

Fri. Jan. 17, 2003

Today's Page One stories:

- [U.N. team finds warheads in Iraq](#)
- [Yao finally battles Shaq tonight](#)
- [Stocks hit pension, health care funds](#)
- [3 morgue employees fired in baby mystery](#)
- [UH president to retire in September](#)

Today's local and state stories:

- [Brazoria County explosion blamed on vapor cloud](#)
- [UH president to retire in September](#)
- [Housing project battle brewing again in Katy](#)
- [Brown touts his successes in final city address](#)
 - [Bill comes due for city spenders](#)
- [Man arrested in deaths of 6 slain execution-style](#)
- [Missile fear brings plan for airport](#)
- [Exiles raise funds for schools in Vietnam](#)
- [Perry fills rail panel slot](#)
- [Perry's Hispanic vote understated, Bonilla says](#)
- [New rules let House speaker handpick appropriations panel](#)
- [Sen. Bivins picked to head Finance Committee](#)
- [Man shoots estranged wife, then turns gun on himself](#)
- [Deaths: Sister Martina, 72, principal of Our Lady of Fatima school](#)
- [News briefs](#)

Today's business stories

- [Natural gas prices turn blistering hot](#)
- [U.S. Court blocks Mexican trucks](#)
- [Energy prices skew tame '02 inflation](#)
- [AOL Time Warner chief to take chair](#)
- [Oil majors cautious as profits set to leap](#)
- [Mexico to boost oil output, but it won't flow northward](#)
- [IRS offering free electronic filing](#)
- [Compaq papers won't be on Net](#)

- [Suit claims promotion was biased](#)
- [Local Earnings](#)
- [Bulletin board](#)
- [Dr. Mac](#)
- [Briefs: City & state](#)
- [Briefs: Nation & world](#)

Today's national stories

- [Plans for post-Saddam Iraq see long-term U.S. role](#)
 - [Americans' support for Iraq war conditional](#)
 - [Anti-war activists prepare to march](#)
- [Unions seek delay for smallpox shots](#)
- [Cornyn joins associates calling for flag proposal](#)
- [Families of sniper victims sue gunmaker](#)
- [Rabbi gets life sentence in murder-for-hire case](#)
- [Former cop 'Bambi' hopes to be cleared of old killing](#)
- [VA suspends access to services](#)
- [Birds' ancestors may have learned to fly on the run](#)
- [National briefs](#)

Today's world stories

- [3-year-old boy, 3 others killed in Colombia blast](#)
- [British soldiers disdain 'shoddy' gear, buy own](#)
- [Argentina reaches agreement with IMF](#)
- [Paper: Raid nabbed Algerian terrorists](#)
- [Party leader's secular stance gains support in Israel](#)
- [Caracas' Central Bank cancels dollar auctions](#)
- [World briefs](#)

Today's sports stories:

- [Mance fuels Rice's big second half](#)
- [Goebel takes lead after men's short program](#)
 - [Kwan leads with error-free skate](#)
- [Rehab patient channels energy into race training](#)
 - [Glass is now half-full in EP 13.1-miler](#)

- [Agassi holds on to make fourth round at Australian Open](#)

NFL

- [Notebook: Cleveland facing classy QB controversy](#)

College football

NBA

Women's basketball

College basketball

Major league baseball

Auto Racing

Boxing

Golf

Tennis

Today's feature stories

- [Nature: American woodcock's ritualistic courtship display a sight to behold](#)
- [Opinion: Washing hands beats wringing them when illness looms](#)
- [Review: Museum of Fine Arts displays one woman's passion](#)
- [Review: 'Lewis & Clark' gives journey its due](#)
- [Review: Superb acting in 'Wolf' showcases Albee's words](#)
- [Timeless tribute to Woolf nearly perfect](#)
- [Kimmel just might fill ABC niche](#)
- [Superb acting in 'Wolf' showcases Albee's words](#)
- [Spring travel agency plans first nude flight](#)
- [Chuck Zito lives up to his tough-guy image on 'Oz'](#)
- [Unbelievable plot mars 'Guy Thing'](#)
- ['National Security' plays off racial discord](#)
- ['Safe Conduct' celebrates the resolve of filmmakers](#)
- [Disney showcases comedic talent of a grown-up Raven](#)
- ['Kangaroo' thrives on gross](#)
- [On two](#)

Jan. 17, 2003, 12:44AM

New find in Iraq shell game

Warheads are empty of chemicals but full of questions for inspectors

By **MAGGIE FARLEY**
Los Angeles Times

UNITED NATIONS -- U.N. weapons inspectors in Iraq discovered 11 empty chemical warheads at an arms depot south of Baghdad on Thursday, their most significant find in nearly two months of searching for a forbidden arsenal.

The surprise discovery came on the same day that another team of inspectors interviewed two Iraqi scientists in their homes, dual developments that brought the inspections to a new level of intensity as the United Nations counts down to a Jan. 27 assessment from the arms experts before the Security Council.

The 11 rocket warheads, plus another with modifications that required further evaluation, were the same type that topped thousands of 122 mm rockets that U.N. inspectors had found in 1991 filled with deadly sarin and cyclosarin nerve agents. Those rockets were destroyed.

The discovery at the Ukhaider weapons depot 75 miles south of the Iraqi capital of Baghdad appears to put Iraq in technical violation of the U.N. resolution requiring it to eliminate all nuclear, chemical, biological weapons and delivery systems. Inspection team chief Dimitri Perricos, however, said the find was important but "not a smoking gun" that could trigger a war.

U.N. inspection team spokesman Hiro Ueki said in an interview from Baghdad that they were still checking Iraq's claims Thursday that the warheads had been declared to the United Nations in 1996 and again in the 12,000-page declaration that Iraq handed over Dec. 7. "There are still questions to be answered," he said.

Instead of seizing on the finding as a potential "material breach" that might justify military action, U.S. officials reacted cautiously while they waited for the inspectors' full assessment.

"We'll have to wait and see what further develops on this question," said the U.S. ambassador to the United Nations, John Negroponte. "I'm sure the inspectors are giving this their most rapid attention possible."

At U.N. headquarters, diplomats debated the significance of the find. Are the warheads evidence that Iraq has an ongoing weapons program, or show that Iraq has failed to declare a past weapons program? Does possession of warheads designed to deliver chemical agents violate the ban on weapons of mass destruction, even if they're empty?

Some diplomats say that if they don't contain chemicals, the warheads should not be considered chemical weapons. Others interpret Resolution 1441 demanding Iraq's disarmament to mean that Iraq is not supposed to retain even the capability to deliver weapons of mass destruction.

"Why keep the warheads if you say you don't have the chemical agents?" one council diplomat asked.

U.S. officials say that Iraq's December declaration failed to account for nearly 30,000 empty munitions that could be filled with chemical agents, among dozens of other omissions. Analysts are still uncertain whether the warheads are munitions left over from the 1980-88 Iran-Iraq war or part of a more current arsenal.

Between 1991 and 1998, when the last inspectors left, more than 10,000 warheads adapted for chemical or biological use were destroyed. Thousands more are still unaccounted for. Baghdad claimed it destroyed them but has never provided proof, U.S. officials say.

Iraqi officials downplayed Thursday's discovery, saying they had already accounted for the rockets to the United Nations and that they were so old that they were simply overlooked.

"It is neither chemical, neither biological," said Gen. Hussam Mohammed Amin, head of Iraq's National Monitoring Directorate. "It is empty warheads. It is small artillery rockets. It is expired rockets. They were forgotten without any intention to use them, because they were expired since 10 years ago."

Tension is building as nearly 75,000 U.S. troops move into the region and diplomats wait for the inspectors' assessment of Iraq's cooperation Jan. 27. U.S. officials say they have been passing "hard-core" intelligence to the inspection teams and anticipate more findings.

On Thursday, inspectors increased the pressure by conducting more intensive and intrusive searches. They examined the homes of two scientists whose names weren't on the list of weapons experts Iraq provided to the United Nations last month, suggesting that the inspectors were acting on intelligence tips.

Inspectors questioned Shaker el-Jibouri, a nuclear scientist, at his home. The second scientist, physicist Faleh Hassan, left with Perricos after a heated argument, carrying a box overflowing with documents. The physicist is the director-general of the Al Razi company belonging to Iraq's Military Industrialization Commission and worked on Iraq's laser enrichment program.

They drove to a field that was part of a farm Hassan had sold in 1996, Iraqi officials later said, and looked at a mound in the ground. The inspectors then copied the documents they described as "related to

past proscribed activities," and Hassan returned home, spokesman Ueki said. A previous inspection team found nearly a million Iraqi secret service documents hidden on a chicken farm in 1995.

Interviews with scientists have become one of the most contentious issues related to the inspections. In the past, the best information about Iraq's hidden arms has come from defectors and weapons experts who had left the country, and U.S. officials have been pushing the inspection teams to take scientists out of Iraq for questioning.

On Thursday, chief weapons inspector Hans Blix said that interviews of scientists are important ways to learn more about Iraq's weapons programs and that more individual interviews were being planned.

Jan. 16, 2003, 10:48PM

Taking center stage: Act I

Yao finally battles Shaq, the 'mountain' in his way

By JONATHAN FEIGEN

Copyright 2003 Houston Chronicle

Their legends, given the shrinking world of their times, spread as tall tales do, reaching from Los Angeles to Shanghai and back.

The Los Angeles Lakers' Shaquille O'Neal would not seem to need another challenge, and the Rockets' Yao Ming has had more than enough. But they eagerly spoke of one another, pointing to this day for months -- since before Yao had stepped into O'Neal's world or worn a Rockets uniform -- as if each knew the other could offer him something no one else could.

This is how it always has been for giants. Bare-fisted brawlers could boast they could lick any man in the house, but they always found a challenger eager to measure himself. Muhammad Ali needed Joe Frazier. Bill Russell needed Wilt Chamberlain. Magic Johnson needed Larry Bird.

So Yao and O'Neal, each in his own unique way, called the other out. And tonight at 8:30, they finally meet at Compaq Center.

"The atmosphere is going to be unreal," Rockets guard Moochie Norris said, speaking faster and louder than ever. "It's something I've been waiting to be a part of, Yao and Shaq meeting up for the first time. I think everybody has been waiting to see that.

"I want to see fireworks. It's going to be crazy. It's going to be like a championship game. It's going to be unstable. Fans, players, coaches, everybody is going to be so enthused about this happening -- the Ming Dynasty against Shaq and the Lakers. It's going to be off the chain."

The three-time defending NBA champion Lakers have, of course, been a part of such silliness often. And even if the line that "a billion people in China don't care" no longer applies, 5 million in Los Angeles usually have little difficulty finding other distractions.

But this is different, if only because of a chance to see O'Neal forced to pick on someone his own size and then some.

This has inspired O'Neal, 30, toward rare, even for him, levels of hyperbole, ranging from his promises of violence to a misguided taunt in a Chinese dialect, for which he apologized and labeled himself an "idiot prankster."

Even before Yao was drafted, O'Neal had the 7-5 rookie on his mind.

"Guys are trying to make a superstar out of a guy from the Shanghai Sharks, make a phenomenon out of him already," O'Neal said in June before pledging to introduce Yao to the NBA by introducing Yao to O'Neal's elbows.

"Street," O'Neal said then of what he would show Yao. "I'm going to take a 'bow to your nose and (make you) think about what I'm going to do next time down."

Armed as he often has been with his different, but just as persistent, sense of humor, Yao answered on Thursday: "I think he has a lot of meat on his elbows, so maybe it won't hurt too much."

On the day he was drafted, Yao answered that the 7-1 O'Neal "is a mountain in my way. I will try to conquer it by all means."

They have gone on this way for months. O'Neal offered his usual bluster, part comic, part threatening and even briefly complimentary. Yao answered with his typical respectful but resolutely fearless acceptance of his greatest test. The sport's dominant force and heavyweight champion will meet its presumed new contender tonight at Compaq Center, and as it always has been with legends, there is something compelling about the possibilities.

The matchup has drawn a rare media rush to Houston, including an ESPN army for the national broadcast that moved the game to its 8:30 p.m. start and brought promotions on the network for more than a week.

The Organization of Chinese Americans will hold a news conference this afternoon outside Compaq Center to condemn O'Neal for mocking Yao's dialect last June.

Attendance will jump from Wednesday's 10,171 to a sellout, with demand for tickets far exceeding the capacity of the NBA's smallest arena.

"He keeps saying my name," O'Neal said in September, before Yao arrived in the United States to begin his NBA career. "Be careful what you wish for. You can say my name once, fine. You can say my name twice, la, la, la. If you say my name three times, it makes me angry."

But Yao said O'Neal's interest in him is part of the burden he wanted. Even a comment by Lakers coach Phil Jackson -- that if they had faced each other in November (when O'Neal was hurt) O'Neal would "break him in two" -- was part of the test.

"That's part of the challenge," Yao, 22, said. "This is something that I have to overcome. If I can't deal with that, I should not be a professional player in the first place. I have to know how to take that."

On Thursday, when he said the lights on him were so bright they could have lighted the Westside Tennis Center gym, Yao again seemed to relish the challenge.

The Rockets, pained from their fall from the championship-days status as local darlings to forgotten and ignored in the rebuilding, have yearned for nights like this.

"I love having a team the world looks at," Rockets owner Leslie Alexander said. "I think it's great for the organization. I also think it's great for the city of Houston. It attracts a lot of attention for the city and business and everything else. I'd like this all the time.

"I love for everybody to experience the fun and the pride and the elation that you get having a great team. You think about it. You're happy. It makes you feel good. You think you're better than you are. You love everything that goes with it."

The Lakers have had other nights like this and, despite their early-season struggles, can feel certain there will be more. For the Rockets, the return to a national stage -- this time with international attention beyond any the sport has ever seen -- brings new hope.

It is part of the growing legend that a player less than halfway through his first season could change so much. But as long and as much as they have looked forward to this game, the Rockets are convinced that in the retelling, the night Yao and O'Neal first met will be only a chapter of their story.

"It's the best feeling in the world," Rockets president and CEO George Postolos said. "It's all about hope and excitement about the future and believing it's possible to do something great. It's one of the greatest things about sports. It can change in an instant. The anticipation is almost greater than the event itself, but it's not greater. It makes it sweeter. People have a feeling this is something special. I really believe that.

"People will tell you that globally and as a news story, it already compares to the biggest stories in the NBA ever. That's a great feeling."

Jan. 17, 2003, 12:52AM

Losses threaten teacher benefits

Stocks hit pension, health care funds

By R.G. RATCLIFFE

Copyright 2003 Houston Chronicle Austin Bureau

AUSTIN -- The Texas teachers pension fund lost \$16.2 billion in the value of its stock portfolio over the past two years, setting up a potential freeze on cost-of-living increases for retirees for the remainder of this decade.

That dire prediction is included in a report by state Auditor Lawrence Alwin obtained Thursday.

Alwin also said the state's retired teachers health plan will be insolvent by Aug. 31, 2005, if state lawmakers do not pump an additional \$720 million into the Teacher Retirement System of Texas during the next biennium.

This shortage might result in benefit cuts or premium increases for retired teachers. The TRS has a million members, both active employees and retirees, with 201,000 receiving retirement benefits and 148,000 covered by the health care plan.

"We could be looking at a double whammy with (retirement) benefits ... going flatline while they have to increase what they pay in premiums for health care benefits," said Richard Kouri of the Texas State Teachers Association. "That's tough for people on a fixed income."

Brock Gregg, with the Association of Texas Professional Educators, said even holding the line on benefits for retirees would effectively be a cut because of inflation. He said it took a decade of legislative benefit increases to raise some retired teachers out of poverty.

"This population is vulnerable. They're on a fixed income and have just gotten caught up," Gregg said.

The additional money for the retired teacher health care system is not included in the \$9.9 billion state budget shortfall that Comptroller Carole Keeton Strayhorn predicted Monday. The overall situation at the TRS could drive the shortfall up by as much as another \$1.2 billion if lawmakers try to fix the system.

While Alwin said the \$71.7 billion Teacher Retirement System is actuarially sound now, there are several financial problems that could cause retired teachers to face a freeze on their benefits if

contributions are not increased from the state and active teachers.

A fundamental problem for the system is that it is paying out more in benefits than it is taking in as contributions. The Legislature in 1995 decreased the state contribution to the lowest amount allowed under the Texas Constitution -- 6 percent of the active teacher payroll.

In 2002, benefit payments exceeded contributions by \$1.6 billion, the auditor said.

The problems are compounded by \$16.2 billion in investment losses suffered by the system over the past two years due to sharp declines in the stock market. The TRS market value dropped from \$79.4 billion to \$71.6 billion in 2002 alone.

The full impact of those losses will not be immediately felt because gains and losses in the fund are spread out over five-year periods. The value of the stocks could increase in that period.

"While it has not yet categorized the plan as unsound, the system's actuary anticipates that unless the plan's contribution rate and/or investment returns increase, it might not be possible to provide benefit increases within most of the current decade," Alwin said.

Alwin said the TRS would need an average return of 12.4 percent on its investments over the next four years to erase the problem, or an average return of 21.2 percent over the next three years. Such growth rates are not expected in the nation's financial markets anytime soon.

The TRS last year reported it had lost \$93 million in WorldCom stock and another \$30 million with the collapse of Enron.

TRS Communications Director Howard Goldman said the investment decline offset many gains from earlier in the 1990s, but he noted that the plan's value has grown by \$34 billion over the past 10 years.

"These developments are a direct result of the downturn in the markets, and other pension funds around the country are experiencing similar situations," Goldman said.

Kouri said the Legislature created part of the problem in 1995, when lawmakers cut the state's contribution to the system to the minimum and paid for benefit increases for retired teachers from investment profits.

"When things get bad, they need to step up and increase the state's contribution rate," Kouri said.

Both Kouri and Gregg said they believe the TRS has been investing prudently and that the investment losses were about the same as were suffered by other pension funds nationally.

Meanwhile, Gov. Rick Perry on Thursday dodged questions about the state budget, including a Legislative Budget Board proposal to shift \$1 billion in public education costs from the state to local school districts.

"To craft a budget at this particular point in time and say, 'Here's exactly where we're going to be spending money relative to public education' is inappropriate," Perry said.

"I've yet to see a budget come out of the LBB or the governor's office ... that guarantees what the budget will look like at the end of the process."

Perry is expected to release his own proposed state budget by Sunday. The Legislature began meeting Monday and continues through June 2.

"Governors' budgets are there as good starting points," Perry said. "There's a lot of fluidity in the budget process."

Also Thursday, the Texas Conservative Coalition, a group of mostly Republican elected officials, released a proposal for about \$4 billion in budget cuts.

The recommendations ranged from limiting health care programs for poor children to cutting arts funding to eliminating a program to restore historic courthouses established by then-Gov. Bush.

Jan. 16, 2003, 10:10PM

3 morgue employees fired in baby mystery

By ROMA KHANNA

Copyright 2003 Houston Chronicle

Harris County's chief medical examiner said Thursday he has fired three employees for violations uncovered during an investigation of how the morgue lost a baby's body last month.

Dr. Luis Sanchez said investigators have not determined what happened to the body of 4-week-old Octavius Demil Freeman or who is responsible. But Sanchez said the probe led him to fire the morgue supervisor and two autopsy assistants "for violation of county and department policies."

Sheriff's deputies continue to search for the baby's body, last seen Dec. 24 at the morgue, and say they have narrowed the possibilities to two: The body was accidentally incinerated or intentionally taken.

Investigators will request polygraph tests from employees at the medical examiner's office in an effort to determine what happened to the body, said Sgt. T.E. Kiser of the Sheriff's Department.

Sanchez offered no further explanation for the firings Thursday and did not return phone calls about the matter. Sanchez and his office have been under scrutiny since the loss of Octavius' body and the temporary loss of another body Jan 7.

The problems unfolded just days after Sanchez was named to head the office, which had problems under his predecessor with poor morale, body stacking and the accidental cremation of a body intended for burial.

County Judge Robert Eckels said he supports Sanchez's actions to ensure the office's credibility.

"The medical examiner has been charged with operating that office in a way that is responsive to Commissioners Court and taxpayers, and it appears he is doing that," Eckels said.

Commissioner Sylvia Garcia said she had not been told about the firings Thursday. She said she would like to see a full internal review of the office and is concerned about anything that decreases its staff levels.

"At a time when we need to consider if we should be doing autopsies from other counties, why are we firing staff?" she asked. "This needs to be looked at carefully and cautiously."

Sheriff's deputies have questioned all funeral home drivers who picked up bodies after the baby's body was lost, Kiser said, and determined that none had mistakenly taken the body. Investigators also have questioned nearly all employees of the medical examiner's office.

"Either the person responsible doesn't know what they did, or they do know and are not coming forward," Kiser said.

Left with only two possibilities, investigators will test employees' statements against their responses on a polygraph. Although there is no evidence of any wrongdoing, investigators said, the possibility has not been eliminated.

Commissioner Steve Radack, who has said the body's disappearance is suspicious, said he supports the plan to conduct polygraph tests.

"It is coincidental that this disappearance of the baby was at a time when Sanchez was out of the country and the Commissioners Court has just voted to make him the medical examiner," Radack said. "It wouldn't surprise me if there was wrongdoing."

Rudy Flores, a spokesman for the medical examiner's office, said officials there have tightened security as a result of the body's loss.

Although the morgue has video cameras monitoring parts of the office, it was criticized after the baby's body was lost because the cameras were not loaded with videotape. Flores said officials will install additional cameras that will record, although he did not say when that would begin. The office also is considering hiring peace officers to work around the clock at the facility.

In the meantime, the baby's family continues to await word about what happened so they can move forward with a funeral, said Edith Dodson, Octavius' great-grandmother.

"She is having a hard time deciding what to do," Dodson said of the baby's mother. "She is upset, and we are still trying to hang in there."

Jan. 17, 2003, 12:52AM

UH president to retire Sept. 2

By RON NISSIMOV

Copyright 2003 Houston Chronicle

University of Houston President Arthur K. Smith, a former Navy pilot praised for taking the university to new heights, announced Thursday that he will retire Sept. 2.

Smith, 65, the first person to serve as both president of the UH main campus and chancellor of the four-institution UH System, said he will remain in office until a successor is named, however.

He said he plans to teach and conduct research part-time at the main campus as a university professor, the system's highest designation for professors. Regents have known for more than a year about his desire to retire in September, he said.

"I've been in higher education for 33 years, and this August will mark 30 years I will have spent in administration," said Smith, who was president of the University of Utah before coming to UH six years ago.

"I haven't taught since 1987, and I have very good memories of teaching. I want to do something other than preparing budget memos. I want to think abstractly again."

Smith is the University of Houston's 11th president and sixth chancellor.

A Naval Academy graduate who earned a doctorate in political science at Cornell University, Smith said he wants to focus his academic work on his former specialty, Latin America, and on higher-education administration.

The former top sprinter for the academy said he also plans to spend more time with his wife, June, their three children and 11 grandchildren.

He is the second university president here to announce his retirement in little more than a month. On Dec. 11, Rice University President Malcolm Gillis said he would step down in June 2004.

Smith, lauded for his persuasive powers with the Texas Legislature, secured \$6 million a year in additional funds for UH during the 2001 legislative session. He said he does not expect his announcement to reduce his influence with lawmakers.

Citing the state's projected \$9.9 billion budget shortfall, Smith said he will not ask for extra funding this year. He said he will, however, ask legislators to divide the additional higher education funds approved in 2001 in a way that would bring more money to UH, beginning in 2005.

The 2001 Legislature created two additional funds with \$34.8 million each. One fund was divided among nine institutions in the University of Texas System with little regard to their levels of research, Smith said.

The other fund was divided among UH and 24 other institutions on a competitive basis related to their levels of research.

"We want to create one fund out of two, with the same criteria for all schools," Smith said.

He said some of his other major achievements include:

- Increasing research funding at the main campus to a record \$73 million in fiscal 2002, a 35 percent boost over the previous year.
- Securing funding for a \$53 million student wellness and recreation center scheduled to open this year; a recently begun \$45 million renovation of the main library and Honors College and a \$51 million science building scheduled to open in 2005. In addition, new student housing was built through private-public partnerships, including the Cullen Oaks project completed in 2001 and the Bayou Oaks project scheduled to be finished this fall.
- Record enrollment of 34,100 at the main campus this academic year, as well as record enrollment at the system's other campuses -- UH-Clear Lake, UH-Victoria and UH-Downtown.
- Creating more than \$1.8 million in new scholarships in the past three years.
- Overseeing the recovery from damages estimated at more than \$150 million at the main campus from Tropical Storm Allison in 2001.

"I believe he has elevated the system in all four campuses to a level we've never had before," said regent Morgan O'Connor of Victoria. "The regents have known for almost a year now that he wanted to retire after September. We kept him as long as we could possibly keep him."

Smith's annual compensation package of \$521,000 this academic year made him the sixth-highest-paid public university administrator in the country.

The regents will soon name a committee to conduct a nationwide search for Smith's replacement, said university spokesman Mike Cinelli.

Gillis, of Rice, praised his colleague.

"When he came here, he fully intended to raise the aspirations of UH, as well as the capacity to achieve those aspirations," Gillis said. "There's not any doubt he achieved those goals."

Smith was hired to stabilize the UH System after management disputes forced President Jim Pickering and Chancellor Alex Schilt to resign in 1995. His tenure has not been free of controversy, however.

In 2000, UH Police Chief George Hess claimed that Smith had fired him for refusing orders to not pursue charges against a university football player who committed a felony on campus. Smith denied the allegation.

In September, a faculty poll showed 73 percent of the professors were displeased with Provost Edward Sheridan's job performance and were evenly split on their assessment of Smith.

Both were accused of making autocratic decisions and being insensitive to faculty concerns. Several faculty members openly said in a meeting that Smith and Sheridan should be replaced.

Smith declined to discuss the matter Thursday, as he has done previously. Cinelli said Smith does not intend to replace Sheridan, who serves at Smith's discretion, or to make any other major changes in his administration.

UH biochemistry professor Joseph Eichberg, president of the Faculty Senate, said Thursday that "the whole faculty are appreciative of the contributions he's made to the campus."

Jan. 16, 2003, 11:43PM

Explosion blamed on vapor cloud

Type of substance, origin still unclear

By **RICHARD STEWART**

Copyright 2003 Houston Chronicle

Investigators said Thursday that a cloud of flammable vapor probably caused the explosive fire that killed two men and injured five others at a Brazoria County oilfield waste storage facility Monday.

However, it is unclear what the vapor was or how it got into the area.

Witnesses said the diesel engines of two trucks being unloaded at the BLSR Operating Ltd. storage facility began to race wildly moments before the explosion.

A vapor getting into the air intakes of the truck engines could have caused them to race and the exhausts from the engines could have started the fire, said Carolyn Merritt, chairwoman of the U.S. Chemical Safety and Hazard Investigation Board.

Both truck engines were left idling while the trucks were being unloaded.

"We found records of three other similar incidents in Texas," Merritt said. "I am sure we will find more records of other incidents.

"We are concerned because of the widespread handling of oil and gas field wastes in Texas and nationwide," she said. "Our investigation will determine what further safety measures may be needed in order to prevent similar accidents in the future."

She said it's important that other operations take precautions to prevent similar accidents. "Eliminating ignition sources during flammable waste-handling operations is critical to safety," she said.

Merritt said neither truck block exploded, but the cabs, tires, hoses and other combustible truck components were destroyed in an intense fire. Fuel and waste tanks also did not explode or burn.

Samples taken at the site may show the cause of the vapor, said lead investigator John Vorderbrueggen. "Certainly nobody thought there was anything amiss out there just before this happened," he said.

BLSR employees Macario Martinez, 32, and his brother, Francisco Perez, 22, were killed at the site. Their brother-in-law, Jose Octavio Diaz, 21, remains in critical condition at University of Texas Medical Branch Hospital in Galveston, as do truck drivers Tracy Riggle, 38, and Berry Rayburn, 54, who work for T&L Lease Services. Two other BLSR employees have been released from the hospital.

Jan. 17, 2003, 12:52AM

UH president to retire Sept. 2

By RON NISSIMOV

Copyright 2003 Houston Chronicle

University of Houston President Arthur K. Smith, a former Navy pilot praised for taking the university to new heights, announced Thursday that he will retire Sept. 2.

Smith, 65, the first person to serve as both president of the UH main campus and chancellor of the four-institution UH System, said he will remain in office until a successor is named, however.

He said he plans to teach and conduct research part-time at the main campus as a university professor, the system's highest designation for professors. Regents have known for more than a year about his desire to retire in September, he said.

"I've been in higher education for 33 years, and this August will mark 30 years I will have spent in administration," said Smith, who was president of the University of Utah before coming to UH six years ago.

"I haven't taught since 1987, and I have very good memories of teaching. I want to do something other than preparing budget memos. I want to think abstractly again."

Smith is the University of Houston's 11th president and sixth chancellor.

A Naval Academy graduate who earned a doctorate in political science at Cornell University, Smith said he wants to focus his academic work on his former specialty, Latin America, and on higher-education administration.

The former top sprinter for the academy said he also plans to spend more time with his wife, June, their three children and 11 grandchildren.

He is the second university president here to announce his retirement in little more than a month. On Dec. 11, Rice University President Malcolm Gillis said he would step down in June 2004.

Smith, lauded for his persuasive powers with the Texas Legislature, secured \$6 million a year in additional funds for UH during the 2001 legislative session. He said he does not expect his announcement to reduce his influence with lawmakers.

Citing the state's projected \$9.9 billion budget shortfall, Smith said he will not ask for extra funding this year. He said he will, however, ask legislators to divide the additional higher education funds approved in 2001 in a way that would bring more money to UH, beginning in 2005.

The 2001 Legislature created two additional funds with \$34.8 million each. One fund was divided among nine institutions in the University of Texas System with little regard to their levels of research, Smith said.

The other fund was divided among UH and 24 other institutions on a competitive basis related to their levels of research.

"We want to create one fund out of two, with the same criteria for all schools," Smith said.

He said some of his other major achievements include:

- Increasing research funding at the main campus to a record \$73 million in fiscal 2002, a 35 percent boost over the previous year.
- Securing funding for a \$53 million student wellness and recreation center scheduled to open this year; a recently begun \$45 million renovation of the main library and Honors College and a \$51 million science building scheduled to open in 2005. In addition, new student housing was built through private-public partnerships, including the Cullen Oaks project completed in 2001 and the Bayou Oaks project scheduled to be finished this fall.
- Record enrollment of 34,100 at the main campus this academic year, as well as record enrollment at the system's other campuses -- UH-Clear Lake, UH-Victoria and UH-Downtown.
- Creating more than \$1.8 million in new scholarships in the past three years.
- Overseeing the recovery from damages estimated at more than \$150 million at the main campus from Tropical Storm Allison in 2001.

"I believe he has elevated the system in all four campuses to a level we've never had before," said regent Morgan O'Connor of Victoria. "The regents have known for almost a year now that he wanted to retire after September. We kept him as long as we could possibly keep him."

Smith's annual compensation package of \$521,000 this academic year made him the sixth-highest-paid public university administrator in the country.

The regents will soon name a committee to conduct a nationwide search for Smith's replacement, said university spokesman Mike Cinelli.

Gillis, of Rice, praised his colleague.

"When he came here, he fully intended to raise the aspirations of UH, as well as the capacity to achieve those aspirations," Gillis said. "There's not any doubt he achieved those goals."

Smith was hired to stabilize the UH System after management disputes forced President Jim Pickering and Chancellor Alex Schilt to resign in 1995. His tenure has not been free of controversy, however.

In 2000, UH Police Chief George Hess claimed that Smith had fired him for refusing orders to not pursue charges against a university football player who committed a felony on campus. Smith denied the allegation.

In September, a faculty poll showed 73 percent of the professors were displeased with Provost Edward Sheridan's job performance and were evenly split on their assessment of Smith.

Both were accused of making autocratic decisions and being insensitive to faculty concerns. Several faculty members openly said in a meeting that Smith and Sheridan should be replaced.

Smith declined to discuss the matter Thursday, as he has done previously. Cinelli said Smith does not intend to replace Sheridan, who serves at Smith's discretion, or to make any other major changes in his administration.

UH biochemistry professor Joseph Eichberg, president of the Faculty Senate, said Thursday that "the whole faculty are appreciative of the contributions he's made to the campus."

Jan. 16, 2003, 11:47PM

Housing project battle brewing again in Katy

Developer relocates defeated plans

By **TERRY KLIOWER**

Copyright 2003 Houston Chronicle

Katy area neighborhoods that defeated a low-income housing project by taking their fight to Austin two months ago are preparing for another round with the same developer over a new, nearly identical project in the same vicinity.

But this time, the dynamics of the confrontation may be changed by actions of the Texas Sunset Advisory Commission, the Legislature and possibly even Gov. Rick Perry.

The new battle is over a 220-unit, \$18.5 million apartment complex proposed for a tract on the northwest corner of Barker-Cypress and Groeschke Road, about a half-mile from the site of the project the neighborhoods successfully blocked at a Nov. 14 hearing in Austin.

The official first round of the new housing fight comes later this month, when the Texas Department of Housing and Community Affairs holds a public hearing on the project at a neighborhood high school.

The hearing is required because developer Trammell Crow Residential of Austin is seeking state bond financing for the project designed to accommodate low-income residents.

The bond decision ultimately rests with two boards in Austin: the state housing agency board, which must decide whether to recommend bonding; and the state bond financing board, which votes on whether to issue bonds.

Neither decision is expected any sooner than mid-March, housing agency officials say.

The local public hearing on the project is planned for Jan. 28 at Mayde Creek High School, 19202 Groeschke Road. Testimony, along with anti-project petitions that opponents promise to present, will go from there to Austin.

Residents fighting the project come from nearby subdivisions that have organized this time as "Mayde Creek Community Acting Together." They have been circulating fliers and recruiting support via the Internet.

According to Tess Zimmerman, head of the Mayde Creek group, residents of the area's middle- to upper-middle-class subdivisions aren't opposed to low-income housing.

"We just want it where it's needed, which isn't on the north side of Katy Freeway," she said. "There are already sufficient vacancies in the apartment housing market here (north of the freeway) in the same price range as these (low-income) units would be offered to take care of market demand."

The Mayde Creek group also contends the new housing would create overcrowding at the neighborhood elementary school that would serve it. The argument is likely to be repeated by Katy school district representatives, who opposed Trammell Crow's earlier project for that reason.

Zimmerman also contends the housing agency is biased in favor of the project, possibly because it is being advocated by Trammell Crow executive Brent Stewart, who headed the state agency until two years ago.

"They're supposed to remain impartial, but it doesn't seem like they are," she said.

However, Stewart said he does not have undue influence on decisions made by the agency he used to run. He also believes the Groeschke Road project can stand on its merits, and he expects Trammell Crow and its opponents to get a fair hearing.

"We continue to believe there is, in fact, a big demand for these sort of units," he said. "The bottom line, I guess, is that we hope to do a better job of explaining our market study and our proposal than we did the first time."

The developer plans to debunk charges that the project would contribute to school overcrowding and, particularly, that it would not contribute to Katy school district revenues.

"This is, in no way, a tax-exempt enterprise," Stewart said. "We will be paying our full share of local taxes."

He expects to hold at least one meeting with neighborhood representatives, including leaders of the Mayde Creek opposition group, to discuss market issues and differences over factual matters prior to the Jan. 28 public hearing.

Meanwhile, both sides in the dispute have an interest in matters now beginning to unfold in Austin as the new Legislature convenes.

The Texas Sunset Advisory Commission on Wednesday reviewed the performance of the state housing agency and recommended that it be re-authorized by the Legislature to operate for the next 12 years.

Department spokesman Michael Lyttle said no changes in the agency were suggested by the commission.

However, Lyttle said the re-authorization still must be acted on by the Legislature, whose members may have their own ideas about what the agency does and how it might be modified.

Agency officials are unsure when another critical matter will be dealt with -- the appointment by Perry of someone to fill the now-vacant seventh seat on the agency's board.

It was that vacancy that enabled a 3-to-3 vote by the housing agency board on Nov. 14 on Trammel Crow's earlier proposal of a 252-unit, \$21.4 million apartment complex at Barker-Cypress and Greenland Way.

The tie vote, largely influenced by arguments against the project, effectively killed its shot at bond funding despite a favorable recommendation by the housing agency's staff. As a result, the project never made it to the state bond financing board.

Jan. 17, 2003, 1:07AM

Brown touts his successes

Downtown renewal highlighted in State of City speech

By KRISTEN MACK

Copyright 2003 Houston Chronicle

Mayor Lee Brown spent a good portion of his State of the City address Thursday highlighting what the next mayor won't have to do. But what undoubtedly awaits his successor is the little problem of having more expenses than income to pay for it.

Brown delivered his address a day after revealing that the city will be in a financial chokehold for at least the next two years -- facing as much as a \$29 million revenue shortfall during the next fiscal year alone.

In his final State of the City address before the Greater Houston Partnership, Brown -- who steps down at year's end because of term limits -- touted the revitalization of downtown and expansion of the George R. Brown Convention Center.

"You don't build a future in the future, you do it now," he said. "The mayor's office is a continuum. There is no finish line in the life of a great city."

Brown said his other successes are light rail, rebuilding downtown streets and bridging the digital divide through SimDesk, a software program that allows users to create, edit and store documents on city library computers. All three issues were mired in controversy.

"He obviously took great pains to show people all the things he's started," said Councilman Bruce Tatro. "But what's missing are two things: completion and payment. The next administration's biggest challenge will be paying the bill."

At least one of the mayor's major priorities -- storm drainage -- may end up costing taxpayers more money.

Houston won't grow if storm drainage is not improved, Brown said, adding that the current drainage system is woefully undersized. His solution is creating a new fee or increasing water sewer rates.

"Note that I said `fee,' not `free,' " he said.

His administration has been working on the idea for more than a year and says implementing a monthly drainage fee of \$3 for residences and up to \$70 for businesses could cut next year's expected shortfall by up to \$8 million.

But, Brown said, his major focus in his last year will be public safety. In December he appointed John Bales as Director of Public Safety and Drug Policy. He also created the Public Safety and Homeland Security Committee. And the new Houston Emergency Center -- to house police, fire and emergency medical units -- will soon open.

The biggest applause came when Brown talked about downtown's street and utility reconstruction.

"(It) has severely tested us," he said. "What I will say is that we are much closer to the end than we are to the beginning."

Overall, Councilman Gabriel Vasquez said, the mayor's speech was a nostalgic look backward and a progressive look forward.

"He made his best effort to paint the city in a positive light," he said. "But people would have been better served with elaboration on the city's financial situation."

Clearly the mayor intended his message to be uplifting, Councilwoman Annise Parker said, but overall it had to be on a down note because he couldn't get around the city's budget difficulties.

"I don't perceive that the city is in crisis," she said. "We are in a tough situation, but it's manageable."

What the mayor and council need to do, said Councilman Bert Keller, is take more responsibility for the state of the city's finances rather than blaming it on lower-than-expected property taxes, sales taxes and municipal court fine collections.

On Wednesday, the mayor's administration laid out a list of possible solutions, including layoffs, new fees, a 1 cent increase in the property tax rate and shifting more health care costs to city workers.

"We should have set a tighter budget and loosened the grip as we got enough oxygen, instead of waiting for the oxygen to come." Keller said.

"We have to admit we made a mistake, not just to the public, but ourselves. We are still living in denial."

Jan. 16, 2003, 11:53PM

Bill comes due for city spenders

\$67 million budget shortfall could lead to cuts, layoffs, tax hikes

By MATT SCHWARTZ

Copyright 2003 Houston Chronicle

Despite repeated budget shortfalls and warnings that the city was regularly taking in less money than expected, Houston officials continued to approve expensive pay raises and health packages that are likely to worsen the problem next year.

Then came Wednesday's announcement that the city could end up as much as \$67 million short over the next 18 months and may now have to consider a tax increase, service cuts and layoffs.

Although Mayor Lee Brown's administration treated this week's news as if it were somewhat of a surprise, it could hardly have stunned anyone following City Hall for the past few years.

For example, City Council approved a new employee health contract two years ago that members knew would cost as much as 45 percent more over the next three years. Council also approved Brown's proposals for two hefty police pay raises, which cost as much as 55 percent more over the past six years.

"No council member should have been surprised by the discussion (Wednesday)," said Councilwoman Annise Parker, who chairs the council's Fiscal Affairs Committee. "And anyone who reads a newspaper should know that all the big cities are facing this issue, and so are most of the states. There's been a general downturn in the economy. There is always a ripple effect on public budgets, largely because of the impact on sales tax revenue and then a secondary effect on property tax rates.

"We knew it was out there. We knew it was coming."

Officials blame a nationwide economic downturn that has driven down sales tax and property tax collections at the same time the city is being forced to pay tens of millions dollars more for police and fire service, employee health care and pension contributions.

To head off the budget gap this year, the Brown administration and City Council will consider shifting money into the general fund from other accounts, furloughing city employees, continuing a hiring freeze and cutting spending by all city departments except police and fire.

The cuts also will likely result in other service reductions, such as Sunday closings of all libraries but the downtown branch, reduced mowing along city rights-of-way, and longer response times to residents' service requests.

The lean times will continue into the next fiscal year, which begins in July, when city officials are likely to consider employee layoffs, eliminating all new programs and shifting more health care costs to employees.

For all their complaints about city overspending, council members acknowledge some responsibility of their own.

"The most recent police `meet-and-confer' contract was backloaded," she said, in a reference to the higher costs incurred at the end of the contract. "The council members who were here then -- and most of us were -- knew that was going to be the case and we would have to accommodate it."

Parker also said some of the council members complaining Wednesday of lavish spending by the city need to look in the mirror.

"It's interesting to me that so many of the council members who were making those comments were here during the good times," Parker said. "This is an administration budget, and council members put their names on it when we pass it. We all have an opportunity (to change it). I do believe this current budget was probably one of the more collaborative budgets we've had."

Councilman Bert Keller agreed but said council will have to take a greater role in future budget and policy making processes.

"Council took a much more aggressive stance in the '03 budget than it did in the '02 budget," he said. "Now I think it will take an even more severe, aggressive stance. I think what council realizes now is that council needs to enact policy, not just amend the policy that is given to it."

Keller and Councilman Gabriel Vasquez echoed a long-standing complaint of their colleagues that the Brown administration often fails to give council the full picture on big-ticket and controversial items.

"Even (Wednesday's) presentation, as forthcoming as it was, lacked the information about the potential increase in water and sewer rates and the fact that the city's bond rating may be lowered if we don't pay attention to that and handle that carefully," Vasquez said. "When you look at things in isolation, it's easier to support some of these issues."

Al Haines, the city's chief administrative officer, said he tries to be as open as possible with council members when discussing the budget.

Brown's administration has regularly had to scale back its spending plans, sometimes on a month-to-

month basis, during his five years in office. Indeed, this year marks the second time the Brown administration has faced a revenue shortfall as high as \$38 million.

But this year, at least, Houston is not alone.

As part of his budget presentation to council's fiscal affairs committee Wednesday, Haines noted that cities across Texas and the country are facing similar budget problems.

Dallas, for example, is looking at a projected shortfall of \$90 million this year, and Austin faces a \$58 million gap next year. The Houston Independent School District is expected to cut spending by \$154 million next year.

It could be worse. Haines said Los Angeles could face a \$500 million shortfall by 2005, and New York City is wrestling a \$1.1 billion deficit.

"In some ways, it's good to know what's happening in other cities," Vasquez said. "But in some ways, that's also just an excuse. We have to be focused on our city. Let's not get distracted from the real issue here, which is we have some challenges and we have to work together to get out of it in the next couple years."

Jan. 17, 2003, 1:17AM

Man arrested in deaths of 6 slain execution-style

By JAMES PINKERTON
Special to the Chronicle

BROWNSVILLE -- A 25-year-old man was arrested Thursday in the execution-style slayings of six people in a possible "pseudo cop" home invasion two weeks ago.

Edinburg Police Chief Quirino Muñoz said the suspect, a U.S. citizen he declined to identify, would be arraigned today on six counts of capital murder.

An arrest warrant was served by Edinburg detectives late Thursday morning at a house in a modest east Brownsville neighborhood.

Police said the suspect, who is not a resident of Brownsville, offered no resistance and was in the company of a woman believed to be his common-law wife.

Muñoz said his investigators have not determined a motive in the murders of the six men, whose bullet-riddled bodies were found in two adjoining woodframe houses early Jan. 5.

Police were called to the larger home by Rose Ramos, the mother of two of the victims. Intruders had tied up her and one son with extension cords. Ramos was not harmed, but her son was shot and killed next to her.

Based on Ramos' account, police believe the killings were done by three to five men. Ramos told police the group demanded drugs, money and weapons, and one wore a ski mask and a jacket with "police" on it.

The jacket has caused investigators to consider whether the carnage was the result of another "pseudo cop" home invasion, an increasingly common type of armed robbery by assailants posing as police. In recent months, dozens of such robberies have terrorized residents of Hidalgo County, mostly in remote rural areas.

The victims included Ramos' two sons, Jerry Eugene Hildago, 24, and Ray Hidalgo, 30, who lived in the smaller house. A second set of brothers, Juan Delgado Jr., 32, and Juan Delgado III, 20, were killed, along with Ruben Rolando Castillo, 32, and Jimmy Armendariz, 22.

Jan. 16, 2003, 10:43PM

Missile fear brings plan for airport

Officials at Bush want to close part of road

By STEVE BREWER

Copyright 2003 Houston Chronicle

To ease concerns about terrorists using shoulder-fired missiles to attack aircraft at Bush Intercontinental Airport, officials want to close a portion of Rankin Road.

The city has to approve the closure, said Ernie DeSoto, Houston Airport System spokesman, but it would involve shutting only a short and virtually unused stretch of Rankin -- from Chanute Road to a gate that sits almost on top of busy runways on the airport's western edge.

Private business hangars and kennels for bomb-sniffing dogs used at the airport line that part of Rankin Road, DeSoto said Thursday. There would still be access to those facilities.

The move is not extreme, DeSoto said, especially with missiles a hot topic among security experts and those in the airline industry. And, though federal officials charged with security at local airports declined comment Thursday, such a closure would also be nothing new in Houston.

In December, officials at Bush Intercontinental -- the nation's eighth-largest airport -- closed an observation area off Lee Road after two Russian-built missiles were fired at an Israeli airliner shortly after it took off from an airport in Kenya. The attempt to knock the plane out of the sky failed.

DeSoto said there were no problems along Lee Road before it was closed, other than grouching from workers who had to clean up after amorous couples who used the observation area as a "lovers' lane."

But, he added, there's only so much airport officials can do to protect against shoulder-fired missiles, which can generally hit a target as high as 5,000 feet and from two to three miles away.

Such mobile missiles can also be easily fired from outside the secure airport perimeter, said DeSoto, who added no streets or observation areas have been closed around Hobby Airport or Ellington Field.

"The reality is you cannot absolutely guarantee that nothing will happen," he said. "You would have to close off huge chunks of land around the airports. You just can't do that. We live in a free society."

DeSoto also said he recently checked with local officials about a recent report in The Washington Post, which said top federal officials, worried about missile attacks, were going to inspect major airports and educate people who live and work around the facilities how to spot such weapons.

DeSoto said he was told of no plans to take any of those steps in Houston. But he said that might mean little. Federal officials can send new security mandates to local officials at any time.

As in the past, police and airport security patrol the airport grounds regularly, DeSoto said.

Airport officials are also taking extra precautions with the hundreds of non-airport employees working at local airports. Construction workers are common on the grounds of Intercontinental, Hobby and Ellington Field because roughly \$2.9 billion in improvements are being made to the airport system, DeSoto said.

Every worker who must have access to a secure area inside a terminal, or any place where they could conceivably reach a plane, are being checked both by their employer and the FBI.

"It's obviously a situation where we have concerns because we have so much construction going on out here and we have a lot of people out here, faces we haven't seen before," DeSoto said. "That's why we're being so careful."

Jan. 16, 2003, 10:44PM

An American tradition

Exiles raise funds for schools in Vietnam

By EDWARD HEGSTROM

Copyright 2003 Houston Chronicle

It's a time-honored tradition: Immigrants come to America, make money and then form charity organizations to help the poor back home.

The Italians did it decades ago, and the Mexicans do it now -- along with the Salvadorans, Indians, Pakistanis and countless others.

But the Vietnamese have always been different.

Many of the refugees who fled Vietnam after the fall of Saigon never looked back. Even today, conservative leaders in the exile community frown on visiting Vietnam or even sending money back, which is seen as supporting the communist regime that took over the south in 1975.

Now that may be changing. A performance tonight will mark the kickoff fundraiser for Sunflower Mission, a new charity organized by Vietnamese-Americans to help provide education for the poor children of rural Vietnam. While the mission is not the first Vietnamese-American organized effort to help the homeland, leaders in the community say its broad acceptance may represent a sea change in the community.

"People are more accepting of humanitarian missions now," said Trang Tran, a lawyer who is active in the Vietnamese community but is not involved in the mission. "Before, you couldn't even do that, but now people recognize that we have to at least help the kids back in Vietnam."

For more than two decades after the fall of Saigon, many Vietnamese Americans -- known as Viet Kieu -- gave money to quasi-military groups determined to overthrow the communists back home. While the younger Vietnamese insist they are just as opposed to communism as their parents, they say it is more practicable to change the country through gradual reform rather than violent overthrow.

"If you can give people education, you give them knowledge," said Elena Tran, 29, one of the Sunflower Mission founders. "You give them hope."

Sunflower Mission plans to build two school classrooms in the Mekong Delta of southern Vietnam this year. The group's long-term goal is far more ambitious -- raise \$1 million and build 100 schools in the next five years. YMCA International Services, which has already helped build schools in Vietnam, is assisting the group.

Like many exiles, Tran was raised in a household where the homeland was left behind. "Once my parents left Vietnam, it was a closed book," she says.

But Tran returned for the first time last year as part of a YMCA program, which gave her the sense that she needed to do more to help the poor.

Because organizers have promised to focus on education, the mission has won support of even some conservatives among the Vietnamese.

"Some people in my community oppose (Sunflower Mission), but to me it's OK," said Hai Nguyen, a lawyer and anti-communist community leader.

Nguyen boasts that the Vietnamese community in Houston remains more united than Vietnamese in other U.S. cities and also more fervently anti-communist. Candidates seeking a position on the board of the Vietnamese Community of Houston and Vicinity are typically required to swear that they have not been back for a visit to Vietnam. In some circles, even sending money to relatives remaining in Vietnam is seen as shameful.

But this idealism increasingly runs up against an economic reality. While the hard-line leaders wish to maintain no contact, many exiles are voting with their feet. Every year in late January, flights to Saigon are filled to capacity with Viet Kieu returning to visit relatives during Tet, the Asian new year.

Vietnam gave out more than 150,000 visas to visitors from the United States in 2000, and more than 130,000 of them were for Viet Kieu. Vietnamese living overseas send an astounding \$2 billion to \$3 billion back home every year, Virginia B. Foote, the president of the U.S.-Vietnam Trade Council, told Congress last year.

But the conservatives continue to maintain close control over some areas, particularly entertainment. Last November, the anti-communists opposed a concert featuring singers brought in from Vietnam.

The concert, billed as "The Best Singers of Asia," was scheduled for the Arena Theater, with tickets running as high as \$100 each. Headlining the show was the renowned Vietnamese opera singer Bach Tuyet.

Conservatives got on Vietnamese radio and promised to protest the concert, saying they would document who attended and shame them later. On the eve of the concert, promoters canceled Bach Tuyet's performance. The concert went on, but it was sparsely attended.

Nguyen says the protest was justified. He notes that the communists have used propaganda to remain in power for decades, and he claims performers are part of it.

Because Vietnam depends so heavily on the money sent home by the exiles, the government desperately hopes to convince the Viet Kieu to participate more with Vietnam. Sending performers to America is part of the effort to woo the exiles by making them nostalgic for Vietnam, Nguyen reasons.

"These people try to influence the Vietnamese overseas," Nguyen says of the communists. "They cannot use money over here. They cannot use guns. So they use homesickness."

Jan. 16, 2003, 11:02PM

Perry fills rail panel slot

Associated Press

AUSTIN -- Gov. Rick Perry on Thursday said he will appoint Taylor County Judge Victor Carrillo to the three-member Railroad Commission, which regulates oil, gas and pipelines.

If approved by the Senate, he will replace Tony Garza, who left last year to be U.S. ambassador to Mexico.

Carrillo, a Republican, will serve the remainder of Garza's term, then decide whether to seek a full six-year term in the 2004 general election.

"While our state has certainly diversified its economy since the 1980s, and that's good, the oil and gas industry is, in my mind, still critical for the economy of the state," he said.

Carrillo, 38, was an Abilene city council member and lawyer for the Texas General Land Office from 1994-1996.

He has a law degree and master's and bachelor's degrees in geology.

Jan. 16, 2003, 11:54PM

Perry's Hispanic vote understated, Bonilla says

By MELISSA DROSJACK

Copyright 2003 Houston Chronicle Austin Bureau

AUSTIN -- A Republican congressman on Thursday challenged a Hispanic-oriented voter registration group to explain polling that he said understated the Hispanic vote for Gov. Rick Perry.

U.S. Rep. Henry Bonilla, R-San Antonio, questioned the political neutrality of the Southwest Voter Registration Education Project, which calls itself a nonpartisan Latino voter participation group.

The group reported after the November election that Perry received 12 percent of the Hispanic vote in defeating Democratic challenger Tony Sanchez.

Republican pollster Mike Baselice, who worked for the Perry campaign, said the governor took 35 percent of the Hispanic vote.

Texas Hispanics historically have voted Democratic, but Republicans nationwide are working to make political inroads with the rapidly growing Hispanic population.

"If Southwest Voter's claims that Perry only received 12 percent of the Hispanic vote were true, then his statewide margin of victory would have been 10.4 percent rather than the actual 17.8 percent he achieved on election night," Baselice said.

Ricardo Castanon, regional director of the Southwest Voter Registration Education Project in San Antonio, said the exit polling was conducted by the project's sister organization, the William C. Velasquez Institute in Los Angeles.

Antonio Gonzalez, president of the institute, called Bonilla an "anti-Latino crusader" and challenged him to a debate on the numbers.

"We stand by our polling numbers," Gonzalez said. "Shame on him. I welcome this challenge and I would debate publicly the congressman in San Antonio on the tendencies and the characteristics of the Texas Latino vote."

Bonilla said the pollsters have not provided research information he requested in writing and by telephone.

"It does a great disservice to the Hispanic voting community if this information does not have credibility," Bonilla said. "It means a false impression of the Hispanic participation in the political process."

"It is a direct contrast to all other credible polling institutions and exit polling operations that show the governor received well above 30 percent of the Hispanic vote in Texas," he said.

Bonilla suggested the group's polling may have a partisan bias.

"Is there some incompetence involved? Are they hiding something? Maybe there is some other motivation that might be politically motivated. We don't know," Bonilla said.

Jan. 16, 2003, 11:54PM

New rules let House speaker handpick appropriations panel

By JANET ELLIOTT

Copyright 2003 Houston Chronicle Austin Bureau

AUSTIN -- House Speaker Tom Craddick will appoint the entire Appropriations Committee under new rules adopted Thursday that eliminate seniority assignments to the budget-writing committee.

Under previous rules, one-half of the membership, excluding the chairman and vice chairman, had been reserved for veteran representatives, who could request a seat based on their years of service in the House.

Craddick, the first Republican House speaker in modern times, will appoint the chairman and vice chairman as well as all 27 members of the Appropriations Committee. Fifteen of the members will be called chief budget officers and also will serve on the 15 committees that deal with key parts of state government such as public education, public health, human services and corrections.

Craddick has said it's important to have good coordination between the committees that consider programs and the budget writers who provide the funding. He said the system he is proposing was used from 1975 through 1993.

"The vast majority of members, Democrats and Republicans, asked why we didn't go back to something like that," Craddick said Tuesday after being elected speaker.

The rules allow for seniority appointments to other committees.

An effort by some Democrats to restore the seniority appointments to the Appropriations Committee failed on a 105-39 vote after a debate that featured emotional speeches from some of the longest-serving House members. The final vote on the rules was 138-4.

Rep. Irma Rangel, D-Kingsville, said she was sad to be told after 26 years in the House that her experience is not important.

"We should be congratulated for what we've earned and not be demoted," said Rangel.

Rep. Paul Moreno, D-El Paso, said there hasn't been a floor fight on the state spending bill in recent sessions because the issues were hashed out by the "hard-core conservatives and hard-core liberals" who served on the committee.

"If we handpick the committee, I guarantee we will see a lot of floor fights," said Moreno.

The Appropriations Committee will have the critical job of deciding how to deal with an estimated \$10 billion revenue shortfall.

A freshman Democrat led the effort to restore the seniority appointments. Rep. Eddie Rodriguez of Austin said he respects the senior members and believes their experience will be needed in these tight-budget times.

Rep. Ron Wilson, a long-serving Houston Democrat who introduced the new rules, said "seniority by itself is no virtue."

"We've got to allow the leadership some latitude" in deciding where to use members' talents, Wilson said.

Democrats pointed out that in 1996 some Republican representatives, who were then in the minority, called for more seniority slots on all committees.

"Fair and equitable representation cannot be achieved when (the speaker) controls 100 percent of all chairmanships, 100 percent of key committee assignments and over 70 percent of all committee assignments," wrote Rep. Kent Grusendorf, R-Arlington, in the 1996 report. "This turns a democratic system into a very autocratic one."

Jan. 16, 2003, 11:54PM

Sen. Bivins picked to head Finance Committee

Dewhurst names chairs for Senate panels

By POLLY ROSS HUGHES

Copyright 2003 Houston Chronicle Austin Bureau

AUSTIN -- Republican Sen. Teel Bivins of Amarillo landed the coveted Senate Finance Committee chairmanship Thursday, winning a leading legislative role as Texas tackles a \$10 billion budget shortfall.

Lt. Gov.-elect David Dewhurst issued a press release late Thursday afternoon, announcing the appointment as he named chairmen and chairwomen for 15 Senate committees.

The lineup includes nine Republicans and six Democrats as well as two new committees overseeing government consolidation along with homeland security and infrastructure issues.

"We are facing a very difficult budget year, and we must address numerous issues of concern to every Texas family," Dewhurst said. "We have an extremely talented Senate, enriched by diverse experiences and backgrounds."

Bivins, former chairman of the Senate Education Committee, will replace Sen. Rodney Ellis, D-Houston, tapped to head the newly created Government Organization Committee.

Houston-area lawmakers on the budget-writing committee are Democratic Sen. John Whitmire and Republican Sens. Kyle Janek and Tommy Williams.

"I'm aware the first question everyone will want to ask is how I plan to get Texas out of this multibillion shortfall," Bivins said. "I view the projected shortfall not as something to fear, but as an opportunity."

Bivins said he isn't deluding himself into thinking he's "the omniscient money czar" and plans to work as a team leader.

Breaking with a tradition that Finance Committee members only serve on that one committee, Dewhurst also assigned Bivins to four others, including the potentially related new Government Organization Committee.

Ellis said the new committee he chairs will review proposals that have come from the sunset review

process and from Comptroller Carole Keeton Strayhorn regarding consolidating and eliminating agencies.

"This certainly has the potential of coming up with ideas that will produce substantial savings," said Ellis. He said some of the most experienced senators have been assigned to the committee.

Ellis said Dewhurst made a "very good choice" in selecting Bivins as chairman of the budget-writing Finance Committee.

"He was very helpful to me when I had an opportunity to chair Finance and I plan to do anything to be helpful to him," Ellis said.

Outgoing Republican Lt. Gov. Bill Ratliff, who will return to his East Texas seat in the Senate, will head the prestigious State Affairs Committee, which oversees a wide swath of state policy matters and administration of state government.

"Traditionally, it's been sort of one of the heavy-lifting committees. In the past, bills like tort reform and workers' compensation and many of the controversial bills of the day have gone there," Ratliff said.

Republican Sen. Florence Shapiro of Plano is leaving the State Affairs Committee to become chairwoman of the Senate Education Committee.

"Public education has been a passion of mine for a long time," said Shapiro, a former high school English and speech teacher and wife of a former school board president.

Shapiro said she thinks Dewhurst's interest in fixing school finance problems is reflected in his decision to name her to the Finance Committee as well.

"One of the things about the lieutenant governor is he kept this all very close to his vest," she said.

Whitmire said he was pleased with his committee assignments, which include chair of the Criminal Justice Committee and seats on the Finance and Government Organization committees.

Whitmire chaired Criminal Justice under Bob Bullock for several years in the 1990s before being bumped from the chair by then-Lt. Gov. Rick Perry in 1999. As Criminal Justice chairman in 1993, Whitmire played a key role in expansion of the state prison system and overhaul of the state's criminal justice laws.

"It (criminal justice) is obviously something I know better than anyone in the Legislature," he said. "I'm going to be busy as hell."

Whitmire said he believed the Government Organization Committee may be a "kind of scrub state government" committee.

Dewhurst tapped Sen. Robert Duncan, R-Lubbock, to chair the Committee on Jurisprudence and named Jane Nelson, R-Flower Mound, to head the Health and Human Services Committee.

He elevated International Relations and Trade to a full committee chaired by Sen. Eddie Lucio, D-Brownsville.

"I think that what the lieutenant governor-elect wanted to do was send a message throughout the state for all of us to understand how important our international trade is and what an impact that would have in the state," Lucio said.

Dewhurst, former chairman of the state's Homeland Security Task Force recently disbanded by the governor, also created an Infrastructure Development and Security Committee, to be chaired by Sen. Steve Ogden, R-College Station.

Chronicle reporters Clay Robison and Armando Villafranca contributed to this article.

Jan. 16, 2003, 10:30PM

Man shoots estranged wife, then turns gun on himself

Copyright 2003 Houston Chronicle

A man suffering from health problems and going through a divorce fatally shot his estranged wife at her job in northwest Houston Thursday and then killed himself.

The murder-suicide occurred about 8 a.m. at an office building on the Northwest Freeway near Tidwell, where the 51-year-old woman worked as a secretary for an accounting firm, said Houston Police Sgt. Waymon Allen, who declined to release the couple's identities.

After shooting his wife, the husband, 57, fled to the parking lot, where he shot himself, witnesses told police.

Police confirmed the couple, married for more than 25 years, had an 18-year-old daughter and 24-year-old son.

Allen said the man had a history of health problems and left behind a "document that showed his state of mind." He declined to specify whether it was a note.

A co-worker of the wife said the man had recently suffered a stroke.

The woman's death brings Houston's homicide count to nine this year. It is the second murder-suicide reported this month.

Jan. 16, 2003, 11:42PM

Sister Martina, 72, principal of Our Lady of Fatima school

By LYNWOOD ABRAM

Copyright 2003 Houston Chronicle

Sister Martina Hoare, longtime principal of a Galena Park parochial school who used money she earned by moonlighting as a college teacher to improve the school's physical plant, died Monday of an apparent heart attack in her home. She was 72.

Through contacts and friends, Sister Martina also bagged an anonymous contribution of \$250,000 to pay for a much-needed gymnasium at Our Lady of Fatima elementary school about five years ago, said her secretary, Alma Garza.

"After she came here, Sister starting teaching English as a Second Language classes three or four nights a week at San Jacinto College North," Garza said. "The money she made went for fencing two playgrounds for the safety of the children and for building a walkway from the back gate to the library so the children wouldn't have to walk in the rain."

After Sister Martina arrived at Our Lady of Fatima 17 years ago, Garza said, her work in upgrading instruction and improving the physical plant made a deep impression on the community. From 69 students in 1986, enrollment has risen to 184, Garza said.

Sister Martina, a native of County Galway, Ireland, was a member of the Congregation of the Sisters of the Holy Spirit and Mary Immaculate. She came to the United States in 1949 on assignment by her order.

Before joining Our Lady of Fatima school, Sister Martina served at Queen of Peace and Holy Ghost parochial schools in Houston and at schools in Dallas and Edinburg.

She leaves three brothers and three sisters in Ireland.

Funeral Masses will be at 9:30 a.m. today at Our Lady of Fatima Church, 1705 8th St., Galena Park, and on Saturday at Holy Spirit Convent in San Antonio. Burial will be in the convent cemetery.

Deaths elsewhere

Riley D. Housewright, a microbiologist who helped lead the nation's offensive-biological-weapons program, Jan. 11, of natural causes. He was 89.

Jaime Kibben, a documentary filmmaker, Jan. 11, in a car accident in Tel Aviv, Israel. He was 55.

Jan. 16, 2003, 10:50PM

News briefs

Staff and Wire Reports

State

San Antonio councilman resigns after guilty plea

SAN ANTONIO -- City Councilman David Garcia resigned Thursday, averting the impending humiliation of being removed from office for a crime of "moral turpitude" -- misappropriating his own campaign funds.

Garcia, who pleaded guilty to the ethics misdemeanor last week, insisted he committed a clerical error, but prosecutors said Garcia stole \$16,000 by ostensibly repaying a nonexistent loan to himself.

The infraction turned up in a separate investigation of his legal billings. The probe sparked demands for his resignation from Mayor Ed Garza and five other council members, who had agreed to oust him at Thursday's council session.

To the end, Garcia enjoyed fiercely loyal support in his predominantly Hispanic district. He steadfastly protested his innocence and said there was no legal basis for his ouster.

The other 10 council members -- two of whom are awaiting trial on federal corruption charges -- will appoint a successor for Garcia's unexpired term. He had planned to seek a second and final two-year term in the city's spring elections.

U.S. military increases smallpox inoculations

SAN ANTONIO -- The U.S. military is giving smallpox vaccinations to more soldiers and officers after 66 people who were given the inoculation in Central Texas showed a "normal" reaction to the drug.

Muscle aches were reported by several of the 30 Air Force officers who were inoculated, while just one complained of fever. Fourteen officers were inoculated at Wilford Hall Medical Center on Jan. 2.

At Brooke Army Medical Center, 36 soldiers received the vaccine and had no adverse reactions, said spokeswoman Norma Guerra.

The military says the results mean its fledging inoculation program is a success.

Uvalde police captain nabbed in drug thefts

UVALDE -- A Uvalde Police Department captain was arrested Thursday on charges that he participated in a scheme to steal drugs from dealers and then sell them.

Capt. Armando Martinez, 44, was arrested by FBI agents Thursday morning under a sealed indictment returned by a Del Rio federal grand jury Jan. 8. The indictment alleges Martinez stole drugs.

On Monday, FBI agents arrested former Uvalde County sheriff's Deputy Raul Sanchez Castillo on charges of participating in the scheme.

Castillo is a reserve deputy in the Frio County Sheriff's Department and is free on \$50,000 bond.

5 Austin teens arrested after beating student

AUSTIN -- Five teenagers have been arrested after beating and kicking a special education student at a bus stop and videotaping the entire episode, police say.

The planning and carrying out of the Dec. 19 assault -- captured on a 30-minute videotape -- led to the arrest of the five teenagers earlier this week, the Austin American-Statesman reported Thursday.

Austin police said the five Anderson High School students taunted the student for several minutes while encouraging each other to begin the attack. The teens then started kicking and punching the victim on his head and body.

The victim was treated for head injuries and pain and returned to school this week.

Police arrested Marques Berry, Perminder Klair and Donovan Chapman, all 18, on charges of assault and engaging in organized criminal activity. They were in the Travis County Jail late Wednesday on \$15,000 bond each.

Also arrested were Kevin Zamaripa and Berry's brother, Chris, on similar charges, the newspaper reported. The juveniles were being held at the Travis County juvenile detention facility.

Area

Bloody stereo equipment leads to murder suspect

TEXAS CITY -- Blood on stolen stereo equipment led police to a Katy man, who was charged

Wednesday with fatally stabbing a Texas City man.

Marco Antonio Garcia, 20, was arrested Monday on a parole violation and charged Wednesday with murdering Earl Eugene Bland, 52, police Sgt. Brian Goetschius said.

Bland's body was found Dec. 21 in his home, where he lived alone. His car, stereo equipment and other items were missing, police said.

Nearly a week earlier, a Harris County resident had told sheriff's deputies that two men with bloodstained electronic equipment in their car had threatened him. Investigators found the two men, who said they had gotten the gear from Garcia, Goetschius said.

2 child-porn defendants given 51-month terms

Two of the last defendants prosecuted in Houston in the Candyman Internet child-pornography case were each sentenced Thursday to 51 months in a federal prison.

Jayson Anderson, 29, of Baytown and Christopher James Tinney, 21, of Katy pleaded guilty in July to possession of child pornography.

Hector Ezeta, also charged, remains a fugitive.

Nine defendants were charged in Houston with involvement in an online child porn site known as "The Candyman." Several subscribers in other states also were charged after a yearlong investigation.

Hit-and-run suspect arrested in Indiana

A suspect in a Harris County hit-and-run accident that fatally injured a paramedic last summer has been arrested in Indiana and is being extradited, the Sheriff's Department said.

William Freeman, also known as Billy Ferguson, 51, a tow truck driver, was arrested for public intoxication, said Lt. John Denholm. He is charged with failure to stop and render aid in an Aug. 23 accident, Denholm said.

Peter Page, 24, a private ambulance paramedic with NorthStar EMS, died in October at Memorial Hermann Hospital. Witnesses told officers the tow truck had run a red light and hit Page's vehicle.

Kendleton man shoots girlfriend, then kills self

A Kendleton man shot and killed his girlfriend after a domestic dispute Thursday, took his daughter to a friend's house and returned home and killed himself, officers said.

Michael Wayne Joseph, 34, shot Kelly Murphey, 34, of West Columbia at his home in the 13500 block of Mitchell, said sheriff's spokeswoman Jeannie Gray.

She said Joseph then drove his 14-year-old daughter to a friend's house before killing himself.

Murphey was the year's second homicide victim in unincorporated Fort Bend County.

Man held without bail in killing at barbershop

A west Houston man was in the Harris County Jail without bail Thursday in a Nov. 1 shooting outside a barbershop that killed one man and wounded another.

Ladon A. Williams, 27, of the 1400 block of Castle Ridge was charged Tuesday with murder in the slaying of Derrick Todd Prophet, 24, outside the Clipper Styles shop at 3801 N. MacGregor Way in Riverside Terrace.

The victim's friend, Jonathan Fuller, 21, is recovering from his wounds, police said.

Detectives said a business dispute may have led to the shooting of Prophet, of the 3300 block of Yellowstone. Another man, 23, is still wanted for questioning.

Jan. 16, 2003, 10:17PM

Natural gas prices turn blistering hot

Bloomberg Business News

NEW YORK -- Natural gas futures climbed Thursday to the highest level in almost two years after a government report showed a larger-than-forecast decline in U.S. inventories.

Natural gas inventories last week fell 136 billion cubic feet, or 5.8 percent, from the previous week to 2.195 trillion cubic feet, the Energy Department said. Analysts had projected a decline of 4.8 percent, according to a Bloomberg survey. Supplies may shrink by greater amounts in coming weeks as Arctic air sweeps into the United States.

Natural gas for February delivery rose 21.5 cents, or 4 percent, to \$5.645 per thousand cubic feet on the New York Mercantile Exchange, the highest close for a most active contract since Feb. 13, 2001. The price has more than doubled in the past year.

Last week's decline left the nation's natural gas supplies, most of which are stored in aquifers, salt caverns and depleted oil reservoirs underground, down 17 percent from 2.648 trillion cubic feet a year earlier.

Crude oil futures climbed to a two-year high Thursday, as comments by the United Nations' chief weapons inspector and the discovery of empty chemical warheads in Iraq heightened fears of a U.S. attack. Light, sweet crude for February delivery rose 45 cents to \$33.66 a barrel on the New York Mercantile Exchange.

February heating oil ended 1.19 cent lower at 89.67 cents a gallon. Analysts attributed the decline to profit-taking. February gasoline added 33 cents to close at 90.76 cents a gallon.

In London, Brent crude rose 44 cents to close at \$31.66 a barrel.

Also Thursday, Sen. Charles Schumer, D-N.Y., urged President Bush to consider tapping the Strategic Petroleum Reserve as a way of halting rising prices.

"It's like having an ace in the hole and not playing the card," Schumer said.

Jan. 16, 2003, 10:40PM

Court blocks Mexican trucks

U.S. air pollution laws at issue

Los Angeles Times

SAN FRANCISCO -- A federal appeals court temporarily barred tens of thousands of Mexican trucks from U.S. roadways, ruling Thursday that the Bush administration violated federal environmental laws when it granted them permission under the North American Free Trade Agreement to begin operating this year beyond a 20-mile commercial border zone.

The decision by the 9th U.S. Circuit Court of Appeals came after a coalition of environmental, labor and trucking industry groups challenged a November order by President Bush opening the roads.

The three-judge panel said the department acted "arbitrarily and capriciously" by not preparing a full statement on air quality impact as required by federal law.

The decision could put the United States in violation of its obligations under NAFTA, potentially allowing Mexico to slap compensatory tariffs on U.S. goods.

It also dealt a blow to Mexican President Vicente Fox, who had insisted on the opening since taking office two years ago.

"It really is a resounding victory for the environment," said Jonathan Weissglass, attorney for the International Brotherhood of Teamsters, a member of the coalition. "The Teamsters also have economic concerns, but this case at heart is an environmental case."

The court said the agency must conduct a detailed study of the possible environmental effects of the trucks, which burn diesel fuel. The court also ruled that the Transportation Department must determine under the federal Clean Air Act whether the influx of trucks will make it more difficult for pollution-ridden cities such as Houston and Los Angeles to come into compliance with federal clean air laws.

The studies are likely to take at least six months and depending on what they conclude, the government might then be required to take other action, including more stringent controls for the incoming trucks.

During that period, entry to the United States will be barred for 30,000 Mexican-located trucks whose owners had filed applications for the vehicles to enter the country through the four border states -- Texas,

California, Arizona and New Mexico -- under new regulations. Previous rules, in effect since 1982, have restricted Mexican trucks to the commercial zones within 20 miles of the U.S.-Mexico border.

Spokesmen for the Justice Department, the Transportation Department's Federal Motor Carrier Safety Administration and the Mexican Embassy in Washington all said the decision was being reviewed and that there would be no further comment Thursday.

Weissglass, the Teamster lawyer, said Mexican trucks typically are older and more polluting than American trucks. He added that although U.S. and Mexican air standards for diesel trucks are the same, U.S. regulations are scheduled to become tougher in 2004 and 2007, while Mexico's are not.

The Teamsters represent 65,000 U.S. truckers and stood to lose work to Mexican truckers. Teamster drivers make about \$20 an hour and the union has said that their Mexican counterparts are paid as little as \$7 a day.

"The real issue here is protecting Teamster jobs," said Stephens Inc. trucking expert Dan Moore. "Organized labor is trying to bar competitive labor that could steal their jobs."

Judge Dorothy W. Nelson, a Jimmy Carter appointee, joined in the ruling, as did Judges Michael D. Hawkins and Kim M. Wardlaw, both appointees of Bill Clinton.

A special arbitration court set up under NAFTA had ruled earlier that the United States could not permanently bar entry of Mexican trucks. But the appeals court said the DOT had acted "arbitrarily and capriciously" when it promulgated the new regulations without a full environmental review.

The suit asserted that the Mexican trucks would dramatically increase air pollution in this country. The plaintiffs said many of those vehicles are older, pre-1994 trucks.

Justice Department lawyers said in legal briefs that the plaintiffs had exaggerated the increase in diesel emissions that the Mexican trucks would generate.

The court also rejected the government's argument that if it ruled for the plaintiffs, it "would be tantamount to restraining presidential action." The judges emphasized that Bush is not a party in the case and that they were not infringing on his "unreviewable discretionary authority" to end the prohibition on Mexican trucks. Rather, the court said it was simply ruling on the DOT actions that had to be taken to implement the order.

Moreover, the court said the government's arguments on the environmental issues were based on flawed assumptions and inadequate research.

Nonetheless, the judges emphasized they were not ruling on the basic validity of NAFTA. Another appellate court established the legality of the treaty earlier.

Bloomberg News contributed to this report.

Jan. 16, 2003, 10:17PM

Energy prices skew tame '02 inflation

Associated Press

WASHINGTON -- Consumer prices barely budged in December and closed out a year in which costs other than energy rose by the smallest amount since 1964.

The generally tame inflation climate in 2002 offered some shoppers -- especially those buying cars, clothes, computers and airline tickets -- good deals because prices fell for those items.

But people paying energy, medical and education expenses took a hit in the wallet as those prices rose sharply.

Energy prices, which can fluctuate wildly from year to year, rose by 10.7 percent in 2002, a turnaround from the 13 percent drop registered in 2001.

Consumer prices rose a mere 0.1 percent in December from the previous month, marking the second month in a row that prices went up by that amount, the Labor Department reported.

But on Wall Street, investors grew more cautious Thursday, sending stock prices moderately lower despite better-than-expected profits from Sears and United Technologies.

The Dow Jones industrial average closed down 25.31, or 0.3 percent, at 8,697.87. The Nasdaq composite index fell 15.05, or 1.1 percent, to 1,423.75. The Standard & Poor's 500 index declined 3.62, or 0.4 percent, to 914.60.

For all of 2002, consumer prices rose by 2.4 percent, up from the 1.6 percent increase in 2001.

But most of that pickup came from rising energy costs, including gasoline, which moved higher on tensions in the Middle East and worries about supply disruptions if the United States went to war with Iraq.

Excluding energy prices, consumer prices went up by just 1.8 percent in 2002. That was the smallest increase since a 1.3 percent rise in 1964, and down from a 2.8 percent increase in 2001.

Separately, new claims for unemployment benefits fell last week by a seasonally adjusted 32,000 to 360,000, the lowest level since Nov. 30, raising hopes that the pace of layoffs might be slowing.

Advancing issues still managed to claim a narrow lead over decliners on the New York Stock Exchange. Consolidated volume totaled 1.91 billion shares, ahead of Wednesday's 1.78 billion.

The Russell 2000 index fell 0.65, or 0.2 percent, to 394.88.

The price of the benchmark 10-year Treasury note fell point, or \$1.25 per \$1,000 in face value. Its yield rose to 4.08 percent, from 4.07 percent Wednesday.

In New York trading, the euro was quoted at \$1.0617, up from \$1.0547 Wednesday. The dollar was quoted at 117.83 yen, down from 118.10 yen. The dollar rose to 10.5365 pesos from 10.5040. The peso fell to 9.4908 cents from 9.5202.

Mexico's bolsa index closed down 66.91 points, or 1.1 percent, at 6,331.99.

Japan's Nikkei stock average was off just 0.03 percent. France's CAC-40 rose 0.3 percent, Britain's FTSE 100 slipped 0.2 percent, and Germany's DAX index gained 0.2 percent.

Jan. 17, 2003, 12:28AM

AOL Time Warner chief to take chair

Associated Press

NEW YORK (-- AOL Time Warner Chief Executive Dick Parsons was chosen to be the next chairman of the media conglomerate Thursday, less than a week after Steve Case abruptly announced plans to resign.

Case's departure followed widespread investor dissatisfaction with the \$106 billion merger of America Online and Time Warner that he helped orchestrate. Parsons, a Time Warner veteran who has headed the combined company for less than a year, had been seen as the most likely successor to Case.

The board's unanimous decision to give Parsons both jobs came despite speculation that the two jobs would be kept separate to ensure sufficient oversight of the company. But the company indicated Thursday that it remains confident its corporate governance measures are adequate.

Parsons' appointment will take effect May 16 at the shareholders annual meeting, the same date Case had indicated he would leave.

The announcement comes a little over two years after the company's big merger was finalized and places AOL Time Warner firmly in the grasp of executives from the Time Warner side.

Investors had pushed for the changes, following a sharp drop in the company's stock price chiefly caused by problems at the America Online division. Those problems include shrinking revenues and accounting practices currently under investigation by the Justice Department and Securities and Exchange Commission. AOL Time Warner's shares have tumbled roughly 80 percent since the merger was announced in 2000, and more than 60 percent since the deal was completed in 2001.

The announcement came after the end of regular trading. Shares of AOL Time Warner had closed up 6 cents at \$15.30 on the New York Stock Exchange.

Jan. 17, 2003, 12:23AM

Making more but spending less

Oil majors cautious as profits set to leap

By MICHAEL DAVIS

Copyright 2003 Houston Chronicle

Major oil companies are expected to post much higher profits later this month, but they won't be spreading that cash around until they have a feel for where oil prices are headed.

Analysts say the threat of war in Iraq and the political instability paralyzing Venezuela are overshadowing the higher profits from oil prices that on Thursday hit a two-year high of \$33.66 a barrel.

Depending on how those situations are resolved, oil prices could easily move \$5 to \$10 higher or lower, said Fadel Gheit, an oil analyst with Fahnestock & Co. in New York.

Spending at the major oil companies is going to slow even as profits rise, Gheit believes, because world oil markets are entering a period of profound uncertainty.

"At the end of the day, we don't know where oil prices are going to go," Gheit said. "The overriding factor is war or peace."

Higher oil prices during the fourth quarter were a mixed blessing for the majors as their oil and gas exploration and production profits soared, but the higher cost of oil squeezed profits out of their refining and marketing and chemicals units.

Earlier this week, BP warned investors that its refining and marketing profits declined in the fourth quarter, in part because of Venezuela's strife. BP also said sluggish demand for chemicals is hurting that unit as well.

Gasoline prices have risen more slowly than crude because inventories have remained adequate, but a weak economy has held down demand for chemicals even when the price of feedstocks such as propane and ethane are rising.

Refining has been the weak side of the business for these integrated oil companies for years. Many refineries are on the block.

To reduce its investment in the refining and marketing side of the business, ConocoPhillips has announced that it will take a \$1.3 billion charge in its fourth-quarter results to write down the value of some 2,000 retail units it plans to sell this year as it moves to leave the retail end of the business. The charge is expected to result in a net loss for the quarter.

Despite the warnings from the two majors, analysts say that the positive side of higher oil prices will outweigh the negative. All of the majors will be reporting improved results compared with the last quarter of 2001.

BP's and ConocoPhillips' previously announced problems are "sins that will be forgiven," Gheit said. "They will make less money than expected on refining and marketing, but across the board, earnings will be up significantly."

Investors have not been spurred into buying the integrated oil companies' shares as oil prices have surged. Quite the opposite. Shares of Exxon Mobil, ChevronTexaco and ConocoPhillips all ended the year down from high points during 2002.

ChevronTexaco, which merged in late 2001, and ConocoPhillips, which closed its deal last year, are expected to see the largest jump in fourth-quarter profits. ChevronTexaco is expected to see a 301 percent rise in profits, while ConocoPhillips is expected to see an increase of about 107 percent, according to a recent report by UBS Warburg.

Exxon Mobil will see the smallest rise in fourth-quarter profits, about 16 percent, according to estimates compiled by Thomson First Call.

ConocoPhillips is the only major to warn investors of a coming write-down, but the fourth quarter is typically when companies do financial housecleaning and take any looming charges.

But from an operations standpoint, all the companies are concentrating more on exploration and production, where they can make more money.

The benchmark U.S. crude oil price rose almost 40 percent during 2002 and has spiked well above \$30 per barrel since Venezuela's oil exports have come to a virtual standstill. Protests against President Hugo Chavez broke out late last year and have yet to subside.

"The exploration and production business looks to have gone swimmingly," said Tyler Dann, oil analyst with Bank of America Securities in Houston. "Barring any major write-downs, we think cash flow will be showing pretty good growth year over year."

Dann expects production at the majors to be up this year as much as 2.5 percent. Others are not so positive, with some estimates predicting production volumes worldwide will decline by as much as 4 percent.

On the refining side, margins have improved in the United States and abroad in the fourth quarter compared with last year, but a struggling retail end of the business continues to be a drag on the business.

UBS Warburg analyst Matthew Warburton is predicting refining and marketing earnings among the major oil companies to be down 41 percent in the fourth quarter compared with the same period last year.

The Venezuelan upheaval is not expected to have much of an effect on fourth-quarter earnings, but if the conflict continues, it could deal a substantial blow to first-quarter reports.

ConocoPhillips has halted all production in Venezuela, which was at about 170,000 barrels per day before the political unrest began there, said ConocoPhillips spokesman Carlton Adams.

Venezuelan oil, which accounts for about 5 percent of the company's production, was being shipped to the company's refineries in Lake Charles, La., and Sweeny. The Lake Charles refinery has had no problems finding oil to make up the difference, but the Sweeny refinery is processing 40,000 barrels less per day now than it was when the Venezuelan oil was flowing, Adams said.

The longer Venezuela's oil industry remains dormant, the more difficult it will be to bring it back on line and the larger the impact will be on companies that profited from the wider spread between the price of heavy Venezuelan crude and gasoline and product prices.

"It hurts," said Dennis O'Brien, director of the Institute of Energy Economics and Policy at the University of Oklahoma. "A company like Citgo has a huge distribution network, and it means they have to scramble for products and prices."

Citgo, owned by Petroleos de Venezuela, is one of the nation's largest retail gasoline sellers and relies heavily on oil from its parent company.

A recent survey of oil analysts by Reuters found that most believe prices will average about \$23 per barrel this year, once the specters of Venezuela and Iraq are gone.

Those lower prices will likely cause the majors to look at spending on acquisitions over increasing their drilling budgets, Gheit said.

"I truly believe that they are running out of good investment opportunities," Gheit said. "Why drill when you can buy reserves cheaper from someone else? Despite \$5 gas and \$30 oil, companies have tightened their spending."

Jan. 17, 2003, 12:25AM

Mexico to boost oil output, but it won't flow northward

By JENALIA MORENO

Copyright 2003 Houston Chronicle

MEXICO CITY -- The threat of war with Iraq and the Venezuelan strike may be limiting the supply of oil in the United States, but don't count on Mexico to fill much of the void.

Mexico plans to increase daily crude production by only 100,000 barrels a day, bringing output to 3.5 million barrels, Petroleos Mexicanos officials said Thursday.

And that increase will go to global demand instead of the United States. The state oil monopoly will produce close to its total capacity by next month, said Luis Ramirez, Pemex's general director of exploration and production.

Very few oil producing nations, except possibly Saudi Arabia, can ramp up production quickly enough to respond to a "temporary event" like the crisis in Venezuela, said Pemex's director, Raul Muñoz.

Mexico sends about 80 percent of its oil exports to the United States, and that percentage should not change much, Muñoz said.

In addition to boosting crude production, Pemex plans to increase natural gas production by allowing foreign companies to explore and develop natural gas reserves in northern Mexico's Burgos Basin. As a state-owned monopoly, Pemex's earnings go to the government instead of being reinvested in the company. So Pemex does not have the money or equipment to invest in exploring the Burgos Basin, Muñoz said.

Through a plan known as multiple service contracts, foreigners would be paid based on production volumes and at the price of natural gas on the day of production.

What makes these contracts significant for the oil industry is that it is the first time in more than two decades that Pemex plans to pay contractors based on performance, said George Baker of the Houston-based consulting group Mexico Energy Intelligence.

For more than a year now, Pemex officials have touted these contracts as a way of producing an additional 1 billion cubic feet a day, to nearly 7 billion cubic feet a day within the next three years.

Muñoz said he's optimistic that in five to six years, Pemex will be self-sufficient in natural gas production and will even be able to export. For now, Mexico is deficient in natural gas and imports some of what it consumes.

Despite the need for more natural gas, Pemex officials have faced plenty of political obstacles with these contracts, as many Mexicans feel that all things oil and gas are part of their nation's patrimony and they don't want foreigners profiting from their natural resources.

That opposition has helped push back last November's deadline for taking bids for multiple service contracts. On Thursday, Muñoz said he expected Pemex to begin seeking bids by the end of February, and by September it should begin signing contracts with companies.

And to increase domestic petrochemical production, which has been declining, Pemex also plans to invite consortia of private companies to invest about \$2 billion in constructing a petrochemical complex in either of the eastern coastal cities of Altamira or Coatzacoalcos.

Jan. 17, 2003, 12:24AM

IRS offering free electronic filing

Select preparers ready, submit tax forms for sought-after groups

Reuters News Service

WASHINGTON -- A majority of U.S. taxpayers, from those with low incomes to members of the military, will be able to file taxes through cyberspace for free under a new government program launched on Thursday.

Taxpayers generally making less than \$30,000, residents of six states and active military are among groups eligible to file their income taxes over the Internet under an Internal Revenue Service initiative.

The program, a partnership between the IRS and tax preparation software companies, is aimed at helping the tax agency's goal of moving 80 percent of tax filers online by 2007.

Acting IRS Commissioner Bob Wenzel said those taxpayers taking advantage of the plan will be pleased. "E-file is quicker. E-file is more accurate. E-file is the best way to confirm the IRS received your return, and it's the fastest route to a refund," he said at a press conference at the Treasury Department.

Those eligible can click on a link on the IRS Web site, www.irs.gov, and be taken to a site where they can choose from 17 providers to ready and send their tax forms electronically.

The handful of companies is called the Free File Alliance. As part of the deal, each company must make its services available free to at least 10 percent of filers, although it was left up to each company how to get to that level. The consortium as a whole must offer free services to 60 percent of filers, but officials said the net cast by the initial group of providers covers a "substantial majority."

Taxpayers often pay as much as \$12 to file electronically.

Like many of the providers, industry heavyweights and Free File members Intuit and H&R Block are targeting lower-income people. Intuit will allow free filing by those who have adjusted gross incomes of \$27,000 or less, while H&R Block will allow those with adjusted gross income of \$28,000 or less to file free.

There are also free filing offers for residents of Wisconsin, Michigan, Arizona, Georgia, Illinois and New York, as well as for active members of the military.

Other firms are taking age-based approaches. Two are offering free e-filing for taxpayers 20 or younger, while for others, the target is taxpayers starting at age 45 or 50.

While electronic filing has surged, it still has a ways to go. Of 132 million tax returns expected to be filed this year, the IRS expects about 54 million to be sent electronically.

Most of 47 million returns filed electronically in 2002 were sent through paid preparers and self-prepared e-filers totaled only about 9.4 million, according IRS data.

The companies and the IRS say the proposal also will help the agency, because electronically filed returns have a much lower error rate and allow for faster processing.

Not everyone is as enthusiastic, however.

Consumer groups worry this will channel taxpayers toward other services, such as expensive refund anticipation loans, which are made to customers who do not want to wait for their refund and often carry high interest rates.

H&R Block has reached legal settlements with New York City and Texas over refund anticipation loans. A spokesman for the company said he expected few people who use the free offer to take refund loans and noted that the terms of the alliance's agreement with the IRS specifically prohibit companies from tying a free service to a paid one.

When the idea was first broached in 2002, the government first considered creating its own site and software for the project. But Stephen Ryan, the general counsel for the Alliance, said the final arrangement, using existing software companies, avoids significant privacy questions that would have been raised under the government's initial proposal.

Jan. 17, 2003, 12:26AM

Compaq papers won't be on Net

Associated Press

BEAUMONT -- A state judge Thursday denied a request by lawyers suing Compaq Corp. who wanted to post on the Internet reams of company documents they say would show the company knowingly sold 1.8 million computers with defective floppy disk controllers.

DeWayne Layfield, one of the plaintiffs' attorneys, said they wanted state District Judge Gary Sanderson in Beaumont to approve posting the documents -- which have been unsealed by court order -- to counter Compaq's consistent statements that no defect existed.

The class-action lawsuit, originally filed in federal court in 1999, alleges Compaq knowingly sold Presario computers with a defective chip that caused loss or corruption of data saved to floppy disks.

Among the unsealed documents are internal Compaq memos saying engineers had determined the defect existed and gave it top priority to fix. Compaq attorney Alistair Dawson said the plaintiffs were not going to post objective information on the Internet, as required by court rules. "They're not telling the whole story," he told Sanderson.

The Compaq case and a similar lawsuit by the state of California against Hewlett-Packard, which acquired Houston-based Compaq last year, were filed after the same plaintiffs' lawyers sued Toshiba earlier in 1999. That suit alleged Toshiba knowingly sold flawed computers.

Toshiba, which had denied the allegations, settled the suit in 1999 for \$2.1 billion without admitting liability.

Jan. 17, 2003, 12:24AM

Suit claims promotion was biased

By L.M. SIXEL

Copyright 2003 Houston Chronicle

Reliable Life Insurance Co. withdrew a promotion to an Iranian employee because the company wanted a Hispanic in that job, federal employment regulators claim in a lawsuit filed against the company.

A month after life insurance salesman Sobhan Davaryhadikiasary was offered a promotion to assistant manager, the nationwide insurance company implemented a districtwide initiative to increase the number of Hispanic and African-American sales representatives and managers, according to the lawsuit.

Davaryhadikiasary, who had been selling insurance for the St. Louis-based company since 1995 out of its Sam Houston Parkway office, was told the promotion scheduled for November 2000 would be withdrawn because the company wanted a Hispanic instead, according to the lawsuit.

A Hispanic was subsequently given the assistant manager's job, according to the lawsuit, which accuses discrimination on the basis of national origin.

Mark Jodon, the attorney for Reliable Life Insurance, said the company had a legitimate non-discriminatory reason for delaying Davaryhadikiasary's promotion.

The company needed a Spanish speaker in the position, said Jodon.

He was subsequently offered three different promotions to assistant manager in 2001, said Jodon. After he left the company, Davaryhadikiasary approached Reliable to see if he could return.

The company has a diverse work force and has sales representatives and managers who are Iranian, he said. The company feels it will successfully defend itself against the claims raised by the EEOC.

Kathy Boutchee, the EEOC lawyer who is handling the case, said that when Davaryhadikiasary was told he couldn't have the promotion, he resigned.

He felt that he would have no other opportunities for advancement and decided his only option was to leave, Boutchee said.

He is currently selling life insurance with another company.

Jan. 17, 2003, 12:26AM

Local Earnings

Teppco Partners reported record net income for 2002. The company said it was the result of its acquisition of the Val Verde Gathering System and Chaparral natural gas liquids system, as well as capacity expansions on the Jonah Gas gathering system. Qtr. to Dec. 31 2002 2001

Revenues 712,000,000 618,200,000

Net income 34,600,000 21,200,000

Per unit 0.46 0.40

Full year 2002 2001

Revenues 2,838,800,000 3,219,800,000

Net income 117,900,000 109,100,000

Per unit 1.79 2.18

Teppco owns and operates pipelines that move refined products, natural gas liquids and oil.

Jan. 17, 2003, 12:25AM

Bulletin board

HARDWARE

JUKEBOX FM RECORDER 20 -- \$290, Archos. The typical handheld MP3 player is just that, a player. MP3 files are usually downloaded from the Internet and then transferred into the portable MP3 player so you can enjoy the tunes wherever you go. But if you want to make your own recordings, the process becomes a lot more complex. With the Archos Jukebox FM Recorder 20, you can do it all in one quick, easy step. The Recorder 20 is billed as the first product to combine an MP3 player, recorder and FM radio that contains a 20-gigabyte hard disk. The Jukebox is packaged in a slick metallic casing. It sports a graphic backlit LCD screen along with several carefully laid out control buttons and audio input and output jacks. It can record an amazing 300 hours of near CD-quality MP3 music or up to 700 hours of voice recording. Any sound can be recorded via the Jukebox's built-in microphone or via an external microphone plugged into the unit's input jack. All the MP3 encoding is done in real time, meaning that you never have to waste time converting your audio sound files into MP3 files. In addition, the Jukebox is also basically a 20-gigabyte hard drive, which means you can use it to store just about any computer data. For example, if you are on the road and need to take along several of your Word documents and PowerPoint presentation files. Just connect the Jukebox to your computer and access it as you would any other hard drive. An icon of the drive will appear when you connect it to your PC or Macintosh. The Jukebox also has a built-in FM tuner so you can listen to any station in the area. If you like something you hear, the Jukebox will let you record the FM sounds directly and instantly convert it into an audio MP3 file. A useful feature of the FM recording is its 30-second Pre-Recording buffer. That means that if you hear a song and decide you'd like to record it, you have 30 seconds to hit the record button. Doing so will actually capture the entire song, even if you hit the record button up to 30 seconds after it began playing. Connecting the Jukebox to your computer is a snap via its high-speed USB 2.0 connection, which is also downward compatible with the slower USB 1.1 standard. At up to 480 Mbps, you can transfer an hourlong recording in a few moments. If you're tired of having to record your meetings using those outdated minicassettes or some other antiquated device, you should take a serious look into the Archos Jukebox FM Recorder 20's ability to record files that can be directly downloaded, edited and played on the unit itself, or easily transferred to a computer without going through the tedious conversion process. The Jukebox FM Recorder 20 includes a USB 2.0 cable, an AC adapter/recharger that can be used in the highly unlikely event that the included rechargeable batteries' 12 hours of continuous playback time isn't long enough, stereo headphones and a carrying pouch.

Compiled from wire reviews

Jan. 17, 2003, 12:25AM

DR. MAC

Everything now bigger, smaller, better, faster

By **BOB LEVITUS**

Copyright 2003 Houston Chronicle

I'm back from Macworld Expo in San Francisco, and I have to say -- it was a good one.

I give Apple CEO Steve Jobs' keynote speech a score of 93 -- it had a great beat and you could dance to it. Jobs kicked things off by telling us he had enough new products to fill two keynotes.

And he did. Bigger PowerBooks, smaller PowerBooks, better wireless reception, faster wireless protocols (much faster), faster FireWire connections, a faster Web browser and a powerful presentation graphics program (think PowerPoint -- but easy to use and pretty), chapters in the DVDs you burn, an inexpensive version of Final Cut Pro, and X11 for OS X. Oh, there was one other thing -- the world's first and only wearable electronic jacket with integrated iPod controls, created by Apple and Burton Snowboards.

But I digress. The jacket is way cool, but face it -- there just aren't many good places to snowboard here in Texas. So let's take a closer look at some of the just-announced products you're more likely to lust for.

At the top of my personal list, you'll find the new 17-inch PowerBook. It's gorgeous in its sleek aluminum alloy enclosure, it's got the same killer 17-inch display as the iMac, and best of all, it's got all the hot new technologies power users dream of: 802.11g wireless networking, new twice-as-fast FireWire 800, built-in Bluetooth and sensors that adjust the display and backlighted keyboard as lighting conditions change.

It's not particularly dainty at 6.8 pounds, and it's not at all cheap with prices starting at \$3,299. But it's a heck of a Mac, and I want one so badly I can almost taste it.

At the other end of the spectrum, Apple also introduced the smallest and most affordable PowerBook yet, a 4.6 pounder with a 12-inch display and all of the expected PowerBook accoutrements, encased in lightweight aluminum alloy and priced from \$1,799.

And they finally fixed the AirPort reception issue in these new PowerBooks. Apple claims both models have the exact same AirPort reception as the iBook, which is the standard by which AirPort reception is

judged.

Speaking of AirPort, it's also new and improved for 2003. Dubbed AirPort Extreme, it runs the new ultrafast 802.11g standard, offering speeds up to 54 megabits per second, five times the data rate of last-generation 802.11b-based products, including AirPort.

It is backward compatible, so old and new can coexist peacefully. In addition to being much faster, the new AirPort Extreme base stations include wireless bridging and USB printer sharing. To expand your wireless network, just add more base stations (up to four) and extend the reach of your wireless network without running additional cables or adding more Macs.

And USB printer sharing means you can plug one printer into your base station and have it available to up to 50 users. Plus, the new base station has a software placement utility to help you find an optimal location for the unit, a software power control to limit the station's range and an antenna port for adding optional omnidirectional or directional antennas.

I can't remember a Macworld Expo where Apple introduced more new products, but I'm out of space. So I'll have to wait for next week on Apple's new software offerings: Keynote, Safari, iLife and Final Cut Express.

Bob LeVitus is a leading authority on Mac OS and the author of 41 books, including Mac OS X For Dummies: 2nd Edition and Dr. Mac: The OS X Files. E-mail comments to doctormac@boblevitus.com.

Jan. 17, 2003, 12:26AM

Briefs: City & state

Kinder shares soar after dividend hike

Kinder Morgan shares had their biggest gain in 12 weeks Thursday after the company, which manages the biggest publicly traded U.S. pipeline partnership, raised its dividend by half and said more increases are possible.

Houston-based Kinder Morgan rose \$1.76, or 4.1 percent, to \$44.86 in New York Stock Exchange composite trading, the biggest gain since Oct. 21. Units for Kinder Morgan Energy Partners rose 70 cents, or 2 percent, to \$36.15.

Kinder Morgan boosted its quarterly dividend to 15 cents a share from 10 cents Wednesday and may pay more if President Bush succeeds in eliminating taxes on corporate dividends, CEO Richard Kinder said. Kinder boosted its 2003 profit forecast to \$3.18 a share from \$3.11.

S&P reduces rating for Crown Castle

Standard & Poor's lowered the credit rating of Crown Castle International on Thursday, saying the outlook for the Houston-based wireless tower operator is negative.

The downgrade to "B-" from "B+" is based over concerns that weak tower industry fundamentals will make it unlikely for the company to reduce its debt substantially and will contribute to increased liquidity risk in 2004, S&P said.

Crown Castle had debt of about \$3.4 billion as of Sept. 30, S&P said.

The company's stock closed at \$4.77 Thursday, up 5 cents.

Enchira shareholders vote to dissolve firm

Enchira Biotechnology says its stockholders have voted to liquidate and dissolve the company. It plans to file a certificate of dissolution with the Delaware Secretary of State, which would have the effect of terminating the existence of the firm that had its initial public offering in 1993.

All of the company's assets were sold last August, said President Paul G. Brown. The firm, headquartered

in The Woodlands and then called Energy BioSystems, worked on ways to remove sulfur from diesel and gasoline using enzymes produced by bacteria. Recently it was working on therapeutic proteins for treating cancer.

American wants aid from workers quickly

FORT WORTH -- American Airlines, a division of AMR Corp., asked its employees Thursday to come to the aid of the carrier, saying they have no time to waste if they want to keep the financially strapped airline in business.

The plea from AMR Chairman Don Carty and American President Gerard Arpey comes as two major unions at the carrier consider a company request to freeze their wages and another union is trying to hammer out a new contract. "This is a time for shared sacrifices," the letter said.

Jan. 17, 2003, 12:26AM

Briefs: Nation & world

Mortgage rates sneak upward

WASHINGTON -- Rates on 30-year and 15-year mortgages edged up this week.

The average interest rate on a 30-year, fixed-rate mortgage rose to 5.97 percent for the week ending Jan. 17, up from 5.95 percent the week before, Freddie Mac reported Thursday in its weekly nationwide survey of rates.

For 15-year fixed-rate mortgages rates also went up this week to 5.36 percent, compared with 5.33 percent in the prior week. But rates on one-year adjustable rate mortgages, stood at 4.03 percent, unchanged from last week.

Money fund yields edge downward

The seven-day average yield on money market mutual funds fell in the week ended Tuesday to 0.84 percent from 0.85 percent the previous week, said Money Fund Report.

The 30-day average yield fell to 0.87 percent from 0.88 percent, said Money Fund Report. The seven-day compounded yield fell to 0.84 percent from 0.86 percent, and the 30-day compounded yield fell to 0.87 percent from 0.89 percent. The average maturity of portfolios held by money funds was unchanged at 52 days.

New York Fed head plans to step down

WASHINGTON -- William McDonough announced Thursday that he will retire in July as head of the Federal Reserve Bank of New York, a position second only to Alan Greenspan in the Fed system.

McDonough has chaired the New York bank since 1993, and is admired for his handling of crises. He was often touted as a successor to Greenspan.

Observers said McDonough, 68, a Democrat, may be quitting because he sensed his chances for the top job receded with Republicans taking the majority in the Senate.

In other news ...

- The Financial Accounting Standards Board approved a new rule designed to restrict the use of off-the-book partnerships, an accounting abuse put under the spotlight by Enron's implosion. The rule may be released as soon as today.
- **McDonald's** new chairman and CEO acknowledged the company needs better-tasting food and faster service. Jim Cantalupo said McDonald's will close some struggling restaurants.
- Aggressive promotions and price cuts gave worldwide personal computer sales an unexpected boost in the fourth quarter, and **Hewlett-Packard** reclaimed the top spot from **Dell Computer**.
- **IBM** said its quarterly profit fell for the sixth quarter in a row but computer services revenue rose after buying **PriceWaterhouseCoopers Consulting**. IBM also said it will meet 2003 estimates, provided there is "modest growth" in technology spending.
- Strong sales and cost-cutting efforts helped **General Motors** overcome falling vehicle prices and post fourth-quarter profits that handily beat year-earlier results as well as Wall Street forecasts.
- **Goodyear Tire & Rubber Co.** will eliminate 700 salaried jobs to trim costs, the world's largest tire maker said.
- **Delta Air Lines** blamed poor economic conditions and lingering fallout from the Sept. 11 attacks as it reported a \$363 million fourth-quarter loss and signaled that further cost cuts were needed.
- Initial success with sales of its **Lands' End** apparel helped boost **Sears, Roebuck and Co.** to a fourth-quarter profit despite problems in its credit-card unit.
- Server and software maker **Sun Microsystems** beat Wall Street's expectations despite a \$2.3 billion second quarter loss that largely stemmed from one-time items.
- Online auction leader **eBay** said its fourth-quarter profit more than tripled from the previous year.

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

Jan. 17, 2003, 1:15AM

Plans for post-Saddam Iraq see long-term U.S. role

Extensive reconstruction task likely

Washington Post

WASHINGTON -- U.S. military commanders will likely rule Iraq for at least several months in the aftermath of a U.S.-led ouster of President Saddam Hussein, according to Bush administration blueprints for Iraq's future that outline a broad and protracted American role in managing the reconstruction of the country.

The administration's plans, which are nearing completion, envision installing a civilian administration within months of a change of government, U.S. officials said. But the officials said that even under the best of circumstances, U.S. forces likely would remain at full strength in Iraq for months after a war ended, with a continued role for thousands of U.S. troops there for years to come.

Iraqis relegated to advisory roles in the immediate postwar period would gradually be given a greater role, but they would not regain control of their country for a year or more, according to current U.S. thinking.

A primary mission for U.S. forces if hostilities broke out would be to protect the country's oil fields and prevent rival factions from settling scores or grabbing territory. During the initial postwar phase, the U.S. military and its partners would concentrate on delivering stability and searching for nuclear, biological and chemical weapons, officials said.

Army Lt. Gen. David McKiernan, commander of any land forces to enter Iraq, would be expected to remain as the top military commander on the ground, a senior defense official said.

The plans, which have been under development for months, have yet to be presented to President Bush. Officials emphasized that much remains unknown and much could change, depending on how Saddam's rule ends. But the blueprints reveal that the administration is preparing for what would be a significant, long-term commitment of manpower, money and other resources for governing and rebuilding Iraq, a fractious country of 24 million people in one of the world's most volatile regions.

The administration intends to call for the prosecution of Iraq's top civilian and military leaders for war crimes or other offenses. Decisions about lower-ranking officials would be made later by Iraqis, with some perhaps offered incentives for good behavior. U.S. officials expect that much of the existing Iraqi

bureaucracy would continue to manage day-to-day government tasks such as public health and utilities.

Despite months of negotiations with Iraqi exiles in Europe, the United States and the Middle East, the Bush administration does not intend to install a government of opposition figures. Members of the opposition community would be given chances to prove themselves as part of a prospective Iraqi leadership.

The magnitude of the reconstruction task envisioned under the blueprint is arousing concern in the Defense Department, which has no desire of assuming control of Iraq as the U.S. military did in Japan and Germany in 1945. Adding to the worry is widespread anxiety in the Middle East about the prospect of a dominant U.S. role in governing an Arab country.

"As this gets nearer, the enormity of the prospect of the United States running an Arab country sinks in more and more," said one official from outside the Pentagon, who added that the administration wants to "make sure we do not get tagged as the ultimate neo-colonialist."

On the other hand, many U.S. officials are wary of turning over management of Iraq to the United Nations, which has never undertaken such an ambitious project. Under discussion is the possibility of designating an official from outside the military who would focus on economic and political reconstruction issues. That person, some officials said, should be someone outside the administration who commands international respect.

Jan. 16, 2003, 10:57PM

Americans' war support conditional

Many want proof of threat, poll finds

By WILL LESTER
Associated Press

WASHINGTON -- President Bush has not yet convinced Americans that war with Iraq is justified, a major poll finds, suggesting the White House has much work to do to win public support for military force.

"I think a little more diplomacy would be in order," said Creig Crippen, an 84-year-old retired Air Force veteran from Deland, Fla.

There is widespread support for removing Saddam Hussein, but that support is conditional on proof of a threat from Iraq and on the support of allies, said the poll by the Pew Research Center for the People & the Press. The poll was released Thursday as the United Nations said it had discovered empty chemical warheads south of Baghdad.

Two-thirds or more in the Pew poll and other recent polls say they favor military action against Iraq -- but only under certain circumstances.

For example, the Pew poll suggested that support for war is strong, 76 percent, if United Nations inspectors find nuclear, biological or chemical weapons. The support is evenly split if they find no weapons but determine Iraq has the ability to make these weapons.

The public doesn't buy the administration's argument that Iraq must prove it does not have these weapons. Almost two-thirds, 63 percent, said that would not be a sufficient reason for a war.

More than half, 53 percent, say the president has not yet explained clearly what's at stake to justify the United States using military force to end Saddam's rule, according to the poll. Some 42 percent say he has.

The number who say Bush has clearly explained what's at stake has eroded since his September address to the United Nations, when it was 52-37 saying he had.

The Pew poll of 1,218 adults was taken Jan. 8-12 and has an error margin of plus or minus 3 percentage

points.

"I believe that this is an action that is due because of Saddam Hussein's complete lack of respect for the democratic world and his people," said Philip Pederson, a 65-year-old sales manager from Wheatland, Calif. He is a Vietnam veteran.

Though the president has been making his case against Iraq since last September, White House officials say the heavier lifting doesn't begin until Jan. 28, when Bush delivers his State of the Union address. That's one day after U.N. weapons inspectors issue their preliminary report.

The drumbeat for war continues Jan. 31, when Bush meets at Camp David with his staunchest anti-Iraq ally, British Prime Minister Tony Blair. If Bush chooses to go to war there would be a final, Oval Office address in which he would spell out reasons, White House officials say.

Jan. 16, 2003, 10:57PM

Anti-war activists prepare to march

Weekend demonstrations planned

Associated Press

WASHINGTON -- Demonstrators are mobilizing in Washington and cities across the country for what they consider their last chance to speak as one great multitude against the gathering clouds of an Iraq war.

The weekend demonstrations coincide with America's military buildup overseas and a time of remembrance for the nonviolent struggle embodied by the Rev. Martin Luther King Jr. Even as sailors ship out, protesters are packing buses bound for Washington and organizing local marches and vigils from Tampa, Fla., to San Francisco.

"We are attacking a poor country that has enough problems," said Al Svitesic, a retired pile driver and World War II veteran who will be rallying in Pittsburgh next week. "It is unjust."

The largest crowds are expected in the nation's capital, where President Bush and many in Congress are united on the move toward war, and protest leaders hope they can draw tens of thousands of dissenters.

"We've been working with protest groups; they've got permits for various locations, including marches, so we'll be ready for it," said Police Chief Charles H. Ramsey. "We don't anticipate any problems, although we do anticipate large crowds."

International Answer planned the national rally Saturday in Washington and one in San Francisco, exhorting war opponents everywhere to "stop the Bush administration from threatening and killing the people of the world who are not our enemy."

The focus was on America's weapons of mass destruction, not the ones inspectors are looking for in Iraq, in a possible prelude to conflict.

The sense that war is close, perhaps only weeks away, spurred the determination of many activists to get to Washington, despite a possible winter storm followed by a weekend of subfreezing temperatures in the capital.

Ambitious weekend rallies are planned in Phoenix, Portland, Ore., and Tampa, where protesters plan to

gather outside the headquarters of Central Command, the arm of the Pentagon that would direct the war.

In San Francisco, the Internet-based group MoveOn.org released a TV commercial Thursday that depicts a girl plucking petals from a daisy and shows a nuclear mushroom cloud. The ad, being shown in 12 cities, recreates the ominous "Daisy" campaign commercial of 1964 that President Johnson used against Republican Barry Goldwater.

In a lighter but perhaps equally eye-popping tactic, protesters in Baring Witness said they might march naked down San Francisco's Market Street.

They specialize in naked resistance, having disrobed in various remote locations and forming to spell "peace" and "no war" and to depict the peace symbol.

Organizers of the national rally invoked King, particularly his "Beyond Vietnam" speech of April 4, 1967, in the buildup to the long weekend marking the civil rights leader's birthday.

In that speech, King said the war convinced him he could not speak against violence coming from ghettos "without having first spoken clearly to the greatest purveyor of violence in the world today -- my own government."

The national rally begins at 11 a.m. EST on the National Mall in view of Congress. Protesters will march to the Washington Naval Yard and demand the United States give up its most destructive weapons.

Jan. 17, 2003, 12:00AM

Unions seek delay for smallpox shots

Associated Press

WASHINGTON -- Citing safety concerns, the nation's two largest health care unions want a delay in smallpox vaccinations. But the White House said Thursday it will move ahead as planned, with inoculations to begin next week.

The unions argued that there are not enough safeguards in place to make sure people at higher risk of injury are not vaccinated. And they complain there is nothing in place to adequately compensate people who are hurt by the vaccine.

"Health care workers across the country want to be prepared if a smallpox outbreak occurs," Andrew L. Stern, president of the Service Employees International Union, which represents 750,000 health care workers, wrote President Bush on Thursday.

"But it is wrong to ask them, their patients and their families to put their health at risk while you have been unwilling to make the plan as safe as possible."

Similar concerns were registered by the American Federation of State, County and Municipal Employees, which represents 350,000 health care workers.

The Institute of Medicine plans to release a report today advising the administration on implementation of its plan. When they met last month, several members of that panel were also critical of the Bush plan, fearing it was being put in place too quickly.

Despite the critiques, the administration is ready to move ahead, said Jerry Hauer, assistant secretary for public health preparedness at the Department of Health and Human Services.

He said the administration was working to address the unions' concerns, and he said he has full confidence that states will carefully screen and educate patients.

But Hauer dismissed the Institute of Medicine as one of many voices. "I didn't pay much attention to the IOM's comments on this," he said.

The IOM report was commissioned by the Centers for Disease Control and Prevention, which said it needed advice in implementing the vaccination plan.

Jan. 16, 2003, 10:53PM

Cornyn joins associates calling for flag proposal

By JULIE MASON

Copyright 2003 Houston Chronicle Washington Bureau

WASHINGTON -- Texas Republican Sen. John Cornyn on Thursday joined a bipartisan group of lawmakers backing a constitutional amendment against flag burning.

Cornyn, who called for such a measure during his campaign, made co-sponsorship of the proposal the first significant public policy stand he's taken since he was sworn in.

"Our flag represents the thousands of brave men and women who have died over the years to protect the freedoms we all cherish," Cornyn said.

Joining Cornyn and 42 others backing the amendment was Sen. Kay Bailey Hutchison, a Texas Republican who supported previous efforts to pass the measure.

The proposal, introduced by Sen. Orrin Hatch, R-Utah, is designed to challenge a 1989 Supreme Court decision striking down flag protection statutes in 48 states as a violation of First Amendment free-speech rights.

Lawmakers in Congress for years have struggled to adopt a constitutional amendment protecting the flag from all forms of desecration, including burning.

The House in 2001 passed the measure for the fourth time in six years, but it stalled in the Senate.

A year earlier, the Senate rejected an identical measure, marking the third time in a decade that supporters failed to muster the 67 Senate votes necessary to approve it.

Now, with Republicans controlling both the House and Senate, supporters again are pushing the proposal.

Critics, many of whom oppose the ban on free-speech grounds, also contend that there are too few cases of flag burning each year to justify tampering with the Constitution.

Amendments to the Constitution require approval by two-thirds of both the House and Senate, in addition to ratification by three-fourths of the states.

Jan. 16, 2003, 10:53PM

Families of sniper victims sue gunmaker

Associated Press

SEATTLE -- Relatives of two Washington, D.C.-area sniper victims filed suit Thursday against a gun manufacturer and store linked to the Bushmaster XM-15 assault rifle used in the deadly attacks.

Relatives of victims James "Sonny" Buchanan and Conrad Johnson claim the gunmaker and store showed "gross negligence" that "caused injuries and death," according to the complaint. The families are represented by the Brady Center to Prevent Gun Violence.

The case seeks unspecified damages and names Bull's Eye Shooter Supply of Tacoma, which either sold or lost the rifle in a theft; store owners Brian Borgelt and Charles Carr; Bushmaster Firearms Inc. of Windham, Maine; and sniper defendants John Allen Muhammad and John Lee Malvo.

"We plan to show that less than three months after Bull's Eye received the Bushmaster assault rifle in its store, the firearm 'disappeared,' traveled across the country and was used in the sniper attacks," Seattle attorney Paul Luvera said in a statement Thursday.

"Such a swift 'time to crime' is highly indicative of grossly negligent sales and distribution practices on the part of Bull's Eye and the gun industry defendant," he said.

Buchanan's sister, Vickie Snyder of Rockville, Md., said she hoped that, ultimately, there would be more control over who obtains firearms.

"I guess I really hope the shops will be more responsible in their paperwork and the manufacturers will be more responsible about who they sell guns to," she said.

Buchanan, 39, was killed Oct. 3 while mowing grass at a car dealership in Rockville, Md.; Johnson, 35, a bus driver, was killed on Oct. 22 in Aspen Hill, Md.

Muhammad and Malvo are accused of killing 13 people and wounding five others in Alabama, Georgia, Louisiana, Maryland, Virginia and Washington, D.C. They are being tried first in Virginia in separate trials, and both could face the death penalty.

Dennis Henigan, legal director of the Brady Center, said at least three more families of sniper victims plan to join the lawsuit soon.

The Bull's Eye owners didn't return phone calls for comment. Investigators are trying to determine how Muhammad and Malvo wound up with the rifle.

Allen Faraday, vice president of administration for Bushmaster, said the company did nothing wrong and sold the rifle legally.

Jan. 16, 2003, 10:54PM

Rabbi gets life sentence in murder-for-hire case

By GEOFF MULVIHILL
Associated Press

CHERRY HILL, N.J. -- A rabbi, who was convicted of having his wife killed so he could carry on an affair, was sentenced to life in prison Thursday, insisting he is an innocent man no matter what the jury decided.

"I cannot express remorse for something I did not do," Rabbi Fred J. Neulander said in a defiant 20-minute speech.

The rabbi, who once led southern New Jersey's largest Jewish congregation, quoted from Scripture to criticize the judge and prosecutors, saying, "Thou shalt not follow the multitude to pursue evil."

Neulander, 61, was found guilty in November of paying two men to kill his wife, Carol.

The 52-year-old woman was found bludgeoned to death in 1994 in the couple's Cherry Hill home, in a crime prosecutors said Neulander arranged so that he could carry on an affair with a former Philadelphia radio host.

The jury spared him the death penalty.

In giving Neulander the maximum sentence, Judge Linda G. Baxter said his conduct was "so cold and calculating that it sends shivers down the spine of any civilized person."

Neulander must serve at least 30 years before he is eligible for parole.

Carol Neulander's three siblings called for a long prison sentence, as did letters from two of the couple's grown children.

"I am not sure that he will ever fully comprehend what his egomaniacal and selfish acts did to my family and to me," wrote his daughter, Rebecca Neulander Rockoff.

"I hope that the longer he sits in prison, the more he will be haunted by the magnitude of his losses."

Neulander had asked not to attend the sentencing, but the judge refused, saying that hearing what others

had to say about him was part of his punishment.

Neulander, in handcuffs for the hearing, said he was not deeply hurt by his relatives' testimony: "I cannot be reached because the internal person knows something that no one else in this room knows, and that is my innocence."

Jan. 16, 2003, 10:55PM

Former cop 'Bambi' hopes to be cleared of old killing

By MELISSA McCORD
Associated Press

MILWAUKEE -- The Laurie "Bambi" Bembenek story has already yielded several books and a TV movie: Blond former police officer and Playboy bunny convicted of killing her husband's ex-wife escapes from prison, is captured in Canada and then set free in deal with prosecutors.

Now Bembenek wants to write an epilogue: exoneration via DNA testing.

She hopes to clear her name 22 years after the crime.

Ira Robins, a private investigator who has spent years working with her, said Bembenek believes she has nothing to lose by seeking exoneration.

"She already served her time," Robins said. "There's no downside for Laurie."

Even that quest, however, has taken a bizarre turn.

The producers of the *Dr. Phil* television show agreed to pay for some DNA testing in exchange for her appearance.

But while awaiting the taping in November, Bembenek had what her lawyer said was an attack of claustrophobia and tried to slip out of her Los Angeles hotel room by climbing down a bedsheet rope. She fell from the second story and had to have her foot amputated.

Her case returns to court today for a hearing on a request for ballistics tests on two guns. So far, preliminary lab tests showed none of Bembenek's DNA on several items from the murder scene.

Bembenek, 44, is living in Washington state, taking care of her ailing father.

"It's one of the reasons she decided to do the DNA testing at this time, to try to clear her name before he died," said her attorney, Mary Woehrer.

Bembenek was sentenced to life in prison in 1982 for killing Christine Schultz, the ex-wife of Bembenek's then-husband, a detective. Investigators say Bembenek killed the woman in 1981 after complaining about the alimony Bembenek's husband had to pay.

She escaped from prison in 1990 and hid in Thunder Bay, Ontario, but was caught three months later. The breakout led to a Milwaukee rally that drew several hundred supporters wearing "Run Bambi Run" T-shirts.

Bembenek has claimed she was framed because of her efforts to expose sex discrimination and other misconduct on the Milwaukee police force.

In 1992, a judge ruled that "significant mistakes" were made in the murder investigation.

Afraid she might be granted a new trial on appeal, prosecutors struck a deal with Bembenek under which she pleaded no contest to second-degree murder and was released on 10 years of parole.

With her parole completed, Bembenek went to court in August seeking DNA tests on a T-shirt the victim wore, the bullet that killed her and other items from the crime scene.

The results showed two unidentified male DNA samples on Schultz's bedsheets and comforter. Male and female DNA was on a bullet, but the female DNA was not Bembenek's.

To make her case stronger, Bembenek's team hopes to match DNA from the scene to DNA taken from another suspect.

She had tests conducted on tissue samples from a man suspected of committing armed robberies around the time of Schultz's murder, but the samples did not yield enough DNA evidence. The man, Frederick Horenberger, once confessed that he was involved in Schultz's murder but recanted hours before he killed himself, according to court records.

Woehrer is trying to get more tissue samples from Horenberger tested and other evidence released from prosecutors.

Jan. 16, 2003, 10:58PM

VA suspends access to services

Upper-income vets denied health care for non-military ills

Associated Press

WASHINGTON -- The Veterans Affairs Department will suspend enrollment Friday for higher-income vets seeking health care for non-military related ailments like heart disease and diabetes.

The suspension, scheduled to last through 2003, goes against VA policy set in 1996 when Congress ordered the agency to open health care to nearly all veterans. The change is expected to affect about 164,000 veterans.

The chairman of the House Veterans Affairs Committee, Rep. Chris Smith, R-N.J., said the decision was disappointing but "underscores the need to develop long-term solutions to VA's health care funding problems."

VA Secretary Anthony Principi said the agency has been struggling to provide adequate health care to a rapidly rising number of veterans. The VA's patient population ballooned from 2.9 million in 1996 to 6.8 million today, Principi said.

"People might say, 'Well Mr. Secretary, what kind of message does this send to people who may deploy to the Persian Gulf?'" Principi said. "I think it sends a positive message that the VA is there for those who are disabled in uniform. The VA is there for men and women who come back and within the first two years need VA health care."

Ronald Conley, American Legion national commander, agreed with Principi that Congress has not provided the agency enough money to fulfill its mandate to provide care to nearly all veterans.

"The Congress of the United States has to properly fund it and this is the bottom line. And the president has to go to Congress and tell them they have to fund it," Conley said.

Jan. 16, 2003, 9:39PM

Birds' ancestors may have learned to fly on the run

Associated Press

WASHINGTON -- The dinosaur ancestors of modern birds may have learned to fly by first learning to run with wing-assisted speed, a researcher reports.

Kenneth P. Dial, head of a biological flight laboratory at the University of Montana, analyzed the way young birds use their wings to get around before they take to the air.

He said modern birds in the family that includes the partridge, turkey and quail use their wings days after hatching to climb steep slopes and trees to escape predators.

Once this skill is developed, it is only a short hop to being able to fly, said Dial, the author of a study appearing today in the journal *Science*.

Feathered dinosaurs, thought to be the ancestors of modern birds, may have gone through the same process of development over many generations, eventually leading to the many forms of avian fliers now in existence.

"The habits that these young birds have today is probably similar to those of the bipedal dinosaurs," Dial said. "They have massive hind limbs, they are runners, and they are born on the ground." Yet, somehow, they learn to fly, he said.

Dial studied how young partridge hatchlings used their wings as they grew up. In some experiments, Dial clipped feathers from the wings of some birds and compared their movements with birds of the same age whose wings were whole.

When comparing the clipped-wing birds with those with normal wings, it was clear that the feathered flapping increased the birds' ability to make it up steep slopes.

"They do not use their wings to run faster on the level ground or on gentle inclines, but they really kick in after the angle reaches 45 degrees," Dial said. "Within a few weeks, these birds are actually able to run vertically, using the power of their wings to keep them pressed against the surface."

Dial said the running birds do not use their wings for flight, but to press their feet every hard against the surface over which they are moving. This enables them to quickly climb more difficult inclines.

"They used their wings like spoilers on a race car, to give their feet better traction. That's where the power is," Dial said.

Many race cars have small, fixed wings over their rear wheels. Air passing over the wing presses the tires more firmly against the road, providing more traction for forward motion.

By flapping their wings at a certain angle, young birds get the same traction advantage. Dial thinks dinosaurs may have used their primitive wings in the same way.

Dial said his partridges study showed that as the birds learned to climb steeper inclines, the angle of the wing thrust changed.

"The wing beat becomes more and more like that of flying birds," he said. "When they hit the vertical, the wing movement is like flying birds, using the full wing."

They are ready to fly once they have mastered this motion, Dial said.

Dial said feathered dinosaurs could have achieved the same skills, eventually taking the final leap -- jumping from a high perch and actually taking flight.

Luis Chiappe, a paleontologist at the National History Museum of Los Angeles County who has studied the evolution of natural flight, said Dial's study is a great contribution to understanding how animals learned to fly.

Chiappe said other studies have suggested that fast running was an important stage in learning to fly, but Dial is the first to show that primitive birds could have used their wings both for forward and downward thrust.

Jan. 16, 2003, 11:05PM

National briefs

Copyright 2003 Houston Chronicle News Services

North Atlantic sharks show 50 percent decline

WASHINGTON -- North Atlantic shark populations have declined by more than 50 percent in the past 15 years, with some species approaching the point of no return because of relentless fishing pressure and scant international efforts to protect the toothy ocean predator, researchers say.

A study in today's issue of the journal Science found that long-line fishermen harvesting tuna and swordfish from the Atlantic and adjacent waters are killing huge numbers of hammerhead, great white, tiger and thresher sharks. This is consistent with other studies suggesting a decline in shark numbers in all of the world's oceans.

A team of researchers at Dalhousie University in Halifax, Nova Scotia analyzed the logbooks of longline fishing fleets from 1986 to 2000 and found a sharp drop in the number of sharks killed while harvesting tuna and swordfish.

"We estimate that all recorded shark species, with the exception of makos, have declined by more than 50 percent in the past eight to 15 years," researchers said.

Wife admits seasoning dinner with antifreeze

TEXARKANA, Ark. -- A woman who admitted she seasoned her husband's dinner with antifreeze was sentenced to 30 years in prison but will serve less than half of that.

Sandra Kaye Baker, 30, of Texarkana, pleaded guilty to attempted murder Tuesday in an agreement reached with prosecutors, her attorney said. Eighteen years of her sentence were suspended, leaving 12 years to serve, prosecutor Brent Haltom said.

According to authorities, Baker tried to kill her husband to collect on a \$2.5 million life insurance policy.

Family rallies to free woman who killed son

ST. LOUIS -- When members of the Shunk family heard the shotgun blast, they thought for sure that Joe Shunk Jr. had finally killed his mother.

But it was Joe Jr. who lay dead -- and his 61-year-old mother, Dixie, who allegedly pulled the trigger.

Today, Dixie Shunk is behind bars, charged with murder -- and her family and friends are outraged. Dixie Shunk, they say, is a victim of her abusive, 41-year-old son, and they say she still has broken and bruised ribs.

They say Joe Jr. abused his father, his children, and his wife.

But law enforcement officials say that they are not aware of any past calls about Joe Jr.'s abusive behavior and that Dixie Shunk has not requested medical treatment in jail.

Earlier this week, about 40 of Dixie Shunk's supporters marched outside the courthouse in Pilot Nob, a town 85 miles southwest of St. Louis. Among them: her husband; two of Joe Jr.'s children; and Joe Jr.'s estranged wife, carrying a sign that read "Mother, Wife, Grandma. Friend -- Not a Criminal."

Accused U.S. pilots cite communications snafus

BARKSDALE AIR FORCE BASE, La. -- Two U.S. pilots whose bomb killed four Canadian soldiers in Afghanistan last spring didn't know allied troops were there because of a communications breakdown that also kept their airborne commanders in the dark, defense attorneys argued Thursday.

The Air Force has charged Maj. Harry Schmidt and William Umbach with involuntary manslaughter, saying the pilots should have known the Canadian troops were conducting live-ammunition exercises that night.

The military hearing will determine whether the Illinois National Guard pilots should be court-martialed. Defense attorneys have said the pilots thought they were under fire from the Taliban or al-Qaida when they fired the guided bomb last April that also injured eight soldiers near Kandahar.

Jan. 16, 2003, 9:19PM

4 die in Colombia blast

Act seen as rebel response to mass arrests

Associated Press

BOGOTA, Colombia -- A car bomb exploded outside the attorney general's offices in Medellin on Thursday, killing at least four people and recalling the dark days of a drug war that turned the city into one of the world's deadliest places.

Now, leftist rebels carrying their 38-year insurgency into Colombia's cities are suspected in the bloodshed. The blast wounded 32 people.

Attorney General Camilo Osorio, in Bogota when the bomb went off, said the blast may have been rebel retaliation for the mass arrests earlier this week of suspected rebel militias in Medellin, Colombia's second-largest city.

Osorio said the government would continue a crackdown on lawlessness in the South American nation. He headed back to Medellin immediately after getting word of the bombing.

The car, containing 88 pounds of explosives, blew up just before 8 a.m. in a parking garage shared by the attorney general's offices and a small shopping center. The explosion collapsed walls, blew out windows and damaged nearby buildings and cars.

A 3-year-old boy, two employees of the attorney general's office and a cafeteria worker were killed. Red Cross spokeswoman Lina Marcela Campaz said that 32 people were wounded.

Medellin, which sprawls across a high Andean valley and is known as the city of eternal spring, has been recovering from the days when Pablo Escobar's Medellin cocaine cartel waged a terrorist war against the state to avoid extraditions to the United States.

Hundreds of people, including policemen, judges and journalists, died in the war, which ended when Escobar was shot dead by police in 1993.

President Alvaro Uribe, who has vowed to crack down on the insurgents, authorized a \$172,000 reward for information leading to the arrest of the bombers.

It was the fifth car bomb to explode in less than 10 days in Colombia, in the grip of a four-decade-old guerrilla war that has killed thousands of people each year.

Dozens of U.S. Green Berets flew into a Colombian war zone this week to train Colombian army troops to protect a key oil pipeline from rebel attacks, a U.S. official said Thursday.

The arrival of the members of the 7th Special Forces Group marks a turning point in U.S. involvement in Colombia's civil war. Previously, U.S. military aid and training were restricted largely to battling cocaine production, which rebels and rival paramilitary gunmen profit from, fueling the war.

Jan. 16, 2003, 8:39PM

British soldiers disdain 'shoddy' gear, buy own

Associated Press

LONDON -- They're among the world's most elite fighting forces. But plagued with boots that melt in the sun, stifling uniforms and radios that go on the blink, some British soldiers are buying their own gear.

The Ministry of Defense said Thursday that more than one-quarter of British troops buy their own equipment, including rucksacks, jackets, footwear and flashlights. Officials insist that standard-issue gear is "better than ever" and that soldiers are merely replacing items they have lost, or expressing a "personal preference."

But Paul Keetch, defense spokesman for the opposition Liberal Democrats, has urged the government to ensure troops are adequately equipped for possible military action in the Persian Gulf.

"British soldiers have historically been forced to spend their own money to replace shoddy equipment or get kits the (Ministry of Defense) refuses to provide," he told the House of Commons on Wednesday. "Our troops should not be expected to put up with cheap and inferior equipment when better kits exist on the open market."

A recent government report on a British military exercise in Oman in 2001 concluded troops experienced problems with several items.

Soldiers complained that standard-issue boots fell apart or even melted in the sun and, in some instances, caused foot rot, while the man-made fibers of standard uniforms resulted in heat stress illnesses, the National Audit Office said.

The SA80 rifle -- already widely criticized as unreliable -- was prone to jamming in the sand, and some equipment, such as the decades-old Clansman radio, was outdated and "completely inadequate" for desert conditions, the report said.

"The National Audit Office made it clear that a decent kit is essential to morale," said Keetch. "All troops heading for the gulf must be provided with a theater-specific kit that is of top quality and can cope with the high temperatures troops can expect in the desert."

Jan. 16, 2003, 10:58PM

Argentina reaches agreement with IMF

Nation will make \$1 billion million payment

Associated Press

WASHINGTON -- The International Monetary Fund and Argentina ended 11 months of arduous negotiations Thursday by announcing an agreement on new loans to keep the cash-strapped nation from defaulting on its obligations to the IMF.

The agreement would be transmitted to fund executives in Washington and presented to the IMF's 24-member executive board for review "in the coming days," said spokesman Thomas Dawson. The board usually approves its negotiators' deals.

In Buenos Aires, President Eduardo Duhalde told local radio that the country would dip into its reserves to make a \$1 billion payment it owes to the IMF today. Until now, Duhalde had refused to make most debt payments to international lenders, saying it risked his ability to control monetary policy.

"The money we are paying will be returned to us -- that's part of the agreement that we have achieved," he told Radio 10.

Armando Torres, an Economy Ministry spokesman, confirmed Argentina had made the payment late Thursday. The deadline for reaching a deal on new loans was Friday, when the \$1 billion payment to the IMF was due.

Officials said that the IMF's executive board would probably hold an informal session to review the agreement today but that actual approval of the deal might not occur until next week.

It was expected that the new loans would total around \$6 billion, enough to meet obligations to the IMF and other multilateral lending institutions through midyear, and facilitating presidential elections on April 27.

Argentina failed to meet a \$680 million payment due Wednesday to the Inter-American Development Bank. In November, Argentina defaulted on all but a fraction of an \$805 million loan due the World Bank.

A default to the IMF would have cut the country off from its last source of foreign loans.

South America's second-largest economy has been mired in its worst financial crisis for more than a year since it was forced to default on the bulk of \$141 billion in foreign obligations, devalue its currency and freeze bank deposits.

Argentina has been locked in protracted negotiations with the IMF over new loans it badly needs to rescue its economy but has been unable to meet IMF demands over the shape of an economic reform program.

Jan. 16, 2003, 11:04PM

Paper: Raid nabbed Algerian terrorists

Network similar to al-Qaida, has ricin

Associated Press

MANCHESTER, England -- Two men arrested by police in this northern English city reportedly were part of a network of Algerian extremists who were influenced by al-Qaida and possess the deadly poison ricin.

Few residents said they knew the suspects arrested Tuesday in a raid on an apartment in Manchester that led to the stabbing death of a policeman. One of the men was charged Thursday with murdering the officer, Detective Constable Stephen Oake.

"The atmosphere is very scary," said Mohammed Wazir, a Pakistani leading two dozen men in prayers at the North Manchester Mosque in the tree-lined suburb of Crumpsall, home to an ethnically diverse population. "People are scared. We don't want to know who lives next door."

The Guardian newspaper quoted an unidentified government source as saying British security services regarded Algerian terrorists as the "greatest al-Qaida-related threat in Europe, the most potent threat after al-Qaida itself."

The group is linked to the poison ricin, discovered in a London flat on Jan. 5, the newspaper reported. But the Guardian said police had been investigating the network -- which the paper described as an offshoot of Algeria's Armed Islamic Group -- for weeks before the poison find.

Four men described as North African were charged Monday with chemical weapons and terrorism offenses in the ricin case.

Government and police have not confirmed the men arrested in London and Manchester are Algerian. But John Reid, chairman of the governing Labor Party, said the arrests "underlined ... the need to recognize that this is a new kind of threat."

The New York Police Department said Thursday it had sent a senior counterterrorism official to London and may send in additional investigators.

A senior U.S. official traveling in Europe said there were indications the men arrested in the alleged ricin

plot were linked to Ansar al-Islam, a terrorist group in northern Iraq that also is suspected of ties to al-Qaida. The official, speaking on condition of anonymity, refused to elaborate.

Several U.S. counterterrorism officials, however, said no definitive link has been established between Ansar al-Islam and the London arrests.

The Guardian said police do not believe the Algerians are directly connected to Osama bin Laden's al-Qaida network but were inspired by the group and may be tied to other Muslim extremist organizations.

The Guardian said the alleged killer was "a very senior player" in the Algerian network behind the ricin plot. The Times, citing a police source, said the murder suspect is believed to be a "chemist" behind the production of the ricin in London.

Ricin, derived from the castor bean plant, is one of the deadliest toxins and has been linked in the past to al-Qaida and to Iraq.

Jan. 16, 2003, 10:52PM

Party leader's secular stance gains support in Israel

By **JAMES BENNET**
New York Times

TEL AVIV, Israel -- Tommy Lapid, bare-knuckled commentator and crusader against state-subsidized Judaism, has emerged, grinning, as the biggest surprise of this most surprising campaign season -- the man who would be kingmaker in Israel.

Opinion polls consistently indicate that Lapid's minor party, dedicated to cutting the government benefits of religious Jews, is poised to become the third-largest faction in the next Parliament, which could make his a pivotal voice in determining the next governing coalition.

From right, left and center, other Israeli politicians are suddenly gunning for Lapid in hopes of drawing his party's new support away. It is hard to have a conversation with Labor Party politicians without hearing Lapid compared with Archie Bunker, their calculated shorthand for an armchair reactionary.

Lapid, a 71-year-old Holocaust survivor, is enjoying that.

"I take it as a compliment," he said Wednesday of the comparison to the most famous, if fictional, product of Queens. "I do look like him, and I am -- how do you say it -- pugnacious."

The new support for Lapid's Shinui Party arises partly from voters' impatience with the major parties over the stalemate with the Palestinians, the dismal economy, scandal and a clinging malaise. But it also demonstrates that Israel's longstanding contest between secular and religious Jews is intensifying.

He called the religious "a minority that has privileges and no responsibilities," citing exemptions from army service and tax breaks.

To strictly religious Israelis it is Lapid who is the intolerant one. To them it is Lapid's vision that endangers Israel.

Rabbi Avraham Ravitz, a member of Parliament and leader of a strictly Orthodox party, called Lapid's movement "a big danger" and "a tragedy for the people of Israel."

He said Lapid had created an outlet that legitimized a deep-seated desire of many Israelis. "A lot of the Israelis, they have in the deep of their minds, for probably many years, these feelings to run away from being a part of the chain of the Jewish people," Ravitz said. "You know, to be a Jew is not so easy."

The surge behind Lapid is not just a reflection of anti-religious sentiment. In a political system divided along ethnic as well as religious lines, his party appears to be drawing from Israel's elite of Ashkenazim, with roots in Eastern and Central Europe. Further, his party's name, Shinui, or Change, incorporates an inchoate revolt against the status quo.

Opinion polls consistently suggest that in elections to be held on Jan. 28, Shinui could more than double -- almost triple, some analysts have predicted -- its present six seats in Parliament. This campaign has already produced its share of reversals, but at the moment Shinui looks likely to displace a religious party, Shas, as the third-biggest faction.

Jan. 16, 2003, 11:00PM

Caracas' Central Bank cancels dollar auctions

Associated Press

CARACAS, Venezuela -- Venezuela's Central Bank suspended its daily dollars auctions Thursday, trying to stop a currency slide as international pressure increased on President Hugo Chavez and the opposition to negotiate an end to a 7-week-old strike.

The Central Bank did not give a reason for its decision to suspending the weekly auctions, but traders said it would give the institution more discretion to decide who gets to buy dollars.

The opposition is demanding Chavez agree to a plebiscite in February on his presidency. Although the referendum would be nonbinding, strike leaders believe Chavez, elected in 1998 and re-elected in 2000, would be so embarrassed by its outcome he would step down.

At the United Nations, Chavez said Thursday it will be "virtually impossible" to hold a nonbinding referendum on his rule Feb. 2. He said the constitution only provides for a binding referendum halfway through his term which would be in August.

"In August, if there is a referendum and I lose, I will leave. I have no intention to stay if the people don't want me," he said Thursday after meeting U.N. Secretary-General Kofi Annan.

The currency move came just before the bolivar currency closed at 1,715 on Thursday, slightly up from Wednesday.

One trader, speaking on condition of anonymity, said the Central Bank was providing dollars only to banks and others with legitimate needs, such as merchants who buy imported goods.

Thursday, thousands of university student marched through the streets of Caracas, demanding an end to strike-related violence. Five people have died since the strike began Dec. 2.

On Wednesday, representatives from the United States, Mexico, Brazil, Chile, Spain and Portugal agreed to create a forum known as "Group of Friends of Venezuela" to seek solutions for the strike.

Jan. 16, 2003, 10:49PM

World briefs

Deal to buy Mexican newspaper retracted

MEXICO CITY -- Business officials have withdrawn a \$150 million offer to buy what was once one of Mexico's most influential newspapers. The deal was reportedly canceled because of questions over who legally represented the paper. Employees at Excelsior, who for months have worked without pay, have asked supporters to deposit money in several local bank accounts so that the paper can continue publishing.

Court to hold hearing on death sentences

MEXICO CITY -- The International Court of Justice in the Hague will hold a hearing on Tuesday on Mexico's request that the United States commute the sentences of 51 Mexicans on death row. Mexico asserts that American officials failed to tell the condemned men of their right to consular assistance at the time of their arrests, which is guaranteed under international law. The court, an arm of the United Nations, has no way to enforce its decisions.

Peronist leader adds name as candidate

BUENOS AIRES, Argentina -- A Peronist party governor from one of Argentina's wealthiest provinces declared his candidacy for the presidency Thursday. Gov. Nestor Kirchner promised to lead the country out of its deep economic crisis. Kirchner, 52, is one of four Peronist party leaders who have announced they will run in presidential elections scheduled for April 27.

Brazilian mudslides kill at least 27

RIO DE JANEIRO, Brazil -- Mudslides triggered by torrential rain buried hundreds of houses in southeastern Brazil Thursday, killing at least 27 people in two states, authorities said. At least 24 people were killed in Minas Gerais state and three more people died in neighboring Espirito Santo state, officials said.

Afghan suspect says he had terror training

KABUL, Afghanistan -- An Afghan suspected of wounding two U.S. servicemen in a Kabul grenade attack last month admitted receiving terror training at a camp inside Afghanistan late last year, the country's interior minister said Thursday. Suspect Amir Mohammad's admission seems to indicate that

fugitive Taliban and al-Qaida terrorists continue operating training camps despite efforts by U.S.-led coalition forces to eliminate them.

Iranian officials call for release of cleric

TEHRAN, Iran -- More than 100 Iranian legislators have called for lifting restrictions on the country's most senior dissident cleric, who is ailing and has been under house arrest for five years. Grand Ayatollah Hossein Ali Montazeri, 81, has been confined to his home in the holy city of Qom since November 1997 when he questioned the authority of Iran's supreme leader, Ayatollah Ali Khamenei. Montazeri is in a very weak state and suffering from hepatitis, according to his son Ahmad Montazeri.

Man uses homemade guillotine to kill self

LONDON -- A 36-year-old man killed himself with a homemade guillotine set up in his bedroom, police said Thursday. Boyd Taylor's body was found Monday, Northumbria police said. Police gave no indication as to why he killed himself. There were widespread reports Thursday that Taylor put a bed under the guillotine.

Chocolate substitute no longer banned

LUXEMBOURG -- The European Union's Court of Justice on Thursday ruled Spain and Italy can no longer bar British and Irish confections made with vegetable fats instead of cocoa butter. Both countries had insisted that the imports be labeled as "chocolate substitute," causing a drawn-out battle over the definition of chocolate.

Houston Chronicle News Services

Jan. 17, 2003, 1:07AM

Mance fuels Rice's big second half

Copyright 2003 Houston Chronicle News Services

BOISE, Idaho -- Omar-Seli Mance scored 22 second-half points and Rice made 20 of 21 free throws in the final 20 points as the Owls rallied past Boise State 74-65 Thursday night.

Mance ended the game with 24 points, which was matched for game-high by Boise State's Aaron Haynes.

The victory marked Rice's first back-to-back road wins since December 2000.

Rice (10-4, 2-2 Western Athletic Conference) trailed 28-21 to start the second half when Mance -- held to two points in the first half -- went to work and scored the Owls' first nine points.

Rice took the lead at 33-32 on a field goal and free throw by Michael Harris, who scored 15 points.

The teams traded baskets until just under 13 minutes remained when Mance gave Rice the lead with a 3-pointer. The Owls then went on 14-5 run to go up 56-44.

Helping Mance in the second-half surge was Jason McKrieth, who scored all 17 of his points in the half including a 10-for-10 performance from the foul line.

Rice started slow, turning the ball over 10 times in the first 10 minutes and shooting 25 percent to trail 28-21 at halftime.

But the Owls settled down in the second half and raised their shooting to 48 percent for the game, compared to 39 percent for the Broncos (8-7, 2-3).

Boise State was able to score inside, beating the Owls in the paint 34-20 but losing the fast break battle, giving up a 10-point edge to Rice on break points.

Jan. 17, 2003, 12:05AM

Goebel takes lead after men's short program

By DAVID BARRON

Copyright 2003 Houston Chronicle

DALLAS -- Timothy Goebel was well short of his Olympic bronze medal form Thursday afternoon but skated well enough to take first place -- much to his surprise -- after the men's short program at the U.S. Figure Skating Championships.

Johnny Weir, 18, of Newark, Del., was second, and Matt Savoie of Peoria, Ill., was third. Former two-time national champion Michael Weiss, who hopes to make the U.S. team for the March world championships in his hometown of Washington, D.C., was fourth entering Saturday's free skate.

Goebel, 22, skating in his first major event of the season after recovering from an injured hip, doubled the second half of a quad salchow-triple toe loop combination and stumbled out of the landing on a triple axel.

He received one mark of 5.4 for technical merit but had mostly 5.6s and 5.7s with one 5.8 to take first place on eight of the nine judges' scorecards.

"I'm surprised to be in first place with the program I skated. I know it wasn't up to my usual quality technically," Goebel said. "(Weir and Savoie) both skated very clean programs and skated well, and in the short it's all about skating clean. With that program I was surprised to be in first place, but I'm very happy to be there."

Weir, who finished sixth at the 2002 Olympic trials, was one of the favorites of the crowd at American Airlines Center, which gave him one of its louder ovations of the afternoon. He was ranked first by one judge but fourth by three after receiving marks ranging from 5.3 to 5.8.

"It (the applause) helped me finish strong. It was just amazing," Weir said. "But I know that if I want to stay in the top three, I have to be clean and have good presentation. I want people to know that when I have a quad in my program, I will be going for first, not fifth, like I thought I would be here."

Savoie, who was ranked from second to fifth by members of the judging panel with scores from 5.2 to 5.6, competed after receiving a shot of painkillers in his left knee about an hour before he competed. He suffers from severe tendinitis and said he had considered withdrawing.

"Today was my first time skating on the ice here," he said. "I get the shot about an hour before I skate, so I don't feel any pain in it or any feeling whatsoever."

Weiss' feelings, meanwhile, ranged from confusion to disgust after he was ranked fourth by three of the nine judges and fifth by two. He also received two second-place votes from the widely divided panel and had scores from 5.0 to 5.8.

Weiss attempted a quad toe-triple toe combination to open his program but two-footed the landing on the quad and subsequently went to one knee on the landing of his triple axel. Still, he thought he performed well enough to be in the running for a third national title.

"I thought that would have been good enough to be second," he said. "Some of the programs that other people are skating are things that we did as juniors. I go out and do a quad toe-triple toe and miss one axel, and for the marks to be that low, I thought, was ridiculous."

He said the two-foot landing on the quad was "so minor" and that the difficulty of his program should have been worthy of a higher base mark from the judges.

"If I had hit the triple axel, I would have won the competition," he said. "Missing the triple axel kind of put it in the (judges') hands. Putting it in their hands isn't usually a good decision."

Scott Smith of Sandy Spring, Md., was fifth after the short but received two second-place votes -- one of four skaters to do so -- along with a seventh-place vote.

Jan. 17, 2003, 1:08AM

Kwan leads with error-free skate

Defending champion stakes claim in women's short program

By DAVID BARRON

Copyright 2003 Houston Chronicle

DALLAS -- Michelle Kwan is unquestionably the most decorated figure skater in U.S. history, but she struggles to come to grips with that description while she remains an active competitor.

But Thursday night at American Airlines Center, she looked every bit the part.

With Olympic champion Sarah Hughes tripping to third place and two-time Grand Prix champion Sasha Cohen stumbling into second, Kwan performed another solid short program to take the lead at the U.S. Figure Skating Championships.

If she can record another solid performance Saturday night, Kwan will capture her sixth consecutive national title and seventh overall and take one more step toward fulfilling a childhood fantasy.

"As a young kid, I wanted to be remembered as a legend -- to be remembered, period," she said. "And I guess as I compete more, it's like, 'Remember me. Remember me.' "

The smaller-than-expected crowd of 2,806 that watched Thursday's performance will remember another clean, fluid program from Kwan, who performed to *The Feeling Begins* by Peter Gabriel.

Her program had the one characteristic that is essential in the short -- no errors.

"It felt good," she said. "I had a lot of energy, and the audience was really into it. This is my 12th nationals, and I should be used to it, but I still get the jitters. That's why I like it so much. You can hear your heart beating like it's in your mouth.

"I guess that's why you've got to hate it but love it -- that love-hate relationship."

She led on each judge's score card, with marks ranging from five 5.7s for required elements to five 5.9s for performance.

Hughes, the first of the three Olympians to skate, struggled on her triple lutz-double toe loop

combination and her double axel, drawing marks ranging from a single 5.1 for required elements to five 5.7s for performance.

It was the first time this season she has performed her short program, to Rachmaninoff's *Sonata in G Minor*, while recovering from a torn muscle behind her right knee that kept her off the Grand Prix circuit.

"I felt a little wobbly, but determination got me through," she said. "I was very proud of the fact that even though I tripped several times I was able to go full speed ahead -- until I tripped again.

"For the point where I am now, I couldn't be happier. I need to get my feet back under me. It felt good to get my program out there. It's an amazing program, and the next time I do it I will be even better."

Cohen, performing to *Malaguena*, was the last of the three to skate. She also struggled, with a wobbly landing on her triple lutz and a two-footed landing of the double toe loop on her opening combination, but also rallied in the latter half of the program.

She had marks of 5.4 to 5.9 to move into second place and was upbeat about her chances Saturday.

"I took off a little funny but was able to save the jump. It came out of nowhere," she said. "Every performance won't be perfect, but I'm still in the top three. That's great, and now I can focus on the long program.

"I'm glad I kept attacking. It's always tough after you make a mistake to get everything back together. If you can do that, I think you can find something strong in yourself and become a better skater."

Jennifer Don of Sugar Land, who trains in Delaware, was 10th after the short program and was ranked as high as seventh on one judge's score card. Andrea Gardiner of Houston, who is recovering from a hip injury suffered in October, was 13th after falling on a jump in the latter half of her program.

"It was exciting to be here, especially since this has been a rough year with the injury," Gardiner said. "I got a little behind on my music and kept trying to catch up all the way and couldn't get there. But I'll have a great skate on Saturday."

Kwan will be the first skater in the final group to perform Saturday, followed by Jennifer Kirk, who was fourth after the short program.

Cohen is fourth in the group of six, and Hughes will skate last in the final group.

Jan. 16, 2003, 11:58PM

Rehab patient, 39, channels energy into race training

By MEGAN MANFULL

Copyright 2003 Houston Chronicle

If Dennis Champion quit training for the marathon during the last four months, no one would have been surprised.

After all, 30 men in the drug rehabilitation program at the Open Door Mission were given a chance to be part of the marathon training program. Fifteen signed a list to join. Four showed up at the first practice. Yet only Champion will run in Sunday's EP 13.1-miler.

"When it started, I told the other three guys that I was going to be the last one standing," Champion says. "And that's what happened."

Champion is far more than just standing, however. He is at the halfway point of his nine-month drug rehab program and even closer to putting his life back together. Running kept him focused through four difficult months at the mission at 5803 Harrisburg Blvd, and Sunday's race is his reward.

The feat of reaching the half marathon's finish line is only overshadowed by Champion's hopes of seeing his 15-year-old daughter Deboné Woods watching along the race route. Making Woods proud is Champion's driving force.

"I call her my heart," says Champion. "When I go back home, she's already told me we're going to run together. She's a good runner."

Early on, it took a little convincing before Deboné believed her father was running however. Champion didn't blame her. Prior to this fall, the last time he ran was in the 1981 Chicago Marathon.

So when Champion told Woods at Christmas about how he finished a 10-kilometer race at Reliant Stadium, he was prepared for skepticism. That's when he pulled his race number 1811 from his pocket and boasted of his 59 minute, 41 second time. Before he knew it, the two were on the street in front of their home racing eight blocks.

They held two races over Christmas with Woods getting a two-block head start. She won one. Her father won the other.

"She says she'll come and watch me Sunday," Champion says.

That's why Champion remains in the nine-month drug rehab program when so many others have backed out. He knows it's for the better, and he can already recognize the changes.

He no longer lies awake at night at the mission. His confidence and motivation are at an all-time high. He's even learned to curb the anger that used to boil inside him. When he gets upset, Champion ties his running shoes and hits the street in front of the mission.

"He was a very angry guy, and I think running has helped him focus," said Bob Boudreaux, who started the running program and has worked with Champion for four months. "He's got an inner fire in him. And he's not going to let himself fail in this regard. I commend him for that.

"It's a tough environment where he is at. Not everybody wants to see him succeed. There's jealousy and distractions that could take him away from that goal. But as I've learned, he will not be deterred."

Friendship and respect have grown between Champion and Boudreaux during their weeks of training together. Careful not to set Champion up for failure, Boudreaux recently set up a 13.1-mile run in Memorial Park. Champion was inspired by the beautiful surroundings. He had never seen anything like it. He finished in about two hours, 15 minutes.

"I like running with Bob. I call him my trainer," Champion says. "I'm always telling him that I wouldn't still be in this place if it weren't for him."

Champion is now more than ready to run 13.1 miles again with his biggest fan watching.

"He's running this because he wants to make his daughter proud," Boudreaux said. "And if I had small role in bringing some pride into a father's life, I will have had a good year."

The hardest part may still lie ahead, however. After Sunday's race, Champion will return to the Open Door Mission with four months of rehabilitation remaining. The soft-spoken 39-year-old wants his papers of completion but worries about being tempted to leave. His wife and children live across town, and he wants to be with them.

But Champion doesn't want to turn back after all his progress. He wants to complete the program and study the heating and air conditioning trade. For once, he has plans. Running, of course, is part of them.

To help motivate Champion, Boudreaux hopes to have him run in two or three more races. Afterward, Champion hopes to run competitively again but will center on recreational runs.

"You know how some people relapse on drugs?" Champion says. "I've relapsed on running, and it's helped me a whole lot.

"The (rehab) program has been easy and hard. It's got its ups and downs. But it's going well. I'm going to make it."

Jan. 16, 2003, 10:28PM

Glass is now half-full in EP 13.1-miler

By MEGAN MANFULL

Copyright 2003 Houston Chronicle

Last year, the EP 13.1-miler was created simply to expand participation at the annual Houston Marathon. No one imagined that a year later, the undercard would vie for its own headline.

But marathon manager Steven Karpas said this year the half marathon is packed with strong contenders and will likely come down to the final stretch on Sunday.

"The half marathon is definitely, I would say, the race to watch in that there are about six or seven folks (who) could win it," Karpas said. "It's going to be exciting and fast. We've got some real strong talent."

In only its second year, the half marathon has grown almost 40 percent to this year's 4,500 runners. The competitors will line up alongside the HP Houston Marathon participants for a 7 a.m. start. The 24 Hour Fitness 4-miler, the day's other undercard, will start at 7:35 a.m.

With its prize money and advertising campaign, the EP 13.1 miler attracted several members of Team USA from New York, along with other elite runners.

Scott Strand, a 2004 Olympic marathon hopeful, will compete along with fellow Team USA member David McCollam. Strand has already qualified for the 2004 U.S. Olympic Marathon Trials and will use Sunday's race to train for the 2003 U.S. Marathon National Championship.

The women's field is competitive, highlighted by Team USA member Beth Old. Old has already qualified for the 2004 U.S. Olympic Marathon Trials with a personal best of 2:39:16 in Grandmas Marathon last year.

"The number of good athletes has definitely increased," said David Chester, the marathon's elite athlete coordinator. "Last year, it was mostly a local race. But adding prize money, just like with the marathon, is going to bring people from out of town. We have big numbers this year."

The half marathon was not created to add such a buzz to the weekend, and that has just been a bonus. Its main purpose was to provide a steppingstone to get more people involved in the main race. Karpas said organizers were worried last year that its addition would hurt the marathon, but the opposite has happened.

The marathon is seeing an almost 10 percent increase this year. Even the 4-miler is growing with 20 percent more participants.

"We ended up attracting a whole new class of runners," Karpas said. "The people who ran the half marathon last year have moved up and are now running the marathon. And now we've inherited a whole new class of runners that are going to run the half marathon."

Jan. 17, 2003, 1:03AM

Agassi holds on to make fourth round at Australian Open

Venus, Davenport reach fourth round

Copyright 2003 Houston Chronicle News Services

MELBOURNE, Australia -- Three-time champion Andre Agassi needed all his returning skills to fend off the heavy hitting of Nicolas Escude and advance today to the fourth round of the Australian Open.

Agassi, who won in 2000 and 2001 and missed last year's Australian with a wrist injury, extended his winning streak in the tournament to 17 matches with a 6-2, 3-6, 6-3, 6-4 victory.

On the women's side, Venus Williams gained plenty of experience in playing out of trouble.

Another former No. 1, Lindsay Davenport, looked comfortable again on the court.

Williams, winner of four Grand Slam events and runner-up to sister Serena in the last three, trailed 1-4, 0-40 in the second set before beating Anca Barna 6-1, 6-4 Friday to reach the Australian Open's fourth round.

Davenport hit winners even off-balance as she kept Tatiana Panova on the run and won 6-2, 6-1 in 53 minutes.

Despite problems with wildness, the often dejected-looking Williams needed only 17 more minutes to win. She raised her fist in the air and jumped up and down.

In danger of falling behind 1-5, she saved three break points with a forehand volley, an ace and a deep backhand that Barna could not handle. She double faulted twice in the final game before overpowering the German, ranked 69th, with a crosscourt backhand.

"I feel better with every match," Williams said. "In the first set, I played very well. In the second, she lifted the level of her game. She started getting a lot of balls back and I started missing.

"At 4-1, I decided to miss a lot less," she added.

Williams is seeded second behind her sister, meaning they could only meet in the final. Serena missed last year's Australian Open with a twisted ankle, but then beat Venus in the championship matches at the French and U.S. Opens and Wimbledon.

"Last year was a tough year," Venus said. "I was always mentally and physically tired. I was always going the extra mile to do my best."

When she plays Serena, she added, "there are no mind games. I've never seen where they can be successful."

She next meets Australian Nicole Pratt, who beat No. 23rd-seeded Paola Suarez of Argentina.

Davenport, winner of three majors including the 2000 Australian, was hanging her head during much of her match Wednesday, when she had to rally from 3-1 in the final set to beat 57th-ranked Iroda Tulyaganova of Uzbekistan.

This time, "I played exactly the way I wanted to play, which was attacking a lot of balls and going for my shots. Today they were falling in," said the 26-year-old American.

"Sometimes when you struggle through a match and maybe don't play your best, there is somewhat of a load taken off your shoulders. The next time you play you feel a lot more free on the court," she added.

Davenport missed most of last year after knee surgery in January and is seeded ninth here.

"I don't know when was the last time I was out of the top four seeds," she said. "I still feel like I belong at the top of the game."

Davenport next plays No. 5 Justine Henin-Hardenne, who beat No. 32 Katarina Srebotnik 6-2, 6-0.

"It's nice to be the underdog ... semi-underdog," Davenport said. "I don't think I've ever lost to her."

Meanwhile, Spain's Virginia Ruano Pascual won 6-1, 4-6, 6-4 against Germany's Marlene Weingartner, who knocked out defending champion Jennifer Capriati in the first round.

No. 12 Patty Schnyder defeated Russian Nadia Petrova 6-2, 4-6, 6-3.

On the men's side, No. 12 Sebastien Grosjean, a semifinalist here in 2001, beat No. 24 Nicolas Lapentti 6-1, 6-3, 6-3.

Mario Ancic, an 18-year-old Romanian who is the youngest player surviving in the draw, defeated Australian wild card Peter Luczak 2-6, 7-6 (2), 6-4, 6-2.

Argentina's Guillermo Coria won 7-5, 6-2, 6-2 over Finland's Jarkko Nieminen, who had beaten 1999 champion Yevgeny Kafelnikov in the previous round.

Jan. 11, 2003, 8:46PM

Cleveland facing classy QB controversy

By JOHN MCCLAIN

Copyright 2003 Houston Chronicle

Cleveland coach Butch Davis believes a problem was eliminated when defensive coordinator Foge Fazio retired one day after the Browns blew leads of 24-7 and 33-12 and lost 36-33 at Pittsburgh. That was the 13th time a Cleveland game was decided in the final minute of regulation or overtime.

Although Davis doesn't want to admit it, his problems are only beginning because he has a full-blown quarterback controversy. As fans know, a quarterback controversy can be a distraction at best and rip apart a team at worst.

In three starts, including the playoff game, Kelly Holcomb was 70-of-112 for 953 yards, eight touchdowns and one interception. His passer rating was 109.7.

In 14 starts, Tim Couch threw 18 touchdown passes and 18 interceptions. His passer rating was 76.8.

With Holcomb at quarterback, the Browns averaged 30.6 points. His record was 1-2, but that includes an opening-game 40-39 loss to the Chiefs in which linebacker Dwayne Rudd threw his helmet and the defeat at Pittsburgh.

Something that makes Holcomb's performance even more impressive is that Cleveland lacked even a mediocre running game in his three starts, averaging 57.6 yards a game.

Holcomb is the fan and media favorite. Until last week, though, Davis had always backed Couch publicly, always declaring to anyone who would listen that Couch was No. 1. But last week, after Holcomb threw for 429 yards and three touchdowns against the Steelers, Davis was straddling the fence when he was asked about the starter going into next season.

"I feel like we've got two outstanding quarterbacks, and I just believe that both of those guys are capable of helping this team win and get to where we want to go," Davis said.

Couch, who is a good guy and has handled the situation with class, was honest in his appraisal of the situation. He was as impressed with Holcomb's performance against the Steelers as anyone.

"The way (Holcomb) performed would make any starting quarterback nervous," Couch said. "A guy goes

out and throws for 429 yards in a playoff game -- no matter who he's backing up -- you're going to be looking over your shoulder a little bit."

Couch played in the three-point, regular-season losses to the Steelers in which he threw for 325 yards and two touchdowns. He was intercepted four times.

Couch, the top pick in the 1999 draft, is under contract through 2005. His base salary next season is \$6.2 million.

The Browns should be commended for a move they made during the season. Holcomb was in the last year of his contract. After he played so well early, they signed him to a two-year extension of \$825,000 and \$975,000. Had he not signed, he would have been an unrestricted free agent at 29.

Holcomb, a class act, said all the right things in the aftermath of the Pittsburgh loss.

"I want to be a starter in this league," he said. "Where that's going to be I don't know, but my job right now is to back up Tim."

Couch also has handled the situation professionally.

"I'm young (25), and I've got a long way to go, but I feel like I'm a starter in this league," he said. "There's no question in my mind this is where I want to be, but if things don't work out, there's a lot of other teams I can play for.

"I still feel like it's my team. I feel like I'll come back next season and we'll have a big year and get back to the playoffs. But we'll just deal with it when it comes."

Having two classy and talented quarterbacks can be the best of times or the worst of times.

Around the AFC

For Jets, he's been Pennington from heaven

When the Jets visit Oakland today for the fourth time in 12 months, they'll be led by quarterback Chad Pennington. The 26-year-old, three-year veteran threw 22 touchdown passes and six interceptions this season, even though he didn't replace Vinny Testaverde as the starter until the fifth game.

Pennington is incredibly poised and makes exceptional decisions for a quarterback with so little starting experience. He has thrown 145 consecutive passes without an interception.

After 14 games, the Jets were 7-7 and in last place in the AFC East. But in their last three games,

Pennington has ignited victories over the Patriots, Packers and Colts by a combined score of 113-34.

War of words

-- Jets defensive tackle **Josh Evans** created a controversy after the team's regular-season loss at Oakland. Evans accused the Raiders' offensive linemen of using cheap-shot tactics, which infuriated Oakland guard **Frank Middleton**.

"This is the game I wanted," Middleton said about today's playoff game. "That (Jets) win over the Colts doesn't impress me. The Jets are playing good as a team, but I don't even think the Colts should've been in the playoffs. The Colts aren't one of the better teams in the league."

In that 26-20 Raiders victory, Middleton was called for holding twice. Evans had four tackles. Evans ripped into Middleton after the game with his accusations.

"I remember all that," Middleton said. "He's got to come back Sunday. And if he didn't like it then, he's sure not going to like it now. I didn't talk to him the whole game. All of a sudden after the game, he got hot. Somebody told him something. Let's see what he's going to do this week. It's easy to talk. I'm not going to talk. I'm just going to play my game."

Lion-hearted

-- **Joe Woolley**, longtime assistant coach, scout and personnel director for such teams as the Oilers, Saints, Eagles and Cardinals, is fighting the toughest battle of his life at St. Luke's Hospital, where he has been a patient since Sept. 2 waiting for a heart transplant.

Woolley does physical therapy to stay in shape using a mechanical heart until a perfect match can be made. He watches every NFL game and talks to friends around the league.

"Those playoff games Sunday just about wore me out," he said.

Jeff Fisher visited Woolley before the Titans played the Texans. **Buddy Ryan** called last week.

Woolley welcomes callers and visitors, and anyone wishing to talk to him can call 832-355-3467.

Revolving door

-- In **Brian Billick's** four years as Baltimore's coach, he has switched starting quarterbacks six times. He'll probably make it seven times in five years next season.

Veteran **Jeff Blake**, who will be an unrestricted free agent, was 4-6 as the starter over the last 10 games.

Chris Redman, who opened the season as the starter, was 3-3 before suffering a back injury that kept him on the bench.

Blake has no interest in returning as a backup and says, "I'm a free agent. That wouldn't make any sense."

A tough business

-- One of the worst things about being a head coach in the NFL is when you have to fire an assistant who happens to be one of your closest friends.

Buffalo coach **Gregg Williams** was best man at **Ronnie Vinklarek's** wedding. They coached together at the University of Houston. Williams got Vinklarek hired with the Titans. When Williams was named Buffalo's coach in 2001, he hired Vinklarek as his offensive line coach.

Even though the Bills improved from 3-13 to 8-8 -- matching the biggest turnaround in franchise history -- Williams thought he needed a more experienced line coach to develop such young linemen as **Mike Williams** and **Jonas Jennings**.

Slow starters

-- In the first half of their losses, the Colts were outscored 140-26. In their last five games, the Colts allowed opposing quarterbacks to complete an average of 68.8 percent and to throw for 1,247 yards and 10 touchdowns without an interception. ... In Pittsburgh's first-round victory over Cleveland, Steelers receivers **Hines Ward** and **Plaxico Burress** joined **Lynn Swann** and **John Stallworth** as the only duo to have at least 100 yards each in a playoff game. Swann and Stallworth did it in Super Bowl XIII against Dallas. ... In two seasons under Herm Edwards, the Jets were a league-best 11-5 on the road. ... For the first time since 1970, the Raiders led the league in offense. ... Oakland receiver **Jerry Rice**, who had 92 catches for 1,211 yards, became the 36th player in league history to play when he turned 40. Only 16 played when they were 41.

Around the NFC

49ers are following new leader -- Owens

49ers receiver Terrell Owens is different things to different people, and now some people are calling him something that used to be foreign to him -- a leader.

Owens always has played hard on every down. He breaks tackles better than any receiver in the league. He gets more yards after the catch than any receiver, too.

This season, Owens has gotten along with his teammates better. More important, he's gotten along with

coach Steve Mariucci. They no longer feud. Last week, Owens even went public praising the job Mariucci has done this season for an 11-6 team that will try to win at Tampa Bay today and advance to the NFC Championship Game.

Unprecedented move

-- After the Saints lost 10-6 to Carolina in their last regular-season game, blowing a playoff berth for the second consecutive year with a collapse down the stretch, coach **Jim Haslett** did something other coaches would never do.

Because quarterback **Aaron Brooks** was getting booed by fans and ripped by the media and generally blamed for the team's failures, Haslett invited New Orleans reporters to watch a three-hour film session. Haslett, offensive coordinator **Mike McCarthy** and quarterbacks coach **Mike Sheppard** conducted the session to show the media that Brooks didn't deserve as much blame as he was getting.

The coaches broke down all 65 offensive plays. They discussed each play, what was supposed to happen, what actually happened and what could have happened. They also pointed out missed assignments. Reporters left with this assessment: Receivers dropped six passes. Running back **Deuce McAllister** and the offensive linemen had problems picking up the Panthers' zone blitz.

Brooks, who is undergoing shoulder surgery this week, struggled as well.

"Aaron needs to take over this team in a leadership role," Haslett said. "He needs to take control of this team. He has all the tools physically. He has to be more of the boss out there, be the guy in control on the field."

League of their own

-- After the 2001 college season, Giants general manager **Ernie Accorsi** watched draft-eligible players at the University of Miami work out for NFL scouts.

Accorsi remembers watching six prospects with outstanding potential that day -- offensive tackle **Bryant McKinnie**, tight end **Jeremy Shockey**, cornerback **Phillip Buchanon**, cornerback **Mike Rumph**, cornerback **Ed Reed** and running back **Clinton Portis**. All but Portis would be No. 1 draft choices.

Portis, selected in the second round by the Broncos, was voted NFL Offensive Rookie of the Year last week over Shockey, who was the only rookie voted to the Pro Bowl.

"That was an amazing day," Accorsi said. "The ground was wet, and the footing was bad, but you could just see the great talent. And you could tell that Shockey was special.

"When I saw him, it reminded me of the quote from the ex-Dodger executive **Al Campanis**. He said that

there were only two times in his life when the hair stood up on the back of his neck. One was when he saw Michelangelo's painting in the Sistine Chapel. The other time was when he saw (**Sandy**) **Koufax** throw a fastball."

All in the family

-- Carolina punter **Todd Sauerbrun** is known for being outspoken. He was asked about the **Gramatica** family. **Martin** (Bucs) and **Bill** (Cardinals) have been in the NFL a while, and they're known for their enthusiastic and animated styles. Their younger brother, **Santiago Gramatica**, kicks for the University of South Florida.

Talking about Santiago, Sauerbrun said, "That kid is as big of an idiot as his brother (Martin), and I'm sure his other brother (Bill) is, too. It goes right down the line."

Ill feelings

-- Remember when **Brenda Warner** called a St. Louis radio station and accused coach **Mike Martz** of lying about her husband's and injury? Martz said he ordered an X-ray on **Kurt Warner's** hand. Brenda Warner said Martz didn't order an X-ray.

Reports in St. Louis say Martz is upset that Warner didn't apologize for his wife going public. Those reports say that Martz and his quarterback still tell different stories about who ordered the X-ray. Warner told a St. Louis television station he believes he's lost Martz's support.

Expect Warner to have a new zip code next season.

Smart move

-- When the Giants were botching the field goal at the end of their wild-card loss to the 49ers, Philadelphia special teams coach **John Harbaugh** was watching on television. He immediately called kicker **David Akers** and holder **Koy Detmer**.

"I wanted to see if our guys would get it right," Harbaugh said. "I wanted to make sure they knew what to do in that situation. Fortunately, they had the right answer."

Exclusive company

-- The Buccaneers became the first team since the 1985 Bears to lead the NFL in defense (252.8), points allowed (196) and interceptions (31). ... Packers coach **Mike Sherman** on being blown out in their last regular-season game and their playoff game: "We ran a good race, but we certainly didn't finish the race the way we should have. I take no solace in the fact we won a lot of games. I'd rather be 9-7 and still playing than 12-4 and out."

BY THE NUMBERS

- 0 -- Touchdowns scored by Tony Dungy's offenses in his last four playoff losses, when his teams have been outscored 104-18.
- 0 -- Number of NFC teams without a bye that have reached the Super Bowl.
- 0 -- Road playoff victories for the Browns since 1969.
- 2 -- Teams (Jets and 1970 Bengals) that have started 2-5 or worse and still reached the playoffs since the merger in 1970.
- 8 -- Turnovers by the Jets in QB Chad Pennington's 13 starts, including none in five of those games.
- 11 -- Playoff victories for Atlanta's Dan Reeves, more than any active coach.

RISING AND FALLING

RISING

•Priest Holmes

-- The Chiefs running back was voted NFL Offensive Player of the Year last week even though he sat out the last two games because of a hip injury. It looked as if he wouldn't be able to play in the Pro Bowl, but Holmes insists he will. "Right now, I'm on schedule to play," he says. "I really feel positive about it. It's really a privilege to play. No one's trying to kill anybody. It's all about entertainment, so I don't think it'll be a problem."

•Derrick Brooks

-- The Buccaneers outside linebacker was voted NFL Defensive Player of the Year last week, edging Dolphins DE Jason Taylor, who led the league with 18 1/2 sacks. Brooks had only one sack because he usually drops into coverage. He had a career-high five interceptions. He scored touchdowns on three interceptions and one fumble return. Playing for the league's best defense, Brooks had 170 tackles and was voted to the Pro Bowl for the sixth consecutive year.

•Panthers

-- In John Fox's first season as coach, they improved from 1-15 to 7-9 and finished second in defense. The team's strength is the defensive line with ends Julius Peppers and Mike Rucker flanking Pro Bowl

defensive tackle Kris Jenkins. The top priority in the draft will be to find a young quarterback to develop. Rodney Peete and Chris Weinke aren't the answer.

FALLING

-Aaron Brooks

-- The Saints quarterback played 11 games before suffering an injured right shoulder that will require surgery. Before the injury, he was 193-of-336 (57.4 percent) and averaged 215.7 yards a game, with 21 touchdowns and 10 interceptions. His passer rating was 87.8. In the five games after the injury, he was 67-of-152 (44.1 percent) and averaged 176.2 yards, with six touchdowns and two interceptions. His rating was 70.6.

-Brian Griese

-- The Broncos quarterback, who lost his job before the last regular-season game, is expected to be waived after June 1, which means they'll save \$2.45 million against the cap this year but absorb a hit of \$6.9 million in 2004. Steve Beuerlein is the starter, but they'll be looking to draft a quarterback after the first round to develop.

-Packers' passing

-- In 18 games during the 2001 season, the Packers had 18 passes of more than 35 yards. In 17 games this season, they had 10. Of those 10, only three were caught more than 20 yards down the field.

-Running back prospects

-- With Miami's Willis McGahee undergoing knee surgery, the April draft is lacking in top running back prospects. Virginia Tech's Lee Suggs and Penn State's Larry Johnson are the best senior prospects, but neither was ranked close to McGahee before he was injured. Wednesday is the deadline for underclassmen to enter the draft. If Colorado's Chris Brown comes out, the position will improve.

QUOTABLE

-Raiders OLB Bill Romanowski on his former team, the Broncos: "From what I saw playing them this season, they need to find a few more guys that are passionate about the game. They need guys that truly love the game. Right now, they don't have enough of them."

-Bucs defensive coordinator Monte Kiffin on 49ers QB Jeff Garcia's performance in the wild-card victory over the Giants: "The guy was unbelievable stepping up in the pocket. He's everything that Joe Montana was in his heyday."

•**Titans DE Kevin Carter on FS Lance Schulters:** "He brings an attitude. If we're down by three, he plays like it's 20. In the huddle, he'll curse, push guys around and tell us to get motivated. He's fiery, whether we're winning or losing."

•**Ravens coach Brian Billick on owner Art Modell not being a finalist for the Hall of Fame:** "I'm obviously biased, but for Art not to be in the Hall of Fame is an egregious error on the part of the Hall and diminishes the Hall in my opinion."

•**Colts OLB Mike Peterson on where the team goes from here right after the 41-0 playoff loss to the Jets:** "To the bus."

John McClain covers the NFL for the Chronicle. His NFL Notebook appears on Sundays.

Jan. 16, 2003, 6:27PM

WONDERS OF NATURE

American woodcock's ritualistic courtship display a sight to behold

By GARY CLARK
Special to the Chronicle

Timberdoodle, woods snipe and bog sucker are only a few of the folk names for the odd-looking and reclusive American woodcock (*Scolopax minor*). It's a shorebird that has nothing to do with the shore. Instead, it lives in the deep damp woods.

Kathy and I had not seen a woodcock in several years, even though it's a relatively common winter resident in the moist pine forests north of Houston. We knew January was a good time to look because that's when the bird begins its entertaining aerial courtship display.

About 15 years ago, we saw a group of male woodcocks perform their courtship display on a chilly evening at the Houston Arboretum in Memorial Park. It was an uncommon event in the middle of the city.

Not since then have we seen woodcocks in courtship flight, although we have caught brief looks at them on the ground in wooded areas around Houston. Brief looks are about all a person ever gets of the bird on its Texas wintering grounds.

In the northeastern states, where woodcocks breed in the spring, people get much better looks -- sometimes. Few birds are as smartly camouflaged and as adept at concealing themselves as woodcocks.

The dumpy, foot-long bird with short legs has cinnamon, chestnut and brown feathers that blend perfectly with the forest groundcover. It forages alone, quietly and inconspicuously, by probing boggy areas for earthworms with its 3-inch long bill.

Some scientists suggest that the bird's characteristic behavior of stomping or rocking on the ground is a ploy to make earthworms move about. The woodcock's sensitive bill can detect the movement and poke through the moist earth to pull out the worms.

During the day, the woodcock remains secluded deep in the woods. With big black eyes set high on its

head, the bird can watch for movement in every direction. When approached by people or predators, it squats motionless on the ground and becomes virtually invisible.

Birders with a trained eye can tell stories of nearly stepping on a woodcock, never seeing it until it leapt up in flight.

A woodcock leaps like a plump little missile with broad rounded wings that make a twittering sound. Nothing can startle you in the woods quite like the explosive flight of a woodcock.

However, Kathy and I wanted to see the male woodcock's incredible courtship flight. We knew the birds typically come out at dusk to bluestem grass fields on the edge of a forest. We also knew that a good place to find displaying birds was in the Sam Houston National Forest north of Lake Conroe.

But that expansive forest covers 162,984 acres in Montgomery, Walker and San Jacinto counties. Fortunately, a naturalist friend, Jerry Walls, knew where the birds were making their evening flight.

Walls has created a beautiful nature sanctuary in woods adjacent to the national forest called the Christmas Creek Nature Preserve. By March, he will have completed construction of a bed-and-breakfast on the preserve.

Near the Walls preserve on a bluestem prairie, woodcocks are presenting their ritualistic aerial fandango.

At sundown, we stood waiting in the middle of the prairie on the edge of a forest. There was no way in the dim light of dusk that we would see any color on the birds. But we knew we'd see their peculiar flight silhouette and hear their sharply pitched "peent" call.

The conditions were perfect: a calm, clear, cool evening with a royal blue sky and a crescent moon hanging just above the fading glow of sunset.

At a little after 6 o'clock, we heard the calls of woodcocks -- peent, peent, peent -- spaced two to five seconds apart. We spotted two birds as they zoomed up momentarily above a hedgerow on the western edge of the prairie.

A few more birds fluttered up, but they allowed us only a frustratingly brief observation.

Then, Kathy saw a bird shoot up from the edge of the woods. "There it is," she said, looking straight up.

The bird made a spectacular aerial flight over our heads, quickly arching 250 feet in the sky, then twisting, turning and finally spiraling downward as though falling lamely out of the sky.

The great conservationist Aldo Leopold described the woodcock's aerial display best in his classic book

A Sand County Almanac: "He flies in low from some neighboring thicket ... and begins the overture: a series of queer throaty peents. ... Suddenly, the peenting ceases and the bird flutters skyward in a series of wide spirals, emitting a musical twitter. ... Then, without warning, he tumbles like a crippled plane ... and a few feet from the ground he levels off and returns to his peenting ground."

Leopold saw the birds in courtship flight on their springtime breeding grounds at his farm in Wisconsin.

There are two locations near Houston where you have the best chance to see the courtship flight of woodcocks: grassy fields along the roads through the Sam Houston National Forest and grassy fields near Chappell Hill at the junction of FM 2447 and U.S. 290.

Because the birds are often difficult to locate, you may get help from Walls at nature@pdq.net for the forest and Darrell Vollert at darrell@vcomputexas.net for Chappell Hill. Both men are professional nature guides and will charge a nominal fee to show you the woodcocks. It's worth it.

Gary Clark is a naturalist and professor at North Harris College. Kathy Contact him at [wondersofnature](http://wondersofnature.com).

Jan. 16, 2003, 6:22PM

Washing hands beats wringing them when illness looms

By **BARBARA BROTMAN**
Copyright 2003 Chicago Tribune

By the time you read this, the shoe will either have dropped, or not. If it dropped, woe is me. If not, I will be massaging lotion into hands cracked by obsessive hand washing and counting my blessings.

Will I escape the vicious strain of viral gastroenteritis that attacked my daughter? The poor thing suffered for two hideous days and two more pretty bad days. I stayed by her side, providing whatever comfort I could and trying not to dwell on a question that struck me as less than maternal:

Was I next?

I didn't want to be. Oh, how I didn't want to be. Becoming violently sick to my stomach is my most dreaded form of indisposition. I would take almost anything else, as long as it isn't fatal.

I avoided contact with anyone whose family had been touched by the plague. But it was no use. My daughter brought home the unwelcome houseguest. And I saw right away that I was going to be washing its laundry.

You can't nurse a sick child at a distance. For days, I was in close proximity with mine, and in a sweat. I wasn't sick, but I knew I might be soon. And there was nothing I could do to prevent it.

Or was there? I washed my hands feverishly. Then as desperation seized me, I began pursuing dubious practices born of my own crackpot theories.

I opened windows, in hopes that the germs might be routed by fresh air. Though I wasn't sick, I began eating a bland diet as if I were. Maybe a calm stomach could ride out a storm with less roiling, I thought. I considered fasting, on the assumption that I couldn't get sick to my stomach if I didn't have anything in my stomach.

I consulted experts -- friends who had somehow escaped while their families fell. To what did they attribute their gastrointestinal good fortune?

Clean living, one of them claimed breezily. Another, who remained healthy when 11 visiting family members caught the stomach bug that began with her two young children, offered a more scientific explanation: immunity.

"If anybody should have gotten it, it was me; I was cleaning up after everybody," she said. "But I am the person exposed to everything the kids bring home. The others went down like dogs because they had no immunities."

Medical experts go with the immunity explanation.

"Parents (who stay healthy) where the whole family is sick have either seen that bug before, or have gotten a very, very mild case," said Douglas Passaro, associate professor of epidemiology and infectious diseases at the University of Illinois at Chicago.

Were my frenzied attempts to improve my odds pointless?

Opening windows certainly was, Passaro said. Gastroenteritis is not spread through the air but on surfaces.

Which is why hand washing is definitely not pointless. It is the single most effective protection against contagion; ignore it at your peril. Wash your hands, Passaro advised; don't share food or utensils; and if possible, use a different bathroom.

As for my crackpot theories about eating lightly or not at all, Dr. Kimbra Bell, an internist with Northwestern Memorial Physicians Group, confirmed them as crackpot.

"If you're going to be nauseated, you're going to be nauseated," she said. With an empty stomach, "you're going to be nauseated and dry heaving. The key is to get the nausea to settle down."

And there are prescription drugs that can do it, she said. "You would still be sick for a few days but not vomiting as much," she said. "You lessen your chance of dehydration."

So if the gastroenteritis grim reaper has been lurking too close for comfort, get scrubbing and maybe get on the phone to your doctor. And if you don't escape, comfort yourself with the thought that though it feels like death, next time it could be your immunity.

Jan. 16, 2003, 4:22PM

Museum of Fine Arts displays one woman's passion

By MADELEINE McDERMOTT HAMM

Copyright 2003 Houston Chronicle Home Design Editor

From fine art to ceramics to haute couture, Sue Rowan Pittman's artistic interests seemed boundless, her eye for beauty infallible.

A new exhibit at the Museum of Fine Arts, Houston, titled *A Passion for Collecting: The Legacy of Sue Rowan Pittman*, pays tribute to the Houston arts patron, collector and interior designer who died in October. Most of the 38 objects in the show were gifts to MFAH from Pittman or the Arch and Stella Rowan Foundation, established by her parents, or were given to the museum in Pittman's honor.

Exhibits of a patron's gifts or a collection on loan usually focus on one genre of art. But not this one. Pittman's innate eye for beauty and style shows in furniture classics as different as an 18th-century English giltwood armchair with silk upholstery and Frank Gehry's early 1970s prototype for the undulating *Easy Edges Dining Chair* of corrugated box metal and pressed fiber.

Pittman's advocacy and donations helped shape the museum's department of Prints and Drawings, as well as the Textiles and Costumes department. Her fashion gifts on display include a circa 1980 Geoffrey Beene evening ensemble of lace, mohair jersey and gold lamé and a cotton voile evening dress from the 1970s by French designer Pauline Trigère.

During her various terms as a MFAH trustee in the '70s, '80s and '90s and as a member of the Exhibitions Committee from 1989 to 2002, Pittman proved a strong advocate for the purchase and exhibition of decorative arts.

A Passion for Collecting will be on display in Andrews Gallery through Feb. 9. For hours and admission information, call 713-639-7300; access www.mfah.com.

Jan. 16, 2003, 4:59PM

'Lewis & Clark' gives journey its due

By **BRUCE WESTBROOK**

Copyright 2003 Houston Chronicle

For museum-gearred IMAX movies, a big picture and big sound aren't the only boosts over standard theatrical fare. Most such films are documentaries magnifying real-world wonders, not portrayals involving actors in costume.

Opening today and showing through June 5 at the Houston Museum of Natural Science, *Lewis & Clark: Great Journey West* is no documentary but a dramatic re-enactment. Actors play members of the early 1800s expedition sent by President Thomas Jefferson to seek a North American water route to the Pacific.

As in silent films or antiquated grade-school documentaries, the actors mouth words but are not heard. Jeff Bridges does all the talking as the narrator, sometimes reading from journals and letters.

This 8,000-mile journey set the stage for westward expansion, whose greatest victims would be American Indians. But though cooperative tribes and a vital female guide are shown, there's hardly a mention of hostilities on the journey. "The Native American way of life would never be the same" is the only acknowledgment of the betrayals and subjugation to come.

That leaves us with Disney-style happy faces for courageous explorers Meriwether Lewis (Kelly Boulware), William Clark (Sonny Surowiec) and their hardy crew.

Their story is presented in a straightforward and nonstylized manner, though it seems a bit rushed given the ground that's covered in its 42-minute running time. The only wow-factor embellishments for IMAX dazzle are clichéd aerial shots of unnamed natural splendors.

Storms, harsh winters, mountain crossings, illness and starvation beset the expedition, which Bridges calls "the equivalent in its day of a journey to the moon." Maybe so, but the struggles seem mild compared to those in *Shackleton's Antarctic Adventure*, which showed on the same screen two years ago.

Yet the movie works well enough as an old-fashioned exploratory adventure immersed in natural beauty. In a way, Lewis & Clark were, indeed, the astronauts of their day, courageously venturing into unmapped frontiers while assessing flora and fauna with a scientist's curiosity.

They were the first U.S. citizens to cross the continent, and they are well worth remembering. But their saga might be better served as a 35mm movie with audible dialogue and more time to tell the story.

Lewis & Clark: Great Journey West

Narrated by: Jeff Bridges

Director: Bruce Neibaur

Screenwriter: Mose Richards

Now showing: at the Houston Museum of Natural Science Wortham IMAX Theatre. Tickets are \$4 for members, \$7 for adults and \$4.50 for ages 3-11 and 62 and older. Call 713-639-4629.

Not rated: suitable for all ages

Running time: 42 minutes

Grade: C+

Jan. 16, 2003, 5:31PM

Superb acting in 'Woolf' showcases Albee's words

By EVERETT EVANS

Copyright 2003 Houston Chronicle

Four decades after it created a sensation on Broadway, *Who's Afraid of Virginia Woolf?* still commands the stage with vibrant theatricality and a distinctive, disturbing perspective on human relationships.

With two-time Tony winner Judith Ivey a fiery, funny Martha and Alley mainstay James Black a formidable stealth opponent as her embittered husband, George, the Alley Theatre's robust 40th anniversary revival of Edward Albee's most famous play confirms the work's status as a modern classic.

Alley artistic director Gregory Boyd's shrewdly paced treatment, which opened Wednesday evening, often stresses the script's mordant and merciless humor. Yet by its close, this persuasively acted rendition has touched the core of its characters' bewildered humanity.

Virginia Woolf paints a warts-and-all (sometimes it seems *all* warts) portrait of couple-in-conflict George and Martha, whose love/hate co-dependency is in the tradition of August Strindberg's *Dance of Death*.

After a party at the home of Martha's father (president of the university where George is a history professor), George and Martha retreat to their own nest for a late-night after-party. Close on their heels is a young couple they met earlier and have agreed to entertain, the new biology professor Nick and his meek wife, Honey. The younger pair have no idea they are stumbling into a war zone.

On this long night's journey into day, George and Martha lay bare their hostilities, demonstrating the strange games and rituals that sustain their existence. The reluctant Nick and Honey become unwilling participants in such games as "Humiliate the Host" and "Get the Guests."

The marathon of boozing and brawling unleashes various revelations -- including, by the close, at least one sufficiently critical to each couple to change the course of their relationship.

Much of the hostility arises from Martha's disappointment that George has remained just "a bog" in the history department rather than rising to become its chairman. George, in turn, seethes with resentment at being constantly belittled. This angle is most credibly developed.

The play's climax, however, depends upon a peculiar conceit. Just how seriously *do* George and Martha take one of the central fantasies of their life together? Certain critics have cited this as their chief

reservation and some playgoers still may find this aspect difficult to accept.

Elsewhere, there are stretches where the digressions and in-jokes seem needlessly abstruse or self-indulgent. Albee lets his characters become preoccupied with a single word (as in George's obsession with describing Honey as "slim-hipped"), to the point of fetishizing the term.

Yet Albee's vividly surging dialogue and riveting confrontations sustain the play. Most of the time, even when the tricky characters conclude an anecdote with a teasing "well, maybe it isn't true," the content nonetheless fascinates.

(Albee has reinstated a few instances of rougher language that he had deleted from his script before its original Broadway production.)

Among the most memorable passages are Martha's remembrance of a playful "boxing match" with George 20 years earlier ("I think it's colored our whole life") and her Act Three description of the tears she and George freeze into ice cubes for their drinks.

The bravest thing about *Virginia Woolf* is that, having elected to write about unpleasant individuals, Albee doesn't try to make them nicer, sweeter, more palatable. As an exploration of the darker side of human nature, the thornier points of love, the play is distinguished by uncompromising honesty. And of course, Albee's strongest dialogue, for all its viciousness, also is very funny.

Boyd's direction stresses comedy in the first act. This eases us into George and Martha's world of verbal violence that, in this reading, seems playful at first. The second act necessarily darkens, but does not yet rise to its full dramatic potential -- despite several powerful and still startling outbursts. Everything comes together, however, in an affecting third act, keyed to Ivey's most touching scene, revealing Martha's tattered vulnerability.

Ivey's Martha, indeed, serves as engine for the whole production. From her first raucous entrance, she commands the stage with brassy, volatile presence and a wry, whiskey-voiced delivery recalling Elaine Stritch. She gets off some good comic bits (including briefly imitating Katharine Hepburn at one point). But mainly she brings zest and wit to Martha's goading and teasing, gradually peeled away to reveal the anger and frustration underneath.

Black deftly underplays George -- cowed, shrunken from years of abuse, his retorts simmering with sarcasm. He gets comic mileage from a nasal tone in his strikes at Martha, later at go-getter Nick. Yet when George gains the upper hand in the last act, Black makes it clear that this ineffectual hubby can be cruel and unyielding until he attains his vengeance.

Elizabeth Bunch makes a virtuosic showcase of mousy wife Honey. Initially giggly, eager and naive, she runs amok after too much brandy. "I dance like the wind," she insists, making quite a spectacle, before running off to "be sick." As things turn nasty, she unveils Honey's animal instinct, licking her lips as

George and Martha come to blows and gleefully exclaiming, "Violence! Violence!"

Ty Mayberry could hardly match this display in the more restrained role of the prim Nick. Yet he generally strikes the right note, squarishly boy-next-door at the start, moving on to a knitted-brow perplexity at his hosts' strange brand of hospitality. Later disdainful and steamed at being so ill-used, he remains stymied at determining how to respond.

Veteran Broadway designer Tony Straiges has supplied the comfortably middle-class domestic setting that George and Martha transform into a battleground, with Andrea Lauer getting the right lived-in, early '60s look in the quartet's costumes.

The real meat, however, (to borrow one of Martha's favorite terms) comes in the power of Albee's words-as-weapons and the stinging skill with which Boyd's actors wield them.

Who's Afraid of Virginia Woolf?

When: 7:30 p.m. Tuesdays-Thursdays, 8 p.m. Fridays, 2:30 and 8 p.m. Saturdays, 2:30 and 7:30 p.m. Sundays, through Feb. 8

Where: Alley Theatre, Large Stage, 615 Texas

Tickets: \$20-\$40 for previews; \$35-\$50 after opening; 713-228-8421

Jan. 16, 2003, 4:35PM

Timeless tribute to Woolf nearly perfect

[Go to showtimes](#)

By ERIC HARRISON

Copyright 2003 Houston Chronicle

The Hours begins with shots of rushing waters: the River Ouse in Sussex where Virginia Woolf drowned in 1941. We see her walk with great urgency to the river's edge, scouring the ground for a stone to place in her pocket. Properly weighted, she wades in. The current sweeps her along the bottom with such force she loses a shoe.

The score, by Philip Glass, is equally insistent. Like the waters, its surface is hardly placid, yet swifter currents surge underneath. In a film that relies heavily on sound to link its concurrent narratives, Glass' score is indispensable.

The movie tells three stories set in three times and places. Or, rather, it tells a single story three ways, with different characters. Based on Michael Cunningham's Pulitzer Prize-winning novel of the same name, which paid homage to Woolf's *Mrs. Dalloway*, the movie flows like a liquid ribbon through time and space.

The music seems always to be there, coursing just beyond our notice. Now and again, it breaks surface. Under somber piano chords we hear the ceaseless surge. It's hard to imagine a more perfect score.

Rightly, the film has been acclaimed for its acting, but the craftsmanship with which this most difficult story has been assembled is on a par with the actors' achievements.

The title comes from *Mrs. Dalloway*. As Clarissa Dalloway makes her rounds in that 1925 novel, the narrative is punctuated by the tolling of Big Ben, marking the hours.

In the movie, we're never far from clocks. Like Glass' score, the ticking of clocks flows through the scenes. Characters' actions further unify the film. A gesture, a line, an image will carry over from one scene to the next.

Director Stephen Daldry and his team, especially screenwriter David Hare, have made a compelling, moving film that respects its audience and its source material. *The Hours* is crafted with precision and care. It grows more impressive on subsequent viewings.

Nicole Kidman transformed her appearance to portray Woolf, who suffered from mental illness for years before -- wanting to free both herself and her husband, Leonard, from the burden -- she killed herself. Makeup and unflattering clothing get attention, especially when worn by an actress as fetching as Kidman. However, the acting is uniformly magnificent -- not only from the three stars but also from a supporting cast that includes Ed Harris, Toni Collette, Claire Danes, Jeff Daniels, Allison Janney, John C. Riley and Miranda Richardson.

Meryl Streep has a scene with Harris that is a marvel to watch -- the centerpiece of the movie both for its power and what it reveals about about the film's strategies and themes.

Streep portrays Clarissa Vaughan, a book editor in contemporary New York who is attending to Richard Brown (Harris) in his last days. He is a former lover who is dying of AIDS. He also is a writer of books some find unreadable but whose artistic intentions are not far removed from Woolf's.

Woolf's aim in *Mrs. Dalloway* was, as her character says, to capture "a woman's whole life in a single day, just one day ... and in that day, her whole life."

Richard's goal, at which he insists he's failed, was to write about "everything, the world ... everything all mixed up."

Cunningham's book and this movie mix everything up as well, but ever so artfully.

Each of the intertwined stories reiterates the plot of *Mrs. Dalloway* while also echoing Woolf's life.

In a scene portraying Woolf in 1923, as she is writing the book, she is shown sitting in the presence of her family but talking to herself. She is writing in her head, the line separating dementia and artistic invention having all but evaporated.

The movie cuts from a scene of Woolf struggling to write *Mrs. Dalloway* to Julianne Moore as Laura Brown, a housewife in 1950s Los Angeles, reading it and being deeply affected. Then it cuts again to Streep's Clarissa, whom Richard has affectionately nicknamed Mrs. Dalloway. She bustles about, planning a party in Richard's honor and masking her true feelings, essentially playing out the book's plot.

All of these characters are imprisoned, suffocating in a life that outwardly seems fine, all of them longing to break free.

In the scenes involving Woolf, she's shown railing against the restrictions put upon her by doctors and being forced to live in Sussex, outside London.

However, in one of the loving notes she writes before taking that last walk, she says to Leonard: "You have given me the greatest possible happiness. I don't think two people could have been happier than we

have been."

The lines are repeated -- once, heartbreakingly, in the same context -- by characters in the other two stories that make up this marvelous movie.

Grade: A+

Jan. 16, 2003, 5:02PM

Kimmel just might fill ABC niche

By MIKE McDANIEL

Copyright 2003 Houston Chronicle

HOLLYWOOD -- Joey Bishop, Dick Cavett, Rick Dees -- over the years, ABC has tried and failed to make a lasting mark in late-night television with an entertainment talk show. The network is so envious of the promotional, marketing and advertising platform that a hip, credible late-night player provides, it played footsie with David Letterman, almost convincing him to jump from CBS (and over Ted Koppel's body) to join ABC. But word leaked, Koppel barked, and Letterman stayed where he was.

Which brings us to Jimmy Kimmel. On Jan. 26, Super Bowl Sunday, the man known for his degenerative cable series *The Man Show* on Comedy Central and for contributing to Fox *NFL Sunday* brings his cherubic countenance to the late-night arena on ABC.

He has no guests booked -- not yet, at least.

He has no cred -- not as a talk-show host.

But if you think he has no chance, you're wrong. Blessed with a quick wit and an irreverence tailor-made for late-night, *Jimmy Kimmel Live* may finally be the answer to a network's midnight prayers.

It won't be a quick success. His first show doesn't even have a start time -- it'll be on sometime after the Super Bowl. But when it settles into its 11:05 p.m. slot on Jan. 27, *Jimmy Kimmel Live* has the potential to be the show that Letterman's could have been when it moved from NBC to CBS. It will be live. It will feature young comedians. It will showcase promising musical talent -- not just pay lip service to music with three-minute, end-of-show nods. And unless he's a liar, Kimmel won't suck up to his guests -- assuming he lands some, of course.

He will have a seven-piece band, he will have a couch and a desk, and his show will originate from a theater made just for him. But the similarities between his and other late-night shows will end there.

Consider, first, the band, to be led by Cleto Escobedo.

"He and I have been best friends since we were 9 years old," Kimmel said of the saxophone player and singer. "I lived on his block in Las Vegas and slept in his house many a time, which I don't think Dave can say about Paul (Schaffer)."

On the couch will be a co-host, a new one every week.

"First up will be Snoop Dogg, who's off the pot, so hopefully he will show up for the whole week," Kimmel said.

The show will originate next door to the El Capitan Theater on Hollywood Boulevard.

"It's an old Masonic Lodge that Disney converted," he said. "They spent a lot of money on it, which makes me hopeful that just the expenditure on the set means I'm on for a little while. More likely they'll just turn it into a T.G.I. Fridays or something."

It's a sharp set. Three plasma TV screens are on the wall behind the couch, chair and desk in the 200-seat theater. Neon and fancy columns abound. One wag described the decor as "Art Deco meets Egyptian." The theater has four venues for musical performances, including a raised platform in the parking lot out back that's perfect for staging mini rock concerts to a crowd of 500 or more.

There's not a trampoline in sight, and no girls to bounce on it, as they did on his defunct *The Man Show*. But Kimmel does have secret weapons.

"I've got a number of family members working on the program -- my Uncle Frank, my cousin Sal, my cousin Mickey."

Uncle Frank is a former security guard at Caesar's Palace in Las Vegas.

"He's going to be our security guard and have an on-air role on the show," Kimmel said, introducing his uncle to a group of TV reporters.

Uncle Frank gives Jimmy a kiss on the lips. "The tongue was not necessary," Kimmel said.

He then shows a clip of Uncle Frank strolling the Hollywood Walk of Fame. As he passes by the sidewalk stars of celebrities, Uncle Frank, who guarded the likes of Diana Ross and Frank Sinatra in his day, shares his observations. "Never met him," he says. "Never met him. Never met him, either, but if he's here, he had to be great." When he finds Sinatra's star, he asks for a chair, sits down and starts telling Sinatra stories. "He never passed a person in a wheelchair without stopping and talking to him. He was a great guy."

Jimmy Kimmel Live won't have an opening monologue.

The parking lot will be multipurpose. In addition to concerts, the site will be a stage for "everything from Cirque du Soleil to motorcycle jumps," said Daniel Kellison, executive producer. Kellison worked for eight years on Letterman's NBC and CBS shows and was the original executive producer of *The Rosie*

O'Donnell Show for "what felt like eight years."

How does his experience starting up *Jimmy Kimmel Live* compare with his experience starting up the *O'Donnell* show?

"Identical," Kellison joked.

"Maybe one less doughnut a day," Kimmel retorted. "Tell us about the time you saw her in her underpants."

"I've blocked out a lot of that experience," Kellison said, adding, "Start-ups are tricky."

So what's the story on the guests?

"We're going to try booking good guests," Kellison said, but later admitted that Charles Nelson Reilly turned him down for one of the five practice shows they hope to do before premiere night. Bernie Mac and Don King have agreed to appear on future shows. "We'll have a ghost psychic (some of the band members swear the theater is haunted) as opposed to having someone from a UPN show that nobody's ever heard of."

And how will the guests be treated?

"I've felt no pressure on any level (to make nice with them)," Kimmel said. "I probably will make fun of some guests, and I hope they'll take it in the spirit of good fun."

Apart from the live part, what's the intimidating aspect of all this?

"It's different because on *The Man Show* and *Win Ben Stein's Money* (another cable show on which Kimmel regularly appeared), I didn't have to pretend to be interested in the person next to me. Really, it's an entirely different thing, talking to celebrities about their lives and their projects. Whereas *The Man Show* was us walking through an erotic bookstore."

ABC doesn't want that?

"They want it as clean as possible. They figure it's going to go in a bad direction once it goes on live, so we might as well start out with clean thoughts and go from there."

Is he distancing himself from his misogynistic persona on *The Man Show*?

"I've been going to the Osmonds Camp for Potential Hosts," Kimmel said.

The truth is, he said, he's not really the person he was on *The Man Show*. "That was less of me than this is. I certainly enjoy football, but I'm not the guy at Mardi Gras screaming for the girls to take off their tops. I don't really care for that, actually. If anything, I'm distancing myself from that show. But on the Ben Stein show and on *Fox Sports* (on which he was a prognosticator who made fun of Terry Bradshaw), I am more what I'm really like. ... (But) I still think that anyone who was put off by me on *The Man Show* probably is not going to care for this show. They'll probably stick with Jay Leno."

What about *Nightline*? Will *Jimmy Kimmel Live* and *Nightline* be a natural fit?

"We talked with Ted about his show, and there's going to be some changes. He knows he's going to have to somehow fit in, and I think he's prepared to do that. He's going to have a guy eating dog food on one of his shows."

There's talk of war with Iraq. What will he do when *Nightline* runs long?

"I hope that people realize that the late-night wars are more important than any real wars going on. I'd like to start on time." (ABC says *Nightline* has the go-ahead to run long whenever necessary.)

Is Adam Corolla going to be involved on the new show?

"Yes, Adam will be involved. He'll probably be our first guest, our second guest, our third guest. Then we'll probably bring in Ben Stein for some variety."

See? Quick on his feet. Irreverent. This guy could go all the way.

Jan. 16, 2003, 6:49PM

THEATER REVIEW

Superb acting in `Woolf' showcases Albee's words

By EVERETT EVANS

Copyright 2003 Houston Chronicle

Four decades after it created a sensation on Broadway, *Who's Afraid of Virginia Woolf?* still commands the stage with vibrant theatricality and a distinctive, disturbing perspective on human relationships.

With two-time Tony winner Judith Ivey a fiery, funny Martha and Alley mainstay James Black a formidable stealth opponent as her embittered husband, George, the Alley Theatre's robust 40th anniversary revival of Edward Albee's most famous play confirms the work's status as a modern classic.

Alley artistic director Gregory Boyd's shrewdly paced treatment, which opened Wednesday evening, often stresses the script's mordant and merciless humor. Yet by its close, this persuasively acted rendition has touched the core of its characters' bewildered humanity.

Virginia Woolf paints a warts-and-all (sometimes it seems *all* warts) portrait of couple-in-conflict George and Martha, whose love/hate co-dependency is in the tradition of August Strindberg's *Dance of Death*.

After a party at the home of Martha's father (president of the university where George is a history professor), George and Martha retreat to their own nest for a late-night after-party. Close on their heels is a young couple they met earlier and have agreed to entertain, the new biology professor Nick and his meek wife, Honey. The younger pair have no idea they are stumbling into a war zone.

On this long night's journey into day, George and Martha lay bare their hostilities, demonstrating the strange games and rituals that sustain their existence. The reluctant Nick and Honey become unwilling participants in such games as "Humiliate the Host" and "Get the Guests."

The marathon of boozing and brawling unleashes various revelations -- including, by the close, at least one sufficiently critical to each couple to change the course of their relationship.

Much of the hostility arises from Martha's disappointment that George has remained just "a bog" in the history department rather than rising to become its chairman. George, in turn, seethes with resentment at being constantly belittled. This angle is most credibly developed.

The play's climax, however, depends upon a peculiar conceit. Just how seriously *do* George and Martha take one of the central fantasies of their life together? Certain critics have cited this as their chief reservation, and some playgoers still may find this aspect difficult to accept.

Elsewhere, there are stretches where the digressions and in-jokes seem needlessly abstruse or self-indulgent. Albee lets his characters become preoccupied with a single word (as in George's obsession with describing Honey as "slim-hipped"), to the point of fetishizing the term.

Yet Albee's vividly surging dialogue and riveting confrontations sustain the play. Most of the time, even when the tricky characters conclude an anecdote with a teasing "well, maybe it isn't true," the content nonetheless fascinates.

(Albee has reinstated a few instances of rougher language that he had deleted from his script before its original Broadway production.)

Among the most memorable passages are Martha's remembrance of a playful "boxing match" with George 20 years earlier ("I think it's colored our whole life") and her Act 3 description of the tears she and George freeze into ice cubes for their drinks.

The bravest thing about *Virginia Woolf* is that, having elected to write about unpleasant individuals, Albee doesn't try to make them nicer, sweeter, more palatable. As an exploration of the darker side of human nature, the thornier points of love, the play is distinguished by uncompromising honesty. And of course, Albee's strongest dialogue, for all its viciousness, also is very funny.

Boyd's direction stresses comedy in the first act. This eases us into George and Martha's world of verbal violence that, in this reading, seems playful at first. The second act necessarily darkens, but does not yet rise to its full dramatic potential -- despite several powerful and still startling outbursts. Everything comes together, however, in an affecting third act, keyed to Ivey's most touching scene, revealing Martha's tattered vulnerability.

Ivey's Martha, indeed, serves as engine for the whole production. From her first raucous entrance, she commands the stage with brassy, volatile presence and a wry, whiskey-voiced delivery recalling Elaine Stritch. She gets off some good comic bits (including briefly imitating Katharine Hepburn at one point). But mainly she brings zest and wit to Martha's goading and teasing, gradually peeled away to reveal the anger and frustration underneath.

Black deftly underplays George -- cowed, shrunken from years of abuse, his retorts simmering with sarcasm. He gets comic mileage from a nasal tone in his strikes at Martha, later at go-getter Nick. Yet when George gains the upper hand in the last act, Black makes it clear that this ineffectual hubby can be cruel and unyielding until he attains his vengeance.

Elizabeth Bunch makes a virtuosic showcase of mousy wife Honey. Initially giggly, eager and naive, she runs amok after too much brandy. "I dance like the wind," she insists, making quite a spectacle, before running off to "be sick." As things turn nasty, she unveils Honey's animal instinct, licking her lips as George and Martha come to blows and gleefully exclaiming, "Violence! Violence!"

Ty Mayberry could hardly match this display in the more restrained role of the prim Nick. Yet he generally strikes the right note, squarishly boy-next-door at the start, moving on to a knitted-brow perplexity at his hosts' strange brand of hospitality. Later disdainful and steamed at being so ill-used, he remains stymied at determining how to respond.

Veteran Broadway designer Tony Straiges has supplied the comfortably middle-class domestic setting that George and Martha transform into a battleground, with Andrea Lauer getting the right lived-in, early '60s look in the quartet's costumes.

The real meat, however, (to borrow one of Martha's favorite terms) comes in the power of Albee's words-as-weapons and the stinging skill with which Boyd's actors wield them.

Who's Afraid of Virginia Woolf?

When: 7:30 p.m. Tuesdays-Thursdays, 8 p.m. Fridays, 2:30 and 8 p.m. Saturdays, 2:30 and 7:30 p.m. Sundays, through Feb. 8

Where: Alley Theatre, Large Stage, 615 Texas

Tickets: \$35-\$50; 713-228-8421

Jan. 16, 2003, 6:33PM

Spring travel agency plans first nude flight

By **HARRY SHATTUCK**

Copyright 2003 Houston Chronicle Travel Editor

Hundreds of thousands of travelers take off on flights throughout the world every day.

But 170 passengers will really take off aboard a Boeing 727 chartered flight from Miami to Cancun in May.

Take off their clothes, that is.

Castaways Travel, a travel agency headquartered in Spring and specializing in clothing-optional vacations, is organizing what the company touts as the first ever nude flight.

The trip is in conjunction with Nude Week, which includes a seven-night stay at an all-inclusive resort along Mexico's Mayan Riviera coast.

No, participants won't pass through the airport security screening system sans clothes.

But, according to the company's Internet site, "Once the aircraft reaches cruising altitude, you will be free to enjoy the flight clothes-free. The nude flight will also include your welcome packet and souvenirs for this history-making event."

The Miami-to-Cancun flight is scheduled May 3 with a return on May 10, but exact times and the name of the participating airline -- dubbed Naked-Air by the Internet site www.castawaystravel.com -- are not being revealed because of privacy concerns.

Accommodations will be at the all-suite El Dorado Resort & Spa where, according to the Web site, enticements will include nude swimming pools, nude beaches and nude bars. Guests will be asked to "cover up" only in restaurants and at the reception area.

Special Nude Week activities and themed nights are planned.

"People are looking for stress relief," Castaways Travel co-owner Jim Bailey told the Associated Press. "In a nudist environment, everyone is the same."

According to Bailey, the flight crew will be dressed and the temperature inside the plane's cabin will be regulated to accommodate the nudists.

Federal Aviation Administration spokeswoman Kathleen Bergen told the AP that there are no regulations specifically banning nudity aboard an aircraft.

"It's not a safety issue," Bergen said.

Some safety issues are being addressed, however. According to the AP, no hot drinks or food will be served to nude passengers. And all nude fliers will be asked to keep a towel between themselves and the plane seat.

Prices listed on Castaways Travel's Web site start at \$499 per person for the flight and \$910 for accommodations, meals, activities and entertainment. Single supplements are available. The travel agency will assist participants with connecting flights -- clothes required -- between Houston and Miami.

Details are on the aforementioned Web site. Or call 281-362-8785 or 800-470-2020. Castaways Travel has marketed clothing-optional/nude vacation packages since 1992.

The Florida-based American Association for Nude Recreation claims nearly 50,000 individual members. Information is at www.aanr.com.

Jan. 16, 2003, 6:29PM

TV FEATURE

Chuck Zito lives up to his tough-guy image on `Oz`

By DENIS HAMILL

Copyright 2003 New York Daily News

NEW YORK -- In real life, Chuck Zito spent six years in jail. For the past five television seasons, he has been an inmate on *Oz*, HBO's hit prison series that's now in its final season.

"I'm trying to figure out if it's life imitating art or vice versa," says the 49-year-old tough guy, who's also a member of the Hells Angels, an accomplished stunt man and, now, author of *Street Justice*, a tell-all, star-filled autobiography.

"One day between takes on the *Oz* set, I went into one of the cells and laid down and dozed off," says Zito, sipping coffee on Columbus Avenue. His trademark muscles are exploding out of a tight short-sleeved shirt.

"When I woke up, I thought I was back in a federal pen. But I did my time, and today no one is more of a free man than Chuck Zito."

The book (which reads as fast as a Harley flying down an open road) tells the story of a young man from New Rochelle, the son of a professional welterweight boxer, who rises from his working-class roots to become a boxer himself, a father, a biker, a bodyguard to stars, a stunt man and, finally, a TV star.

"My father taught me how to fight when I was 5," says Zito (who would later pick up five martial-arts black belts). But his most memorable knockout was not in the ring. It came in 1998 in the Scores strip club, when tough-guy movie star Jean-Claude Van Damme cursed Zito publicly. Zito responded with a straight right and a left hook, screaming, "This ain't the movies! This is the street, and I own the street!"

Stories about the incident ricocheted around the globe.

"If I knew it would have gotten me so much positive publicity, I would have knocked him out 10 years earlier," Zito says, laughing. Some people believe Van Damme's mystique of invincibility was flattened by that KO. "I feel bad that I knocked all his movies directly into video release," Zito says, smiling.

Zito has plenty of close, loyal pals in Hollywood.

"Chuck is my friend," Sean Penn writes in the foreword to *Street Justice*. "He has been for nearly 20 years. I've never known him to be anything but completely honest, direct and bold."

Zito says he got the *Oz* gig of Chucky the Enforcer at a screening of HBO's *Don King: Only in America*.

"When I first met Chuck," show creator Tom Fontana recalls, "I was afraid he was going to hurt me. But I told him I wanted him to play a Sicilian enforcer, and that seemed to calm him down."

Jan. 16, 2003, 5:23PM

Unbelievable plot mars 'Guy Thing'

[Go to showtimes](#)

By **BRUCE WESTBROOK**
Copyright 2003 Houston Chronicle

Jason Lee owes his start in the film business to New Jersey writer-director Kevin Smith. With *A Guy Thing*, he may owe him an apology.

Since voicing Smith's profane disdain of mainstream pop culture in movies such as *Chasing Amy*, Lee has hit Hollywood to play supporting roles in artful films for Cameron Crowe (*Almost Famous*, *Vanilla Sky*) and Lawrence Kasdan (*Mumford*).

In *A Guy Thing*, he tries the leading man thing. But it's for director Chris Koch, whose only other credit is the oafish kid comedy *Snow Day*.

Written by Greg Glienna, *A Guy Thing* tries to be a romantic comedy, with pained humiliation, much like Glienna's *Meet the Parents*. But with its heavy-handed approach to light material, it falls on its face as often as Lee's hapless character.

He's Paul, a good-intentioned Seattle man who's engaged to Karen (Selma Blair), stylish daughter of Paul's wealthy, overbearing boss (James Brolin) at a men's hunting magazine. (Men are hunters in more ways than one, as the script bludgeons us.)

Things get dicey when Paul meets Becky (Julia Stiles) at his bachelor party -- then awakes from a drunken stupor with her beside him.

Though proved guiltless, Paul -- who's drawn to Becky -- becomes an obsessive liar to cover up his "tryst." Lying may be despicable in the real world, but in countless sitcoms and films such as this, it's condoned as simply a comic complication.

The panicky Paul suffers for his deceit, from an arrest to being stalked by Becky's violent ex-fiance. Even worse, he learns that she's his own fiancée's cousin and the women seem inseparable. Naturally, Paul never met Becky during his many months of courting Karen. Right.

That's just one of the film's many implausibilities, from Becky's preposterous ability to change jobs

instantly to Karen's maddening obliviousness to Paul's baldfaced lying and Karen's mother's impulsive hiring of an unlikely caterer.

A Guy Thing also relies on monotonous coincidences, from Becky and Paul meeting in the first place to their instant re-encounter in a metro area of 3.5 million people.

At least Seattle is rainy, unlike the Seattle of *Frasier* and most movies. But even with moody ambience, the mushy moments stall, and the score for the funny bits, from normally reliable Mark Mothersbaugh (*Rushmore*), sounds like rejected music from *The Flintstones*.

Two promising actresses of 20 years ago, Diana Scarwid (*Mommie Dearest*) and Julie Hagerty (*Airplane!*), play the bride and groom's mamas. Each overacts shamelessly, especially after their characters inadvertently ingest pot. The boorish Brolin is even worse.

After *Legally Blonde*, Blair is getting typecast as a prim, driven woman, leaving Stiles to shine as the cute blond free spirit whom Lee clearly needs.

Though the fun is fitful, some worthy moments appear through the barrage of mean-spirited gags. Especially good are Paul's brief, vivid fantasies. *A Guy Thing* also ends well with a satisfying altar scene.

Lee may have sold out to commercial froth here, but he's game and sympathetic, and his comic discomfiture would be fun if it were grounded in truth. Instead, the filmmakers are more dishonest with us than their protagonist -- and expect us to buy it.

No deal. Our lying radar is fully operational, and *A Guy Thing* is not cleared for take-off.

Grade: C-

Jan. 16, 2003, 4:01PM

'National Security' plays off racial discord

[Go to showtimes](#)

By ERIC HARRISON

Copyright 2003 Houston Chronicle

Martin Lawrence is a second-rate Eddie Murphy -- make that third rate -- who follows Murphy's lead so slavishly he must get his ideas at the same five-and-dime.

One difference is that Murphy sometimes makes movies that challenge expectations. Since becoming a star, Lawrence has done that only once, in 1999 when he co-starred with Murphy in *Life*.

His other movies roll off an assembly line, with the jug-eared comedian playing the same character each time.

His latest, *National Security*, is his funniest in years. I don't judge Lawrence's movies by the laughs, though -- they all have a few -- but by the dead spots. Some are deadlier than others.

The worst moments of *National Security* didn't make me cover my eyes, grimace in pain or dash out to buy more Milk Duds. By these admittedly low standards, the movie is a success. But I felt queasy even when I was laughing the hardest.

Lawrence's name is above the title, but co-star Steve Zahn is a major reason the movie works as well as it does. Lawrence plays Earl Montgomery, an insolent smart-mouth who becomes a security guard after he gets kicked out of the police academy. Zahn is Hank Rafferty, a dedicated cop who loses his job, goes to prison and becomes a security guard after Earl accuses him of police brutality.

The men hate each other, but the ludicrous plot teams them up to catch the crooks who murdered Hank's partner.

The scenes showing the two men's first encounter leading to their reluctant partnership are the movie's high point. Hank's in a bad mood when he sees Earl trying to get keys out of a locked car. Earl, who has a racial chip on his shoulder, takes offense at Hank's questioning. Things get out of hand.

The result is a hilarious misunderstanding (also involving a passing bumblebee) that becomes an explosive racial incident after a bystander videotapes the encounter.

The scene is funny, but it also is an example of the way the film -- possibly in an attempt at "edginess" -- flirts with irresponsibility.

Going back to *The Defiant Ones* in 1958, race is the subtext of all black-white buddy pictures, even when the issue is never directly addressed. The partners nearly always hate each other initially. They unite out of necessity and eventually develop mutual respect, admiration, even love. The movies are parables of brotherhood. This is one of their enduring appeals.

National Security makes a joke out of racial discord, and it's a cruel joke at that. It alludes to the Rodney King beating and the protest and rioting that resulted, but Hank -- the long-suffering white guy -- is the movie's only victim.

A murderer utters slurs, but Earl for the most part sees racial bugaboos where none exist and gets his way by exploiting the public's gullibility.

The film ends with a show of harmony, but its acrimonious message lies in the way it depicts black oversensitivity and an atmosphere of political correctness as the only obstacles to harmony in the first place.

I already can see the letters I'm going to get saying I'm reading too much into a silly comedy. But making a contentious point within the context of light entertainment doesn't mollify it -- it only assures it'll go down with less resistance.

Grade: C

Jan. 16, 2003, 4:27PM

'Safe Conduct' celebrates the resolve of filmmakers

[Go to showtimes](#)

By KEVIN THOMAS

Copyright 2003 Los Angeles Times

Bertrand Tavernier's superb *Safe Conduct (Laissez-Passer)* is an engrossing homage to those French filmmakers who, during the German occupation, managed to maintain their integrity and professionalism under the most repressive circumstances.

At once intimate drama and stirring historical epic, the film is loaded with suspense, for its central figure, an assistant director named Jean Devaivre (Jacques Gamblin), displays the same unflappability on the set as in his Resistance activities.

Tavernier drew his richly detailed and shrewdly observed account of grace under pressure -- and greedy collaborationist opportunism, as well -- from the reminiscences of Devaivre and the late Jean Aurenche, whose career was revived when Tavernier chose the veteran screenwriter to help him launch his own career in the 1970s.

Jean Cosmos, another veteran, not only collaborated with Tavernier on the script for *Safe Conduct*, but also contributed to their script incidents from his experiences as a young man living in Paris during World War II.

Because Tavernier has always been as passionate a film historian as he is a filmmaker, *Safe Conduct* has an acutely authentic sense of time and place. Devaivre was a champion cyclist, which comes in handy more than once, and has an athlete's resilience, which is put to the test when he reluctantly accepts a job at German-run Continental Films. As a Resistance member, however, Devaivre will gain a measure of protection as a Continental employee and possible intelligence-gathering opportunities.

Devaivre is first assigned to work with important pioneer director Maurice Tourneur (Philippe Morier-Genoud), who after a long and innovative sojourn in the United States had in the mid-'20s returned to France with his American wife.

There's a pleasing contrast between the sober Devaivre and the ruffled, fun-loving, woman-chasing Aurenche (Denis Podalydes), who is forever moving from place to place, his possessions packed into two battered suitcases. But he is as resolved as Devaivre that he will contribute nothing to German propaganda through films. As we meet a raft of characters -- there are 139 speaking parts -- *Safe Conduct*

builds tension as Devaivre's Resistance activities expose him to increasing danger and jaw-dropping adventure.

With production designer Emile Ghigo's vividly evoked Paris under the occupation and Valerie Pozzo di Borgo's accurate costumes, this film brims over with the humanity, seriousness, good humor and commitment that mark all of Tavernier's work.

Grade: A

Jan. 16, 2003, 6:29PM

TV REVIEW

Disney showcases comedic talent of a grown-up Raven

By LANA BERKOWITZ

Copyright 2003 Houston Chronicle

Bill Cosby, Mark Curry, Eddie Murphy. Raven has been getting laughs with hot comedians since she was 3 years old. She played Olivia on *The Cosby Show*, Nicole on *Hangin' With Mr. Cooper* and Charisse Dolittle in both *Dr. Dolittle* films.

Through the years, she dropped the Symoné hyphenation from her name but developed her physical comedy skills.

Now 17-year-old Raven gets her own comedy showcase. *That's So Raven* debuts with a 6 p.m.-midnight marathon Friday on the Disney Channel.

Raven plays Raven Baxter, a boisterous teen who gets glimpses of the future. Her psychic flashes usually reveal situations she wants to avoid -- trouble at school, a dejected brother, Dad's big TV moment botched. Her efforts to change the future usually involve outlandish schemes.

In this live-action cartoon, Raven Baxter dresses as a big mama for a parent-teacher conference, wrestles snakes and straps her hypnotized dad to an ironing board to get him down the stairs.

For all its crazy moments, the series stays safe and predictable for the Disney audience. Raven Baxter's parents are exasperated but loving. Her smart little brother is a pain. And her best friends (one boy and one girl) always go along with her plots.

Raven plays the broad comedy like a veteran. She's easy to watch. She also sings the series' title song. Other familiar faces in the cast are T'Keyah Crystal Keymáh (*In Living Color*) and Rondell Sheridan (*Minor Adjustments*) as the parents. Orlando Brown, who plays Raven's buddy, Eddie, appeared in *Max Keeble's Big Move* and also does voices for *The Proud Family* and *Fillmore!*

***That's So Raven*, 6 p.m.-midnight, Friday on the Disney Channel. For ages 7 and older. Grade: B.**

Jan. 16, 2003, 5:20PM

'Kangaroo' thrives on gross

[Go to showtimes](#)

By **CHRIS HEWITT**
Knight Ridder Tribune News

You'll never guess which Men at Work song is used in the Australia-set comedy, *Kangaroo Jack*.

At the beginning of the film, Charlie (Jerry O'Connell) has flubbed a mob assignment, so he's really down. Under the pretext of giving him a new assignment, a Mafioso (Christopher Walken, who should be choosier) sends him Down Under, along with a friend, Louis (Anthony Anderson, from *Me, Myself and Irene*), where he plans to kill them.

Louis is a klutz, but underneath he's a good guy. While in Australia, he and Charlie run into a smarty-pants kangaroo that steals their money and passes gas on them, and they chase the 'roo all over the place, accompanied by a pretty naturalist (Estella Warren), who happens to be spending time there.

It's a predictable, marsupial-based *Caddyshack*, except the frenetic humor is pitched at 3-year-olds. Which is weird, since the stuff with Warren is clearly meant for an audience whose hormones have kicked in.

Kangaroo Jack alternates sex jokes and poop jokes for most of its length, until we realize it seems to be a grossout comedy, but underneath it all, it's really a story about redemption. It's also the worst Aussie export since vegemite.

Grade: D+

Jan. 16, 2003, 6:38PM

On two

PEEKING PANDA

Gao Gao, an 11-year-old male panda, takes a peek around his new home at the San Diego Zoo after his arrival from China on Wednesday. After 30 days in quarantine at the zoo's hospital, Gao Gao will spend the next six years in San Diego on loan from China. Zookeepers are hopeful he'll hit it off with the zoo's resident female panda, Bai Yun, and produce a bouncing baby bear. The endangered black-and-white bear is a worldwide symbol of conservation. About 1,000 of the animals survive in the wild, mostly in bamboo-forested mountains in western China.

ONE LIST

Ten "bests" for 2002 from Business Traveler magazine's 14th annual reader poll:

Airline: Singapore

Airline security: El Al

Frequent flyer program: United's Mileage Plus

Airport (world): Singapore Changi

Airport (U.S.): Chicago O'Hare

Travel Web site: Orbitz.com

Credit card: American Express

Car-rental company: Hertz

Luggage brand: Tumi

International cell-phone service: AT&T Wireless

TODAY IN HISTORY

In 1893, Hawaii's monarchy was overthrown as a group of businessmen and sugar planters forced Queen Liliuokalani to abdicate.

In 1945, Soviet and Polish forces liberated Warsaw during World War II.

In 1977, convicted murderer Gary Gilmore was shot by a Utah firing squad in the first U.S. execution in a decade.

In 1991, in the first day of Operation Desert Storm, U.S.-led forces hammered Iraqi targets in an effort to drive Iraq out of Kuwait.

In 2002, Enron fired Arthur Andersen, citing its destruction of thousands of documents and its accounting advice; and for its part, Andersen said its relationship with Enron ended in December 2001 when the company slid into the biggest corporate bankruptcy in U.S. history.

JOKES ON US

A couple drove down a country road for several miles, not saying a word. They had a fight and neither wanted to concede their position. As they passed a barnyard of mules and pigs, the husband asked sarcastically, "Relatives of yours?"

"In-laws," the wife replied.

-- Submitted by Faye Jackson, Houston

Send your joke to diane.cowen@chron.com or to Diane Stephen Cowen, Houston Chronicle Features Department, P.O. Box 4260, Houston, TX 77210.

LIGHT THE CANDLES

TODAY: Actress Betty White is 81. Singer-actress Eartha Kitt is 76. Actor James Earl Jones is 72. Actress Sheree North is 70. Talk show host Maury Povich is 64. Former heavyweight boxing champion Muhammad Ali is 61. Rhythm-and-blues singer William Hart (the Delfonics) is 58. Rock musician Mick Taylor is 55. Singer Steve Earle is 48. Actor-comedian Steve Harvey is 46. Singer Susanna Hoffs (the Bangles) is 44. Actor-comedian Jim Carrey is 41. Actor Joshua Malina is 37. Singer Shabba Ranks is 37. Rapper Kid Rock is 32. Singer Ray J is 22. Country singer Amanda Wilkinson is 21.

SATURDAY: Singer-songwriter Bobby Goldsboro is 62. Comedian-singer-musician Brett Hudson is 50. Actor-director Kevin Costner is 48. Country singer Mark Collie is 47. Actress Jane Horrocks is 39. Actor Jesse L. Martin (*Law & Order*) is 34. Rapper DJ Quik is 33. Rock singer Jonathan Davis (Korn) is 32.

Singer Christian Burns (BBMak) is 30. Actor Jason Segel is 23. Actress Samantha Mumba (*The Time Machine*) is 20.

SUNDAY: Actor-singer John Raitt is 86. Actress Jean Stapleton is 80. Former PBS newsmen Robert MacNeil is 72. Singer Phil Everly is 64. Actress Shelley Fabares is 59. Country singer Dolly Parton is 57. ABC newswoman Ann Compton is 56. Singer Robert Palmer is 54. Singer Harry McGilberry (Temptations) is 52. Singer Dewey Bunnell (America) is 51. Actor Desi Arnaz Jr. is 50. Comedian Paul Rodriguez is 48. Actress Katey Sagal is 47. Reggae musician Mickey Virtue (UB40) is 46. Actor William Ragsdale is 42. Rock singer Whitfield Crane (Ugly Kid Joe) is 35. Singer Trey Lorenz is 34. Actor Shawn Wayans is 32.

EMPTY NEST

Have your kids left home within the past few years, allowing you to apply all that time and energy to your own life? We'd love to hear what you did. Contact Chronicle feature writer Jeannie Keever at jeannie.keever@chron.com or call 713-220-7310. Please include your daytime telephone number in your message.

CALENDAR

WORKSHOP ON DEAFNESS: The Center for Hearing and Speech will host nationally known author, educator and speaker Dr. David Luterman in a daylong workshop Jan. 25. Luterman will speak on the effects of deafness on the family system. One in 200 children born in the United States suffers from some kind of hearing loss, and the workshop will help parents, siblings, educators and medical professionals better understand the effects this impairment can have on the entire family. The workshop will be 8:30 a.m.-4:30 p.m. at 3636 W. Dallas. The program is \$35 for audiologists and speech/language pathologists wanting continuing-education credits and \$10 for parents. Call 713-523-3633.

IT'S FREE

TOWN HALL MEETING: "Texas' Juvenile Justice System: Are We Headed in the Right Direction?" will be the subject of a Town Hall meeting Jan. 30 at the University of Houston Law Center.

State Rep. Sylvester Turner, civic leaders, educators, law enforcement representatives and juvenile-justice professionals will cover such topics as youths in adult prisons, the juvenile death penalty, rehabilitation, prevention and intervention services.

The meeting will run 6:30-8:30 p.m., with a reception at 5:30 p.m.