bush ally, dismissed the significance of polls, saying Bush's strong leadership qualities will prevail in selling his program.

Next week, Bush will submit his budget for the coming fiscal year, sparking a debate that inevitably will address the federal deficit, which the White House estimates will reach \$300 billion in the next two years.

"I would be impressed if he talked about the solutions to our problems being in the middle of the political spectrum, not right or left," Lampson said.

Jan. 28, 2003, 9:50PM

Bush calls again for reforms in Medicare, malpractice awards

Associated Press

WASHINGTON -- President Bush asked Congress Tuesday night to establish a prescription drug benefit for the elderly as part of a broad plan to overhaul Medicare at a cost of \$400 billion over the next 10 years.

"Leaders of both political parties have talked for years about strengthening Medicare," Bush said in his State of the Union message. "I urge the members of this new Congress to act this year."

The president offered a broad outline of his Medicare proposal, along with the rest of his health agenda, including establishing federal caps on damages in medical malpractice suits and providing health care insurance to the estimated 40 million Americans who lack it.

"These problems will not be solved with a nationalized health care system that dictates coverage and rations care," Bush said. "Instead we must work toward a system in which all Americans have a good insurance policy, ... choose their own doctors ... and seniors and low-income Americans receive the help they need."

The central feature of the president's Medicare plan includes a drug benefit for older Americans who leave the traditional fee-for-service program and join government-subsidized health care plans administered by insurance companies, according to administration officials.

"Seniors happy with the current Medicare system should be able to keep their coverage just the way it is," Bush said. But he added that, just like federal employees, "seniors should have the choice of a health care plan that provides prescription drugs."

Bush was traveling Wednesday to Michigan, where he was expected to further outline his Medicare proposal. Officials said details would come even later.

The plan will offer prescription drug benefits and catastrophic illness coverage to seniors as inducements to give up their fee-for-service Medicare benefits and enroll in private plans, administration officials said earlier.

White House Budget Director Mitchell Daniels said before Bush's address that the president was "very

committed to improving Medicare, partly for the least-advantaged seniors."

The government has estimated Medicare will run out of money in 2030. Bush and congressional Republicans have said reforms are needed if the 38-year-old program is to provide a prescription drug benefit and still absorb the aging Baby Boomer population.

"It's very important that Medicare be modernized in a way that protects it for seniors throughout our future," Daniels said. "What's most important is we have a structural program that can be sustained over time."

Bush called for a federal cap on medical malpractice awards. The president has said he believes excessive lawsuits are driving up the cost of health care. "No one has ever been healed by a frivolous lawsuit," he said.

Bush's guests for his speech Tuesday included two doctors the White House said had changed their practices because of rising malpractice insurance premiums:

--Kurt Kooyer, a pediatrician who relocated from Mississippi to West Fargo, N.D., because of rising liability costs and who helps provide health care to underprivileged families.

--Denise Baker, a Bradenton, Fla., obstetrician/gynecologist who stopped delivering babies last fall because her insurance expenses exceeded her salary.

Jan. 28, 2003, 11:49PM

Texans in Congress differ over message

Associated Press

WASHINGTON -- Texas' most senior congressman said the state's residents should "assume we are going to war" as President Bush took his case against Saddam Hussein to the public in his State of the Union speech Tuesday.

Arlington Democratic Rep. Martin Frost, dean of the Texas congressional delegation, said Bush made a strong case, but likely won't get full support for attacking Iraq until he provides full details at the U.N. Security Council on Feb. 5. "I think (Texans) should assume we are going to war," Frost said.

Bush sought to persuade Americans that Saddam has been violating a 12-year-old agreement to disarm and gave some details that lawmakers said would help him rally support from Americans. He earned heavy applause from both sides of the aisle on many parts of his speech on Iraq, said Rep. Mac Thornberry, R-Clarendon.

"We will consult, but let there be no misunderstanding: If Saddam Hussein does not fully disarm, for the safety of our people and for the peace of the world, we will lead a coalition to disarm him."

Thornberry, a House Armed Services Committee member, said Iraq still has options for avoiding war. "No one should have any doubt that Iraq will be disarmed. It is still possible that that can happen voluntarily. No one should doubt the president's determination," Thornberry said.

Earlier Tuesday, Sen. Kay Bailey Hutchison lent Bush her support in his effort to rally American support. In a speech from the Senate floor, she said Bush does not want to make war, but he wants to prevent another 9/11 attack.

"I know this president's very last resort is war," Hutchison, a Republican, said in the hours before Bush's State of the Union address. "He knows that unless Saddam Hussein knows that we mean business -- that we will do what we say we are going to do -- we are going to lose this war on terrorism."

Some Texas Democrats began wavering from their previous support for use of force against Iraq.

Corpus Christi Democratic Rep. Solomon Ortiz, a member of the House Armed Services Committee, said U.S. pursuit of terrorists who attacked or seek to attack the United States is "imperiled by the additional direction we have taken with Iraq."

Ortiz had supported the resolution Congress passed in October authorizing Bush to use force against Iraq, although he was absent the day the House voted on it. He said his constituents and some international friends say Bush must present more evidence that Saddam has weapons of mass destruction.

The State of the Union speech had been billed as critical for Bush, whose approval ratings have been slipping in polls. The speech was meant to shore up Americans' confidence in the economy, but anxiety over possible war with Iraq made his foreign policy the forefront issue.

Democrats had challenged the White House on Monday to show proof that Iraq has weapons of mass destruction.

Hutchison said a war with Iraq will be difficult to execute unless the U.S. economy stays strong, and made a pitch for tax cuts Bush has proposed and legislation she is sponsoring to give tax relief to married couples.

House Majority Leader Tom DeLay, R-Sugar Land, backed Bush's authority to confront Saddam, saying he was given broad support to do so through an October congressional resolution.

"It is not a question of whether or not (Saddam) has terror weapons," DeLay said in a statement. "The real question is where and when will Saddam choose to use the thousands of terror weapons he still has."

But San Antonio Democratic Rep. Ciro Rodriguez, Congressional Hispanic Caucus chairman, said Bush is talking about fighting abroad, while Latinos are fighting at home for better schools, health care, jobs and tax relief for lower wage earners.

"It is true that our nation faces challenges from abroad, but we also face challenges at home. Challenges that must be met with more than empty promises," Rodriguez said.

John Cornyn, Texas' newest senator, said Americans need to look at the cost of doing nothing about Saddam.

"Nobody wants war, but at the same time the president has a responsibility to protect the American people," Cornyn said. If another terrorist attack occurs, Bush would be held accountable, he said.

Jan. 28, 2003, 9:31PM

Economic highlights of President's speech

Associated Press

Economic highlights of President Bush's State of the Union address Tuesday:

--Reiterates key elements of his \$674 billion, 10-year economic growth plan, including elimination of federal tax on corporate dividends, acceleration of rate cuts scheduled for 2004 and 2006 to this year, abolition of so-called marriage tax penalty paid by many two-income couples.

--Repeats his campaign 2000 call to strengthen Social Security by letting workers invest in private retirement accounts but provides no details.

--Again calls for overhauling Medicare, letting senior citizens choose between staying with current fee-for-service system or selecting an option that would provide prescription drug benefits.

--Without specifying size of projected budget deficits, says best way to reduce them is to restrain spending and foster economic growth. Says he will propose limiting growth of federal agencies to 4 percent next year; White House budget chief Mitchell Daniels has said most of that increase will go to the military, homeland security, education and health care for veterans.

--Proposes \$1.2 billion for research into less polluting, hydrogen-powered cars.

--Proposes \$450 million to train and recruit mentors for more than 1 million disadvantaged junior high students and children of prisoners; \$600 million for drug treatment for additional 300,000 Americans.

Jan. 29, 2003, 12:35AM

Sounding Board for Readers

Welcome to Sounding Board for Readers, a new Chronicle feature. We're assembling a group of readers from across the Houston area, and we'll ask this group to occasionally comment on the news.

Topic today: The State of the Union

Ron Clarke, 52, Humble

Bush came out rompin' and stompin'. Strong words on improving health care, but with employers cutting back on insurance benefits and millions of folks with decimated net worth, I worry about how the country will achieve "affordable care," particularly for seniors and low-income citizens. A catastrophic illness may be your worst enemy late in life -- sorting this out should be a top priority.

Shanna Crawford Barnstone, 42, Silverdale

Bush's speech reflected not the concerns of the ordinary folk on the street but the "most important priorities" for America chosen by his elite fraternity of decision-makers; namely, war. His feel-good, cowboy phrases only added to the disillusion about what's in store for Americans who would like to have clean air, clean water, national parks that are staffed, research for alternative energy, ethical behavior in the corporate world, and a citizenry that is employed, educated and healthy.

Shekkola Barnett Gray, 29, East Houston

Most Americans are interested in what President Bush didn't say. Why are all economic reforms aimed at making the wealthy wealthier? Why not instead discuss a minimum wage increase? Why does the average person care about taxes on corporate dividends? What percentage of the country can look forward to these dividends? And what about the affordability of health insurance? Unfortunately, Mr. Bush is far too concerned with going to war. I am much more interested in leaving my children the legacy of a healthy economy and an excellent health-care system. I don't want my children to learn how to be a bully.

Bob Boggio, 32, Galleria area

President Bush has some good ideas. However, bipartisanship will once again defeat these ideas, and future generations will feel the wrath of a non-united union. This is not limited to the economy but to the evil that threatens and challenges the sovereignty of the United States.

A.L. Benavidez, 52, Missouri City

I think the president is on the right track about a clean environment and pollution-free automobiles that will reduce the need for oil.

Margaret Mallia, 53, West Houston

There is no doubt that Saddam Hussein is evil. President Bush went to great lengths to describe the evil ways of this man. But I still question whether we should declare war on Iraq without the support of more world powers. I also feel that the majority of American people must still be convinced that war in Iraq is the right move for the U.S.

I do support the plan that senior citizens must be given a choice for health care that provides prescription drugs. The price of these drugs is draining the pocketbooks of the elderly.

Dustin Windsor, 50, Northwest Houston

He outlined a comprehensive plan to make America not only a world power, but also a world leader, responsible for the welfare and protection of its own citizens and the citizens of the world. We are our "brother's keeper."

Patsy Souza, 57, Houston Heights

We rally to the red, white and blue -- it is the American way. But we must remember to not follow blindly, but to question often and loudly if need be. It is our right.

Melissa Langfield, 32, Southwest Houston

While I was pleased with his environmental initiatives, I was concerned about his continuing undermining of the division of church and state with his federally funded faith-based initiatives. They sound very compassionate and pretty on paper, but which religions is he funding?

Monica H. Nguyen, 30, Inner Loop

I thought tonight's speech was the standard State of the Union "pep rally." Bush, as many presidents before him, Democratic and Republican alike, addressed the timeless issues of world peace, health care, taxation, poverty, and job security. What I really want to hear is how he plans to get Congress to work together to achieve these goals.

Anna Núñez, 35, Northside Barrio

Bush was chillingly smug in his blatant pandering to the rich. All this mumbo-jumbo about "unfair taxation of dividends, investments, and tax breaks" doesn't mean anything to the real families who are suffering and enduring this economic crisis. He's out of touch when he thinks "mentors" are the answer to helping our nation's poor children, when his own actions hurt the mothers. He failed to mention his recent actions of just one week ago. After proposing tax breaks for rich stock owners, he called for increasing 10 hours of required work from welfare mothers with small children and simultaneously freezing funding for child care, transportation, social service support programs, and decreasing job training. Where is the "compassion" in there?

Want to join the Sounding Board for Readers?

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Jan. 28, 2003, 9:06PM

Pentagon's budget put into red by terror war

By **ROBERT BURNS**
Associated Press

WASHINGTON -- The cost of fighting the war against terrorism has left the Pentagon at least \$15 billion short, and the budget gap must be filled soon or troop training will have to be scaled back, the Pentagon's budget chief said Tuesday.

Dov Zakheim, the Pentagon comptroller, said that the military also is ringing up unbudgeted charges as it sends tens of thousands of troops and tons of equipment to the Persian Gulf region in preparation for a possible war in Iraq.

He would not say how much the troop buildup is costing.

The budget problem could grow dramatically if President Bush should decide to attack Iraq and Congress does not cover the extra costs, Zakheim said.

"If one were to actually engage in combat, then the (cost) estimate would skyrocket," he said. "How high it would skyrocket, nobody knows. Nobody can know, because we don't know how long the war would go on, what kind of opposition we'll face, what kind of losses we might have to suffer."

Zakheim said the administration has not yet decided how to structure its request to Congress for extra money. It would be in addition to the current \$355 billion budget that was meant to cover expenses through Sept. 30.

He indicated that action must be swift. If the extra money is not available by April 1, some of the military's routine training will have to be canceled to make ends meet, he said. He would not specify how much the Pentagon believes it needs, but he indicated it would be at least \$15 billion, not counting the cost of a possible war in Iraq.

The war in Afghanistan, plus the extra military security at home that was begun after the Sept. 11, 2001, terrorist attacks, is costing the Pentagon about \$1.5 billion a month. That money is not included in the current budget, he said.

Jan. 28, 2003, 10:33PM

Treasury pick voices faith in tax cut

Secretary nominee tells Senate panel 'economy is recovering'

By DAVID STOUT
New York Times

WASHINGTON -- President Bush's choice for Treasury secretary, John Snow, voiced strong faith on Tuesday in the president's tax and economic policies and said that a strong dollar "is in the national interest."

Snow, a wealthy lawyer and economist who was head of the CSX Railroad Corp., told the Senate Finance Committee he retained deep faith in the U.S. economy, which he said had shown great resiliency after the Sept. 11 terrorist attacks, corporate scandals and "the falling stock market, really the blowout of the stock market."

"But despite these significant events, the economy is recovering," Snow said at his confirmation hearing. "It's a testimony to the inherent resiliency, I think, of the American economy that it could take so many shocks, so many body blows, and still, still do as well as it's doing."

The nominee, who has previously voiced his disapproval of long-standing government deficits, told the panel that the president's proposed economic-stimulus package, which would cost some \$670 billion over the next decade, is sound.

"It will create jobs," Snow testified. "It will spur investment. It is an investment in the American people and in their future. But it also says -- and I think this is important -- that what's good for the future is even better for today. And that's the key to the acceleration."

On that point, Snow was sure to be sharply questioned by Democrats, despite the generally warm reception they gave the nominee personally.

Sen. Max Baucus of Montana, the ranking Democrat on the panel, signaled his dislike of Bush's plan even before the nominee began to speak.

"Unfortunately, the president's plan would make the deficit worse, not better," Baucus said. "If enacted, the president's tax proposals would increase the deficit \$674 billion over the 10 years. And if you add the interest costs, the president's plan would add almost \$1 trillion to the national debt."

"That worries me, Mr. Snow. I hope it worries you."

Democrats in Congress have put forth their own economic-stimulus proposals, which they say would cost the government much less and be fairer to lower- and middle-income families. Republicans say the Democratic proposals are shortsighted and will be far less effective than the White House program.

Snow's comments that a strong dollar is best for the United States were likely to disappoint some U.S. manufacturers who believe a strong dollar makes their goods too expensive overseas.

"There's been a consistent policy on the dollar going back the better part of a decade," Snow said. "I support that policy. I favor a strong dollar; it's in the national interest."

The dollar has been buffeted by other currencies in recent months because of the sluggish U.S. economy and anxiety over a possible war with Iraq.

Committee members greeted Snow warmly, with senators of both parties speaking as though they expect him to be confirmed. Sen. Bill Frist of Tennessee, the Republican majority leader, said Snow was "the right person" for the job and that he hoped to move his confirmation quickly through the Senate.

Sen. Charles E. Grassley, R-Iowa, who heads the committee, praised Snow for making a financial sacrifice to accept the Treasury nomination. The senator said Snow was giving up some \$15 million in salary, benefits and bonuses. (Snow said he would sell his holdings in CSX and other companies and not take part in Treasury decisions involving CSX.)

"Mr. Snow will bring to the Treasury Department a distinguished background of business experience and prior public service," Grassley said, calling the nominee "a proven leader." Snow served in the administration of President Gerald Ford.

Baucus told Snow that "as Treasury secretary, your every word and action will have far-reaching consequences, for our domestic economy, for our world economy, for the president, for all of us."

Jan. 28, 2003, 9:08PM

Mayors of Philadelphia, New York urge cutbacks

By **TIMOTHY WILLIAMS**

Associated Press

NEW YORK -- With New York City facing its worst fiscal crisis since the '70s, Mayor Michael Bloomberg proposed a \$44 billion budget Tuesday that includes \$487 million in cuts and assumes passage of a commuter tax that the governor is against.

Bloomberg's spending plan does not call for any immediate layoffs in the city's work force of 250,000.

Meanwhile, in Philadelphia, Mayor John Street proposed the elimination of about 1,600 jobs through layoffs and attrition over the next five years.

Bloomberg's spending plan also includes \$600 million in savings from the city's municipal work force -- such as making employees help pay for their own prescription drugs -- which union leaders have flatly rejected.

Essential to the budget, the mayor said, is \$1 billion from a commuter tax that Gov. George Pataki has repeatedly said he does not support.

As with many items in his proposal that would need the approval of state legislators, Bloomberg said he is optimistic that he will be able to make his case on the commuter tax.

"Those people take advantage of the protection our Police Department provides, of the safety our Fire Department provides, they throw out trash that our sanitation picks up, and when you say it's not fair, it's not fair to get a service and not pay your fair share of it," Bloomberg said.

Beyond its projected \$3.4 billion deficit for fiscal year 2004, the city faces gaps of \$5 billion or more each in fiscal years 2005, 2006 and 2007. Bloomberg did not rule out more layoffs. Since October, 700 city workers have been let go.

The City Council must approve the budget by June.

In Philadelphia, Street has targeted 1,614 jobs, but the mayor said his goal is to eliminate 2,500 positions, or 10 percent of the city's work force by 2008. About 600 jobs will be cut this year, including 50 from the mayor's staff. He also proposed closing some recreation centers and pools.

Because of surpluses from previous years, Philadelphia will actually end 2003 with a small surplus. But with flat revenue, increasing health care costs and the stock market in a slide, the city's budget deficit is projected at \$834 million by 2008.

Jan. 28, 2003, 8:29PM

Astronauts pause to remember Challenger colleagues

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CAPE CANAVERAL, Fla. -- Space shuttle Columbia's astronauts joined Mission Control in a moment of silence Tuesday at the exact time 17 years ago that Challenger exploded in the sky.

NASA's work force, in orbit and on Earth, remembered not only the seven astronauts who died on Jan. 28, 1986, but also the three who were killed by a fire in their Apollo spacecraft at the pad on Jan. 27, 1967.

At the launch site Tuesday, flags flew at half staff for the second day in a row.

The two tragedies, separated by 19 years and a single day, represent NASA's darkest hours.

"It is today that we remember and honor the crews of Apollo 1 and Challenger. They made the ultimate sacrifice, giving their lives and service to their country and for all mankind," Columbia commander Rick Husband radioed a few minutes before the airwaves went silent.

"Their dedication and devotion to the exploration of space was an inspiration to each of us and still motivates people around the world to achieve great things and service to others."

The six Americans and one Israeli aboard Columbia marked their 12th day in space Tuesday.

Their round-the-clock laboratory research mission, featuring more than 80 experiments, is due to end with a landing at Kennedy Space Center on Saturday, Day 16.

The mission has been considered a success by both NASA and scientists, many of whom have obtained data that exceeded their expectations.

Thomas Goodwin, project scientist on a study of the interplay of prostate cancer and bone cells, said Tuesday that the experiment had produced a golf-ball size piece of tumor that he called the "largest piece of tumor tissue grown in microgravity."

Goodwin said tissue grown in microgravity closely resembles tumors that grow in the body, offering

scientists a lifelike model for further research.

Goodwin said the tissue still growing on the shuttle will be harvested live when the shuttle lands and used in experiments of gene therapy for cancer.

On the international space station, the two American astronauts and one Russian cosmonaut also paused to remember, and the airwaves fell silent there, too.

Challenger erupted in a fireball at 11:39 a.m., 73 seconds after liftoff, over Cape Canaveral.

The moment of silence Tuesday ended with 10 bell chimes at Johnson Space Center in Houston, one for each the 10 astronauts killed.

The Challenger crew included Christa McAuliffe, a New Hampshire teacher who had hoped to give lessons from space.

Last week, NASA announced it will hire three to six teachers for its next astronaut class.

McAuliffe's backup, Barbara Morgan, will be on Columbia's next flight, to the international space station in November.

Morgan quit her Idaho teaching job in 1998 to become a full-fledged astronaut.

Jan. 28, 2003, 9:13PM

Shoe bomber called 'protector' of Islam

Prison letters from Reid blame U.S. for the deaths of millions of Muslims

By DENISE LAVOIE
Associated Press

BOSTON -- Richard Reid's lawyers said Tuesday he didn't try to blow up a jetliner with explosives in his shoes because he hated the United States, but instead was trying to defend Islam from U.S. aggression.

The explanation of Reid's actions aboard an American Airlines flight from Paris to Miami in 2001 was in court documents submitted to the judge who will sentence him Thursday. He faces 60 years to life in prison.

Passengers and crew members overpowered Reid, 29, after he tried to light a fuse protruding from one of his shoes. Prosecutors said the bombs would have caused catastrophic damage aboard the flight carrying 197 people.

When he pleaded guilty in October, Reid said he was a member of the terrorist group al-Qaida and declared his hatred for the United States.

But in their sentencing memo, Reid's lawyers say he did not do it to wage war against America. They say he "took no pleasure" in trying to blow up the plane, but did it to defend Islam, which he believes has been under attack by the United States.

Reid, a British citizen who converted to Islam, claims in letters he wrote from prison that the United States, through sanctions on Iraq, is responsible for the deaths of 2 million Iraqi children.

"He well knew that he would cause untold pain and grief even if only a few people were killed, but he says that this was outweighed in his mind by his firm belief that this country in recent years has caused the deaths of millions of Muslims," his lawyers wrote.

They added: "Mr. Reid thinks of himself as being -- or, rather as trying to be -- a protector of his religion."

Reid's lawyers also said he credits Islam with saving him from a life of despair. They describe a troubled

childhood and young adulthood, when Reid was plagued by poverty, feelings of uselessness, racism and crime.

Earlier Tuesday, U.S. District Judge William Young refused to release Reid's jailhouse letters after prosecutors warned he might be trying to send or receive coded terrorist messages.

Jan. 28, 2003, 11:37PM

Agent: No evidence spy letters ever sent

By EUN-KYUNG KIM

Associated Press

ALEXANDRIA, Va. -- The government has no evidence that a former Air Force master sergeant accused of espionage ever sent letters he wrote to Iraqi and Libyan leaders offering to sell them American military secrets, an FBI agent testified Tuesday.

Brian Patrick Regan also never spoke with any potential foreign agents or engaged in other types of suspicious behavior while under constant surveillance, according to the agent, a witness in the first spy trial in 50 years that could result in the death penalty.

"I am a Middle East/North Africa analyst for the Central Intelligence Agency. I am willing to commit espionage" against the United States, Regan allegedly wrote in a letter to President Saddam Hussein of Iraq.

The letter was included in documents read in the U.S. District Court by FBI agent Steven Carr, who headed the investigation that led to the retired master sergeant's arrest.

At the time, Regan worked for a civilian contractor at the National Reconnaissance Office, a secret government spy agency. He indicated in the letter that he was a 20-year CIA veteran nearing retirement and deserved more than the agency's small pension. He offered to provide access to more than 800 pages of classified information in exchange for \$13 million in Swiss francs. He called the offer "a chance of a lifetime."

Regan wrote a nearly identical letter to Libya's Moammar Gadhafi, according to data found on a computer seized in his home.

Carr acknowledged the computer used to belong to the government and might have contained data from past users.

Regan, 40, has pleaded innocent to charges he offered sensitive information to Iraq, Libya and China. Defense attorneys maintain that the Bowie, Md., resident was acting out a spy fantasy, lacked access to valuable information and never had any serious intent to jeopardize U.S. security.

FBI agents had tapped Regan's phone, tracked his computer keystrokes and videotaped him at work for

weeks before his Aug. 23, 2001, arrest outside Washington Dulles International Airport, where he was prepared to fly to Zurich, Switzerland.

A jail officer who conducted a strip search of Regan after his arrest testified he found a piece of paper tucked between two insoles in one of Regan's shoes. The paper contained the addresses of the embassies and other diplomatic buildings that Iraq and China occupied in France, Switzerland and Austria, according to a retired State Department officer who examined the document.

Carr said Regan constantly accessed Internet information, some classified, on Iraq and Libya while he worked at the National Reconnaissance Office, which operates U.S. spy satellites. He also often used a public library computer for foreign embassy data.

However, Carr said he was unaware of any personal contact Regan made with possible foreign officers, either in the United States or during a June 2001 trip he took to Europe.

Few spy cases ever make it to court, because the government would rather cut a deal than risk revealing secrets.

As a partial resolution of that problem, attorneys have been displaying evidence to jurors and witnesses on computer monitors and a large television screen that is out of view of court spectators.

Jan. 29, 2003, 12:05AM

GIs leave behind bit of genetic insurance

Sperm banks cite increase in visits by military men

By ELLEN GAMERMAN
Baltimore Sun

WASHINGTON -- As tens of thousands of troops receive orders to deploy for possible war with Iraq, U.S. servicemen are finding time for an unconventional errand -- one that takes Norman Rockwell images of a soldier's farewell and gives them a 21st-century twist.

During the past month, the nation's leading sperm banks have reported a record increase in visits by departing military men as couples seek genetic insurance against the injury, illness and death that war can bring.

By putting sperm in the deep freeze, some servicemen believe they are safeguarding against birth defects or infertility, problems they fear could be caused by exposure to chemical or biological weapons or unexpected side effects of vaccinations. While it may bring peace of mind, the technology also forces couples to confront an uncomfortable question: whether to start a pregnancy even after the death of the father.

Navy engineer James Erler, who is stationed in San Diego, has met with a doctor and plans to bank his sperm in the coming weeks. He and his wife, Melissa, decided he ought to do so after the couple discussed the dangers of a war and the risks James encountered while serving overseas during last year's anti-terrorism campaign.

And then there's this: Melissa says that in James she has found her soul mate. She worries that a war with Iraq could cost her a dream: to see the child that reminds her of him.

"I want my husband's legacy to carry on even if he doesn't come back," says Melissa, 20, who hopes to become pregnant within two years because of a medical condition that could leave her infertile soon after. "I asked myself, 'What if he does pass on?' And I thought, 'I don't ever want to say I lost my chance to get pregnant.' I couldn't live with that."

James, 24, acknowledges some uneasiness with the idea of his wife deciding on a pregnancy if he were lost in war, but he says he supports it because of Nathaniel, Melissa's 17-month-old son from a previous relationship. He and Melissa, both only children, don't want Nathaniel to share in the loneliness of

growing up without siblings.

California Cryobank, a Los Angeles facility that is within a half-day's drive of several military installations, has recorded about 50 servicemen walking through its doors in the past three weeks. The sperm bank's administrators say military men, who used to generate little business, now make up about half of all donors.

Dr. Cappy Rothman, who 30 years ago founded California Cryobank -- now the nation's largest sperm bank -- said the facility is offering bargains for military sperm. Because of the threat of war, he is waiving the \$270 annual fee for preserving samples.

In suburban Virginia, Fairfax Cryobank has seen about 30 servicemen in the past month. After Sept. 11, the facility solicited business from troops leaving for Afghanistan; a newspaper advertisement featured a soldier in fatigues beside the caption "Fairfax Cryobank ... committed to preserving fatherhood." But the ads generated no military responses. Perhaps the whole campaign was too macabre; some military publications refused to print it.

But now, with no advertising, servicemen around Maryland, Washington, D.C., and Virginia are calling for information.

For soldiers farther afield, many of whom live on military bases, Fairfax Cryobank sends out "Priority Male" collection kits. Barracks life, better known for pinup girls, now includes sperm-sample preservation materials and preaddressed, express-mail envelopes.

Sperm banks make up a thriving niche industry, albeit one that cloaks itself in secrecy and euphemisms. The Fairfax Cryobank is hidden in a sprawling office park, no signs directing visitors to the facility, whose name sounds to the uninitiated like a generic biotech lab.

Inside the waiting room, discretion abounds. The men are led into what the sperm bank politely calls "specimen rooms" and offered a selection of Playboy and Penthouse magazines stored inside a cabinet over a sink.

A few steps away is the laboratory, where two technicians test the samples for disease and then divide them into several inch-long vials. The samples are frozen in liquid nitrogen at minus-196 degrees Celsius, which can preserve the sperm indefinitely. The cost of two visits and a year's storage at Fairfax Cryobank is \$1,000.

"One couple came in just two days before the soldier's deployment," said W. Brent Hazelrigg, who runs the Fairfax Cryobank. "They were rather frantic."

Sperm banks were around for the 1991 Persian Gulf War but saw far less business from the military. As the option grows in popularity, it brings with it some harsh examinations of the future.

"When we get these inquiries, it's a pretty emotional call," said Betsy Cairo, head of CryoGam Colorado Inc., a sperm bank in Loveland, Colo.

Angela Cruz, 36, was quick to book an appointment for her fiance, Patrick Atwell, when she learned he would be leaving for the Persian Gulf region with his Army Reserve unit within the next two months. She and Atwell, who drives light trucks that deliver artillery to ground troops, made the three-hour trip last week from Corcoran, Calif., to California Cryobank.

"If he were to die over there, I'm definitely going to use the sperm sample to get pregnant," says Cruz, a mother of four. "He's the most precious person I've ever met, and I haven't known him very long, and I'd like to have a piece of him here. It just feels right, like instinct."

Jan. 29, 2003, 12:02AM

Plane crash probe finds slack cable

Improper tension a possible factor

By **LESLIE MILLER**

Associated Press

WASHINGTON -- Control cables connected to the tail of the Beech 1900 turboprop plane that crashed in Charlotte, N.C., three weeks ago weren't set at the proper tension level, federal investigators said Tuesday.

The crash killed all 21 people aboard US Airways Express Flight 5481.

The cable problem could make a plane harder to fly because it would respond to the controls differently, aviation experts said.

Investigators also are looking at whether cargo suddenly shifted aboard the plane, which crashed shortly after takeoff Jan. 8.

The National Transportation Safety Board is looking at weight and elevator malfunction as possible contributing causes of the crash. The elevator is a flap on the tail that moves up and down and causes the plane to climb or dive.

In a preliminary report, the NTSB said turnbuckles that control tension on elevator control cables were set improperly, leaving one cable nearly 2 inches shorter than the other.

If a cable is too slack, the pilot does not have full control of the elevator.

Two days before the crash, the Beech 1900 underwent maintenance. Afterward, it was flown six times by the pilots who died and three times by others, but no problems were reported with the flight controls, the safety board said.

The reason pilots might not have noticed a problem with the elevator controls is that they may not have moved them to their limit until the crash, said Bill Waldock, professor of safety science at Embry-Riddle Aeronautical University in Prescott, Ariz.

Or, he said, the problem could have become more pronounced over nine flights.

The plane's data recorder shows the plane took off with its nose up 7 degrees, which is normal takeoff pitch. By the time the plane reached 1,200 feet, the pitch was too steep at 52 degrees.

The problem with the elevator cables might not have caused the plane's nose to climb at such a sheer angle, said Jim McKenna, managing editor of Aviation Maintenance magazine.

"But it would have impeded the pilots' ability to save the plane once they realized it was out of control," McKenna said.

Investigators also are looking at the cargo hooks to see if the baggage had been still secured when the plane crashed.

A sudden shift of the cargo could have upset the balance of the plane, making it more difficult to control, particularly if it had been climbing too steeply.

Too much weight can also make a plane hard to manage, and the margin of safety is slimmer for a 19-seat plane like the Beech 1900 than for jumbo jets that weigh 240,000 pounds.

The maximum takeoff weight for the Beech 1900 is just over 17,000 pounds. The NTSB has said the plane's documentation showed it was within 100 pounds of that weight. To arrive at that figure, though, the pilots relied on estimates of passenger and baggage weight, a practice approved by the Federal Aviation Administration.

Planes that carry too much weight can fly, said Michael Pangia, a lawyer who is representing the family of one of the crash victims. "But if something goes awry, then that lurks as the killing monster," said Pangia, the FAA's former general counsel.

The FAA announced Monday that airlines flying planes with 10 to 19 seats must begin weighing passengers and their bags. The FAA wants to see whether its estimates for passenger and bag weights still are accurate or are too low.

The FAA also issued an order requiring inspections of elevators on all Beech 1900-series planes.

The NTSB is continuing to look at other possible problems, including the engine and the propellers.

Jan. 28, 2003, 11:38PM

GOP seeks conservative blacks

Black leaders provide House officials with 2 dozen resumes

By ELIZABETH WOLFE

Associated Press

WASHINGTON -- With almost two dozen resumes from black Republicans in hand, House Majority Leader Tom DeLay said his party's members will focus on hiring more minorities for their staffs.

"One of our problems was, in the hiring of African-Americans, we can't find good conservative African-Americans to work for us," DeLay, R-Sugar Land, said after meeting Tuesday with conservative black leaders. "But I've got 20 resumes now of young conservatives."

The closed two-hour session in House Speaker Dennis Hastert's office was the second time this month Republican leaders have solicited advice from prominent black conservatives from politics, business and churches.

At the request of party leaders in the House, the black conservatives brought resumes from blacks from around the country ready to work in Republican offices in Washington.

Mississippi Sen. Trent Lott's racially insensitive remarks last month highlighted the GOP's difficulties winning over black voters. There are no black Republicans in either the House or Senate.

Participants at Tuesday's meeting said the party needs to recruit more blacks to serve on staffs of House and Senate Republicans, which could translate to more black candidates and voters in the future.

"They didn't have us," said conservative commentator Armstrong Williams, when asked why Republicans had not hired many blacks. "It's our responsibility to help them."

Citing a 2001 study by the Congressional Management Foundation, Ohio State Secretary of State Kenneth Blackwell said only about 8 percent of the more than 20,000 Hill staffers are black. Only about 4 percent are in high-level positions and only about 1 percent are Republicans, Blackwell said.

Only 50 of the more than 9,000 blacks holding elected positions nationwide in 2000 were Republicans, Blackwell said.

Williams, organizer of the meetings and a former aide to retired Sen. Strom Thurmond, R-S.C., pledged that within two years, "you'll see hundreds of black kids from all over the country working on Capitol Hill" in Republicans' offices.

The GOP has made some outreach efforts in the past, but blacks are hoping they'll be more substantive this time around.

"They understand that it's in their interest now for it not to be just talk," Blackwell said. "Or it will have ramifications in terms of the election of the president" and maintaining the narrow margins that the GOP now holds in Congress.

More than 100 jobs are slated to open up on the Republican side of the House this year.

Jan. 28, 2003, 9:08PM

Making his mark in surgery

Doctor says etching school initials on uterus 'honorable'

By ANABELLE GARAY
Associated Press

LOUISVILLE, Ky. -- A surgeon being sued for branding a patient's uterus with the initials of his alma mater -- the University of Kentucky -- defended his actions Tuesday as a routine part of a hysterectomy.

Dr. Michael Guiler said in a statement that marking the uterus gives doctors a point of reference before it is removed.

Guiler, who used a cauterizing instrument to brand "UK" on Stephanie Means' uterus, said the letters marked the organ's midline and distinguished its left and right side.

"Not only am I always able to remain oriented for the patient's safety, I felt this was honorable since it made reference to the college of medicine where I received my medical degree," he said in the statement, which he read to reporters.

Guiler emphasized that the markings "were not intended to demean the patient in any way and were done only with the patient's safety in mind."

Means filed suit last week, claiming she suffered emotional distress after viewing a videotape of last year's operation. She and her husband are seeking unspecified damages.

Earlier, in interviews on ABC's *Good Morning America* and NBC's *Today*, Guiler said that before surgery, patients are informed about the procedure, how it is performed and about the need to mark the uterus. But he said the type of marking was not previously discussed.

Kim Alumbaugh, chairwoman of the Kentucky chapter of the American College of Obstetricians and Gynecologists, said some surgeons rely on stitches, burn marks or other identifiers before removing an organ.

Alumbaugh declined to comment on the specifics of the lawsuit but said the state medical licensing board will probably review the case.

"A situation like this, where there is some controversy, will be reviewed, and rightly so to evaluate it for appropriate medical procedure," she said. "In any surgical procedure, the dignity of the patient must be respected."

Jan. 28, 2003, 9:07PM

Schwarzkopf not persuaded about need for new war

Gulf hero prefers inspections

By THOMAS E. RICKS
Washington Post

TAMPA, Fla. -- H. Norman Schwarzkopf wants to give peace a chance.

The general who commanded U.S. forces in the 1991 Persian Gulf War says he hasn't seen enough evidence to convince him that his old comrades Dick Cheney and Colin Powell are correct in moving toward a new war. He thinks U.N. inspections are still the proper course to follow. He's worried about the cockiness of the U.S. war plan, and even more by the potential human and financial costs of occupying Iraq.

And don't get him started on Defense Secretary Donald Rumsfeld.

In fact, the hero of the last Gulf War sounds surprisingly like the man on the street when he discusses his ambivalence about the Bush administration's hawkish stance on ousting Saddam Hussein. He worries about the Iraqi leader, but would like to see some persuasive evidence of Iraq's alleged weapons programs.

"The thought of Saddam Hussein with a sophisticated nuclear capability is a frightening thought, OK?" he says. "Now, having said that, I don't know what intelligence the U.S. government has. And before I can just stand up and say, 'Beyond a shadow of a doubt, we need to invade Iraq,' I guess I would like to have better information."

He hasn't seen that yet, and so -- in sharp contrast to the Bush administration -- he supports letting the U.N. weapons inspectors drive the timetable: "I think it is very important for us to wait and see what the inspectors come up with, and hopefully they come up with something conclusive."

Schwarzkopf is one of the nation's best-known military officers. What's more, he's closely allied with the Bush family. He hunts with the first President Bush. He campaigned for the second and stumped with Cheney.

But Schwarzkopf sees the world differently from those Gulf War colleagues.

"It's obviously not a black-and-white situation over there," he says. "I would just think that whatever path we take, we have to take it with a bit of prudence."

So has he seen sufficient prudence in the actions of his old friends in the Bush administration? Again, he carefully withholds his endorsement. "I don't think I can give you an honest answer on that," he says.

Now 68, he's had time to think. He likes the performance of Powell -- chairman of the Joint Chiefs of Staff during the Gulf War, now secretary of state. "He's doing a wonderful job, I think," he says.

But he's less impressed by Rumsfeld. "Candidly, I have gotten somewhat nervous at some of the pronouncements Rumsfeld has made."

He contrasts Cheney's low profile as defense secretary during the Gulf War with Rumsfeld's frequent television appearances since Sept. 11, 2001. "He almost sometimes seems to be enjoying it." That, Schwarzkopf admonishes, is a sensation to be avoided in wartime.

Some at the top of the Army see Rumsfeld and those around him as overly enamored of air power and high technology and insufficiently attentive to the brutal difficulties of ground combat. Schwarzkopf's comments reflect Pentagon scuttlebutt that Rumsfeld and his aides have brushed aside some of the Army's concerns.

That dismissive posture bothers Schwarzkopf because he thinks Rumsfeld and the people around him lack the background to make sound military judgments. He notes that there are "guys at the Pentagon who have been involved in operational planning for their entire lives. ... And for this wisdom, acquired during many operations, wars, schools, for that just to be ignored, and in its place have somebody who doesn't have any of that training, is of concern."

Schwarzkopf is skeptical that an invasion of Iraq would be fast and simple. He expresses more concern about the task the military might face after a victory.

"What is postwar Iraq going to look like, with the Kurds and the Sunnis and the Shiites?" he says. "That's a huge question, to my mind. It really should be part of the overall campaign plan."

Jan. 28, 2003, 8:29PM

November trial set for sniper suspect

Defense says it can't be ready by then

By TOM JACKMAN
Washington Post

A Fairfax County, Va., judge set Nov. 10 as the trial date for Lee Boyd Malvo, 17, on capital murder charges related to last fall's sniper shootings. His lawyers repeatedly insisted they could not be ready by then.

Circuit Judge Jane Marum Roush also told Malvo's court-appointed lawyers Tuesday that she planned to appoint another lawyer to their team, Richmond, Va., defense attorney Craig Cooley. And Roush said she would end the appointment of Todd Petit, Malvo's court-appointed guardian, on Feb. 18, Malvo's 18th birthday.

Michael Arif, Malvo's lead attorney, predicted Malvo's trial would last eight to 12 weeks, and he proposed a trial date in February 2004. He noted that, in addition to the massive amounts of investigative information he expects to receive from prosecutors, he will have to defend Malvo against evidence of other sniper shootings during the sentencing phase if Malvo is convicted.

Fairfax Commonwealth's Attorney Robert Horan Jr. estimated the trial would take no more than two to three weeks, and he urged the judge to set the date between late June and mid-September.

Malvo was arrested with John Lee Muhammad, 42, on Oct. 24. He is charged in Fairfax in the Oct. 14 shooting of FBI analyst Linda Franklin outside a Home Depot store. Muhammad is being prosecuted in Prince William County, Va., on identical charges in the Oct. 9 shooting of Dean Harold Meyers outside a Manassas-area gas station. His trial is set for Oct. 14. The pair are charged in several other jurisdictions in the Washington-area sniper shootings that left 10 dead.

Roush chose a date between those wanted by each side.

The judge also gave the defense until Feb. 14 to file its pretrial motions, and prosecutors until Feb. 24 to respond. Arguments on the motions were set for March 3.

Arif said he would seek to suppress Malvo's statement to Fairfax police. Fairfax homicide Detective June Boyle interviewed Malvo for six hours in November, and sources close to the case have said that Malvo

said he pulled the trigger in at least three shootings, including Franklin's. Malvo's lawyers have said that questioning a juvenile without a lawyer present should be reviewed by a judge. But Arif said his suppression motion would come later.

Jan. 28, 2003, 9:07PM

Husband of missing woman admits affair

By JIM WASSERMAN
Associated Press

SACRAMENTO, Calif. -- Scott Peterson admits he was having an affair last year before his pregnant wife vanished, and claimed he told her about it. He denied killing his wife.

"It (the affair) was not a positive, obviously ... but it was not something that we weren't dealing with," Peterson told ABC News' *Good Morning America* in an interview broadcast Tuesday.

"It wasn't anything that would break us apart."

Laci Rocha Peterson, 27, disappeared on Christmas Eve from her home in Modesto, Calif.

Scott Peterson, 30, told police he was fishing at the Berkeley Marina at the time, and that his wife, due to deliver a boy Feb. 10, had planned to take her dog for a walk that morning.

Asked on ABC if he had killed her, he said, "I had absolutely nothing to do with her disappearance." Noting that there is no proof she had been killed, he said the murder theory "is not one we're ready to accept."

Police have not named him as a suspect but attention has focused on him, in part because of the affair. Peterson had previously denied having an affair.

Laci Peterson's family issued a statement Tuesday saying: "We are not going to make any comments on his appearance. We would just like him to continue to speak with the police."

On Friday, Amber Frey came forward and said she had a "romantic relationship" with Peterson, whom she met in November.

"I'm very sorry for Laci's family and the pain that this has caused them, and I pray for her safe return as well," a tearful Frey said. She said Peterson told her he was single, and she said she contacted police when she realized he was the husband of the missing woman.

Said Peterson: "It was inappropriate, and I owe a tremendous apology to everyone, obviously including Amber."

His wife's family publicly broke with Peterson on Friday. Brent Rocha, brother of the missing woman, said his brother-in-law "has not been forthcoming with information regarding my sister's disappearance, and I am only left to question what else he may be hiding."

Peterson said he told police about the affair immediately after his wife disappeared. Later, Modesto Police spokesman Doug Ridenour said investigators have seen the interview, but declined to comment on it.

Jan. 28, 2003, 9:05PM

Child care agency reels after boy found chained

By **HERBERT G. McCANN**
Associated Press

CHICAGO -- Officials of Illinois' family services department were scrambling Tuesday to figure out where its child welfare system broke down in the case of a 3-year-old boy found chained by the neck to a bedpost.

Critics said the scandal indicates the Department of Children and Family Services needs to reduce its reliance on private agencies to watch over children in foster care. One critic said it may be time to split the department into two agencies.

"They need to tear it up and do something new," Cook County Public Guardian Patrick Murphy said. "They are using a model that was developed in the 1890s and hasn't been changed since."

In 2000, DCFS became only the second state child welfare agency in the country to win national accreditation from the New York-based Accreditation for Children and Family Services. At the time, David Lieberman of the accreditation group declared: "Illinois is setting the pattern for the rest of the country."

But a drug raid Saturday on a South Side Chicago home led to the discovery of a foster child chained to a bed. The chain was wrapped around his neck and held in place with a padlock. The boy wore a soiled diaper wrapped in a plastic bag.

According to police, the boy's foster mother, Mary Bryant, 64, said he was chained because he stole food.

Bryant and the boy's foster father, Melvin Bond, 49, were charged with child endangerment. Melinda Bryant, 29, Mary Bryant's daughter, was charged with child endangerment as well as weapon and drug offenses.

DCFS had been relying on at least two private agencies to supervise the care of foster children in the couple's home. The boy and four other children living in the home, ranging in age from 3 to 11, were taken into state custody.

"Everything we have achieved in the last eight years has disintegrated before our very eyes," said DCFS chief of staff Martha Allen.

Jan. 28, 2003, 11:43PM

National briefs

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Jet grounded after box cutter found

BOSTON -- A United Airlines flight bound for San Francisco from Logan International Airport was grounded Tuesday after a passenger found a box cutter in the magazine pouch in the seat in front of her.

The woman discovered the blade as passengers were boarding. The Boeing 757 was kept on the ground and the pilot ordered all 80 passengers removed. No one was arrested.

Plane seat set afire; passenger arrested

WASHINGTON -- A 64-year-old man was arrested Tuesday night after setting fire to his seat on board a United Airlines flight at Washington's Dulles International Airport.

The Transportation Security Administration spokesman Robert Johnson said the man -- who appeared to be Russian -- shoved passengers during boarding for United Flight 383 to Chicago.

After boarding the aircraft, the man got into an altercation with a flight attendant. The man then pulled out a cigarette lighter and started a small fire in his seat.

A federal air marshal on board the plane arrested him. No passengers were injured.

Kissinger treated for medical ailment

NEW YORK -- Former Secretary of State Henry Kissinger has been treated for a nonmalignant obstruction after undergoing medical tests, a spokeswoman for New York-Weill Cornell Medical Center said Tuesday.

Kissinger, 79, was admitted to the hospital Saturday for urological tests.

Playing slots with taxpayer money?

CHICAGO -- Before she dons prison stripes, a convicted former suburban mayor has turned to "binge betting" at casino slot machines.

Prosecutors want former Cicero, Ill., town boss Betty Loren-Maltese jailed before she can gamble away the money she owes taxpayers in restitution for looting the town's treasury in an insurance scam.

She was ordered to turn herself in two months earlier than her original April 1 surrender date to begin serving an eight-year prison term.

Two sons charged in mother's slaying

LOS ANGELES -- Two sons who allegedly killed their mother, chopping off her head and hands as they saw on television's *The Sopranos*, faced murder charges Tuesday.

Half-brothers Jason Bautista, 20, and Matthew Montejo, 15, were charged with the first-degree murder of their mother, Jane Marie Bautista, 41.

Prosecutors will charge Montejo as an adult, making him eligible for life in prison without parole if convicted.

Jan. 28, 2003, 11:48PM

World Briefs

North Korea claims U.S. has attack plans

SEOUL, South Korea -- North Korea accused the United States on Tuesday of planning a massive attack on the communist state even as Pyongyang hosted a South Korean presidential envoy trying to calm nuclear tensions. In an 800-word tirade against Washington, North Korea's state-run KCNA news agency said the U.S. State Department was making "a final examination" of an attack plan that U.S. forces -- with help of the South Korean military -- could carry out hours after receiving the order. The North also said it was prepared to answer the threat of an attack with "the unlimited use of means." U.S. officials have said repeatedly that Washington has no intention of making military moves.

Chavez's cause aided by boost in oil output

CARACAS, Venezuela -- President Hugo Chavez's government scored a victory in Venezuela's political crisis by producing more than 1 million barrels of oil Tuesday, frustrating a 2-month-old opposition drive to strangle the world's No. 5 oil exporter. By raising production to a third of its normal rate, Chavez seized another advantage over his opponents -- jump-starting Venezuela's oil industry while defeating calls for a February referendum on his rule.

Mexican ambush leaves five dead

SAN JUAN CHAMULA, Mexico -- Gunmen ambushed police who were trying to arrest murder suspects on Tuesday. Five people were reported killed in renewed violence at the site of a long-standing religious conflict involving the Maya. Officials said gunmen ambushed and shot to death two state policemen and two municipal officers. The police returned fire, killing a suspect. Four other people were reported wounded.

Effort to defuse bomb fails; blast hurts 21

KIDAPAWAN, Philippines -- A bomb exploded Tuesday in the southern Philippines city of Kidapawan as a police disposal expert tried to defuse it. The blast injured at least 21 people and started a fire in a three-story commercial building, officials said. A bomb killed seven people and injured 24 others at a bus station there in October. There was no immediate claim of responsibility for Tuesday's bomb.

Sex-abuse victim gets payment from church

DUBLIN, Ireland -- A 28-year-old man who was sexually abused by a priest as a child received a compensation payment from the Archdiocese of Dublin of \$325,000, the largest single settlement in the history of Ireland's clerical abuse scandals, according to the Irish state broadcaster RTE. Mervyn Rundle was abused as a 9-year-old altar boy in 1985 by the Rev. Thomas Naughton, who was transferred among three parishes, abusing children in each. He eventually served three years in prison for abusing Rundle.

Army opposes deal in Ivory Coast conflict

ABIDJAN, Ivory Coast -- Ivory Coast's army said Tuesday it opposed a new peace deal with rebel forces as ethnic clashes reportedly killed 10 people, new signs that anger over the accord was spinning out of the government's control. Thousands of government loyalists surrounded the U.S. Embassy in Abidjan, demanding that Washington press President Laurent Gbagbo to back out of the deal.

American journalists free after detainment

HARARE, Zimbabwe -- Authorities detained and then released without charges two American journalists accompanied by a Zimbabwean photographer when the photographer took pictures of a government grain depot. The journalists, Dina Kraft of The Associated Press and Jason Beaubian of National Public Radio, had been invited to Zimbabwe by the government to write about the country's food shortages.

Houston Chronicle News Services

Jan. 28, 2003, 11:57PM

Baseball clearly No. 1 in All-Star competition

By MICKEY HERSKOWITZ
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COMPARING the various All-Star games is about as meaningful as trying to decide which of the artificial sandwich spreads tastes the most like butter. Or winning a contest as the person who looks the most like Mick Jagger.

They all belong in the category of art imitating show business, which means they do not count in the standings and won't change your life. Not that there is anything wrong with a well-staged exhibition. The Smithsonian has them all the time. The Titanic exhibit was almost as good as being there.

But for the best of the dream fields, for the game with a real tradition and the truest rivalry and an outcome that matters, baseball is in a league of its own. The American League won the first in the series in 1933 in Chicago's Comiskey Park by a score of 4-2, with Babe Ruth hitting a home run.

How else would you expect baseball to launch the Midsummer Classic?

The next year, at the Polo Grounds, Carl Hubbell of the Giants struck out five future Hall of Famers in a row: Ruth, Lou Gehrig, Jimmie Foxx, Al Simmons and Joe Cronin. Still, the National League lost 9-7 and would not register a victory until 1936 in Boston.

Dizzy Dean was the winning pitcher in that one, and the Nationals hung on 4-3 as Joe DiMaggio, playing in right field, committed two costly errors. He also went 0-for-5 at bat, but what people remembered was the great DiMaggio making two errors in the same game.

You qualify as an incurable trivia freak if you can recall a highlight from any Pro Bowl. Can anyone name the hero of the NBA's first All-Star action? Or the last one? Do you grow misty thinking of your hockey favorites slamming each other into the boards? In your imagination, that is.

The Pro Bowl from Hawaii, where it has to compete with beach volleyball, and the NHL All-Star Game from South Florida, where hockey has to compete with shuffleboard, are on the docket for this Sunday. The NBA lifts off a week later in Atlanta, a city still recovering from the 1996 Olympics.

They don't blitz when the NFL Pro Bowlers square off. The quarterbacks don't have to worry about getting squished like a bug, and no one hits hard enough to shake the sand from their sandals. The

basketball types pay their annual tribute to the playgrounds, emerging from the dressing room under a sign that might as well read: "Abandon all hope of defense, ye who enter here."

The NBA showcase is really a chance for the league's artists to do their solos, and since almost no one cares who wins the game, a buffet of other attractions is offered. The fans may actually prefer the slam dunk contest, the 3-point shootout, or the rookie game. Many wish they would bring back the old-timers' game. When Calvin Murphy was bombing away in his 40s, it was more than a blast from the past. It was an in-your-face message to the now generation, to all the hot shots who really believe they should get points for style.

The Pro Bowl isn't to be dismissed entirely as a reward for those who played well and survived. The island welcomes the NFL with lovely hula hands, and as the waves break gently on the shore, the rest of us are reminded that the season, at long last, is really over. The players can practically take their mai tais from the beach to the line of scrimmage and not spill a drop.

Over the years, baseball made one concession to this flesh-eating virus called marketing by adding a home run contest. But the game is still the attraction, and this was confirmed last summer when commissioner Bud Selig ruled play would have to stop after 11 innings, with the score tied at 7, for the curious reason that *they had run out of players!*

As everyone knows, there are two things you don't have in baseball -- crying and tie games. To compensate for an ending that left no one satisfied, Selig recently offered a suggestion. The league that won the All-Star Game would earn the home-field advantage for the World Series.

If there was any doubt about the public's still taking the starfest seriously, it was dispelled by the howls of protest and derision. The commissioner meant well, but the idea made as much sense as giving the edge to the league that had the better record in spring training.

The All-Star Game in baseball needs no gimmickry and not much more pageantry than the teams provide on their own. It matters who wins because there is an honest competition between the leagues and a history that goes back 70 years.

When a deserving player is left off the roster, or goes unused, the fans in that city do not yawn and pick their teeth. Because he didn't get Joe Niekro into one All-Star Game, Dodgers manager Tommy Lasorda was booed for years in Houston, even long after Joe had been traded away.

The game doesn't count, but it matters.

Jan. 28, 2003, 7:59PM

Why is it bad things always happen on a Monday?

By **TAD BARTIMUS**
The Women Syndicate

WHAT's that funny smell? Is the house on fire?" I asked, sitting up in bed. It was a burned-out light switch that forced my husband to finish shaving in the dark.

I didn't need to ask what day it was.

Mondays are when the earth jerks itself back to attention after the weekend. Mondays exist to remind us we don't lead orderly lives and that we have to roll with the punches.

"What's that funny smell? Is the car on fire?" I yelled down to my husband, who was lost in a cloud of black exhaust as he started the car. I phoned the garage that had just serviced the Jeep. "Oh yeah, we break those oil gauges all the time," said the manager. "Bring it back and we'll try again."

Try again?

Remember when we were kids in school and loved being sick on Mondays? We could scrunch back down in bed, pull the covers over our heads and luxuriate in our misery.

I was not sick this Monday when, without warning, our 22-year-old tomcat presented me with a dead rat as I walked barefoot. You can guess the rest.

After supper, when the worst should have been over, the telephone rang: "I'll come right away," my husband said. Turning to me, he confirmed what I'd suspected: "Mom's dying."

Searching through garment bags for his dark suit, I reflected on how little control we have over our lives. Calendars, day planners and Palm Pilots are an illusion; even as we make entries, we know we may not keep them. The trick is to imagine ourselves walking across a room full of ball bearings and remaining loose and limber enough to stay on our feet.

Watching the late-night television news, I realized that difficult lesson was ahead for the thousands of young wives and husbands now saying tearful farewells to their soldier spouses departing for the Persian Gulf. Over and over, I heard those being left behind say, "I don't know what I will do when you're gone."

When we're young we can't imagine how to get through months of Mondays because we've never had to do it. But step-by-step, we feel our way through the room full of ball bearings. We survive a few falls. Eventually, we make it to the other side. The older we get the less shocked we are by our Mondays, because we've honed coping skills on previous ones.

Military dependants now being left behind will figure out how to fix their leaking toilet, where to take the dog to get neutered, and who's the best mechanic in town. They will discover they are persistent, resourceful and talented -- so much so that what now seem like insurmountable mountains will soon turn into easily conquered molehills.

John Milton wrote in 1655, "They also serve who only stand and wait." It's only partly true; military wives, parents and children never just stand and wait for their soldiers to come home. They press on, doing what needs to be done to hold their family together.

Because I have a lot of Mondays behind me, I got the light switch and the car repaired, the rat disposed of and the dark suit packed. Now, like all who are left behind, it's time to stand and wait. My mother-in-law will die on her terms, in her time, but no matter what day she decides to leave us, it will feel like Monday.

To contact Tad Bartimus, log onto tadbartimus.com or send your great stories of 300 words or less to friends@tadbartimus.com or write her at P.O. Box 728, Puunene, HI 96784.

Jan. 28, 2003, 8:27PM

Feldenkrais Method helps mind, body relax

By MOLLY GLENTZER

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Remember the skeleton that dangled so freely from a pole in your biology teacher's classroom? Well, he didn't have to stand on his feet like you do. He didn't have to hunch at a computer all day or lift screaming toddlers or swing a golf club or any of that. And he didn't have muscles to pull his frame out of whack. So he could stop reading right here.

The rest of us, however, might take some comfort from the Feldenkrais Method -- a unique type of mind-body work designed to help us move through life with greater ease.

One of founder Moshe Feldenkrais' mantras was, "Anything you can do, I can help you do it better."

Feldenkrais (pronounced FEL-den-krice) practitioners believe we don't have enough movement variation in our daily lives. In doing the same ol'-same ol' every day, we use a limited number of muscles, and the rest essentially go to sleep. Injuries, tension and chronic pain compound the problems.

"Pain is an action, a result of something we're doing unconsciously," said certified Feldenkrais practitioner Nancy Galeota-Wozny. "Feldenkrais is an undoing process. It helps you unlearn things that inhibit your full expression."

It's not really exercise, nor a substitute for it. In fact, it's so passive it looks like nothing is happening.

In a group class, students typically lie down with their eyes closed while they focus on finding every muscle in a specific area of the body, such as feet, hands, shoulders, hips or jaws. Some classes are more "global," addressing the whole system.

The outer simplicity is deceptive. There's a lot happening inside, between all those unused muscles and the nerve cells they're connected to in the brain's motor cortex. The exercises gently remind the body that it's capable of moving as freely as that biology room skeleton -- activating the brain and making it aware of the broader possibilities.

"Our nervous systems thrive on novelty," Galeota-Wozny said. "Feldenkrais work activates your nervous system to self-regulate. It's a potent pill for posture. After a class, you feel like a plant that has suddenly been watered after a week -- springy. It's not so much about movement, but bringing people back to life."

If you're hard-wired to believe there's no gain without pain, the idea that your body can correct itself may come as a shock.

Christine Gust, a corporate human resources manager for Baker Hughes, is a rock climber and former martial arts teacher who's been taking Feldenkrais classes about three years. "I work so hard at other things. To go to a class where doing less is better is a nice complement to all that," she said. "Here, I'm not fighting myself. It's like, how much pleasure can you get?"

Architect Bob Robinowitz took Feldenkrais lessons to help alleviate his chronic back problems years after several surgeries for herniated disks. "Getting out of bed or the car was painful," he said. "But after Feldenkrais classes, I started noticing I was moving more freely."

Before a recent class, one of Galeota-Wozny's students recounted how she fell while hiking over the holidays. She was amazed that she fell gracefully and didn't hurt herself. Other students chimed in with their own "elegant fall" stories. Galeota-Wozny said Feldenkrais work can "clean up your neurology so you're less prone to injuries."

Feldenkrais the man was a Russian who emigrated to Israel and then Europe in the early 20th century. He was a physicist, engineer and martial arts teacher -- and expert at them all. As an associate of Nobel Prize winners Frederic and Irene Joliot-Curie in the famous Radium Laboratory in France, he studied high-energy physics. During World War II, he helped to invent the first sonar detection devices. Also the first European to earn a black belt in judo, he wrote several popular books on martial arts. In his exercise classes for judo students, his theories about movement, energy and mechanics in the body came together. By the time he published *Body and Mature Behavior* in 1949, he'd also incorporated physiology and psychotherapy.

Feldenkrais died in 1984 but left a cadre of teachers and more than 1,000 documented Awareness Through Movement lessons behind. Galeota-Wozny uses some of his classic lessons in her classes and private Functional Integration sessions. She also teaches Bones for Life classes developed by first generation Feldenkrais protégé Ruth Alon.

Galeota-Wozny, 47, has practiced Feldenkrais for about 20 years and taught it for 10. She came to it as an oft-injured dancer/choreographer. "The idea of moving the body in new places was so up my alley," she said. "But it was like going to a new planet. Today, I feel I'm moving better than I did in my 20s."

Jan. 28, 2003, 8:02PM

Experiencing Feldenkrais

By **MOLLY GLENTZER**

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Forget "doing." Feldenkrais Method classes are about "being."

Nancy Galeota-Wozny began a recent Bones for Life class by telling students, "Do the movements as slowly as possible. Remember to move gently and easily; don't push through a movement. See if you can find the comfort zone, the easiest path through a movement." Her voice was calm and encouraging.

We spent most of the hour lying on our backs with our legs up, pressing gently into the wall with different parts of each foot as we exhaled. You'd be amazed how tired this can make a leg, even if you're in shape; and how challenging it can be to isolate your third toe. But we rested a lot -- to help the body absorb the "new" information -- and our eyes were closed most of the time.

Lie still in the dark, close your eyes and breathe deeply under any circumstances, and you'll feel refreshed afterward. But when we stood up, I also felt taller and more graceful. The next day, my spine sounded like a bowl of Rice Krispies. Galeota-Wozny said my system was "re-aligning itself."

A few days later, I took a private Functional Integration session. I wanted to see if it would solve a chronic knot in my neck, which seemed to have flared up after the Bones for Movement class. (Galeota-Wozny said chronic problems often surface when the system starts readjusting itself.)

The private session was even less active than the group class. I lay on a padded table, fully clothed, while Galeota-Wozny did the work.

Functional Integration is not physical therapy, medicine or massage, although it is deeply relaxing. Galeota-Wozny said her work wouldn't "undo" an already-inflamed muscle. She began at my feet, pressing gently to see where movement was traveling and how far it got.

"The touch is skeletal," she explained. "We observe the translation of force through the skeleton. All movement can be seen as a translation of force. When we are mobile, our bones are free to translate force. When muscles are stiff, they literally prevent that translation. They act more like bones, which is not their job."

She gently nudged spots in my neck, shoulders, hips and legs, sending "specific movement ideas" to my

brain. When the session was over, she asked me to sit up and notice that my back was holding itself up better. It was. My neck was more mobile, too.

Jan. 28, 2003, 4:04PM

Performers line up for this year's Mardi Gras! Galveston

By **BRUCE WESTBROOK**
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Cory Morrow, Django Walker, Spin Doctors, Buddy Guy, Kool & the Gang, Three Dog Night and Grammy nominated singer Shemekia Copeland will be among performers for Mardi Gras! Galveston Feb. 21-March 4.

Celebrating "Rain Forests of the World," this year's event is expected to attract half a million visitors to the island for hours of music, nine parades, 15 masked balls and other festivities.

Most events will occur in the Strand Downtown Historic District, where more than 50 musical acts will perform on three stages.

Morrow, Walker and Roger Creager will play Feb. 21, with Kool & the Gang, Buckwheat Zydeco and Honeybrowne on Feb. 22. The Hunger, Spin Doctors and Pushmonkey will perform Feb. 28, with Three Dog Night, Guy and Big Bad Voodoo Daddy on March 1.

Copeland, touring in support of her album *Talking to Strangers*, produced by Dr. John, will sing from 7:30 to 9 p.m. Feb. 22 at Saengerfest Park. The other two stages will be at 21st Street and the Strand, and 24th Street and the Strand.

Among other acts to perform are the Radiators, Island Sounds, Chris Duarte, Jay Hooks, Joe King Carrasco and the Great Divide.

A culinary salute to rain forests, art exhibits and sports activities will be among other Mardi Gras events. Activities will be 6 p.m.-midnight Fridays, 8 a.m.-midnight Saturdays and 11 a.m.-6 p.m. Sundays.

Advance tickets are available now online at www.mardigrasgalveston.com. They cost \$10 plus service charge for Fridays, \$15 plus service charge for Saturdays and \$5 plus service charge for Sundays.

For more information, visit the Web site or call the Galveston Island Convention & Visitors Bureau at 888-GAL-ISLE, or 888-425-4753. Coordinator for the event is the Galveston Park Board of Trustees.

Jan. 28, 2003, 8:16PM

Library of Congress effort preserves voices from past

By ELIZABETH OLSON

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WASHINGTON -- The Library of Congress, in its first step to preserve American sound recordings that span the last century, has selected 50 recordings to start a national registry.

Choosing only 50 was a difficult task and is not meant to be "another Grammy Awards or 'best of' list," said James W. Billington, the librarian of Congress. Among the familiar choices are *Stars and Stripes Forever* from 1897, the first recording of John Philip Sousa's march; ragtime music that Scott Joplin played in the early 1900s for piano roll sales; and Franklin D. Roosevelt's radio "Fireside Chats" from 1933 to 1944.

The recordings, chosen from public submissions and internal recommendations, include jazz from Charlie Parker, Miles Davis and Dizzy Gillespie, as well as recordings from Elvis Presley, Ray Charles and Bob Dylan. There is also a rap track, *The Message*, a 1982 hit by Grandmaster Flash and the Furious Five.

While rap is not a favorite of Billington -- unlike Enrico Caruso's popular 1907 recording of the aria *Vesti la giubba*, which is also on the list -- he said it was part of the American cultural heritage.

The registry was mandated by Congress in the National Recording Preservation Act of 2000 and is modeled on the Library of Congress film project to preserve important American movies. At least half the recordings on wax cylinders between 1888 and 1920 have been lost, Billington said.

"You can't clean off the mold and hear the recording," said Billington, holding up a decrepit cylinder. "The wax has eaten through," causing treasures like 1890 recordings by Mark Twain to be irretrievable.

A foundation to be headed by William Ivey, past president of the National Endowment for the Arts, will try to find the best recordings of the 50 selections and copy the original master. The library, which has 2.6 million recordings, is converting to a digital preservation system.

The first 50 items added to the National Recording Registry, in chronological order:

1. Edison Exhibition Recordings (group of three cylinders): *Around the World on the Phonograph*, *The*

Pattison Waltz, Fifth Regiment March (1888-1889)

2. Field recordings of Passamaquoddy Indians (1890)

3. *Stars and Stripes Forever*, Military Band, Berliner Gramophone disc recording (1897)

4. Lionel Mapleson cylinder recordings of the Metropolitan Opera (1900-03)

5. Scott Joplin ragtime compositions on piano rolls, (1900s)

6. Booker T. Washington's 1895 Atlanta Exposition speech (1906 re-creation)

7. *Vesti la giubba*, from *I Pagliacci*, Enrico Caruso (1907)

8. *Swing Low, Sweet Chariot*, Fisk Jubilee Singers (1909)

9. Lovey's Trinidad String Band recordings for Columbia Records (1912)

10. *Casey at the Bat*, DeWolf Hopper reciting (1915)

11. *Tiger Rag*, Original Dixieland Jazz Band (1918)

12. *Arkansas Traveler and Sallie Gooden*, Eck Robertson, fiddle (1922)

13. *Down-Hearted Blues*, Bessie Smith (1923)

14. *Rhapsody in Blue*, George Gershwin, piano; Paul Whiteman Orchestra (1924)

15. Louis Armstrong's Hot Five and Hot Seven recordings (1925-1928)

16. Victor Talking Machine Co. sessions with Carter Family, Jimmie Rodgers, others (1927)

17. Harvard Vocarium record series, T.S. Eliot, W.H. Auden, others, reciting (1930-1940s)

18. Highlander Center Field Recording Collection, Rosa Parks, Esau Jenkins, others (1930s-1980s)

19. Bell Laboratories experimental stereo recordings, Philadelphia Orchestra, Leopold Stokowski, conductor (1931-1932)

20. President Franklin D. Roosevelt's radio "Fireside Chats" (1933-1944)

21. New Music Recordings series, Henry Cowell, producer (1934-1949)
22. Crash of the Hindenburg, Herbert Morrison reporting (1937)
23. *Who's on First*, Abbott and Costello's first radio version (1938)
24. *War of the Worlds*, Orson Welles and the Mercury Theater (1938)
25. *God Bless America*, Kate Smith, radio broadcast premiere (1938)
26. *The Cradle Will Rock*, Marc Blitzstein and the original Broadway cast (1938)
27. The John and Ruby Lomax Southern States Recording Trip (1939)
28. *Grand Ole Opry*, first network radio broadcast (1939)
29. *Strange Fruit*, Billie Holiday (1939)
30. Duke Ellington Orchestra "Blanton-Webster" period recordings (1939-1942)
31. Béla Bartók, pianist, and Joseph Szigeti, violinist, in concert at the Library of Congress (1940)
32. *Rite of Spring*, Igor Stravinsky conducting the New York Philharmonic (1940)
33. *White Christmas*, Bing Crosby (1942)
34. *This Land Is Your Land*, Woody Guthrie (1944)
35. Gen. Dwight D. Eisenhower's D-Day radio address to the Allied nations (1944)
36. *Koko*, Charlie Parker, Miles Davis, Dizzy Gillespie and others (1945)
37. *Blue Moon of Kentucky*, Bill Monroe and the Blue Grass Boys (1947)
38. *How High the Moon*, Les Paul and Mary Ford (1951)
39. Elvis Presley's Sun Records sessions (1954-1955)
40. *Songs for Young Lovers*, Frank Sinatra (1955)

41. *Dance Mania*, Tito Puente (1958)
42. *Kind of Blue*, Miles Davis, John Coltrane, Cannonball Adderley, Bill Evans and others (1959)
43. *What'd I Say*, Parts 1 and 2, Ray Charles (1959)
44. "I Have a Dream," speech by the Rev. Dr. Martin Luther King Jr. (1963)
45. *Freewheelin'*, Bob Dylan (1963)
46. *Respect!*, Aretha Franklin (1967)
47. *Philomel* for soprano, Bethany Beardslee (1971)
48. *Precious Lord*, Thomas Dorsey, Marion Williams and others (1973)
49. Crescent City Living Legends Collection, WWOZ radio, New Orleans (1973-1990)
50. *The Message*, Grandmaster Flash and the Furious Five (1982)

Jan. 28, 2003, 9:58PM

Art almost copies life in 'War Stories'

By ALESSANDRA STANLEY

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Out of timidity or reluctance, television shows about combat used to stick to wars that could be explored at a safe remove. Even *M*A*S*H* was set in Korea, not Vietnam.

Today's producers no longer feel compelled to draw a modesty curtain around current events. The plot of this season's *24*, a Fox series, pits a top CIA agent played by Kiefer Sutherland against an Osama bin Laden-like madman bent on exploding a nuclear bomb in the United States. When she is not trying to uncover her own obscure and appalling family secrets, the sexy secret agent played by Jennifer Garner on the ABC show *Alias* also battles the occasional terrorists.

War Stories, a movie airing at 7 tonight on NBC/Channel 2, is set in a lightly fictionalized Uzbekistan where the United States is supporting the authoritarian Uzbek government in its war against al-Qaida-backed Islamic rebels. The show's heroes are not Marines or government agents but a band of close-knit, battle-scarred war reporters who are dedicated to their work and jaded about their trade.

"There is no truth," Ben Dansmore, the Baltimore Globe correspondent played by Jeff Goldblum, warns his zealous, inexperienced new photographer. "That's why they call them stories."

Though it recalls *Under Fire*, a 1983 film with Gene Hackman and Nick Nolte about reporters covering the revolution in Nicaragua, it would be unfair to hold *War Stories* to feature-film standards. Like the premiere of *China Beach* in 1988, it is a two-hour television pilot whose ratings will determine whether NBC will pick it up as a series.

War Stories is not subtle, but it weaves well-constructed characters into an engrossing if hyperbolic plot. There are some hokey television clichés, but for the most part *War Stories* tells a war tale with more than a grain or two of truth.

In one way at least, *War Stories* is as bold as the men and women it showcases. The setting may be the war against terrorism after Sept. 11, but the sensibility is '80s alienation, when American support for the anti-Communist regime in El Salvador, despite its links to right-wing death squads, spiked public mistrust of American foreign policy.

As the country prepares for war in Iraq and television news executives are accused of treasonous left-

wing bias by conservative groups, *War Stories* has a Costa-Gavras view of American intelligence services -- ruthless, duplicitous and effective -- that is almost flattering.

Americans have renewed admiration for that elite corps of the fourth estate that faces real danger. Daniel Pearl of the Wall Street Journal was one of 19 reporters killed in the line of duty in 2002. But the moral compass of *War Stories* is the characters' pursuit of news, and that may seem either too irritating or just too germane to audiences seeking distraction from the threat of real war.

The problem is not that the reporters in tonight's show see a lot more land mine explosions, mortar fire, torture, aerial bombings, roadside massacres and kidnappings each day than is plausible. Infantrymen on *Combat* saw more action in occupied France in every episode than most soldiers saw in a year, and that show was broadcast from 1962 to 1967, longer than the United States was at war with Germany and Japan.

Combat was a Vietnam-era show that comforted viewers with heroic tableaux from a just war; *War Stories* is a show that plays up wartime injustices at a moment when American troops are gathered at the edge of battle.

Journalism, moreover, does not translate easily into television drama. Writers can weave compelling stories around the lives of defense lawyers, emergency-room doctors and even White House aides. Journalists, however, seem to work best as sitcom characters.

This isn't just because reporters are not an admirable lot; neither are lawyers, but that did not prevent *The Practice* from becoming a hit. In our sensationalist age, ferreting out celebrity secrets does not quite seem equivalent to getting an innocent man off death row.

War correspondents, however, are a closer fit. The ones on this show are truth seekers who have egos, insecurities, messy private lives, petty rivalries and the sense of entitlement that comes with regularly facing death. Jeff Goldblum has perfect pitch as a journalist seeking to maintain neutrality in a world where American spies and Islamic rebel leaders alike view reporters as disposable. His personality, flecked with some of the vanity and self-loathing Goldblum brought to his role as a People magazine reporter in *The Big Chill*, makes his moral dilemmas less pompous.

ABC's *China Beach* was considered groundbreaking for its portrait of women in a war zone, yet it projected a classic madonna/whore view: Dana Delany was the driven, dedicated nurse and Marg Helgenberger the soft-hearted prostitute. Fifteen years of female empowerment have had their effect: British actress Louise Lombard (*The House of Eliott*) plays Gayle Phelan, a beautiful news magazine reporter who is a driven, dedicated reporter and blithely promiscuous. She's a new breed of woman on network television and entirely likable: a whore with a heart of stone.

Jan. 28, 2003, 9:57PM

CBS promises `Star Search' will return with new shows

By MIKE McDANIEL

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Two weeks after the current *Star Search* contest concludes, the series will be back with an all-new contest, CBS said Tuesday.

CBS also has put the series *Queens Supreme*, starring Oliver Platt, and *Presidio Med*, starring Dana Delaney, on immediate hiatus. *48 Hours Investigates* will move to 9 p.m. Wednesdays beginning tonight.

Star Search, which airs Wednesdays and Thursdays, has been drawing an average audience of 13.5 million viewers since its debut on Jan. 8. CBS is especially pleased with the show's performance on Thursdays, where it has filled a big hole left by *Survivor*. It concludes its first contest on Thursday, Feb. 6.

Survivor returns on Feb. 13. So when *Star Search* returns on Feb. 19, it will air on Wednesdays and Fridays, 7 p.m. both nights. Ar-senio Hall will continue as host.

The new Wednesday lineup: *Star Search*, *60 Minutes II*, *48 Hours Investigates*.

The new Friday lineup: *Star Search* (effective Feb. 21; specials until then), *Hack* and a rerun rotation of *CSI*, *CSI: Miami*, *Without a Trace* and *48 Hours Investigates*.

Jan. 28, 2003, 9:57PM

Documentary goes behind the scenes at prestigious school

By ANN HODGES

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For nearly 100 years, the Juilliard School has nurtured talented young students who want to be the best at what they do, and are willing to work their hearts out to be.

Tonight, *American Masters* offers a first-of-a-TV-kind opportunity to see how Juilliard does it. And this inspiring two-hour documentary on America's premiere conservatory for the performing arts is dramatic evidence, indeed, of what can be achieved when brilliant, dedicated teachers and gifted students put their hearts in it.

Juilliard's students are represented by dancer Abdur-Rahim Jackson, opera singer Sarah Wolfson, pianist Elizabeth Morgan and actor Jeffrey Carlson.

Director/producer Maro Chermayeff (*Frontier House*) followed them with cameras for a full academic year. Watching their talents blossom is awesome.

"We're all young and we're all talented; that's why we're here. And we all have a chance, and we should be excited about that," says Morgan. "That doesn't mean we're all going to become famous. There's not enough room, and (not everyone) is good enough."

There is no narration to this; none is needed. We see the process, from auditions to classes and endless rehearsals, while the people whose lives have been enriched by Juilliard, either as students or teachers, do most of the talking.

Some well-known alums speak up, including Leontyne Price, Robin Williams, Eriq LaSalle, Patti LuPone, Kelsey Grammer, Christine Baranski, Kevin Spacey, Laura Linney, Kevin Kline, Bradley Whitford, Val Kilmer, Audra McDonald and Renee Fleming.

Faculty members are talking heads, too, including conductor James Levine, Wynton Marsalis, Itzhak Perlman, Marion Seldes, Marvin Hamlisch, and Benjamin Harkarvy, who died last May. It's a privilege to watch Harkarvy work as teacher and mentor to dance student Jackson.

There is a brief history of Juilliard and a wonderful parade of archive films to underscore the role

Juilliard has played in the cultural life of America. There are films, too, of the 1958 New York ticker-tape parade -- the city's first ever for a musician -- to welcome young Texan Van Cliburn home from his piano triumph in the Soviet Union. With the Cold War at its most frigid, that Juilliard student won the Tchaikovsky International Piano competition.

To Williams, being at Juilliard was both "a great and sad time -- it got me used to the idea that there will be ups and downs ... a bungee ride."

"Everybody wants to go to Juilliard," says teacher James Levine. The school gets "hundreds and hundreds" of applications for every 20 spaces there are to fill.

American Masters: Juilliard, 8 tonight on PBS/Channel 8. Grade: A.

Jan. 28, 2003, 8:09PM

On two

PEOPLE EN ESPAOL

The Spanish-language offshoot of People magazine is launching its first swimsuit issue with cover girl Daisy Fuentes. The swimwear edition of People en Español will be on newsstands Monday.

Fuentes, who was born in Cuba and grew up in Spain and New Jersey, offers health and beauty tips in the magazine.

"It's not that easy to stay thin; I wish it were," says the 36-year-old actress-model. "It's hard work because I like to eat and I like to enjoy life, so I have to find the balance between eating healthy and working out and still be able to have a good time with my life."

Other photos will feature Brazilian singer Alexandre Pires, Mexican actress Edith Gonzalez, Puerto Rican singer Gisselle, Argentine TV host Candela Ferro, Venezuelan actor Jorge Aravena and Cuban TV personality Pedro Moreno.

A swimsuit edition from National Geographic magazine is set for release Saturday, chronicling the history of the bathing suit over the last 100 years.

-- **Associated Press**

ONE LIST

Soaring on the wings of Super Bowl XXXVII, ABC posted an 11.7 household rating and 18 share to win the week easily. The network was No. 1 in total viewers (12.4 million) and in viewers 18-49 (11.7 million).

CBS edged Fox for No. 2 in the household ratings, 7.2/11 vs. 7.1/11. But a closer look shows Fox whipping CBS in other ratings categories, including total viewers (12.1 million vs. 10.6 million) and viewers 18-49 (7.1 million vs. 3.9 million).

A rating point is equal to 1,055,000 households nationally, 18,316 locally. Share is the percentage of the audience watching television at the time.

NBC finished fourth in the household rankings, 6.6/10, followed by the WB, 2.5/4; UPN, 2.1/3, and Pax TV, 0.8/1.

The weekly Nielsen numbers included three Super Bowl ratings, one for the game, one for the "post gun" and one for the post-game ceremonies. Nielsen does not rank a program that's less than 5 minutes long. The "post gun," which is the period between the end of the game and the start of the post-game ceremonies, lasted 7 minutes.

NATIONAL TOP 20

The Top 20 prime-time shows of the week in total viewers (in millions):

1. Super Bowl XXXVII, ABC, 88.6
2. Super Bowl post gun, ABC, 71.6
3. Super Bowl postgame, ABC, 48.1
4. *American Idol* (Tuesday), Fox, 26.5
5. *American Idol* (Wednesday), Fox, 24.9
6. *CSI* (rerun), CBS, 24.4
7. *American Idol* (Tuesday special), Fox, 23.5
8. *Joe Millionaire*, Fox, 18.8
9. *Friends* (rerun), NBC 16.64
10. *Law & Order* (rerun), NBC, 16.60
11. *Law & Order: SVU*, NBC, 16.0
12. *Everybody Loves Raymond* (rerun), CBS, 15.9
13. *Fear Factor*, NBC 15.5
14. *Without a Trace* (rerun), CBS, 15.4
15. *Star Search* (Thursday), CBS, 14.8

16. *Yes, Dear*, CBS, 14.4

17. *CSI: Miami* (rerun), 14.39

18. *JAG*, CBS, 14.30

19. *King of Queens*, CBS, 14.1

20. *Scrubs*, NBC, 14.0

-- **Knight Ridder Newspapers**

JOKES ON US

Here are a few words that aren't -- but should be -- part of the English language:

Intoxication: Euphoria at getting a tax refund, which lasts until you realize it was your money to start with.

Sarchasm: The gulf between the author of sarcastic wit and the person who doesn't get it.

Karmageddon: It's like, when everybody is sending off all these really bad vibes, right? And then, like, the earth explodes and it's like, a serious bummer.

-- **Submitted by James O'Sullivan,**

Baytown

Send your joke to diane.cowen@chron.com or to Diane Stephen Cowen, Houston Chronicle Features Department, P.O. Box 4260, Houston, TX 77210.

CALENDAR

TOPICAL: The cultural complexities that humanitarian workers face when dealing with local populations during military conflicts or natural disasters will be the topic of the February meeting of the Society for Intercultural Education, Training and Research. Dr. Daniel Creson, professor of psychiatry and behavioral sciences at the University of Texas-Houston Health Science Center, will draw on his personal experiences in the Balkans, Africa and Asia. Admission is free for members, \$7 for nonmembers and \$5 for students. The Houston chapter meeting, 9:30 a.m.-noon Feb. 8, will be at the University of Houston's Continuing Education Center in the Hilton Hotel and Conference Center. Visit

www.sietarhouston.org for details.

LIGHT THE CANDLES

Actor John Forsythe is 85. Author Germaine Greer is 64. Actress Katharine Ross is 63. Actor Tom Selleck is 58. Talk show host Oprah Winfrey is 49. Actor-director Edward Burns is 35. Actress Heather Graham is 33.

TODAY IN HISTORY

In 1845, Edgar Allan Poe's poem *The Raven* was first published, in the New York Evening Mirror.

In 1993, President Bill Clinton said he was ordering the drafting of a formal directive by July 15 to end the longstanding ban on homosexuals in the U.S. military.

In 2002, in his first State of the Union address, President George W. Bush said terrorists were still threatening America.

IT'S FREE

ARTISAN AGENDA: The Houston Center for Contemporary Craft, 4848 Main, has lined up about 20 full-time artisans to demonstrate their crafts and answer questions 10 a.m.-5 p.m. Saturday and noon-5 p.m. Sunday.

Because Valentine's Day is Feb. 14, the event is called "Heart's Desire: A Showcase of Gifts," and all the artists will have their works on display, with many available for less than \$50. Admission is free. Call 713-529-4848 for more information.