

THE OBSERVER

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Housing project under way

Developers plan to start off-campus complex this year

By MIKE CHAMBLISS
News Writer

A new housing development is being planned for the residential area directly east of Notre Dame's campus.

Developers Dan Foley and Nicholas Tyszka, who boast five Notre Dame degrees between them, plan to build a subdivision of upscale duplex villas and single-family homes called "Irish Crossings."

The development, contingent on a Sept. 9 St. Joseph County Council vote, is slated to be located on an 8.2-acre lot between Burdette Street and Willis Avenue. Between 30 and 60 units would be constructed on the lot, ranging in price from \$189,000 to \$300,000.

The lot was last the site of a prior attempt to build an exclusive tailgating park by developer Kay Pangraze of Go Park Enterprises. Due to strong objections from community members, many of whom profit from game-day parking business, the tailgate area proposal was voted down by St. Joseph County Council.

Foley and Tyszka claim that every home in their design would be owner occupied, thus helping prevent deterioration or the possibility of turning into student rental property. Tyszka anticipates that the development, estimated at a total value of \$12 million, will be home to many Notre Dame faculty members, administrators and alum-

see HOUSING/page 6

Locked doors heighten dorm security

By CLAIRE HEININGER
News Writer

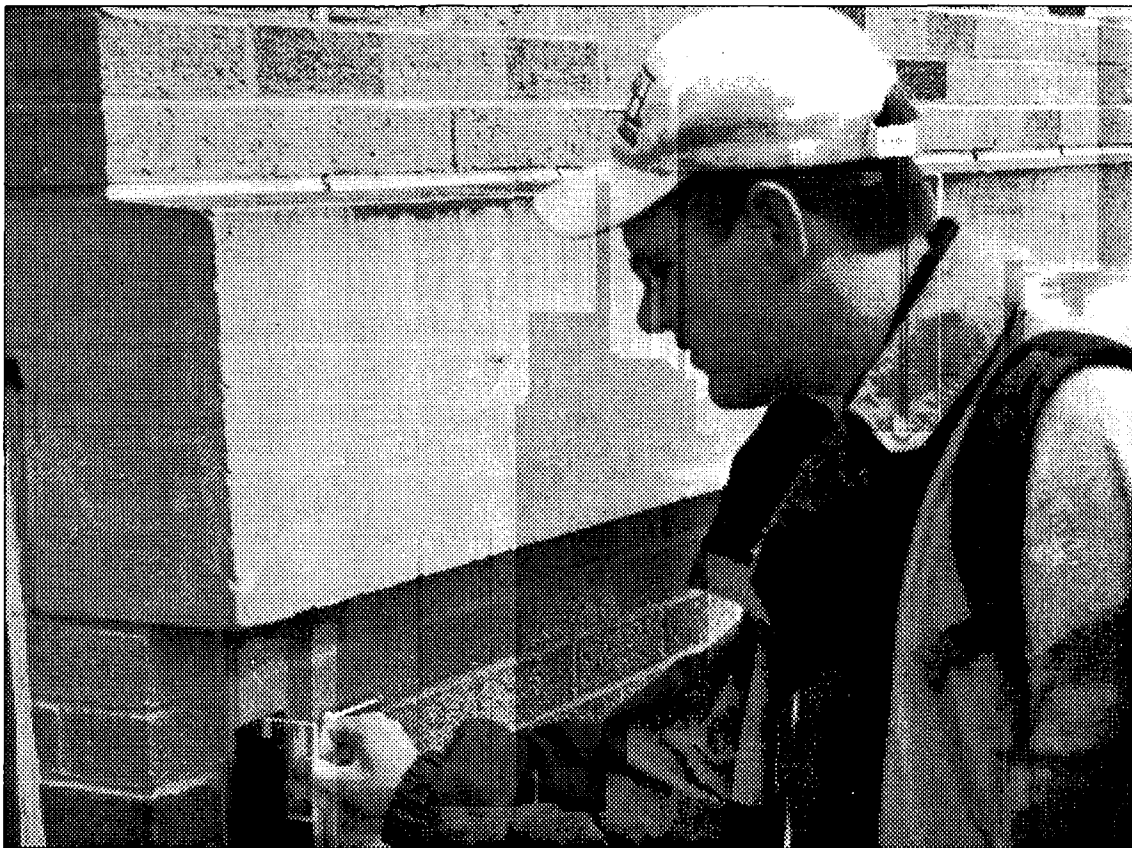
As move-in weekend drew to a close and the steady flow of futons, fridges and 24-packs of blue Powerade entering Notre Dame residence halls dwindled, many students were surprised to find their dorms locked last Tuesday.

According to a new directive from the Office of Residence Life and Housing, all entrance doors to both male and female dorms must remain locked 24 hours a day, with a student ID necessary for access.

Unlike previous years, student residents and nonresidents do not have to enter their birth date when opening a door before parietals; after hours, however, the code is required and only dorm residents may enter.

The final change applies to students visiting residence halls that are not their own. Previously, students could enter through any door before parietals with a quick swipe of their ID card. This year, visit-

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ANDY KENNA/The Observer

A student swipes his ID card to unlock the door to a residence hall on Tuesday. A new campus-wide policy designed to ensure dorm security at all hours of the day was implemented last week.

Hours added to SMC/ND shuttle schedule

By ANGELA SAOUD
News Writer

Saint Mary's refused to compromise safety for schedule reorganization of the shuttle between the College and Notre Dame, taking on the sole financial burden of extra weekend hours.

Earlier this semester, Linda Timm, Saint Mary's vice president of Student Affairs, received an e-mail detailing cuts in the budget allowance for shuttle services. The new plan scheduled shuttles until 10 p.m. Monday through Friday with no

service on the weekends, leaving the shuttle running nearly 30 hours less than it did last year.

Both Notre Dame and Saint Mary's will continue to share the cost of shuttle operation, but Saint Mary's will solely cover the cost of the additional hours it requested.

"My concern is that our students use the shuttle often on the weekends," Timm said. "We felt

that adding hours on Friday and Saturday was most important."

Shuttles will now run until 2 a.m. on Saturday and Sunday mornings.

During shuttle schedule reorganization, Timm received several parent phone calls regarding stu-

dents' safety.

"It was comforting to be able to tell parents that we were already looking for ways to

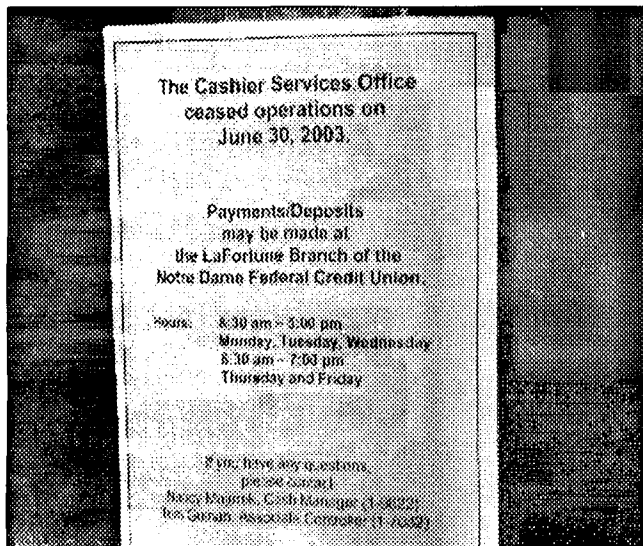
accommodate our students," Timm said.

In the event that Saint Mary's students need transportation after shuttles stop running, they may call Saint Mary's security from the Grotto. Timm and other school officials are considering moving the call location to a more secure area with better lighting.

Regardless, Timm advised that "students should try their best to get back during the time the shuttles are running."

Contact Angela Saoud at
saou0303@nd.edu

NDFCU replaces accommodations of Cashier Services



ANDY KENNA/The Observer

A sign outside of Cashier Services in the Main Building notifies members of the campus community that transactions will now be handled in LaFortune.

By JOE TROMBELLO
News Writer

The Notre Dame Federal Credit Union will replace many of the services offered by the defunct Cashier Services Office, formerly located in the Main Building, said associate controller Tom Guinan.

Guinan said University officials agreed to close the Cashier's Office at their spring meeting and operations ceased June 30.

The decision was made based on a variety of factors, Guinan said, although the addition of a Notre Dame Credit Union branch to the LaFortune Student Center made the services of the Cashier's Office — including fee-free cashing of student personal and work checks — no longer

necessary.

"The arrival of the Notre Dame Federal Credit Union to the basement of LaFortune last year resulted in duplication of certain functions performed by both the Cashier's Office and the Credit Union, particularly as they pertained to student banking services," Guinan said. "The Credit Union indicated that they would also be willing to perform other key functions handled by the Cashier's Office, namely processing departmental deposits and student tuition payments."

"With the Credit Union processing such payments, deposits and payments would be placed in the bank a day earlier and armored pickups at the Cashier's Office would no longer be necessary," he said.

Guinan said that he believes

the change will ultimately prove beneficial to all parties and noted that additional services, such as hours until 7 p.m. on Thursday and Friday at both the LaFortune and the Douglas Rd. branches, will improve the services offered.

"We're hoping that, after the transition period is complete, students, faculty and staff will find that the Credit Union and the University have developed plans to not only maintain the key services formerly provided by the Cashier's Office, but also to enhance them," he said.

Michael Cruise, vice president of branch operations for the Notre Dame Federal Credit Union, said the credit union is expecting an increase in business

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INSIDE COLUMN

The perfect day for 21

Almost everyone has a crazy story to tell about their 21st birthday. After years of drinking with an underage label, and having to bug older friends to go to the store for me, the day that had been marked on the calendar was finally here: Monday, Sept. 1, 2003. No longer was I barred from the bars. It was time to enjoy my freedom in the world of alcoholic beverages.

My day started out great. I had to wake up early in the morning to go to class on Labor Day. While administrators at Notre Dame and friends from state schools were enjoying their day off, I was in class on my 21st birthday. Perfect.

No problem; I could make it through a day of school. All that mattered was what was to come afterwards. My mom, dad, brother and 2-year-old nephew took the time out to come out to South Bend and treat me to lunch. It was great to see the people I'd grown up with for my 21 years and to share this milestone with them.

When they were gone, it was time to throw down a few with friends. We had been talking about this day for months, about how much fun it would be to all go out to the bar together. All the friends I'd been looking forward to partying with came by to say "Happy Birthday" — and that they had homework to do and would not be able to go out. Perfect.

No worries; a couple of my friends were cool enough to go out regardless. So we drove out with hopes to hit bar after bar in the attractive city of South Bend, getting the satisfaction that comes with flashing your real driver's license. And drive from bar to bar we did, only we couldn't get into any of them because they were all closed. Oh yeah, it was Labor Day. Perfect.

Fortunately, we were welcomed into the friendly confines of Belmont Beverage. After stocking up, we came back to campus to celebrate on our own. We popped in "Old School," sat back and enjoyed the movie. And we did a lot of drinking during it. Okay, only I did a lot of drinking during it. Although it wasn't at a bar, I had ultimately reached the initial goal for the night. The rest of the night is a blur, but several people have let me know that they saved IM conversations with me from that night. So to all of you who did, I'm looking forward to reading them.

I knew turning 21 would be an experience I will never forget, and also one I will partially never remember. And to those people that made it happen on what turned out to be the most un-perfect day, thank you.

Almost everyone has a crazy story to tell about their 21st birthday. Now I have my own.

Contact Mike Harkins at mharkins@nd.edu. The views expressed in the Inside Column are those of the author and not necessarily those of The Observer.

CORRECTIONS

The Observer regards itself as a professional publication and strives for the highest standards of journalism at all times. We do, however, recognize that we will make mistakes. If we have made a mistake, please contact us at 631-4541 so we can correct our error.

QUESTION OF THE DAY: WHAT DO YOU THINK ABOUT THE BOOM IN THE SQUIRREL POPULATION ON CAMPUS?



Liz Luther
Senior
Off-Campus

"There will be more spicy sea nuggets in the dining hall."



Colleen Traeger
Junior
Walsh Hall

"More things to remind me of my little sister."



John Dee
Senior
Keenan Hall

"I'm excited because I have 17 new friends already."



John Abdo
Junior
Keough Hall

"I like it; I like furry little fellows."



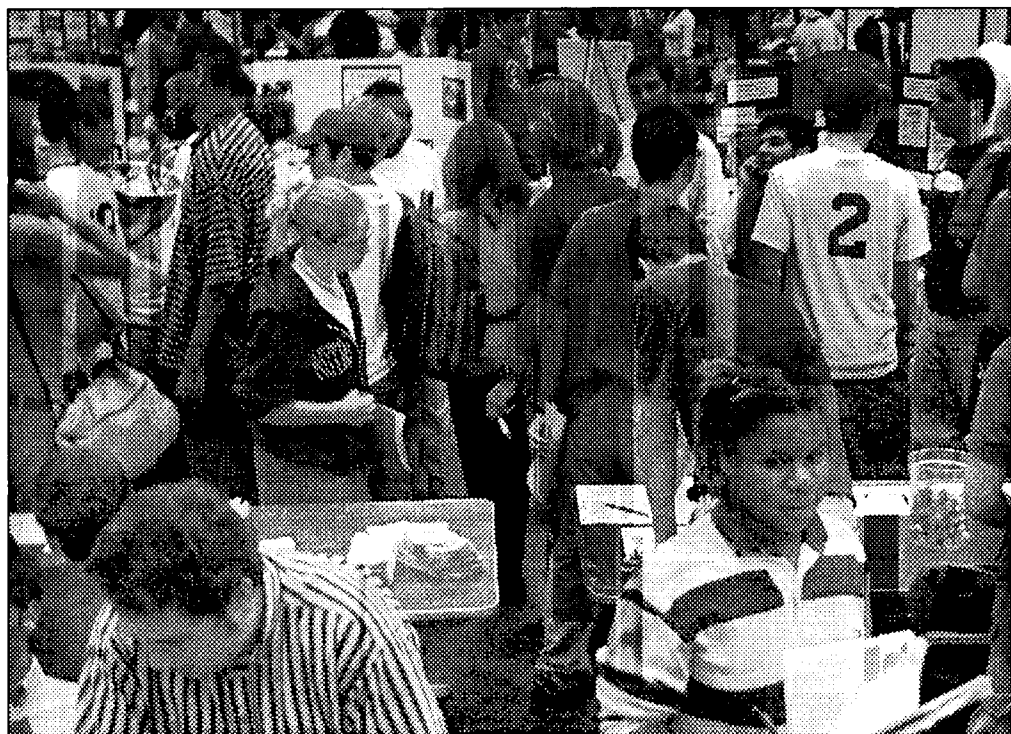
Joe Heleck
Junior
Keough Hall

"Great big gobs of greasy, grimy gopher guts."



Kyle Lin
Senior
Siegfried

"It's mating season by the radiation building again."



ANDY KENNA/The Observer

Students circulate among tables at Tuesday's Activities' Night held in the Joyce Center Arena. The annual event allows both on- and off-campus organizations to display their activities and services.

OFFBEAT

Man in Thailand promotes "Diet of worms"

BANGKOK, Thailand — A worm a day keeps the doctor away — at least for a firefighter in central Thailand.

Paisit Chanta, 39, told The Associated Press on Tuesday that he has been eating a live worm every day for nearly three decades, and that it's been the secret of his health.

His story was featured Tuesday in a major newspaper, Thai Rath.

Paisit's unusual habit started when he was fishing in his native village in Nakhon Nayok province,

60 miles northeast of Bangkok.

"One day, I was sitting there waiting for a fish to eat my bait for hours and was starving. Suddenly, I realized fish don't die from eating worms so I shouldn't either. I ate them until I was full," Paisit said in a telephone interview.

He now loves worms, and has become accustomed to chew them instead of swallowing them whole.

"Bridezilla" fined \$90 for wedding rage

MANCHESTER, Conn. — A woman dubbed

"Bridezilla" after police said she went on a rampage at her wedding reception pleaded guilty Thursday to a reduced charge of creating a public disturbance.

Adrienne T. Samen, 18, was fined \$90.

Samen, of North Haven, was arrested on criminal mischief and breach of peace charges on Aug. 16 after police responded to her wedding reception at The Mill on the River restaurant in South Windsor.

Information compiled from the Associated Press.

IN BRIEF

Tryouts for student speakers for this Friday's Pep Rally for the Washington State game will be held today in the Notre Dame Room of LaFortune at 7 p.m. Questions? Contact Bill at wbonner@nd.edu or Erinn at erigney@nd.edu.

Have your chance at tickets for the Michigan away game through a lottery in the Gold Room of North Dining Hall today from 3 to 5:30 p.m.

"El jardin de Eden" will be presented by the Kellogg/ILS film series, Looking Out, Looking In: Latino and Latin American Perspectives on today from 7 to 9 p.m. in the auditorium of the Hesburgh Center.

Learn about Saint Mary's clubs and organizations at Activities' Night today from 6 to 8 p.m. in the basement of Regina Hall.

Enjoy free food from all LaFortune eateries at the Taste of LaFortune today from 9:30 to 10:30 p.m. in the LaFortune Ballroom.

Join the ND Right to Life Club for great music and free food at the ND Right to Life Concert Thursday from 4 to 6 p.m. on the Fieldhouse Mall.

Dillon's annual pep rally will take place Thursday from 7 to 8:30 p.m. in front of Dillon Hall on South Quad.

Enjoy the talents of campus musicians at SUB's AcoustiCafe Thursday from 9 p.m. to midnight in LaFortune.

To submit information to be included in this section of The Observer, e-mail detailed information about an event to obsnews@nd.edu.

	TODAY	TONIGHT	THURSDAY	FRIDAY	SATURDAY	SUNDAY
LOCAL WEATHER						
	HIGH 80 LOW 72	HIGH 68 LOW 55	HIGH 70 LOW 52	HIGH 74 LOW 51	HIGH 77 LOW 54	HIGH 77 LOW 57

Atlanta 84 / 69 Boston 68 / 60 Chicago 78 / 57 Denver 84 / 54 Houston 89 / 70 Los Angeles 96 / 68 Minneapolis 72 / 50 New York 70 / 66 Philadelphia 76 / 68 Phoenix 103 / 82 Seattle 84 / 58 St. Louis 81 / 64 Tampa 85 / 75 Washington 82 / 70

CWIL grants 10 fellowships

By ASHLEY DYER
News Writer

Saint Mary's has granted 10 fellowships this year through the Center for Women's Intercultural Leadership (CWIL).

The fellows, all of whom are women, study a variety of academic fields, ranging from psychology to social work to women's studies. Each fellow is required to incorporate CWIL's interrelating components through her medium of study. These include scholarship and research, leadership and change, and teaching and learning. In addition, each component is to be completed in context of gender affecting culture and society.

Professor Patricia Hancock of Saint Mary's social work department is beginning the second renewed year of her fellowship, investigating

Indiana's policy regarding abuse in foster care. Hancock has previously served Saint Mary's as an adjunct professor in the social work and anthropology departments "I enjoy [the fellowship] immensely," Hancock said. "I love teaching in the department of social work because

the students come wanting to learn."

Hancock also serves on the board of directors of the Prevent Child Abuse Council.

Isis Nusair joins the CWIL fellowship program as a faculty member in the women's studies department.

"It is exciting to be a part of an intellectual community embedded in a community of activists," Nusair said.

Nusair is currently completing her dissertation analyzing three generations of Palestinian women and their relationship to Israel in context of generational problems. Before coming to Saint Mary's, Nusair received a

Peace Studies degree from the University of Notre Dame. She also served as a researcher on the Human Rights Watch as well as the Euro-Med Human Rights Network.

Belinda Laumbach comes to Saint Mary's from Rainsville, New Mexico. Laumbach has an extensive background in teaching, specializing in the scope of bilingual education. She has worked on the university level for nine years and is furthering her study in minority participation on school boards. Her current work focuses on determining if women and men have equal leadership positions within the Latino culture. Laumbach is helping to supervise education students with their final graduate preparations and student teaching.

All but one CWIL fellow have offices on the first mezzanine in the Cushwa-Leighton library. They emphasize their availability to both the Saint Mary's and Notre Dame communities.

Contact Ashley Dyer at
dyer1865@saintmarys.edu

SMC alumna receives Austrian Fulbright

By NATALIE BAILEY
News Writer

Leticia Baltes, a Saint Mary's alumna, departs for Weiz, Austria this month as part of the Austrian Fulbright Program.

Baltes received one of the one hundred nominations to the U.S. English Language Teaching Assistantship Program in Austria. This program differs from other Fulbright programs in that grantees are insured and paid through the Austrian government, not the U.S. State Department.

Baltes earned a Bachelor of Arts from Saint Mary's in 2001 with a major in humanistic studies and minor in public relations, in addition to a minor in German from Notre Dame.

Six months following graduation, Baltes volunteered with the Holy Cross Associates, serving in a homeless shelter in Phoenix, Ariz. She then returned to her hometown of Dayton, Ohio and worked as a substitute teacher until accepting the position of assistant general manager of the Dayton Courtyard by Marriott.

However, it was her experience studying abroad through the Notre

Dame Innsbruck program sophomore year that turned Baltes towards other abroad opportunities.

"Coming back to Austria will be like coming back to a familiar place," she said.

Baltes enters the program hoping to break down common stereotypes many Europeans hold of Americans.

"I hope to teach my students to look beyond the media, to think for themselves and to keep an open mind," she said.

Baltes also plans to seize this opportunity to submerge herself in the Austrian culture.

"I really want to immerse myself in Austrian life and I think that will be possible, as I will be the only American teaching in the small town of Weiz," she said.

Graduating seniors or recent graduates are encouraged to apply for various Fulbright programs. The campus application deadline for the Fulbright Study Grant, which requires a University nomination, is Sept. 18. The Austrian Fulbright Teaching Assistantship application deadline is Feb. 15.

Contact Natalie Bailey at
bail1407@saintmarys.edu

Have You Made Your Mark?

Fall Break Seminars
October 19-25, 2003
Deadline: Sept. 4



Appalachia Seminar

Explore the religious, social, political and environmental issues facing the Appalachia region. (Theo 361)

Gospel of Life Seminar

Investigate a variety of pro-life issues (death penalty, euthanasia, stem cell research, abortion) in Washington, D.C. with Church, legislative, and non-governmental organizations. (Theo 368)

Cultural Diversity Seminar

Experience the diversity of our nation through food, art and dialog with community leaders at sites throughout Chicago. (Theo 362/Sec 362/ILPS 362)

Washington Seminar

Meet with catholic public policy organizations, activists and government leaders as we study how Christians are called to live and work in the world. (Theo 363/POLS 333W)

The Gullah Seminar

Examines the rich history and culture of South Carolina's Gullah people, many of whom are descendants of slaves brought over from West Africa. (AFAM 368/CSC 385)

Rosebud Reservation Global Health Initiative Seminar

Immerse yourself in healthcare and healthcare delivery on the Rosebud Native American reservation in South Dakota. (Theo 369)

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Applications available
at the Center or online
centerforsocialconcerns.nd.edu

'Examining Identity' exhibit opens at SMC

By MARIA FONTENELLE
News Writer

The exhibition "i.d./a.d./2003" is currently being presented at Saint Mary's Moreau Art Galleries, one of nine venues collaborating with the Michiana Museum Consortium in a project entitled "Examining Identity 2003."

The project began in July and will end next spring; the Saint Mary's exhibition started Aug. 29 and will continue until Sept. 26. The other eight venues involved in the project are Michiana area museums, galleries and academic institutions.

The number and variety of the institutions involved reflects the complexity of identity, said Marcia Rickard, Saint Mary's interim associate dean of faculty and director of the Center for Academic Innovation.

"To add to that complexity, each of these institutions has a different constituency to address, from the university audience to the inner-city neighborhood," she said.

The project is connected through coordinated programming, publicity and speakers, she said, "to encourage connections and awareness among all of the exhibitions for all constituencies."

Each gallery, museum or academic institution involved in the Museum Consortium will present exhibitions, films, lectures and classes revolving around the common theme of identity.

An artist reception and opening for "i.d./a.d./2003" will be held at M.A.G. Sept. 19 from 5 p.m. to 7 p.m. Participating artists include Amy O'Neill, Greg Stadler, H. Hammond-Hagman, Jessica Bader, Kathryn Long and Kristin Powers-Nowlin. The art takes many forms, but each work deals with the idea of identity.

"[The exhibition] explores identity as a heterogeneous idea rather than a homogeneous entity," said gallery director Krista Hoeffle. Each piece should provoke questions and should allow contradiction, "for the viewer and the artist alike," she said.

"Examining Identity" is not only the Consortium's theme, but also Saint Mary's academic theme for the upcoming year. Each year, faculty members decide on a theme for first-year students to explore in their classes. Each corresponding discipline then implements the theme.

The Department of Art at Saint Mary's will continue the theme in a series of events throughout the semester.

An upcoming performance by the Guerilla Girls will follow the "i.d./a.d./2003" opening reception on September 19. The Center for Women's InterCultural Leadership (CWIL), in conjunction with M.A.G. and the art department, is sponsoring their visit as part of the identity series. The Guerilla Girls are a group of anonymous female artists, film makers, performers and writers who expose issues such as racism and sexism. Since 1985, they have toured throughout the United States, publically appearing in gorilla masks to hide their identities in their fight against discrimination. They use the names of deceased women artists as pseudonyms and performers are rumored to be famous.

M.A.G.'s last exhibition for the year will begin in November, giving first-year art students a chance to show their projects dealing with the academic theme. The fall schedule at Moreau Art Galleries provides a wide range of events open to the public.

Contact Maria Fontenelle at
font0015@saintmarys.edu

New courses incorporate service

By AMANDA MICHAELS
News Writer

Last spring, the Center for Social Concerns allocated four \$2,500 grants to faculty members developing courses that combine community service and research projects.

The faculty members selected to receive the grants were: assistant professional specialist and concurrent lecturer in Romance languages and literatures, Isabel Jakab, philosophy professor and fellow of the Reilly Center for Science, Technology and Values, Edward Manier, visiting assistant professor of anthropology, Kimbra Smith, sociology graduate student, Xochitl Bada and assistant professor of anthropology, Karen Richman.

Using the grant, Jacob expanded her Conversational Spanish course, allowing students to build their oral proficiency while servicing the area's Hispanic community.

Through the Community Alliance to Serve Hispanics (CASH) students participate in weekly experiential learning sessions with native speakers off-campus, doing such work as teaching English as a Second Language at the CSC-sponsored Robinson Community Learning Center, tutoring Hispanic students, working as an interpreter at the Saint Joseph Clinic, the Indiana Health Center, and the Memorial Hospital, or teaching Spanish to the children of Notre Dame's faculty and staff at the Early Childhood Development Center. For those who wish to remain on-campus, opportunities for teaching English to Hispanic members of the University's staff are also available.

A native of El Salvador, Jakab has been integrating experiential

learning into her classroom since she was a 1983 Notre Dame graduate student, believing that such interaction suits the needs of both the Hispanic and student populations.

"The Latin community needs to learn the language of this country to be successful," she said. "They cannot work in an office, or even a factory sometimes. We have here American people who know their language and want to learn a second. It is an exchange of languages. Both groups benefit."

After a year of busing prisoners from the St. Joe County Work Release Center to Sunday Mass, Manier decided to develop a course in which students could visit and work with recovering addicts in institutions throughout the community.

Manier feels that the course, entitled "Addiction, Science and Values", will not only get students interested in how the brain works, but will serve as an invaluable learning experience.

"Working with recovering addicts is like going to boot camp to learn why human beings need the virtues," Manier said. "These students will need to learn how to be real friends to the less fortunate, as college educated 'dependency workers.' That will require and provide a lot of self-knowledge."

As of yet, specifics of the training program and community work are undefined, but there have been strong initial responses from such local organizations as the Life Treatment Center, the St. Joe County Court Substance Abuse Program, Michiana Dismas House, and the Rescue Hope Mission.

Smith and Bada used their grant to create a course aimed at finding the root of unemployment and discrimination problems with-

in the heterogeneous immigrant community of Elkhart.

Working collaboratively with the anthropology and sociology departments, the Center for Social Concerns, the Institute for Latino Studies and Kristin Shrader-Frechette's course on Environmental Justice, students will hold extensive interviews with immigrants and "conduct ethnographic research to find the best ways of advertising labor clinics to affected populations."

Their findings will be outlined in policy recommendations given to those community organizations that serve the immigrant population, such as the local Catholic churches and La Casa of Goshen.

"Eventually, we hope to start a community-based organization that will be internally run," said Smith. "The policy recommendations are intended to help us accomplish that goal."

Richman's grant course will explore the Mexican migrant population of South Bend through the use of ethnographic research of the community's households, businesses, media organizations and social service agencies.

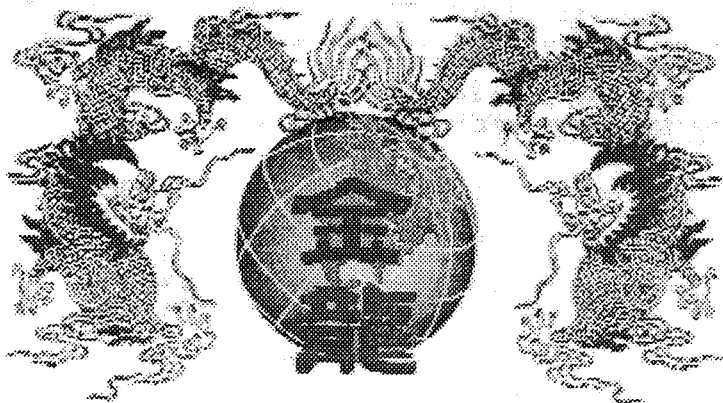
These new additions to Notre Dame's academic offerings will open up new opportunities for students of all years and improve relations with the university and community.

"We know that student learning is enhanced in community-based learning courses," said Mary Beckman, associate director of academics at the CSC. "We also want to encourage in students a commitment to become involved in their own communities, not only while they're in school, but when they leave the university as well."

Contact Amanda Michaels at
amichael@nd.edu

GRAND OPENING TODAY- GOLDEN DRAGON

CHINESE FOOD TO CARRY OUT OR DINE IN

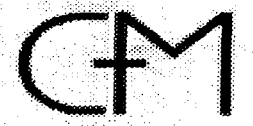


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Important Information Meeting:

Thursday, September 4

5:00-6:00 P.M.

Room 330 Coleman-Morse Center

Call John or Sylvia Dillon at 631-7163

INTERNATIONAL NEWS

Israelis call for rubber bullet ban

JERUSALEM — The Israeli army must remove rubber bullets from its arsenal, a human rights group said Tuesday, after a commission of inquiry ruled they are too deadly for crowd control.

The Israeli military considers the rubber-coated steel pellets non-lethal and soldiers routinely fire them at Palestinian stone throwers in the West Bank and Gaza Strip. Dozens of Palestinians have been killed by rubber bullets in the past 15 years, Israeli and Palestinian researchers said.

The use of rubber bullets was reviewed by an official commission that issued a report Monday on the killing of 13 Israeli Arabs by police in riots in October 2000. Three of the protesters were killed and dozens wounded by rubber bullets.

Guatemalan drug gangs flourish

ILOS AMATES, Guatemala — Starting as a small-time smuggler deep in the countryside, a trucking company boss has become Central America's most-wanted drug suspect, using platoons of pilots, fishermen and truck drivers to turn Guatemala's sliver of Caribbean coast into a major pipeline for Colombian cocaine.

U.S. and Guatemalan officials say Otto Herrera succeeded in building a small but powerful smuggling gang because Guatemala's government did little in recent years to stop the drug trade.

Now, facing increasing pressure from Washington, Guatemalan President Alfonso Portillo is taking steps to crack down on drug smugglers. But even one of the country's top drug investigators acknowledges more needs to be done.

NATIONAL NEWS

At least 100 death sentences tossed

SAN FRANCISCO — A federal appeals court threw out more than 100 death sentences in Arizona, Montana and Idaho on Tuesday because the inmates were sent to death row by judges instead of juries.

The case stems from a 2002 decision by the U.S. Supreme Court, in which the high court found that juries, not judges, must render death sentences.

In an 8-3 vote, the San Francisco-based 9th U.S. Circuit Court of Appeals said all condemned inmates sentenced by a judge should have their sentences commuted to life in prison.

The ruling affects approximately 3 percent of the 3,700 people on death row in the United States.

AmeriCorps bids for more funding

WASHINGTON — Supporters of AmeriCorps, the federal program that provides stipends and scholarships to mostly young people in exchange for community service, began a 100-hour speech-a-thon Tuesday in an effort to win more funding.

The rally, which began in a Senate office building and was to run around-the-clock through Saturday afternoon, will feature more than 600 speakers — lawmakers, AmeriCorps alumni, university professors and representatives from nonprofit organizations.

LOCAL NEWS

Plane crashes in Allen County

OSSIAN — A woman and two of her children were killed when a plane they were using for a family trip struck a telephone pole during landing, crashed and exploded in a Wells County field.

Stephen Hatch, who was piloting the plane, radioed Fort Wayne International Airport about 8 p.m. Monday to report problems just before the crash about 15 miles south of Fort Wayne, Sheriff Barry Story said.

Hatch told the tower he was low on gas, according to police reports.

Kerry announces candidacy

Associated Press

MOUNT PLEASANT, S.C. — John Kerry, maintaining that "George Bush's vision does not live up to the America" the decorated war hero once defended, officially declared his candidacy for the Democratic presidential nomination Tuesday.

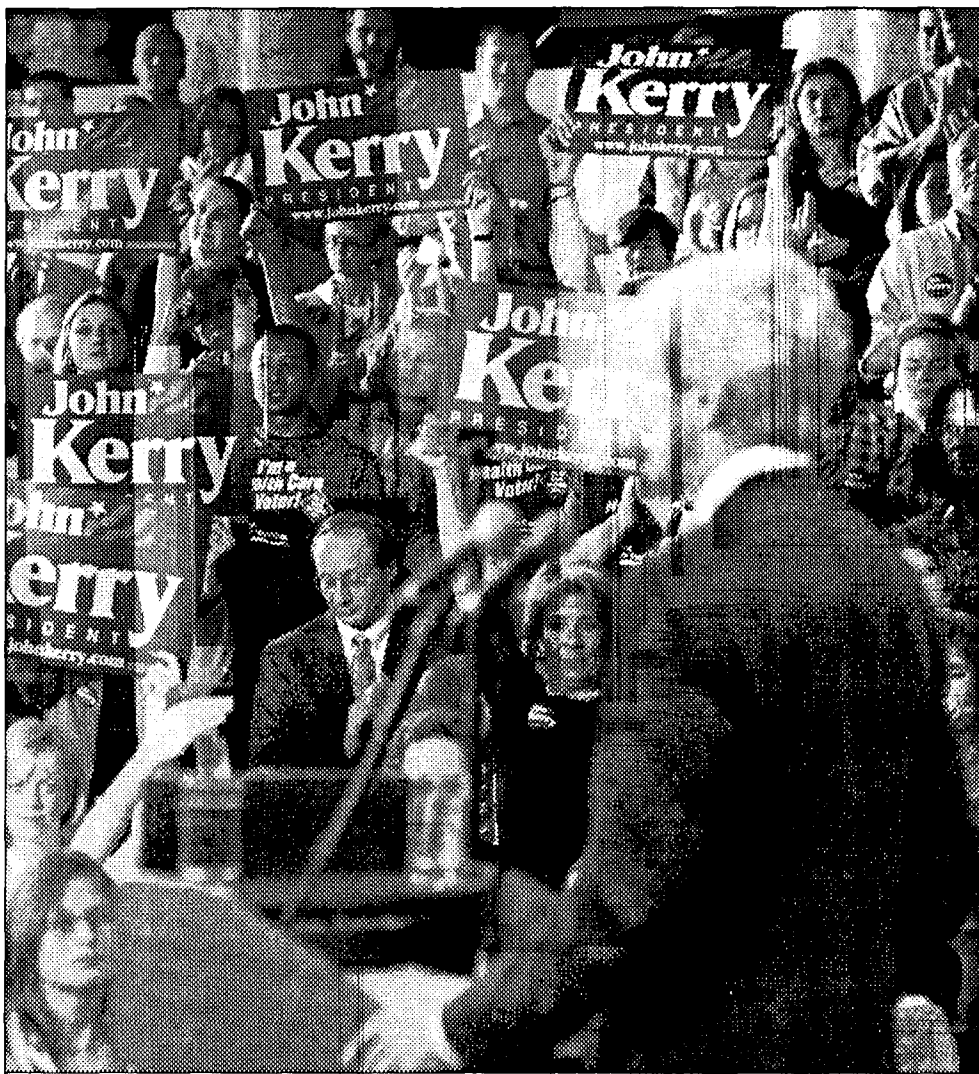
Using the aircraft carrier USS Yorktown as a backdrop, the Vietnam War veteran presented himself as the alternative to the Republican leader — and the Democrat with the credentials to emerge from the crowded field of nine aspirants and seize the party's nomination.

"In challenging times we need leadership that knows how to make America safer, that knows how to put America back to work," Kerry told the crowd. "The president has misled America and he has made our path more difficult as a result."

The four-term senator made his formal announcement after months of campaign-style appearances and debates with fellow Democratic presidential hopefuls.

"I reject George Bush's radical new vision of a government that comforts the comfortable at the expense of ordinary Americans," Kerry said. "George Bush's vision does not live up to the America I enlisted in the Navy to defend."

John Forbes Kerry has the initials of a one-time Democratic president — JFK — and a comparable pedigree — Ivy League education, commander of a small Navy craft during wartime and Massachusetts senator. Perceived as the front-runner early on in this campaign, that notion evaporated in the heat of rival Howard Dean's summer surge.



U.S. Sen. John Kerry looks over a sea of banners at a campaign rally Sept. 2 in Des Moines, Iowa where he officially declared his candidacy for the Democratic presidential nomination.

While the bulk of his speech was aimed at Bush, Kerry also took aim at his Democratic foes.

"Some in my party want to get rid of all tax cuts — including those for working families," he said. "That's wrong. We need to be on the side of America's middle class and I've proposed a tax cut for them because it's the right way to strengthen our economy."

Dean, the former Vermont governor, has used an aggressive anti-Washington theme to gain momentum, coupled with his staunch opposition to

the U.S.-led war against Iraq. Dean, who has called for repealing all of Bush's tax cuts, vaulted to a 21-point lead over Kerry in New Hampshire.

"Today, with confidence in the courage of our people to change what is wrong and do what is right, I come here to say why I'm a candidate for president of the United States," Kerry said.

Kerry was joined by crew members of a Navy gunboat he commanded in Vietnam, where he won a Silver Star, Bronze Star and three Purple Hearts. Introducing Kerry was

former Sen. Max Cleland of Georgia, who lost both legs and an arm in Vietnam combat. It is all part of Kerry's core argument that his military experience gives him unique credibility among the Democratic contenders to confront Bush on national security issues.

"I am running so we can keep America's promise — to reward the hard work of middle class Americans and pull down the barriers that stand in their way and in the way of those struggling to join them," Kerry said.

IRAQ

Bomb explodes near Baghdad police station

Associated Press

BAGHDAD — A car bomb exploded near the headquarters of U.S.-trained police in Baghdad Tuesday, wounding many bystanders, a day after a roadside bomb killed two U.S. soldiers. Another U.S. soldier was killed in a helicopter crash south of Baghdad.

The bloodshed came as hundreds of thousands of mourners converged for the funeral of a slain religious leader who had urged Iraqis to be patient with the American occupiers. The cleric's son warned Iraq was entering a new, more dangerous era.

Witnesses said many people were wounded in the Baghdad blast, one seriously, but Iraqi police Maj. Bassal al-Ani told The Associated Press there were no fatalities.

There was little damage to the police building.

No group claimed immediate responsibility for the attack. Al-Ani said he could not blame any group "until the investigation is complete."

He also said there were a few U.S. military police in a nearby academy as trainers for Iraqi police. None of the Americans were hurt, he said.

Huge plumes of black smoke rose above the scene and U.S. military police and Iraqi police cordoned off the area.

One man, who had a shrapnel wound in his left arm, said he saw a hand lying in the road.

"There was debris blown everywhere," said Raad Majid, 27, who was about 30 yards away when the blast occurred.

Acting Baghdad police chief Hassan al-Obeidi has offices in the

headquarters building and is closely associated with the U.S.-led occupation authority, especially former New York City Police Commissioner Bernard Kerik, who put al-Obeidi in his position. Kerik has been in Iraq to rebuild the country's police force.

Al-Obeidi was shot in the leg at the end of July during a weapons raid in downtown Baghdad. The day after the raid, he moved a bed into his office so he could continue to command the police force.

The police headquarters is not far from the Iraqi Interior Ministry building.

Also Tuesday, a Black Hawk UH-60 helicopter crashed south of Baghdad, killing one U.S. soldier and injuring another. The accident took place at around 12:30 a.m. and was a "non-hostile" incident, said Spc. Anthony Reinoso.

Services

continued from page 1

at its LaFortune branch and has added additional staff to compensate.

"With our campus office locations at Douglas Road and LaFortune, as well as 11 on-campus ATMs and Internet on-line banking, we are able to conveniently serve the banking needs of the students," Cruise said.

He said students will not be required to open an account at the credit union. The union will allow students to cash personal checks up to \$200 per day, in addition to work-related checks made payable by Notre Dame. These services will not include a fee and students need only bring a valid student identification card.

Students displayed mixed reactions regarding the effect the closing of Cashier Services will have on them.

Morgen Doty, a junior in Welsh Family Hall, said the change will not affect her.

"The closing of Cashier Services has had little effect on me," she said. "The services I used

that were provided by them have now been taken over by the Notre Dame Federal Credit Union. I simply go there instead of the Main Building."

Student Union treasurer Don Norton, however, said the change has definitely impacted his office because they frequented Cashier Services.

"My office used Cashier Services on a daily basis to deposit funds from the dorms, groups, clubs and other organizations that we monitor and advise," he said. "The closing of the Cashier Services has forced us to change the way we operate."

Norton said that, although the change from using Cashier Services to patronizing the Notre Dame Federal Credit Union has been "a fairly seamless transition," he has noted a decrease in the speed of the banking services.

"At this time it is difficult to gauge how this will affect our office and the services

we provide the groups of the Student Union," he said. "With the return of students back to campus and the increase of traffic to NDFCU, we have seen a slow-down in the service NDFCU is able to provide, but I expect that this will change."

Catherine Dulcet, senior student service representative in the Office of Student Financial Services and former University Cashier of Cashier Services, said the adjustment was initially difficult for her.

"It took some getting used to the idea that we would no longer have our offices and our positions anymore," she said. "We miss seeing all of our students and staff."

Dulcet said that she feels fortunate to have retained her position as an employee of Notre Dame, although the job change has meant she must learn a variety of new skills.

"I'm learning a whole new process here than [what] I was doing at Cashier Services," she said.

Dulcet said the three other employees of Cashier Services have been employed by the Notre Dame Credit Union, yet have not retained their status

as University employees. She said that one former employee works in the LaFortune branch of the Credit

Union, another in the Douglas Branch and the third as a teller who floats between branches.

"When NDFCU took over the functions of our office, they offered jobs to all of us. It was very generous of NDFCU [to do so]," she said.

Guinan said all four employees maintained the same salary and benefit levels as they had in their positions at Cashier Services.

Dulcet noted that the Credit Union will not completely take over all tasks performed by Cashier Services. For example, while students could add funds to their Domer Dollar accounts in the Main Building, they may now only do so in the basement of South Dining Hall.

Contact Joe Trombello at jtrombel@nd.edu

Housing

continued from page 1

ni.

Optimistic about the long-term success of the project, both Tyszka and Foley have reserved homes themselves to be among Irish Crossings' first residents.

The University is taking a neutral stance on the project,

although Tyszka claims that University officials have offered largely positive responses during initial discussions.

"We are neither for or against it," said University spokesman Dennis Brown.

The plan, which has already garnered half a dozen inquiries, is geared to work to the benefit of the university and the neighborhood residents, Tyszka said.

"We have only received favor-

able feedback," he said. "The neighbors understand that it will make their homes exponentially increase in value."

Although wary of the prospect of another unkempt rental property complex, local property owners are hopeful that Irish Crossings will benefit their neighborhoods.

Contact Mike Chambliss at mchambli@nd.edu

Doors

continued from page 1

ing students' access to each hall is limited to one main door that has been designated with a green dot sticker as a general access entryway. Only at this door can a nonresident's ID card be used to enter.

While the policy came as a shock to some, it had been in the works for over a year, said Scott Kachmarik, associate director of Residence Life and Housing.

"We couldn't implement it until all 27 residence halls had some kind of card access," Kachmarik said.

Computer systems were finalized over the summer, enabling the campus-wide policy to be put in place.

"It's really a continuation of last year's security," Kachmarik said. "The thinking is that having one main door for people to come and go will be sufficient. It may not be as convenient, but I would think it's better than in the past when students were scrambling to call upstairs so others could come down and let them in."

Kachmarik also emphasized the importance of having a standardized, consistent policy for all dorms across campus.

"In the past, residence halls had the power to unlock their own doors during the day at their discretion," he said. "Now that it's all controlled by a computerized system, we have a more standard across-the-board policy that should be easier for students to understand."

Despite the initial confusion, most rectors echoed Kachmarik's opinions.

"Of course it's less convenient, but we're living in the real world," said Sister Patricia Dearbaugh, rector of Cavanaugh Hall. "It's like living in an apartment building where you have to buzz up to be let inside. We like to think it's different at college, but it's probably a lot safer this way."

"It's clear that Student Affairs has the good of the whole campus in mind," she said.

Father George Rozum, rector of Alumni Hall, found the changes in his dorm to be minimal. He said that, aside from the newly computerized door at Main Circle, the "other doors are as they always were. Key access is still available at all hours, but to hall residents only."

Rozum and Dearbaugh both said equality among dorms is important.

"Every student must have equal access," Rozum said.

"It's nice to be able to enter any hall during the daytime."

While the new entrance system promotes equality and security, many students have found it inconvenient.

"I don't know what it accomplishes," said Sorin junior Dave Blakeman. "We all think it's unnecessary, especially during the morning and afternoon hours when you are just trying to get into your dorm."

Shannon Leemings, a sophomore from Howard, agreed as she struggled to balance her books and umbrella while swiping her ID card Tuesday afternoon.

"I understand the reasons for doing it after parietals, but during the day it just makes things more complicated," she said.

In an effort to promote student understanding of the new policy, Kachmarik said that ResLife planned to send out an e-mail by the end of this week to explain the details.

Kachmarik also said his office plans to discuss alarm bells with a campus locksmith. "Right now, they all sound between zero and 45 seconds," Kachmarik said. "Once again, the goal is to have a standard way of dealing with this."

Contact Claire Heininger at cheining@nd.edu

Seniors

Applying for the Fulbright Scholarship

This information session will attempt to answer all of your application questions and discuss the procedures necessary for securing the university's nomination regarding this great award.

**Wednesday, Sept. 3rd in
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IN BRIEF

Dollar and euro fall against the yen

NEW YORK — On a day dominated by Asian exchange rate policies, the dollar and euro fell sharply against the yen Tuesday as U.S. investors, returning from a long holiday week-end, tested the resolve of the Japanese government to keep its currency weak to help a nascent export-led recovery. The challenge appeared to be met in early New York afternoon trade, when strong bids from Japanese banks pushed the yen back slightly from a three-month high against the dollar and a five-month peak against the euro.

Traders pushed gas, oil futures down

Energy traders observed Labor Day, the unofficial end of the summer driving season, on Tuesday by pushing gasoline and crude oil futures down sharply.

Unleaded gasoline for October delivery finished the day at 85.2 cents per gallon, down 7.6 cents, or 8 percent, on the New York Mercantile Exchange.

The expectation of softening demand for gasoline triggered a selloff in October crude futures, which declined \$2.16, or 7 percent, to \$29.41 per barrel.

A week ago, gasoline futures traded at \$1.08 a gallon, while crude futures traded at \$31.95.

It could take a couple of weeks for the post-Labor Day dropoff in gasoline futures prices to filter down to retail markets, but analysts said the worst is most likely over for motorists, who saw average nationwide pump prices skyrocket to \$1.75 per gallon last week.

A year ago, retail prices averaged about \$1.41 per gallon.

"There's absolutely no question that we're way past the highs for the year," said Tom Kloza, director of Oil Price Information Service, a Lakewood, N.J.-publisher of industry data.

That may be true for gasoline, but tensions in the Middle East, Venezuela and other crude-producing regions could keep pressure on oil prices longer term. That could be bad for consumers who rely on heating oil, a crude derivative, once the home heating season begins, traditionally at the end of October.

U.S. secretary talks to Chinese officials

BEIJING — The U.S. treasury secretary said Wednesday that he had "good, frank, open" discussions with Chinese officials about concerns over their tight currency controls, and that both sides will likely make progress on the issue.

John Snow, who was in Beijing for a two-day visit, met Chinese officials including the country's finance minister and central bank governor.

A main point in the talks is the Chinese government's control over the yuan currency. Critics say its fixed exchange rate is a protectionist attempt to keep down the price of China-based exports in the world market.

"I think we had good discussions and good, frank, open review of the issues, and that's a foundation for progress," Snow told reporters Wednesday morning. "We're laying out our point of view and [the Chinese] are listening and responding."

Notre Dame selects licensing firm

By MATT BRAMANTI
News Writer

Notre Dame has chosen the Collegiate Licensing Company to be its trademark licensing firm in a three-year deal reached earlier this year.

While the agreement focuses on protecting the integrity of the Notre Dame brand and trademarks, CLC will also advise the University on licensing and retail marketing initiatives.

Pat Battle, president and CEO of CLC, praised the agreement on behalf of his firm, calling Notre Dame "a tremendous addition to the CLC family of colleges and universities."

"Notre Dame is one of the most recognizable brands in the world," Battle said.

That brand includes such famous symbols as the Leprechaun, the interlocking ND, the Fighting Irish team name and the Golden Dome. Royalties from sales of licensed merchandise provide millions of dollars annually to the University's general fund.

The University will continue to set its own licensing policies, including its code of conduct, which aims at improving working conditions for employees who manufacture Notre Dame-branded merchandise.

David Harr, Notre Dame's vice president for auxiliary services, said the arrangement had been in the works for quite some time. "We did a year-long review," Harr said.

He declined to provide



TIM KACMAR/The Observer

Notre Dame named the Collegiate Licensing Company as its trademark licensing firm and signed a three-year contract with the company. The company will advise the University on marketing and licensing.

specific financial information, but said that the deal made economic sense.

"We concluded that CLC would provide Notre Dame with the resources and relationships needed to take the university's licensing program to a new level of success," Harr said.

"We got a very favorable deal for the university."

Harr emphasized that the contract with CLC will

not affect Notre Dame's authority over its trademarks, adding that the University's current on-campus licensing department will remain in operation. That department licenses Notre Dame trademarks for student, faculty, and departmental use, including club T-shirts.

Nor will the CLC arrangement affect Adidas' deal to provide Notre Dame-themed apparel

and merchandise related to the University's athletic programs.

"From a student's standpoint, nothing has changed," Harr said.

In becoming part of the Atlanta-based consortium, Notre Dame joins over 200 other colleges and universities, as well as major bowl games and the NCAA.

Contact Matt Bramanti at mbramant@nd.edu

Nasdaq soars to 17-month high

Associated Press

NEW YORK — The Nasdaq composite index soared to a 17-month high Tuesday following a string of upgrades of such tech heavyweights as IBM Corp. and Dell Inc. The buying intensified late in the day and spread across the market, sending the Dow Jones industrials up more than 100 points in the final hour of trading.

Analysts attributed the rally — which also lifted the Dow and Standard & Poor's 500 to new 14-month closing highs — to momentum and increasing optimism.

"The technical [investor] types are jumping on board, because the market averages are making new highs," said Larry Wachtel, market analyst at Prudential Securities.

For much of the day, the market moved unsteadily, rising initially but then dipping lower before recovering in the afternoon. Analysts blamed the market's meandering on the fact that stocks have been rallying for nearly six months, trading well above the lows they hit in mid-March.

"The market anticipated most of that [positive data] earlier in the year," said Matt Brown, head of equity management at Wilmington Trust.

Shaking off an early loss of 6.15, the Nasdaq jumped 31.03, or 1.7 percent, to 1,841.48, its fifth straight gain. The Nasdaq hasn't seen a higher closing level since April 1, 2002, when it finished at 1,862.62.

The Dow rose 107.45, or 1.1 percent, at 9,523.27, its highest closing level since June 19, 2002, when the blue-chip average stood at 9,561.57.

The S&P 500 advanced 13.98, or 1.4 percent, to 1,021.99. The last time the S&P stood higher at the end of the day was June 18, 2002, when it was at 1,037.14.

The Dow's biggest winner was IBM, which soared \$3.75 to \$85.76 after Goldman Sachs upgraded computer hardware stocks. Dell, included in that upgrade, rose 97 cents to \$33.59.

Goldman Sachs also raised its rating on software makers, which lifted Microsoft Corp. by 74 cents to \$27.26 and PeopleSoft Corp. by 62 cents to \$18.67.

The upgrades appeared to offset

some early selling on doubts created by a mixed economic report.

The Institute for Supply Management reported that its index tracking activity in the manufacturing sector rose in August for the second consecutive month. But the incremental improvement got a lukewarm reception from investors.

Wall Street was also unhappy with a poor showing in the report for employment in the manufacturing sector, suggesting that a recovery in that key area of the economy may be some ways off.

Analysts cautioned against reading too much into Monday's rally, saying it was driven more by momentum than improving economic fundamentals, especially where tech was concerned.

"Tech sometimes has a life of its own on a momentum basis," Brown said. "As that happens you need to watch valuations."

Outside technology, shares of Vivendi Universal SA climbed \$1.35 to \$18.25 and shares of NBC parent General Electric Co. rose 87 cents to \$30.44 on news the companies were in exclusive talks over the sale of Vivendi's entertainment assets.

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File-sharing searches may have been illegal

Associated Press

WASHINGTON — Lawyers for a New York woman accused of unlawfully sharing music over the Internet suggested Tuesday the recording industry acted illegally when it investigated her online activities and that a search of music files on her computer may have been unconstitutional.

The lawyers — Richard S. Ugelow, Glenn W. Peterson and Daniel N. Ballard — are asking a federal magistrate to delay at least until Sept. 10 ordering the woman's Internet provider to turn over her name and address to the Recording Industry Association of America, the trade group for the largest labels.

In court papers, the lawyers said they may argue that the RIAA violated state and federal laws by intercepting the woman's Internet address as its investigators scoured file-sharing networks looking for songs to download.

The woman, identified in court papers only as "nycfashiongirl," is contesting a copyright subpoena served by the music industry on her Internet provider, Verizon Internet Services Inc., to turn over her name and address in preparation for filing a lawsuit.

She is the first to resist such a subpoena.

The RIAA, which has served more than 1,300 such subpoenas,

accuses "nycfashiongirl" of offering more than 900 songs by the Rolling Stones, U2, Michael Jackson and others for illegal download, along with 200 other computer files that included at least one full-length movie, "Pretty Woman."

The defense team said it also may argue that the music industry was improperly affiliated with law enforcement and thus its perusal of music files allegedly available on the woman's computer violated Fourth Amendment protections against unreasonable searches.

RIAA vice president Matt Oppenheim called the defense arguments "surprisingly shallow," adding that the claim raising questions about the woman's Internet address "reflects a fundamental misunderstanding of how the Internet works."

Oppenheim also said the RIAA was not affiliated with law enforcement, so restrictions against unreasonable searches do not apply.

"The Fourth Amendment clearly doesn't apply to private parties. You learn that in first-year law school," Oppenheim said.

An outside lawyer agreed. "Those are two more straws to grasp at," said Evan Cox of Covington & Burling, who has worked with the Business Software Alliance on piracy. "They're not going to get anywhere with that."

Griffith adds dazzle to "Chicago"

Associated Press

NEW YORK — This summer, Melanie Griffith has been something of a working girl.

Instead of sunning at a luxury beach resort, she came to this steaming, teeming city. Instead of lazy evenings, there have been cartwheels, show tunes and climbing ladders in her underwear.

"It's tough, it's tough," says Griffith, sipping a frothy coffee drink and inhaling deeply on a cigarette a few hours before transforming into the latest murdering, celebrity-crazed Roxie Hart in the long-running "Chicago" at Broadway's Ambassador Theater.

"I just turned 46, and I imagine if you're 20 and you start this, it's a whole different deal. When I started the first show, I was wheezing and I couldn't get enough air and I was exhausted," says Griffith, a movie celebrity who, by her own admission, hasn't danced or acted on stage in decades and who has never publicly sung.

"It was like jumping on a freight train."

The star of such movies as "Working Girl" and "Something Wild" has company on Broadway; her husband, Antonio Banderas, works across the street, starring in a revival of the musical "Nine" at the Eugene O'Neill Theatre.

"Chicago" tells the tale of

Hart and Velma Kelly, two murderers at the Cook County Jail. Hart has killed her boyfriend, tries to frame her husband and then fakes a pregnancy to win publicity.

"Roxie is the underdog. She's the one who's least likely to succeed. She's the one who is pushed into a corner. She's the one who's had to fight and claw. But at the same time, she's been dealt a bad hand — it doesn't mean she's a bad person. I think she has a big heart," Griffith says.

When the curtain rose on her first performance, Griffith had some choice words for herself. "I'm so stupid. What do I think I'm doing? Who do I think I am?" she recalls, raking a hand through her spiky, blond hair. "I was so scared the first night that time was suspended at that point."

"But I like challenges. And you know what? I feel like now I could do anything. I don't think that I'm the greatest singer, dancer or Roxie that's ever lived. But I get into it really heavy and I know I make people feel something. And that's more important than looking good."

Some reviewers have agreed, others have not. Though ticket sales are more than healthy, some sniffed that slotting Griffith into the role defined in the Bob Fosse musical in 1975 by Gwen Verdon and in this 1996 revival by Ann Reinking was

little more than a gimmick.

The New York Post declared Griffith the worst Hart ever seen, while Newsday said she "has no business" being in the dance-driven musical. But The Associated Press said she "brings something new" to the role, "an appealing insecurity born out of a weird mixture of desperation and drive."

The New York Times was even kinder, declaring Griffith "sensational." While warning she "has only minimal command of the skills traditionally associated with musical comedy," the Times said, "The vultures who were expecting to see Griffith stumble ... will have to look elsewhere."

Griffith has read only the Times' review, mainly because her husband excitedly woke her up on the morning it hit the street and read it to her aloud. She tried to read another review, but put it down when it got nasty.

"I thought, 'It's hard enough to get out there every night and believe in myself and hit a couple of notes that are not right and keep going,'" she says in her tiny, baby-doll voice. "I don't need to go through that."

Griffith, who makes her home in California, was initially approached to play Roxie Hart a few years ago, but declined because she didn't want to be far from her three children or her husband.

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Wednesday, September 3, 2003

THE OBSERVER

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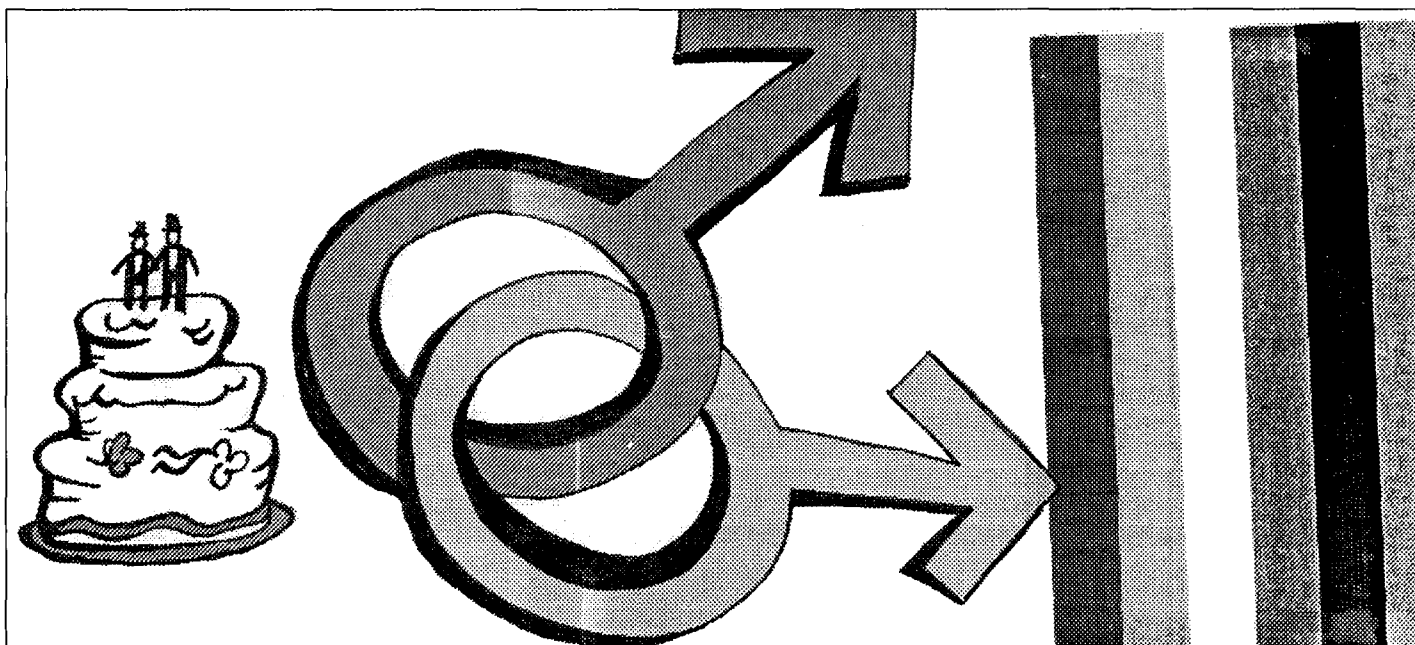
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Debating same-sex marriage

The legal recognition of same-sex marriage will be an issue this year. Mention here of some details may help to put the discussion in context.

In *Lawrence v. Texas*, the Supreme Court held unconstitutional a Texas law that forbade as a crime "deviate sexual intercourse," as defined in the statute, between persons "of the same sex." Justice Anthony Kennedy held that the conviction denied "due process of law" because it sought "to control a personal relationship that ... is within the liberty of persons to choose without being punished as criminals." Justice Sandra Day O'Connor concurred in the 6-3 decision on the ground that the convictions deprived the defendants of the "equal protection of the laws."

One can oppose the Court's decision without approving the statute which dissenting Justice Clarence Thomas called "uncommonly silly." The law served a symbolic purpose despite the rarity with which such laws were enforced. But as Thomas Aquinas said, "human laws do not forbid all vices." Otherwise, the law would be unenforceable and "despised" and "greater evils" would result. Such a potentially intrusive prohibition could be harmful to the common good.

The highest court of Massachusetts is expected soon to rule that same-sex couples are entitled to marriage licenses under the state constitution. If it does, the Supreme Court will decide whether another state may refuse to give "full faith and credit" to such a "marriage." Lawrence indicates that the Court will rule unconstitutional the restriction of marriage to heterosexual unions. The Lawrence Court said the case "does not involve whether the government must give formal recognition to any

relationship that homosexual persons seek to enter." Dissenting Justice Antonin Scalia said of this disclaimer, "Do not believe it." Scalia's prediction is a good bet. "Today's opinion," he said, "dismantles the structure of constitutional law that has permitted a distinction to be made between heterosexual and homosexual unions, insofar as formal recognition in marriage is concerned."

An effective legal response to Lawrence requires a constitutional amendment. The federal Defense of Marriage Act (DOMA) defines marriage as a union between "one man and one woman" and provides that no state is required to recognize a same-sex marriage from another state. As a statute, DOMA can be held unconstitutional, as can the 37 "state DOMAs." The text of the Constitution wisely left the definition of marriage to the decision of the states. But Lawrence indicates that the Court is poised to mandate the content of that definition for every unit of government, state and federal. A merely statutory response will not suffice.

The Federal Marriage Amendment (FMA) (H. J. Res. 56) provides that "Marriage in the United States shall consist only of the union of a man and a woman. Neither this Constitution or the constitution of any state, nor state or federal law, shall be construed to require that marital status or the legal incidents thereof be conferred upon unmarried couples or groups."

The FMA would prevent courts from construing any constitutions or laws to require that "marital status or the legal incidents thereof" be conferred on same-sex couples. But it unclear as to its effect on legislatures. The proponents of FMA disagree as to whether it would permit or forbid state legislatures to enact "civil unions" enjoying the legal incidents of marriage, so long as such unions were not called "marriage."

The legal incidents of marriage, defined by each jurisdiction, include

entitlements dependent on marriage, such as retirement benefits, inheritance and property rights, immunity to testimonial compulsion and others. Vermont law recognizes same-sex "civil unions" entitled to all the legal incidents of marriage.

An alternative Marriage Protection Amendment would prevent legislatures as well as courts from conferring the name of marriage or any of its legal incidents on any same-sex union: "Marriage in the United States shall consist only of the union of one man and one woman. Neither the United States nor any State shall recognize any other union as a marriage or as entitled to any of the legal incidents of marriage as such incidents are defined by law."

The Catholic Church teaches that the inclination to homosexual acts is not sinful but is "objectively disordered" and that persons with homosexual inclinations are entitled to respect and should not be subjected to unjust discrimination. But the Church also teaches that homosexual acts are intrinsically wrong. In June 2003, the Congregation for the Doctrine of the Faith with the approval of the Pope, declared that Catholic politicians are obliged to oppose "[i]llegal recognition of homosexual unions or placing them on the same level as marriage [because such] would mean not only the approval of deviant behaviour, with the consequence of making it a model in present-day society, but would also obscure basic values which belong to the common inheritance of humanity."

I hope that mention of these points will contribute to useful discussion.

Professor Emeritus Charles Rice is on the Law School faculty. His column appears every other Wednesday. He can be contacted at plawecki.1@nd.edu.

The views expressed in this column are those of the author and not necessarily those of The Observer.

OBSERVER POLL

How many games will the Irish win during this football season?

Vote by 5 p.m. Thursday at
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QUOTE OF THE DAY

"Government is not reason, it is not eloquence, it is force; like fire, a troublesome servant and a fearful master. Never for a moment should it be left to irresponsible action."

George Washington
president

GUEST COLUMN

The great downloading war

Two immovable forces stand on the brink of mutual destruction. A world waits with bated breath as hordes of lawyers fight over copyright laws. A lone Kazaa user thinks, "Screw them, it's not like I'm shoplifting from a store," while a music industry exec happily counts his million-dollar bonus. The tone has been set for the final showdown — or has it?

Brian Wagner

The Columbia Daily Spectator

The battle of wills and lawyers that raged between the Recording Industry Association of America and people who download music seemed to be endless.

Napster had been disabled, yet Kazaa had sprung up to fill the void. People following the legal struggles prophesied death, destruction, and the mass criminalization of the Internet generation.

Yet the situation has taken a 180-degree turn in the past few months. Recent events have led to the most improbable of improbabilities: A compromise, an understanding, an online peace.

The Internet has become home to a newly successful form of music seller, the MP3 retailer. Stores like Apple's iTunes and BuyMusic.com have finally helped realize the dream of the Internet generation: Music at your fingertips, all legal. Creations such as BuyMusic have not come easy, though, as the two sides have continued their legal battles.

The RIAA, whatever its numerous failings, is standing on the legal high ground when it comes to music downloading.

The — mainly — young adults who share music online are committing copyright infringement, so the RIAA has a right to bring suit in court. But from a business standpoint, the RIAA will never win if its solution to the problem is to release its attack dogs at every infraction.

The industry will be much more successful in finding common ground with customers if it focuses on creating online ventures that allow users to access all types of music at reasonable prices, as opposed to following the advice of United States Senator Orrin Hatch, who suggested that the U.S. government use a virus to destroy downloaders' computers.

Music downloaders, however, must also adapt. The advent of Napster and Kazaa was a sort of Internet boom that created the best situation possible: free music. But as with the stock market boom, this bubble had to burst, and now the more reason-

able downloaders are realizing that they will be better off if they pursue music in ways that do not lead to rampant copyright infringement and precipitous drops in the revenues of the recording industry.

A recent survey by the Pew Center found that 80 percent of downloaders don't care if they are sharing copyrighted music, which indicates a serious problem. Copyright laws are some of the most commonly invoked laws in our country, yet they are also some of the least understood. The Motion Picture Association of America, also a victim of downloaders, is taking a positive step by developing an ad campaign explaining the importance of copyright law and of protecting intellectual property.

The people who ignore — or are ignorant of — these laws turn to downloading because they want to get a few songs without having to buy the entire CD, don't want to pay at all, or are trying to find music they can't find in their record stores. People like those at the Electronic Frontier Foundation, who believe that swapping music shouldn't be illegal since 60 million people are doing it, have a dangerous view of how law works. The Internet generation must realize that the Internet, as a CNet columnist wrote, is not a legal vacuum. While there may have been little law enforcement in the past, the Internet is not exempt from the laws of governments.

Still, the RIAA, long playing the role of the technological dinosaur, has begun to thaw in its stance and to accommodate the younger listeners who want instant access to music. The RIAA must accommodate these extremely powerful consumers if it wants to survive. Downloaders cannot understand how they can pay \$0.99 for a song online, meaning they can buy a whole album for \$12 or less, while still paying \$18.99 for the average retail CD. The packaging isn't worth \$6.99 to Internet-savvy individuals.

Online music stores are the retailers of the future, yet they will only flourish if the RIAA modifies its business to embrace the online medium and if downloaders modify their habits to pay for what they get. The RIAA has a legal right to fight for its business, but it has a moral obligation to serve its customers. Downloaders have a moral right to expect good service from the music industry, but they have a legal obligation to obey copyright laws. The two formerly immovable forces have recently proven to be more open-minded than was expected, but revolutions take time and effort — and make no mistake, we are witnessing both an Internet and a music revolution.

This column first appeared Sept. 2 in The Columbia Daily Spectator and appears here courtesy of U-Wire.

The views expressed in this column are those of the author and not necessarily those of The Observer.

EDITORIAL CARTOON



GUEST COLUMN

Bush promotes negative legacy

In 2000, Bush campaigned upon meaningless slogans and the fact that he was a former president's son. His true vision for America did not appear until after Sept. 11.

Looking at past presidents, those who entered into office with a firm vision of where they wanted America to be when they left became the most successful in achieving their agendas.

Paul Campbell

The New Mexico Daily Lobo

Franklin Roosevelt, John Kennedy, Lyndon Johnson and Bill Clinton are just a few presidents in the last century who have been able to dream of a better America before taking office. All of these presidents have come from completely different eras with completely different problems, environments and situations that surrounded them as they took office. And yes, each of these presidents has had individual faults. As different as they are, the common thread that sews these great presidents together is that they had the character to challenge Americans to be even greater than what we were before. When these presidents left office, they left America, as well as the world, a much better place for future generations to build upon.

What is the current administration going to leave behind for future generations? By playing upon the fears that Americans have concerning terrorism, the Bush administration has been able to get what it wants by simply calling opponents "evil."

As a result of this political strategy, Bush shoved the Patriot Act through Congress, which happens to be one of the largest desecrations of the Bill of Rights. Need I remind Bush that it is the Bill of Rights that separates our American Republic from Saddam's Iraq and Kim Jong-il's North Korea? This raises the larger question that if we are taking away our civil rights, what are we fighting for?

When Bush leaves office next year, he will not leave behind a better or stronger America. In fact he will leave behind a much weaker and poorer nation. When Bush was selected into office, he inherited more than a \$5 trillion surplus and has turned it into a \$4 trillion deficit. What does he have to show for it? Only tax breaks for the richest Americans and a war in Iraq that costs \$1 billion a week, not to mention the loss of an American soldier's life almost everyday. Bush will leave behind 25 million Americans without health care, an economy that has only become worse since he came into office, an educational system that is ready to fall apart and a Veteran Affairs Department cut by billions.

After Sept. 11, the President missed the opportunity to ask Americans to dream of a safer and more secure America. Bush could have echoed the message that Secretary Tom Ridge told Pennsylvanians when he resigned as their governor, "Do what you do every day, but only do it better." Bush could have asked Americans to take an even deeper part in each of our own communities by volunteering at local food banks, schools, hospitals and community centers. Bush could have asked Americans to join organizations such as Teach

For America and AmeriCorps. Bush could have firmly told America that even though terrorists had attacked us on our homeland and took the lives of loved ones, they will never, never take away the freedoms, liberty and justice that make America so infinitely better than any other country on the face of the planet.

Only we could take away what it means to be an American and Bush slowly is.

This column first appeared Sept. 2 in The New Mexico Daily Lobo and appears here courtesy of U-Wire.

The views expressed in this column are those of the author and not necessarily those of The Observer.

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ALBUM REVIEW

Ben Lee changes his tune

By RYAN RAFFERTY
Scene Music Critic

Ben Lee first broke onto the Australian music scene in the early '90s, fronting the band Noise Addict; within a few years, he left the group to pursue a solo career. His catchy acoustic folk songs and witty lyrics earned him the distinct honor of being a teenage music hero, even though his first album, *Grandpaw Would*, was not immensely successful outside of his homeland, Australia. Lee didn't strike gold overseas until the single "Cigarettes Will Kill You," off his third album, *Breathing Tornadoes*, became popular on the radio. Then Lee took some time off to reflect and write his latest album, *Hey You, Yes You*.

Lee said that, on his latest album, "I'm trying to express on this record the same things I'm trying to express in my life right now. It's all about leaving rough edges, keeping it dirty, not judging it."

But *Hey You, Yes You* doesn't have a rough edge to be seen. In fact, it is a perfectly smooth and polished pop album. Lee teams up with producer Dan the Automator, known for his work with the Beastie Boys and his rap skills on Gorillaz's hit song "Clint Eastwood." His pairing with a producer known more for his work with hip-hop groups gives Lee's music a fresher feel.

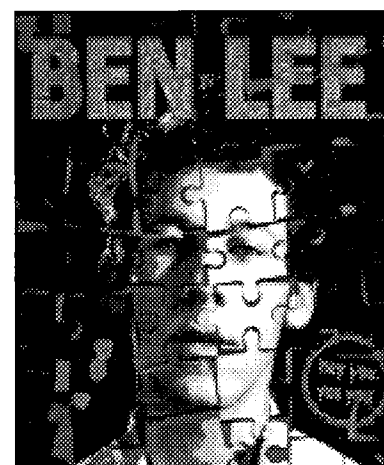
The album starts off with the hook-heavy "Running With Scissors," which immediately shows off Lee's amazing ability to write catchy pop songs seemingly at the drop of a hat. *Hey You, Yes You* is a very accessible pop album, which is shown perfectly through "Something Borrowed, Something Blue." This track is a sure-fire radio hit with a catchy chorus and an infectious guitar riff, layered over a heavily synthesized drum loop. Other tracks, like "Music 4 the Young and Fresh" and "Dirty Mind," draw heavily on producer Dan the Automator's hip-hop background, featuring heavily sampled drum and keyboard loops. These heavy drum loops contrast very nicely with Lee's acoustic guitar riffs.

The first half of the album showcases Lee's pop sensibilities very well, but Lee gets sensitive on the second half. The majority of the songs on the first half could easily be hits on any pop radio station, such as "After Taste," on which Lee sounds like a dead ringer for Damon Albarn in a Gorillaz song. But fans of Lee's earlier acoustic music don't have anything to fear from the poppy, radio-friendly first half. Songs like "No Room to Bleed" and "Chills" showcase Lee's softer side. Both songs feature a beautifully played piano and light acoustic guitar. In the later songs, Lee strays from his self-centered lyrics to more romantic and contemplative pieces. Even though the second half seems less

Hey You, Yes You

Ben Lee

F-2 Music



poppy and radio-friendly, make no mistake about the sound. The songs are still very heavily produced and layered heavily with drum loops and keyboards.

Lee uses the studio setting perfectly. Every track on *Hey You, Yes You* is seamlessly pieced together and layers hip-hop beats with acoustic guitars wonderfully. The extras on the album show just how much Lee used the studio to his advantage. A live version of "Chills" is included on the album, and it differs greatly from the actual studio version. The live version features only Lee and his acoustic guitar and a

piano, which contrasts greatly with the drum machine, acoustic guitar, violins, keyboards and multiple samples used on the studio version.

Overall, this is a fun and refreshing pop album. Every song on this album could essentially be a hit on the radio. Lee doesn't miss a step in this latest release and flawlessly creates a wonderful pop gem. Fans of any musical genre, from hip-hop to folk, will appreciate Lee's incredible ability to write foot-tapping good tunes.

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ALBUM REVIEW

Led Zeppelin wails on live release

By EMILY TUMBRINK
Assistant Scene Editor

Easily one of the greatest bands of all time, Led Zeppelin has had a lasting impact on music since the release of their self-titled debut in 1969, and their influence and popularity continue to this day.

However, until only very recently, fans of Led Zeppelin, especially those of a younger generation, could only experience the band's music through their studio releases. There was no live album in existence that truly captured the essence of the Led Zeppelin live experience, and fans who were too young to have the privilege of witnessing the band in concert were left completely in the dark about the truly epic

proportions of Led Zeppelin's ability to perform. Luckily, the wait for enlightenment is over. *How the West Was Won* is a three-disc set of two 1972 performances that Jimmy Page, guitarist for the band, re-discovered as he was gathering materials for a DVD. These performances showcase the band's talents during their heyday, just after the release of their masterpiece *Led Zeppelin IV* and immediately prior to *Houses of the Holy*, and feature songs mainly from these two albums.

During the nearly three-hour jam session that forms *How the West Was Won*, Page's talents on guitar truly come to life. Recently named one of the top 10 guitarists of all time by *Rolling Stone* magazine, Page definitely lives up to his reputation, especially on "Dazed and Confused" and "Whole Lotta Love."

With each approaching the 25-minute mark, Page is given free reign of the stage with lengthy guitar solos that showcase his skill. John Paul Jones' addition of a mandolin to the acoustic classic "Going to California" is another interesting touch that sets this live performance apart from anything ever released by Led Zeppelin. John Bonham's extended drum solo on "Moby Dick" gives this talented drummer the recognition that he deserves in a way that is only hinted at in the studio recording. By listening to each of these talented musicians in this live format, it becomes clear that they thrived in the loose environment of live performance, an environment that allowed them to wail in a way that is impossible on the more restrained studio albums.

With a track listing that includes such classics as "Black Dog," "Over the Hills and Far Away," "Going to California," "Whole Lotta Love," and "Stairway to Heaven," *How the West Was Won* is an obvious choice for those who are fans of Led Zeppelin. The changes to many of the songs highlight the band's talents and also further illustrate their many influences, including blues, bluegrass and Celtic folk music. The 23-minute version of "Whole Lotta Love" contains short covers of music by Elvis Presley, Muddy Waters, James Brown and others, and allows the band to pay homage to their roots. Though this release is a few decades late, *How the West Was Won* is definitely worth the wait. Those who have even the slightest appreciation for Led Zeppelin's music will bene-

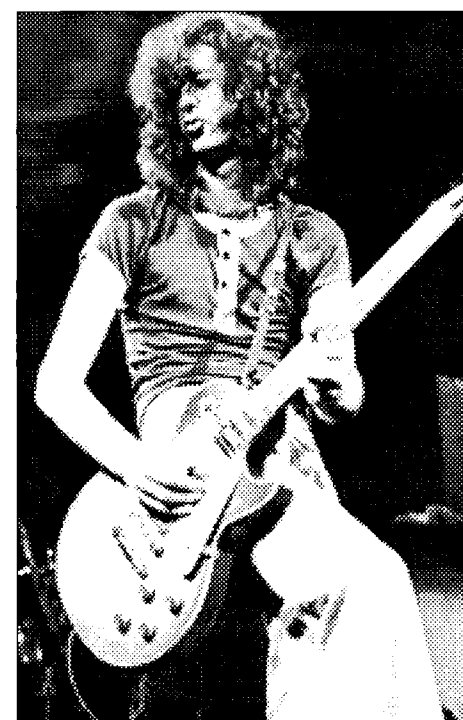


Photo courtesy of rollingstone.com

Jimmy Page was recently named one of the top 10 guitarists of all time.

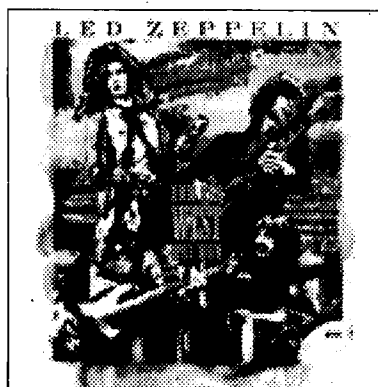
fit from experiencing their music in live performance. The noticeable variations between the live and studio-recorded versions of the songs included on *How the West Was Won* definitely make this album a worthwhile purchase.

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How the West Was Won

Led Zeppelin

Atlantic Records



Radiohead concert other worldly

British Band dazzles Wisconsin audience with live performances from their recent release

By DANIEL McSWAIN
Scene Music Critic

With Mars posed threateningly in the night sky, Radiohead emerged in front of a packed Alpine Valley Amphitheatre, a mammoth structure nestled in the Wisconsin fields right between someplace and nowhere. The ominous stage having been set by Mother Nature and Stephen Malkmus (Radiohead's opener for the evening who, in favor of an early bedtime, went on way before schedule much to the crowd's dismay) Radiohead went to work. As the band launched into their opening number, "2 + 2 = 5", their elaborate stage set up whirled to life. A checkerboard of lights in the fourth dimension acted as the sixth member of the band, as its pulsating dance perfectly complemented the musical calculus that unfolded in front of it. As the tempo of the song gained momentum, the focus shifted to the angular onslaught of Jonny Greenwood and Ed O'Brien's guitar work, and the night's lurid creation began.

The band, displaying their finely tuned clock-like dynamic, began to draw the crowd into their primordial ooze of sound, light, and madness. As Radiohead moved seamlessly into "Sit Down. Stand Up", the crowd witnessed Thom Yorke, the band's singer, forge and mold and begin to create. Dressed in oversized shirts (at least three of them), Yorke hammered out the haunting minor-key piano melody from where the rest of the song grew, blossomed, and eventually exploded and just flat melted down. The rest of the band responded in similarly spectacular fashion, as the jungle lilt of Phil Selway's drums and Colin Greenwood's bass orchestrated the entropy, hinting at the

percussive spectacle in store for the rest of the night.

The band moved from jagged to jocular, smiling and snarling at alternate takes. Older, quieter songs like "No Surprises", "Lucky", and "Just" carried live the same timeless feel that makes Radiohead's early catalog so strong even in the light of their more recent opuses. Their quiet songs are quiet, sure, but they serve as the perfect counterpoint to Radiohead's alter ego: walls of thunderous cacophony and sweet, sweet chaos.

"Myxomatosis" which Yorke introduced as a "dirty song for dirty people," owns a bass-line so disgusting and internally damaging that it should make Flea want to change instruments. While the band had been criticized lately for abandoning guitars for a more tangential

interest in electronics and programming, both musical avenues received equal billing, and in spectacular form. Thom Yorke may be one of the guitar world's unsung heroes, second only to Radiohead's knob-twiddler/axe-wielder extraordinaire, Jonny Greenwood. Jonny took the feedback laden parts of classics like "Paranoid Android", as well as newer songs like "The National Anthem" and

"Backdrifts" and made them expand with a kind of frightening space time schizophrenia that cannot be expressed anywhere but the live setting.

While the Greenwood brothers, along with O'Brien, continued on their Cerberus meets Hendrix guitar excursions, Yorke filled the stage with, well, dancing. Sort of. It was like someone lured his Ecstasy with ants. And electric current. A lot of it. Whirling Dervishes don't hold a candle to Yorke's exercise in epileptic auto-exorcism. The only thing scarier/more entertaining than what Yorke did with his legs was what he

forced out of his face. His voice mimicked his head-slapping, facial contortions, running the sonic gamut from sickened spite, to mock-happy, to just plain disgusted.

True love waits, and while the band won't be accused of prudishly saving themselves at any point during the night, the two encores provided the most moving moments of the evening. In a setlist built to both shock and awe, the band began to close their sensory war with the think-piece of the evening. Perched like a marble gargoyle on his piano stool, Yorke issued his subversive invitation to the crowd (and others not present) during "You and Whose Army?" a "call against arms" that Yorke's lazy eye and lazier delivery made you feel so guilty all you could do was smile sheepishly and pretend he didn't know everything.

As the band regrouped for the second encore and began its closing number, "Everything In Its Right Place", the reality floor began to give way underneath. As Jonny Greenwood took to the ground, coaxing conversations out of a series of small computers and effects pedals strewn about his feet, Yorke's vocals were manipulated into a haunting polyphony. As the band exited, the manipulated sounds only grew, and they were joined by the word "FOREVER" scrolling in white across the backdrop of lights. All of this life, and not a human to be seen

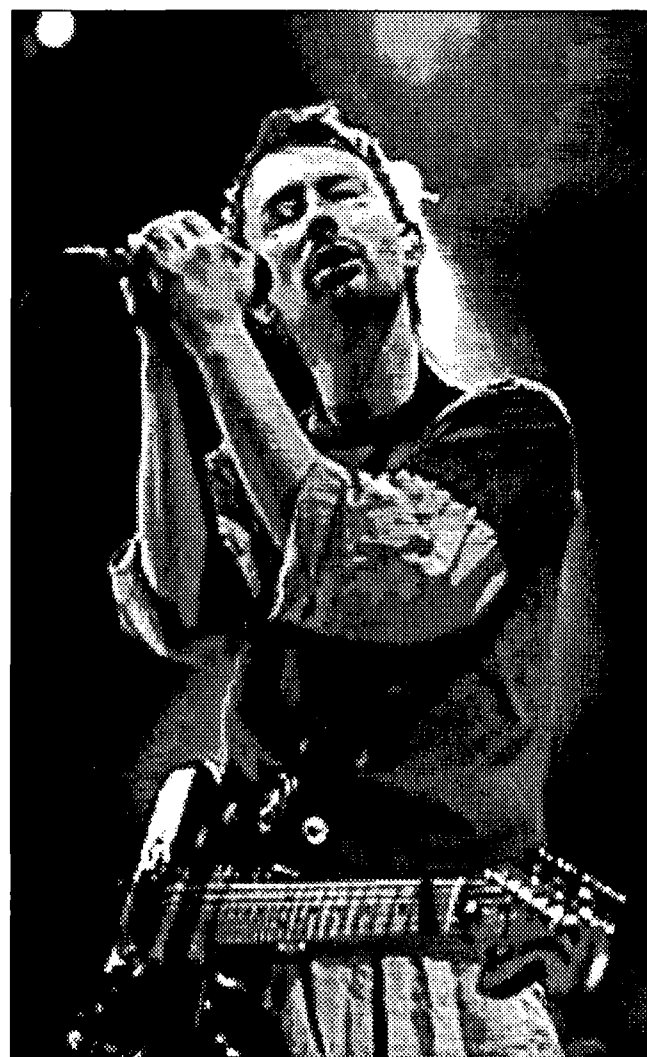


Photo courtesy of concertlivewire.com

Thom Yorke's facial contortions provide additional entertainment during his dynamic live performances.

making it. For a moment, to borrow a phrase heard elsewhere, there seemed to be an epileptic at the crank. The whole night lit up in stop motion. When it finally stopped, we found ourselves again in one of those anonymous fields, Mars overhead, not knowing if we should leave.

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Photo courtesy of concertlivewire.com

Radiohead, displaying a finely-tuned clock-like dynamic, began to draw the packed Wisconsin crowd into their primordial ooze of sound, light and madness.



Photo courtesy of concertlivewire.com

Thom Yorke, lead singer of Radiohead, demonstrates his ability on piano for many of the band's songs in addition to his talents as a guitarist and vocalist.

NATIONAL LEAGUE

Cubs and Cards split day-night doubleheader

Associated Press

Cubs 4, Cardinals 2 (1st game, 15 innings)**Cardinals 2, Cubs 0 (2nd game)**

Matt Morris outpitched Kerry Wood and Jim Edmonds hit his second homer of day as the St. Louis Cardinals beat the Chicago Cubs 2-0 to split their day-night doubleheader Tuesday night.

Sammy Sosa hit a two-run homer in the 15th inning to give the Cubs a 4-2 win in the four-hour, 47-minute opener.

Morris (9-4) allowed five hits in seven scoreless innings. He got his first win since June 25 and ran his career record against the Cubs to 10-2, including 3-0 this season.

Jason Istringhausen pitched the ninth for his 17th save in 18 chances.

Cubs reliever Antonio Alfonseca and left fielder Moises Alou were ejected in the eighth inning after an angry confrontation with third-base umpire Justin Klemm. In the bottom of the seventh, Klemm had called Alou's bases-loaded drive down the line just foul.

As the Cubs took the field in the eighth, Alfonseca charged out of the bullpen area along the left-field line and screamed at Klemm and then so did Alou, who had to be restrained by teammate Kenny Lofton.

Edmonds, who also homered in the opener, led off the second with his 36th of the season. He left in the eighth with a bruised right knee.

The Cardinals added a run in the seventh when Cubs third baseman Ramon Martinez made a double error on Morris' easy bouncer, missing the grounder and then picking up the ball and throwing it past third as Tino Martinez scored.

The Cardinals restored their lead over the Cubs in the tight NL Central to 1 1/2 games. Houston, which was tied with St. Louis at the start of play Tuesday, faced the Dodgers on the West Coast.

Sosa didn't play the second game after giving the Cubs a dramatic win in the first one.

"My goodness. I think it was one of the longest games we've played," Sosa said after hitting his 32nd homer. It was his ninth career game-winning homer,

seven with the Cubs.

"After you play 15 innings, I don't think you have any energy left. But that was a big one for the team. We played so hard to be where we are."

Augie Ojeda, recalled from the minors Monday, was 0-for-21 with the Cubs this season when he singled to left off Jeff Fassero (1-7) to start the bottom of the 15th.

One out later, Sosa connected on an 0-2 pitch.

Fernando Vina doubled to lead off the 14th — the Cardinals' first hit since the seventh — and moved to third on a fly ball before Mark Guthrie (2-3) retired Mike Matheny on a comebacker to end the threat.

Palmeiro saved the Cardinals in the bottom of the ninth, leaping into the vines in left field to make a spectacular catch of Martinez's two-out drive with the bases loaded.

Pirates 3, Marlins 2

Jason Kendall had four hits and two RBIs as the Pittsburgh Pirates beat the Florida Marlins.

Kendall, who went 6-for-11 in a three-game sweep of the Marlins last week, had three singles and a double for the Pirates, who snapped a two-game losing streak.

Kip Wells (7-7) allowed two runs and six hits in seven-plus innings to beat the Marlins for the second time in less than a week.

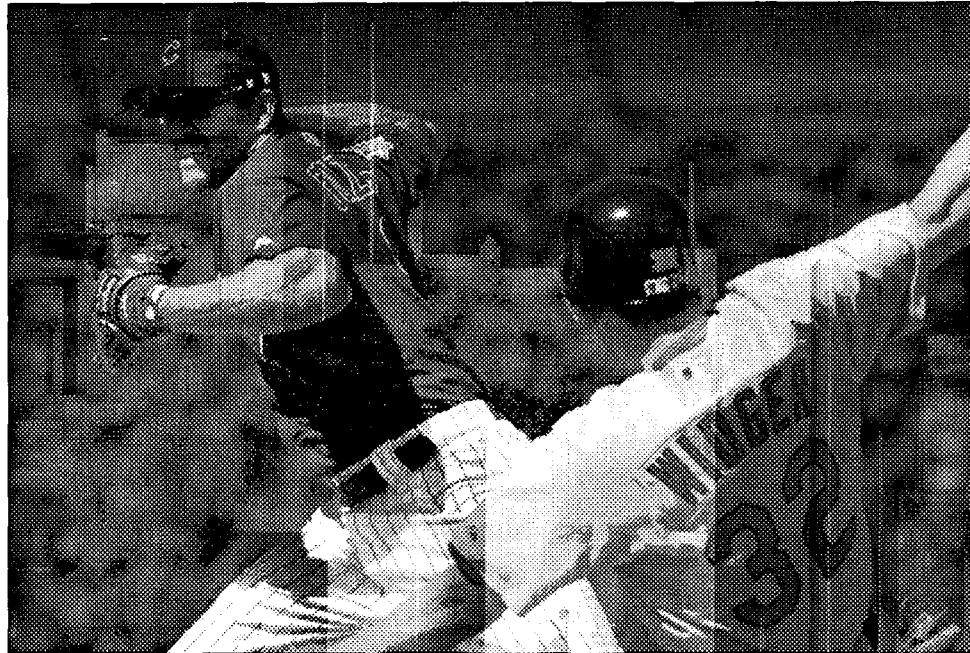
Julian Tavarez pitched two innings of perfect relief for his fourth save.

Dontrelle Willis (11-6) fell to 0-4 in his last five starts for the Marlins, whose four-game winning streak was stopped. Florida began the night one game ahead of Philadelphia in the NL wild-card race. The Phillies played Montreal on Wednesday night.

Willis, who had two hits and an RBI, allowed three runs — two earned — and six runs and struck out eight in 6 2-3 innings. Willis, who made the All-Star team as a rookie, has three wins in 12 starts since July 2. His last win came on Aug. 6.

Phillies 5, Expos 3

Chase Utley's bases-clearing triple with two outs in the eighth inning lifted the Philadelphia Phillies to a victory



Shortstop Alex Gonzalez of the Chicago Cubs completes a force play on catcher Chris Wither of the St. Louis Cardinals in the seventh inning of the first game of a day-night doubleheader in Chicago Sept. 2. The Cubs won 4-2 in 15 innings.

over the Montreal Expos.

The Phillies have won four of five since losing six straight, and moved into a tie with Florida for the NL wild-card lead.

The Expos have lost five straight since sweeping a four-game series against the Phillies in Montreal last week.

After Endy Chavez gave the Expos a 3-2 lead on an RBI infield single in the eighth, the Phillies came back against Javier Vazquez (12-9).

Jim Thome walked with two outs in the eighth and Mike Lieberthal doubled. Ricky Ledee was intentionally walked to load the bases and Utley followed with his first career triple, a liner to left-center.

Rheal Cormier (5-0) pitched the eighth for the win, and Dan Plesac worked the ninth for his second save.

Thome hit his 38th homer and Amaury Telemaco allowed two runs in seven innings for the Phillies, who are in the middle of a stretch of playing 27 consecutive days.

Vazquez hadn't allowed a run in his last three starts, spanning 26 innings. He gave up five runs and eight hits in

eight innings.

Brewers 4, Reds 3

Keith Ginter hit a two-run homer and Eddie Perez drove in two runs as the Milwaukee Brewers beat the Cincinnati Reds.

Perez hit a tiebreaking double, his third hit of the game, off Danny Graves (4-15) in the bottom of the eighth after the Brewers squandered a 3-0 lead.

Milwaukee has won 13 of 15, including a 10-game winning streak.

Cincinnati tied it in the seventh on a two-out, two-run homer by Wily Mo Pena off Wes Obermueller, who was bidding for his first major league victory.

He had allowed only three hits in the fourth inning until Pena connected. He struck out four and walked four over seven innings.

Scott Podsednik led off the first inning with a single and Ginter followed with his 11th home run of the season off Paul Wilson. The Brewers added a third run on an RBI single by Perez that followed walks to Richie Sexson and Wes Helms.

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AMERICAN LEAGUE

Athletics go extra innings to extend winning streak to 10

Associated Press

BALTIMORE — Mark Ellis drove in the tiebreaking run with a 12th-inning sacrifice fly and Chris Singleton added an RBI single as the Oakland Athletics won their 10th straight Tuesday night, 2-0 over the Baltimore Orioles.

It was the ninth consecutive loss for the Orioles, four of which have come against Oakland. Baltimore is 0-7 against the A's this season.

Miguel Tejada led off the 12th with an infield hit off Jorge Julio (0-7) and took second on a walk to Scott Hatteberg. A tapper to the mound advanced the runners, and a four-pitch walk to rookie Bobby Crosby loaded the bases.

Ellis lofted a fly ball to left field on the 12th pitch of his at-bat, and Tejada scored as Melvin Mora's throw went to third base. Earlier in the game, Tejada was thrown out at the plate by Mora on a fly to left.

Singleton then singled off Buddy Groom for a 2-0 lead.

Ricardo Rincon (8-4) got the final out in the 11th and Keith Foulke worked the 12th for his 38th save.

Oakland outfielder Terrence Long was ejected by plate umpire Marvin Hudson after striking out for a third time in the eighth. After the ejection, Long gave the umpire a chest-bump despite being restrained by A's first base coach Brad Fischer.

Tejada scored the winning run long after a tense duel between starters Barry Zito and Pat Hentgen, both of whom pitched eight shutout innings.

Zito allowed four hits, striking out seven and walking two.

Hentgen yielded just three hits. The right-hander struck out six and walked three in his best outing of the season.

Oakland's most serious threat

against Hentgen came in the fourth. Eric Chavez singled with one out and took third on a two-out double by Hatteberg before Ramon Hernandez hit a fly ball to left.

The A's missed a chance to take the lead in the second when Tejada was thrown out by Mora while trying to score on Erubiel Durazo's fly.

In the bottom half, the Orioles used two walks and a single by Brook Fordyce to load the bases with two outs, but rookie Tim Lincecum looked at a third strike to end the threat.

In the eighth, Baltimore got a runner to second with one out before Zito struck out Raines and Brian Roberts.

Rangers 8, Royals 7

Layne Nix hit a three-run homer and Mark Teixeira drove in three runs, and the Texas Rangers held on to beat the Kansas City Royals.

The Royals scored four runs in the ninth, but fell short when Francisco Cordero struck out pinch-hitter Aaron Guiel and Raul Ibanez to end it with a runner on second for their fourth straight loss. Kansas City fell three games behind the Chicago White Sox and a game back of Minnesota in the AL Central.

The Rangers have won the first two games of the three-game series after losing the first six meetings between the teams this season.

Nix's sixth homer put the Rangers in front 4-3 in a four-run fifth inning after the Royals had taken a 3-0 lead after three innings.

Rangers starter Ismael Valdes (8-8) allowed three runs and six hits over five innings. He struck out two and walked two.

Valdes was away from the team over the weekend to be with his wife, Karina, who gave birth to

the couple's first child, Ismael Jr., on Saturday night in McAllen, Tex. Valdes rejoined the Rangers on Monday.

Ryan Drese pitched three innings of shutout relief then loaded the bases in the ninth with none out.

Cordero relieved and gave up a sacrifice fly to Angel Berroa, an RBI double to Joe Randa and a two-run single to Mike Sweeney before finishing for his 12th save in 21 chances.

Sweeney homered and went 3-for-4 with four RBIs for the Royals.

Twins 12, Angels 6

Rookie Michael Ryan hit a three-run homer and Cristian Guzman had a three-run triple as the Minnesota Twins beat the Anaheim Angels.

The Twins, who moved within a game of the AL Central-leading Chicago White Sox, built a 12-1 lead after four innings and finished with 14 hits to make a winner of Kyle Lohse (12-10).

Minnesota gave up 21 runs in its previous two games — both losses.

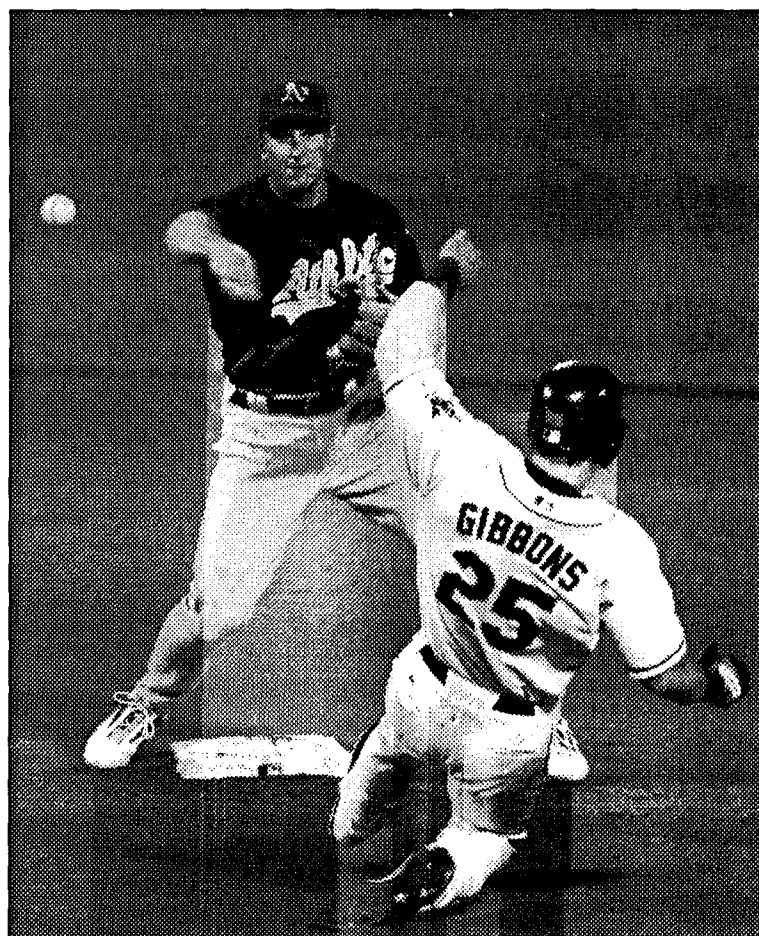
Shawn Wooten went 2-for-3 with two runs scored and two RBIs for Anaheim, which lost for the first time in four games on its road trip.

Corey Koskie went 3-for-5 with two runs, Torii Hunter was 2-for-3 with three runs and Matthew LeCroy went 2-for-3 with two walks and an RBI for the Twins, who knocked Angels starter Aaron Sele (7-10) out in a six-run third.

Red Sox 2, White Sox 1

Trot Nixon and Gabe Kapler hit solo home runs, and John Burkett finally got his 10th win as the Boston Red Sox beat the Chicago White Sox.

It was the ninth win in 12 games for the Red Sox, who are four games behind the AL East-



Oakland second baseman Mark Ellis turns a double play against Baltimore Tuesday night.

leading New York Yankees. Chicago's lead in the AL Central is now down to one game.

Manny Ramirez wasn't in the lineup for a fifth straight game, even though Boston manager Grady Little said the slugger was healthy enough to play DH. Little said Ramirez wasn't being punished, but it's clear the Red Sox aren't happy with him.

Ramirez missed the weekend series with the New York Yankees with pharyngitis — the same ailment that forced pitcher Pedro Martinez to miss a start the pre-

vious week — yet was spotted out Saturday night. Then when Little asked him to pinch-hit Monday, Ramirez said he was still "too weak."

And the Red Sox didn't need Ramirez.

Burkett has been trying to get his 10th win since Aug. 12, going 0-2 in his last four starts. He wasn't his sharpest Tuesday, hitting three batters, but he was still too much for the White Sox.

Burkett (10-7) scattered three hits and a run over six innings, striking out four. Byung-Hyun Kim pitched the ninth for his 12th save in 15 chances.

Bartolo Colon (12-12) was dazzling, allowing only a walk and two hits. But both hits were homers, spoiling his fine effort. Still, White Sox fans gave him a standing ovation when he left the field after pitching in the ninth inning.

Tigers 8, Indians 6

Even good things turn bad for the Detroit Tigers this season.

Cody Ross, who was called up from Triple-A Toledo on Monday, hit a grand slam for his first major league home run then needed to be carted off the field with an apparent serious left knee injury in the eighth inning, and the Detroit Tigers beat the Cleveland Indians.

Ross was injured after stepping on first base in the eighth, beating out a sacrifice on Cleveland reliever Jack Cressend's throwing error. Ross was writhing in pain, holding both knees while Tigers personnel attended to him. He was taken off the field on a flatbed cart.

Dmitri Young hit a tiebreaking homer in the fifth as the Tigers won their 35th game of the season. Detroit needs to go at least 8-17 the rest of the way to avoid matching the 1962 New York Mets' record of 120 losses in a season.

The teams combined for six home runs.

Brian Schmack (1-0) pitched 1 1-3 innings of scoreless relief.

**QUOTES & FACTS**

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The official anthem of the European Union, "Ode to Joy," comes from the final movement of Ludwig van Beethoven's Ninth Symphony, composed in 1823. Beethoven set the music to a poem written in 1785 by Friedrich Schiller, "An die Freude." This poem expresses Schiller's idealistic vision of the human race joining hands as one — a vision Beethoven shared.

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NBA

Bryant's lawyers making preparations for trial

Attorneys subpoena hospital to see rape accuser's medical records

Associated Press

DENVER — Kobe Bryant's lawyers have subpoenaed a hospital to see his accuser's medical records — the first indication they might make her mental health an issue if the sexual assault case against the NBA star goes to trial.

The subpoenas were disclosed in a court filing by a hospital in Greeley where the 19-year-old accuser was treated in February after police at the University of Northern Colorado determined she was a "danger to herself."

Campus police have refused to say whether the woman attempted suicide, saying only that the hospitalization was for a mental health issue.

Attorneys for the North Colorado Medical Center and its psychiatric care center asked a

judge to quash the subpoenas and destroy the records already sent to him, citing medical privacy laws.

The woman's attorney told the hospital she has "explicitly not waived her medical privilege," the filing said.

Calls to the accuser's attorney and Bryant's defense team were not returned Tuesday. Attorneys for the hospital also did not return a call.

Bryant is charged with sexually assaulting the Colorado resort employee June 30. The Los Angeles Lakers star has said the sex was consensual. An Oct. 9 hearing will determine whether there will be a trial.

Information about the woman's mental health might never be presented to the jury if the case goes to trial, a legal expert said.

"Whether that would be allowed depends on whether there's anything else there other than [attempted] suicide, some other indication of mental instability or something that would point toward her being an unreliable observer or witness," said Christopher Mueller, a professor at the University of Colorado law school.

Meanwhile, an Iowa college student pleaded innocent Tuesday in federal court in Denver to making a death threat against Bryant's accuser in a profanity-laced telephone message last month.

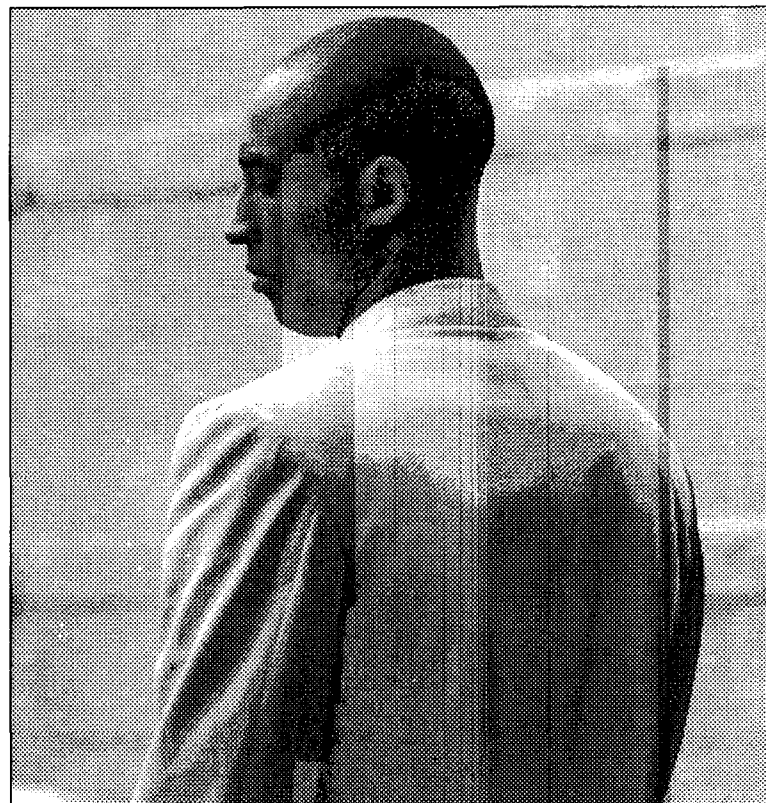
John Roche ignored reporters outside the courtroom. He remains free on \$250,000 bail.

U.S. Magistrate Patricia Coan barred Roche from drinking alcohol and limited his travel to Colorado and Iowa. A Nov. 3 trial was scheduled.

Roche's attorney, Nathan Chambers, said there was a good chance of a plea bargain, but he would not elaborate.

Some Web sites have disclosed the identity of Bryant's accuser, and the judge in the case has said some letters sent to authorities included death threats. Also, the father of Bryant's accuser called police at least twice in recent weeks to report suspicious incidents.

Roche, a University of Iowa student, is accused of leaving a message on the woman's answering machine July 27. The caller threatened to assault the woman with a coat hanger and repeatedly vowed to kill her.



EPA Photos

L.A. Lakers star basketball player Kobe Bryant rises in the courtroom at Eagle, Colo., County Justice Center Aug. 6. Bryant's lawyers recently subpoenaed a hospital to see his rape accuser's medical records.

NCAA

Study shows athletes graduate at better rate than peers

Associated Press

INDIANAPOLIS — Division I college athletes are graduating at a record rate of 62 percent and are more likely to graduate than non-athletes, according to an NCAA study.

The report showed athletes with a 2 percentage-point overall increase in the graduation rate compared with last year and a 3 point advantage over the rate of non-athletes.

The study covered athletes on scholarship who entered college in 1996 and measured the percentage of students who graduated within six years.

The NCAA has tracked graduation rates since 1984, but this was the first study compiled since more stringent academic requirements took effect.

"This shows that academic reform is making progress," NCAA president Myles Brand

said. "But it is not yet complete."

The numbers showed almost across-the-board increases. The only declines were among white male basketball players (52 percent) and white football players (61 percent). Both rates dropped by 1 percentage point.

But it was mostly good news for the NCAA, which has been hit by numerous scandals in the past year. Two schools, Georgia and Fresno State, withdrew their men's basketball teams from postseason play last winter because of academic fraud.

Richard Lapchick, director of the Institute for Diversity and Ethics in Sport at the University of Central Florida, was optimistic but not convinced that the NCAA study was reflective of a broader trend.

"This is a one-year snapshot," he said. "We try to look in the longer term, like four to 10 years."

Female athletes had a 70 percent graduation rate, a 1 point increase from last year, according to the NCAA study. Male athletes were at 55 percent, also a 1 point increase.

The greatest progress came in men's basketball, where scores have traditionally been the lowest.

The report showed a 6 percentage-point improvement to

42 percent among all men's basketball players and a 10 point increase, from 28 to 38 percent, among black players in the highest echelon, Division I-A.



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COLLEGE FOOTBALL

USC happy with impressive start to the season

Coach Pete Carroll wants to make sure his team doesn't get too arrogant

Associated Press

LOS ANGELES — Impressive as it was, Southern California coach Pete Carroll wants to make sure the Trojans don't get too giddy over their opening victory.

USC picked up right where it left off last season, beating Auburn 23-0 on the road on Saturday. The win, which moved the Trojans up four spots to No. 4 in the national rankings, was their ninth in a row.

"We're really pleased to get off to that kind of start," Carroll said Tuesday. "Hopefully we can put that game in its place, take it in stride and get really directed and pumped up for coming home. It's

a big deal to us, to play our first home game. We know that to have a great season, you have to be strong at home."

USC plays BYU (1-0) at the Coliseum on Saturday, then is home again against Hawaii (1-0) the following weekend.

The Trojans were underdogs at Auburn, but showed they could handle the hostile crowd, the pressure of playing on national television, and the Tigers, who entered the game ranked No. 6.

This weekend, USC will be at home and is favored by three touchdowns, so Carroll is concerned about a letdown.

"That's always a thought," he said. "However, we need to find out if this year's team understands how to stay focused and come back. We really learned how to do that the last couple of years. I'm proud of that, that we could play on a consistent basis."

"That is paramount to our success, if we can figure that out and not be up and down with our performance. We need to stay focused, not just for BYU, but to handle it all the way down the schedule."

Carroll mentioned a number of young players he thought played well against Auburn, including



Al Wire Photo

USC Trojans tailback Reggie Bush is tackled by Auburn Tigers defensive end Jay Ratliff in their game Aug. 30. The Trojans defeated the No. 6 Tigers 23-0 to open their season.

quarterback Matt Leinart, a red-shirt sophomore who has taken over for Heisman Trophy winner Carson Palmer.

Leinart, who played in three games last season but didn't throw a pass, was 17-of-30 for 192 yards and a touchdown at Auburn and didn't commit a turnover.

"He managed the whole thing extremely well, played like a

poised upperclassman and veteran guy, we were thrilled about that," Carroll said.

Offensive coordinator Norm Chow was similarly impressed.

"I thought the Auburn game was outstanding for our young quarterback and our young football players," Chow said. "In what you would expect from a quarterback in managing a game, he was terrific."

"Unfortunately, we can't linger on that and enjoy it. The next one is coming up," added Chow, a longtime assistant at BYU before joining Carroll's staff at USC.

The Trojans finished fourth in the final poll last season — Carroll's second as their coach — going 11-2 including a surprisingly easy 38-17 win over Iowa in the Orange Bowl.

TONIGHT

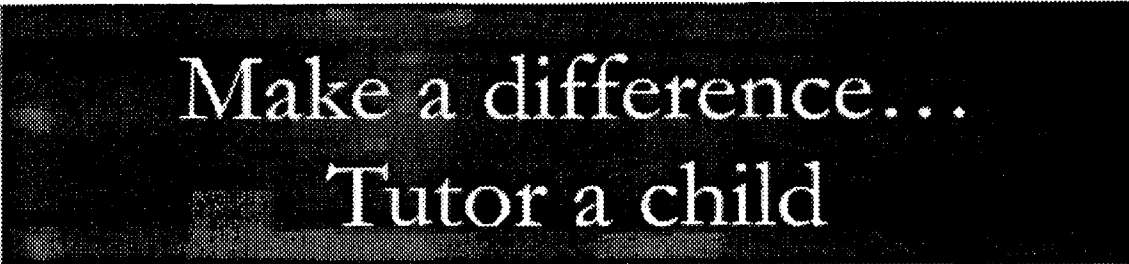
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NFL

Couch beginning to cope with new role as backup QB

Former No. 1 overall draft pick willing to sacrifice playing time for good of the team

Associated Press

CLEVELAND — No injury hurt Tim Couch as much. No loss has been as tough for him to forget.

When Couch was stripped of his job as the Cleveland Browns' starting quarterback a few weeks ago, his world briefly crumbled. He had not been a backup since his first game as a rookie, and the 1999 No. 1 overall draft pick did not handle the demotion very well.

But time has helped, and Couch has finally come to terms with his new role as Kelly Holcomb's backup.

"It's never an easy thing," he said. "But this is where I am and I'm going to do the best I can with it. I just realized there is no reason to go through this season miserable," he said. "Even though it's a tough time, you've got to be upbeat and you have to do what's best for the team."

"This team isn't about how I feel."

Instead of practicing with the first-team offense, Couch is on the sideline watching Holcomb hand off to William Green and fire passes to Kevin Johnson as the Browns prepare for their opener Sunday against the Indianapolis Colts.

Couch isn't in this week's game plan. The Browns are Holcomb's team now. They have been since Cleveland coach Butch Davis decided to go with his "gut feeling" by naming Holcomb as his starter to begin the year.

Last week, Couch admitted Davis' decision was a blow he never expected. He struggled to accept it, trying to figure out what he had done wrong to lose his job.

He acknowledged he allowed the decision to affect his preparation for an exhibition game in Detroit. Couch replaced Holcomb in the third quarter and fumbled his first snap. On Cleveland's next possession, he threw an ugly interception.

Couch's body language that night at Ford Field said it all. His shoulders drooped, and his chin was down.

"I wasn't into the game emotionally," he said. "I just felt like I was going through the motions, and that's not something that I was trying to do. It was just a tough week for me."

To survive this season, he knew he had to change his outlook. Teammates helped with words of encouragement, and Davis gave Couch a huge boost when he said the Browns would probably need him at some point this season if Holcomb gets hurt.

"That was a wakeup call, for sure," Couch said. "I think everyone in this league realizes you have to have two good quarterbacks to get through a season. Even though it's tough standing over there and waiting your turn, you have to be

ready when it happens." Couch played much better in last week's preseason finale against Atlanta, going 7-of-8 for 144 yards, including a 57-yard TD pass to Dennis Northcutt.

As Northcutt tiptoed into the end zone, Couch raised his index finger in the air and sprinted the length of the field to celebrate with his teammates.

It was as if nothing changed.

"I really needed that, to get back on the football field and have fun again," he said. "That's what I missed the most; it hadn't been fun for me for a while."

Couch isn't worrying about next year. Depending on how this season unfolds, he knows it's likely he or Holcomb will be

playing elsewhere in 2004.

Until then, or until the Browns need him, he'll be the highest-paid backup (\$6.2 million salary) in the league. Couch has taken enough hits in four seasons to know Holcomb

probably won't make it through all 16 games.

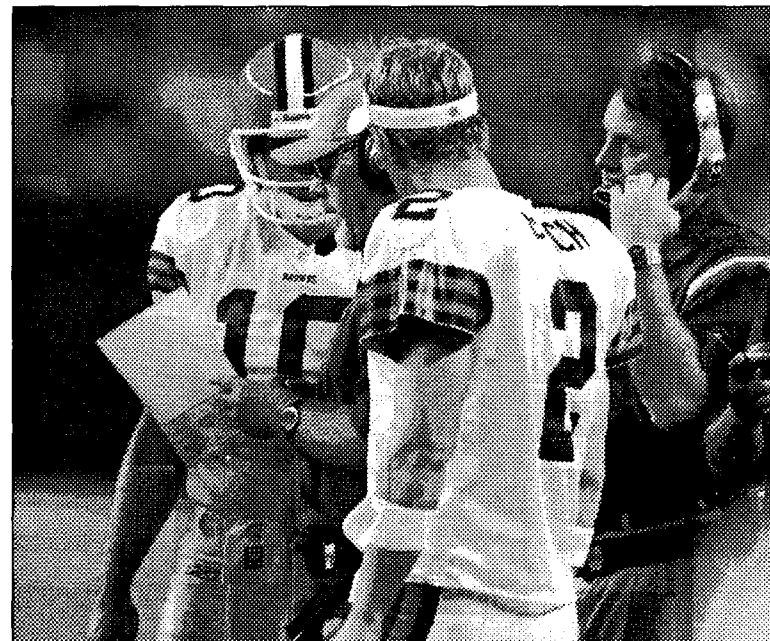
"I have to be ready," he said. "If something happens to Kelly, I'm going to come in and

we're going to win football games. Right now, I have a positive attitude about everything. I'm working hard at practice, and I'm just trying to get better and get myself ready."

"If something happens and I go in, I don't want to be the reason why we lose. I want to be the reason why we win."

"Even though it's a tough time, you've got to be upbeat and you have to be positive."

Tim Couch
Browns backup quarterback



Cleveland Browns quarterbacks Kelly Holcomb and Tim Couch look over plays during Cleveland's exhibition game at home against the Atlanta Falcons Aug. 28. Couch, a former No. 1 overall draft pick, was recently named the backup to Holcomb.

TONIGHT

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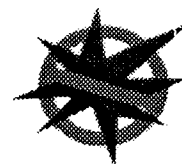
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MLB

Bonds returns home after exhaustion attack

Associated Press

SAN FRANCISCO — Barry Bonds took a seat in his big leather recliner and let out a contented sigh. He was home again.

Bonds returned to Pacific Bell Park on Tuesday night for his first home game with the San Francisco Giants since the death of his father, Bobby, on Aug. 23.

He relaxed on the big chair in front of his bank of lockers

before taking the field for batting practice 2 1/2 hours before the Giants' game against Colorado.

The Giants don't anticipate any reoccurrences of the exhaustion that prompted Bonds to spend Sunday night in

a Phoenix hospital, but they'll keep an eye on the superstar slugger during San Francisco's five-game homestand.

Bonds had a rapid heartbeat, shortness of breath, dizziness and chest pains when he was scratched from the lineup a

few moments before Sunday's game. He wondered if he was having a heart attack during batting practice, and the Giants sent him to the hospital.

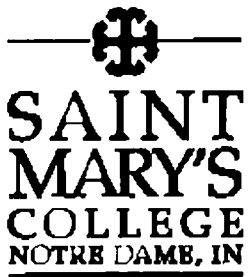
An EKG exam revealed atrial fibrillation, and he was kept overnight for observation. But the symptoms had disappeared by the time he got the game-winning hit in the ninth inning of San Francisco's win over Arizona on Monday.

"I think the emotion triggered a few things, but he's pretty good at checking those emotions," trainer Stan Conte said Tuesday. "I think it's still more about the exhaustion. In a situation where it's potentially dangerous and potentially life-threatening, you want to be as careful as possible."

Bonds had blood tests in the hospital last weekend, and the results will be revealed later in the week. Conte will do "nothing special" to keep an eye on Bonds this week, he said.

Bonds initially returned to the Giants last Saturday, hitting his 653rd career homer off Randy Johnson. He's just seven homers shy of tying his godfather, Willie Mays, for third place on baseball's career list.

But he has barely slept since Aug. 14, when he took his first stint on the bereavement list to spend time with his father, who had been ill for nearly a year with lung cancer, a brain tumor and other ailments.



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TENNIS

Agassi advances to quarterfinals of U.S. Open

Associated Press

NEW YORK — A long, rainy day turned into a short one for Andre Agassi.

The two-time champion moved into the U.S. Open quarterfinals Tuesday night when Taylor Dent quit because of a hamstring injury with Agassi leading 6-7 (5), 6-4, 7-5.

It goes into the books as Agassi's 200th career Grand Slam match victory. If he wins the tournament, he'll tie Pete Sampras at 203, the third-most in the Open era behind Jimmy Connors and Ivan Lendl.

"To see him injured is outright disappointing for everybody. It doesn't matter if it's my 200th or

first match. That's not way you want it to end," Agassi said. "It started to become apparent he was struggling with the leg. I was surprised he was unable to continue."

Their match was the first one that started and the only one completed because of off-and-on showers.

Top-seeded Kim Clijsters and No. 5 Amelie Mauresmo were sent home at 5 p.m., when their quarterfinal was postponed. Other matches pushed back until Wednesday: No. 3 Lindsay Davenport vs. No. 24 Paola Suarez, No. 2 Roger Federer vs. No. 13 David Nalbandian, and No. 7 Carlos Moya vs. No. 22 Younes El Aynaoui.

There also was another post-

ponement: the retirement ceremony for Michael Chang that was supposed to be held between the night matches at Arthur Ashe Stadium.

The tournament referee's office was the site of the biggest buzz of activity Tuesday afternoon. Rain washed out chunks of action for a second day, and officials said the tournament might not finish on time.

"The forecast right now is not all that optimistic," said Arlen Kantarian, U.S. Tennis Association CEO of pro tennis. He was talking about the weather, but he might as well have been referring to the logjam of delayed matches.

Shortly before 6 p.m., the top-ranked Agassi and unseeded

Dent went out on the court to warm up. They played 34 minutes, long enough for Agassi to go up 5-4 in the first set, before rain returned and they walked off. A little more than an hour later, the match resumed, with Dent breaking back to 5-5 and then winning the set on a 109 mph second-serve ace while rain fell.

During the changeover after the set, referee Brian Earley came out to check the court, saying to Agassi and Dent: "If you guys both want to stay out here, we're willing." But eventually play was stopped again.

Then, at about 8:40 p.m., Agassi and Dent were playing the second set. It took nearly another hour, though, for match-

es to start on other courts, including Todd Martin against French Open champion Juan Carlos Ferrero, and No. 5 Guillermo Coria against Jonas Bjorkman. Crowds of 100-to-200 spectators were at those encounters.

When Agassi and Dent resumed, they traded service breaks early in the second set. That's when Dent began favoring his right leg — which he originally hurt in practice a few days ago — and was massaged by a trainer during two changeovers. He relies on a booming serve that can top 130 mph, but that speed dropped because he couldn't get a full push from his legs, and Agassi broke once more in the set's last game.

COLLEGE FOOTBALL

Purdue features younger players in key roles on team

Associated Press

INDIANAPOLIS — Purdue will open the season with 16 returning starters and a fresh look.

When the 16th-ranked Boilermakers host Bowling Green on Saturday, five freshman will be playing key roles and coach Joe Tiller will have a new running back — sophomore Jerod Void.

Void was a surprise choice over Brandon Jones, who appeared to be the front-runner when Joey Harris was declared academically ineligible last month. The plans changed when Void outplayed Jones in practice.

"We feel like Void has had a little better training camp than Brandon," coach Joe Tiller said

Tuesday. "It wasn't significant, but in the head-to-head performance, it was a little better."

Void's job, for now, is to be the Boilermakers' feature back.

He replaces Harris, who ran for 1,115 yards and eight touchdowns last year after wrestling the starting job from Montrell Lowe.

It seemed a foregone conclusion that Jones, a sophomore, would get the first shot after running 127 times for 668 yards and three TDs last season. He was Purdue's second-leading rusher.

But Jones hurt his shoulder and was held out of contact drills for a few days last week. Void took advantage by winning his first college start. As a freshman, he gained 156 yards in 45 carries.

Void won't be the only new-

comer lining up Saturday.

The Boilermakers two-deep depth chart is littered with freshman who will likely see significant playing time.

The most intriguing prospect is Kyle Ingraham, a 6-foot-9, 221-pound wide receiver who has impressed the coaches with his hands, speed and intelligence.

"The only thing about Ingraham that remains is how he handles the game," Tiller

said. "The fact he came in at 221 instead of 210 has been a big help. It's one of the reasons he'll be on the field Saturday."

Ingraham will be joined by a handful of classmates, including tight end Garret Bushong, defensive end Ray Edwards, strong safety Bernard Pollard and defensive end Doug Van Dyke.

Tiller, starting his seventh season as Purdue's coach, did not say how much playing time

he expected the freshman to see, but acknowledged all five are likely to see significant action throughout the season.

For a team loaded with veterans, it's a different tact. And Tiller says he can't remember the last time he's had so many freshmen so high on the depth chart.

Part of the explanation is that Tiller needed depth, but the bigger issue was that they earned the jobs.

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LaFortune 9pm-Midnight

Friday: \$1 movies on

Old School Debartolo 101 @10pm

Saturday: Comedy Hypnotist Dale K

Washington Hall @9pm

AROUND THE NATION

Wednesday, September 3, 2003

COMPILED FROM THE OBSERVER WIRE SERVICES

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NSCAA/adidas Soccer Poll

Men's		Women's	
team		team	
1 UCLA		North Carolina	1
2 Maryland		UCLA	2
3 Wake Forest		Santa Clara	3
4 Saint Louis		Stanford	4
5 Indiana		NOTRE DAME	5
6 Stanford		Texas A&M	6
7 SMU		Florida	7
8 North Carolina		Virginia	8
9 NOTRE DAME		Denver	9
10 VA Commonwealth		Duke	10
11 Rutgers		Washington	10
12 Creighton		Connecticut	12
13 Alabama-Birmingham		Penn State	13
14 Wis.-Milwaukee		Nebraska	14
15 Cal-State Northridge		USC	15
16 Northeastern		Tennessee	16
17 Hartwick		West Virginia	17
18 Cal-State Fullerton		Portland	18
19 Clemson		Michigan State	19
19 Seton Hall		Clemson	20
19 St. John's		Texas	21
22 South Carolina		Boston College	22
23 Coastal Carolina		Pepperdine	22
24 Connecticut		Maryland	24
25 Duke		California	25

USA Today/AVCA Volleyball Poll

team	record	points
1 USC (65)	5-0	1,625
2 Hawaii	3-1	1,550
3 Florida	4-1	1,492
4 Stanford	3-0	1,435
5 Nebraska	3-0	1,334
6 Northern Iowa	2-1	1,191
7 UC Santa Barbara	1-0	1,170
8 Pepperdine	2-1	1,166
9 Penn State	4-0	1,041
10 Arizona	2-1	1,006
11 UCLA	2-0	1,003
12 Georgia Tech	3-0	915
13 Minnesota	0-3	726
14 Kansas State	3-2	689
15 Long Beach State	2-0	683
16 Louisville	1-2	488
17 North Carolina	3-0	430
18 Ohio State	0-0	397
18 Missouri	3-0	397
20 Santa Clara	1-1	377
21 NOTRE DAME	2-1	362
22 California	2-0	303
23 Washington	3-0	295
24 Wisconsin	2-1	261
25 Michigan State	3-0	208

Eye on Irish Opponents

Saturday, September 6

MICHIGAN at Houston
Rutgers at MICHIGAN STATE
Bowling Green at PURDUE
Kent State at PITTSBURGH
BYU at USC
Penn State at BOSTON COLLEGE
FLORIDA STATE at Maryland
TCU at NAVY
STANFORD at San Jose State
SYRACUSE at North Carolina

NCAA FOOTBALL



Ohio State running back Maurice Clarett looks on from the sidelines during the Buckeyes 28-9 victory over Washington Saturday night at Ohio Stadium.

Clarett likely to miss entire 2003 season

Associated Press

COLUMBUS, Ohio — Ohio State athletic director Andy Geiger said Tuesday night that he doubted sophomore tailback Maurice Clarett would return to the defending national champions this season.

"I'm not optimistic about any number of games at this point," Geiger said.

Earlier Tuesday, coach Jim Tressel said Clarett would no longer practice with the team until questions about his eligibility are answered — an abrupt reversal from 10 days earlier when he was allowed to work out with

the second-ranked Buckeyes.

For the first time, Tressel said Clarett would miss much of the season.

"It appears ... the suspension is going to be significant. It's going to be long," Tressel said.

On Aug. 22, Tressel and Geiger announced Clarett's suspension from the team. However, they said Clarett would be permitted to practice with the Buckeyes while the NCAA and an Ohio State panel looked into off-the-field problems and charges of academic fraud.

Clarett watched Saturday night's 28-9 vic-

tory over Washington from the bench.

Geiger said Clarett was suspended for multiple games because he misled investigators, a violation of NCAA Bylaw 10 that deals with ethical behavior by student-athletes.

"We put great stock, as does the NCAA, in forthrightness and straightforward answers to questions that are bathed in truth. We have yet to get there, which is distressing," Geiger said Tuesday.

Geiger also said Clarett violated NCAA's Bylaw 12, which deals with amateurism, "improper benefits and all those kind of

things."

The NCAA and Ohio State began an investigation in July into Clarett's claim that more than \$10,000 in clothing, CDs, cash and stereo equipment was stolen in April from a 2001 Chevrolet Monte Carlo that Clarett had borrowed from a local dealership. Clarett later said he exaggerated the value of the items stolen.

Geiger said if Clarett had told the truth from the beginning, "This might have been over in July."

Clarett's attorney, Scott Schiff, did not immediately return telephone messages seeking comment.

IN BRIEF

Lions' Stewart out for year

ALLEN PARK, Mich. — Detroit Lions running back James Stewart will miss the season after separating his right shoulder in the final exhibition game.

Stewart was placed on injured reserve by Detroit, which acquired Olandis Gary on the weekend to replace him. Detroit's leading rusher the past three seasons was hurt during Thursday's preseason game against Buffalo.

Coach Steve Mariucci said the next day he hoped Stewart would return by the sixth week of the season. Tuesday's move eliminated that possibility.

Stewart, 31, spent five seasons with Jacksonville before joining Detroit in 2000. The Lions' running game was devastated by the sudden retirement of Barry Sanders just before training camp in 1999.

"The best thing for James and for the team is to put him on IR," Lions president Matt Millen said. "Looking

at the injury, he is going to require surgery at some point in time. We have been told there is an 85 percent chance the thing would come out again.

"The best thing to do is to get the surgery now, because it has to be done."

Within minutes of Stewart's injury, Millen was talking to Buffalo president Tom Donahoe about acquiring Gary, who now will carry the brunt of the team's rushing assignments. He rushed for 1,159 yards in 12 games as a rookie in 1999, but knee and leg injuries have limited Gary to 455 yards over the past three seasons.

Koch activated from DL

CHICAGO — The Chicago White Sox activated former closer Billy Koch from the disabled list before Tuesday night's game against the Boston Red Sox.

Koch went on the disabled list Aug. 12 with a sore right elbow. In a four-

game rehab stint at Triple-A Charlotte, he was 0-1 with a 4.91 ERA.

"It went well. My arm feels good, which is No. 1," Koch said. "The last two times out I felt real good out there. I threw the ball where I wanted to, which is the biggest thing. My mechanics were good, arm didn't hurt, and like I said, that's the biggest thing."

Koch was the AL's top reliever last year, going 11-4 with a 3.27 ERA and a career-high 44 saves for Oakland. But he's struggled in Chicago, and lost his closer's job in early July. He is 5-5 with a 5.55 ERA, and hasn't had a save since June 24.

He is 11-of-15 in save opportunities this year.

While Koch still wants to close, he's unlikely to get that job back this season. Tom Gordon has made nine straight scoreless outings, and ranks among the top AL relievers in strikeouts, fewest homers per nine innings and wins.

around the dial

TENNIS

U.S. Open 11 a.m., USA

MAJOR LEAGUE BASEBALL

St. Louis at Chicago Cubs 1:20 p.m., WGN

Atlanta at New York Mets 12 p.m., ESPN

Boston at Chicago White Sox 7 p.m.,

ESPN2

FOOTBALL

Jones has an offensive role, but only the coaches know

Willingham keeping quiet about how he will use two-time leading rusher

By JOE HETTLER
Sports Editor

Notre Dame coach Tyrone Willingham is keeping quiet about the role of returning running back Julius Jones, which doesn't surprise anyone.

"I prefer not to give away exactly what those are," Willingham said. "Traditionally, as a coach, I'm reluctant to do that because as soon as I say how many minutes he's playing, and he doesn't play it, he's very disappointed. I've learned you don't get into that area. It will happen. You know we want to get him in."

Jones returned to the Irish after being dismissed in the summer of 2002 from the University after his third season on the field. He was reinstated this past summer after spending time working out and taking classes at Arizona State.

Willingham welcomed Jones back to the football team and definitely has a plan for Jones and 1,000-yard rusher Ryan Grant.

"I can't shed any light on what the role will be, but Julius has had an excellent camp," Willingham said. "He's done all of the things that I've requested of him and that the university has requested of him."

"He's put himself in a position to be a major contributor for our team. We've got a pretty good combination to work with."

From walk-on to backup

Last week, fullback Josh

Schmidt fully realized how far he came from being a spring season walk-on his freshman year to the backup behind Rashon Powers-Neal this season as a junior for the Irish.

Schmidt was walking in from practice and was unsure whether his name had been called for an interview in the press room. Instead of asking, Schmidt simply assumed it was someone else's name because he was never interviewed before. After the reporter waited for over 40 minutes, a Notre Dame sports information official went looking for Schmidt and found him eating dinner. Finally realizing that his name had actually been called, Schmidt raced downstairs only to see that the reporter had left for the day.

Fortunately, Schmidt was able to give his interview later that week.

But for a guy that wasn't on the team during his freshman fall, the experience of being a definite figure in Irish football has been exciting.

"There are a lot of differences. From strictly running just scout team work to being with the first offense is a big difference," Schmidt said. "It's nice not having to go against the No. 1 defense."

Schmidt was on the fourth-team last season and played late in the game against Rutgers. But his steady improvement, along with the loss of several fullbacks to graduation left the door open for Schmidt to become an integral part of the team in 2003.

Offensive line coming together

Irish offensive coordinator Bill Diedrick knows his offense is ready for Saturday's contest against Washington State. He believes the team has made solid improvement in recent

weeks.

"We're excited to get started. I think we've had a very good camp and I know we're really excited to get on the field and just get to a game," Diedrick said.

Diedrick also added that quarterback Carlyle Holiday has looked impressive in practice and that the offensive line is continuing to show improvements.

"With Carlyle's progress, he's continued to make progress during camp and I feel very, very positive that he feels very confident and comfortable now within the offense," Diedrick said. "With the offensive line, we're beginning to get that chemistry together and our rotation is looking good. We're not as far as we want to be and we'll be farther along by mid-season, but we're so much farther along then we were before fall camp."

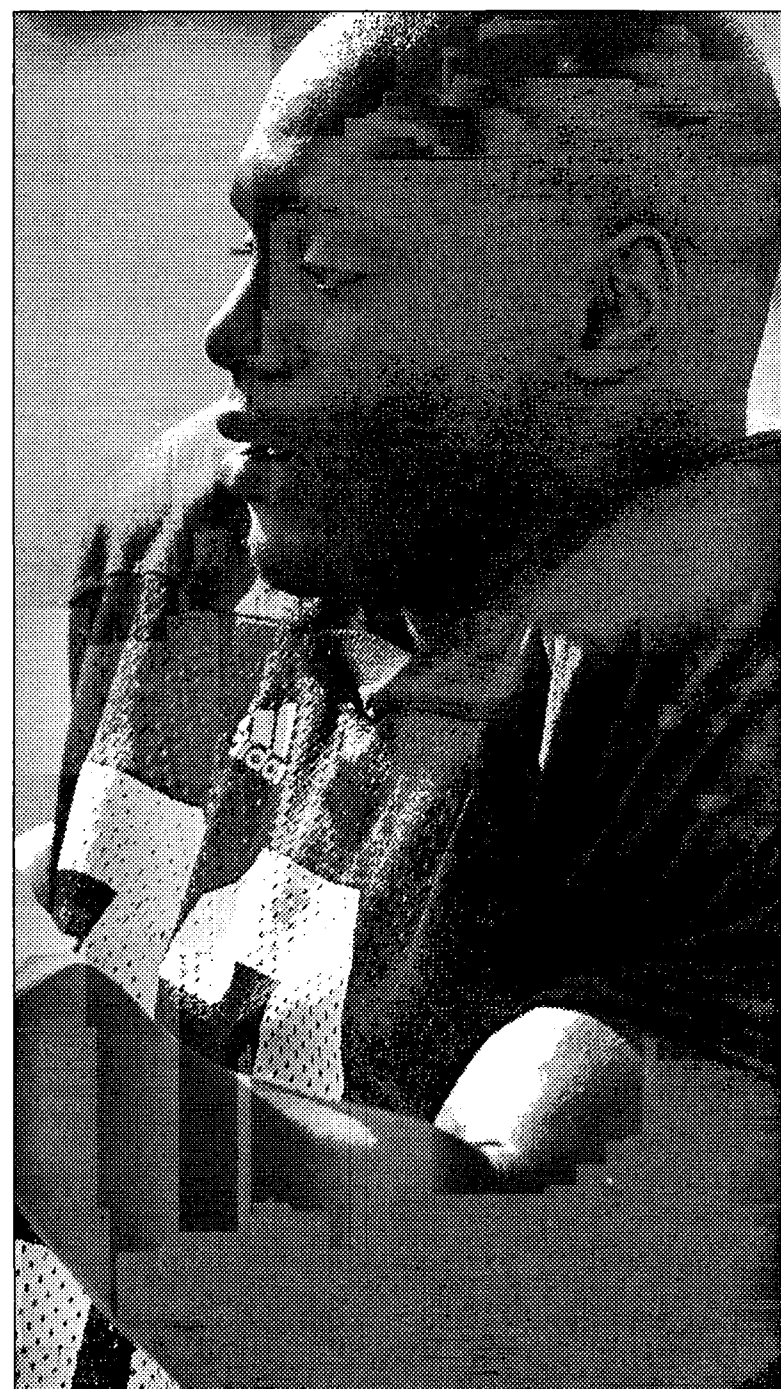
Hilliard likely will play for Saturday

Nose tackle Cedric Hilliard has missed the last few practices with a sprained left ankle, but the fifth-year defensive lineman said he will be ready for Saturday against Washington State.

"[The left ankle] is feeling pretty good and I'm ready to go play football again," Hilliard said.

Hilliard, who started the past year and a half for the Irish alongside Darrell Campbell, was named to the All-American third team by Athlon last season after recording two sacks and 31 total tackles. Senior Greg Pauly will also see action at nose tackle against the Cougars.

Contact Joe Hettler at
jhettler@nd.edu



ANDY KENNA/The Observer

Running back Julius Jones puts his helmet back on at a fall camp practice on Aug. 20.

D-Line

continued from page 24

and was used as a pass rushing specialist for most of last season.

Tuck's improvement in stopping the run has helped him become an every down player.

"It's easy to go run and get the quarterback. But when you have to stop and play run and take on blockers along the way, that's something that's not natural if you've never played that before," Mattison said. "So the biggest key is to show him how to use his ability and his leverage to learn to stop the run."

Tuck may be somewhat inexperienced as an every-play lineman, but Campbell and Hilliard give the Irish plenty of experience, with both returning for their fifth years. The duo brings a combined 4.5 years of starting

experience to the line and want to end their careers on a high note. Campbell recorded six sacks last season, while Hilliard added two sacks and five tackles for a loss. The two have played together the last

two years together on the line.

"[Cedric] and I are always in the trenches all the time," Campbell said. "We're battleworn and ready."

In his first year as a starter, Budinscak had three

sacks and six tackles for a loss in 2002. He also gained valu-

able experience that will help him in his second year as an Irish starter. He will be opposite Tuck at left end.

Senior Greg Pauly will switch in and out with both interior linemen and is expected to contribute significantly to this year's unit. He played in just under 100 minutes last season in 13 games.

Campbell understands the success of the entire defense begins with the front four. The defensive line had success last season by pressuring the quarterback throughout games, without the aid of a blitz. This freed up the Irish secondary and allowed them to have an extra player roaming on pass plays.

This year the defensive backs have to replace players like Shane Walton and Gerome Sapp, making the defensive line's job of pressur-

ing the quarterback even more important.

"Coach Mattison always harps that a good defensive unit starts up front," Campbell said. "It always starts up front so we need to make it easier for [the defensive backfield] to capitalize on miscues by the offense."

With the first game against

Washington State three days away, Mattison knows his unit is eager to play against an opponent.

"They're probably thinking to themselves that they can't wait to play someone different," Mattison said.

Contact Joe Hettler at
jhettler@nd.edu

"It always starts up front so we need to make it easier for [the defensive backfield] to capitalize on miscues by the offense."

Darrell Campbell
Irish defensive tackle

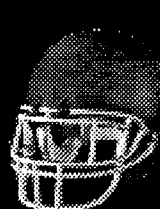
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FOOTBALL

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Practices focus on developing depth for season's unexpected



Irish defensive end Justin Tuck sacks Pittsburgh Rod Rutherford last season at Notre Dame Stadium.

By JOE HETTLER
Sports Editor

Darrell Campbell knows what makes a good defensive line become a great one. He also knows the Irish have that element this season.

"Your defensive line is only as good as the guy behind you," Campbell said. "Anybody can go down at any time, so it's important to have everyone on the same page just as good as the No. 1 guy. From that standpoint, everybody has to be as good as or better than the guy ahead of them when they go in there."

The Irish return three starters from a year ago:

See Also

Jones has an offensive role, but only the coaches know

page 22

"Your defensive line is only as good as the guy behind you."

Darrell Campbell
Irish defensive tackle

Campbell, Cedric Hilliard and Kyle Budinscak. They also have experience in junior Justin Tuck and senior Greg Pauly, who will rotate in the interior.

One of defensive line coach Greg Mattison's goals for practices was to improve not just the starters, but their backups, too.

"I'm really pleased with the development of some of the younger kids," Mattison said. "That's what we tried to get out of camp — to try and establish a kind of two-deep rotation of some sort, and I think we're heading closer and closer to that."

Last year's unit will have to replace graduate Ryan Roberts, who lead the defensive line with eight sacks. To fill that void, Mattison moved in Tuck, who converted from linebacker

see D-LINE/page 22

SMC VOLLEYBALL

Injuries test Belles' depth

By JUSTIN SCHUVER
Sports Writer

Saint Mary's will have to deal with more than just a boring ride on the road when they open their MIAA season at Albion College today.

According to coach Julie Schroeder-Biek, three of the Belles' key players might miss the Albion game.

Libero Anne Cusack has strep throat and will more than likely miss the game. Outside attacker Michelle Turley has a foot injury and will probably also miss the contest.

Outside attacker Alison Shevik sustained an ankle injury and will probably miss the match, but her coach said there is a slight possibility she may still play Wednesday.

Regardless of her starting roster, Schroeder-Biek feels her team has the capability to deal with the adversity.

"We've got good depth and I feel that people will step up," she said.

Albion (3-1, 0-0 MIAA) is coming off a weekend tournament in which they placed third with wins over Ohio schools Heidelberg and Bluffton. The Britons also lost in five games to Franklin, Ind.

The Britons are led by Eliza Lee, who dished out 905 assists in her first year with Albion. She was also the team leader in service aces (67) and second in digs (230) in the 2002 season.

Krystie Weeks had an equally impressive season last year and is expected to help pace the Britons offensively this season. Weeks led last season's team with 243 kills and ranked second on the team with 56 blocks.

Saint Mary's (0-1, 0-0 MIAA) has previously had several competitive matches with Albion, and Schroeder-Biek doesn't see any reason for that to change this year.

"They are very comparable to us as a team," she said. "We're each at about the same stage of growth."

Schroeder-Biek believes that opening conference play on the road will be a good experience for her young team.

"I do like traveling early in the season, because it's a good bonding experience for the girls," she said. "We love playing at home with our crowds, but there's also a good group of parents that follows us when we're on the road."

Contact Justin Schuver at
jschuver@nd.edu

SMC SOCCER

Belles go on the road looking to go 3-0

By ERIK POWERS
Sports Writer

The undefeated Saint Mary's soccer team will travel across Indiana today to face Taylor University of Grant County as the Belles continue their tough early road schedule.

Last weekend at Marietta College (Ohio), Saint Mary's got off to a solid start, defeating State University of New York Brockport (SUNY) 3-1. SUNY has been successful the past three seasons, recording double-digit wins in each of those years. The Belles built off that momentum to defeat host Marietta 2-1 in double overtime.

Today's opponent, Taylor (1-0-1), won a Massachusetts tournament over the weekend and scored five goals in one game. Taylor joins the MIAA next year.

"We'll approach this as a conference game to set the tone [for the conference schedule]," coach Peter Haring said.

Saint Mary's should be at full strength. The Belles are injury-

free and will be bringing a few extra reserves on the short road trip. At this early point in the season, the team's rotation remains a work in progress.

"We're trying to get pieces to fit," Haring said. "I got a good indication of who to rely on [over the weekend]... After two games I'm beginning to see who is comfortable playing with one another."

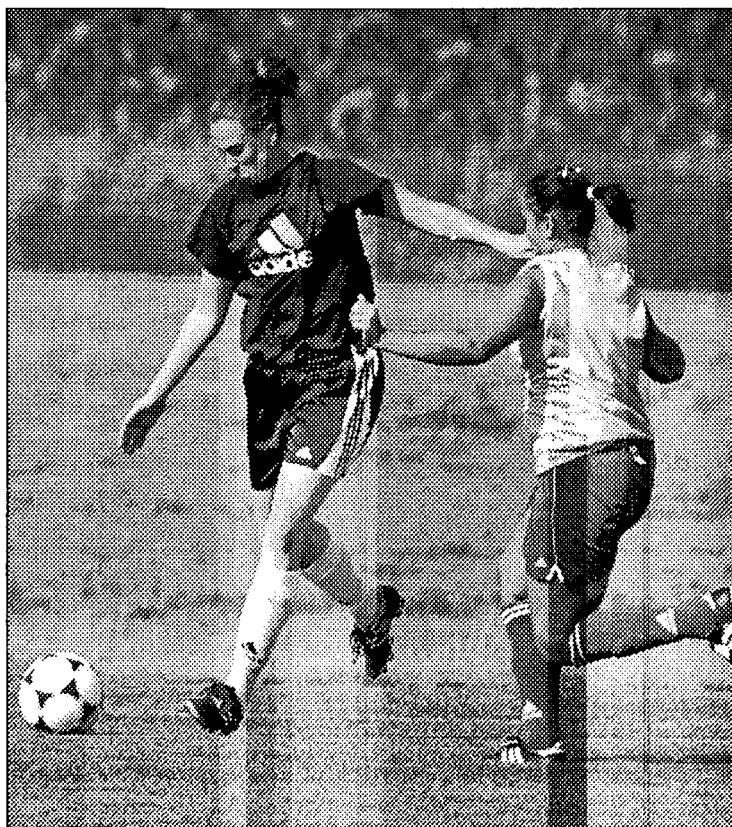
Saint Mary's will continue to rely on Jen Concannon for scoring. The junior already has three goals in only two games. Freshmen Ashley Hinton and Carolyn Logan each have goals, and Logan also had two assists. The freshmen's early contributions came as no surprise to Haring.

"A lot of recruiting last year was emphasized on players for the attack," Haring said.

The Belles hope to do what no Saint Mary's team has done before — open the season 3-0.

Saint Mary's plays at Taylor today at 4 p.m.

Contact Erik Powers at
epowers@nd.edu



Two Saint Mary's soccer players participate in a scrimmage last month.

Observer Staff Report

SPORTS AT A GLANCE

U.S. OPEN

Andre Agassi advances to the quarter-finals in a soggy day at Flushing Meadows, N.Y.

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MLB

San Francisco outfielder Barry Bonds returns to the lineup after a bout with exhaustion.

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NFL

Cleveland Browns quarterback Tim Couch talks about his future after his demotion to the second team.

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NBA

Kobe Bryant's lawyers subpoena his accuser's medical records.

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AL WRAP

The Athletics defeat the Orioles 2-0 in 12 innings to run their win streak to 10 games.

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NL WRAP

The Cubs and Cardinals split a key divisional doubleheader at Wrigley Field.

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