

# THE OBSERVER

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NDSMCOBSERVER.COM

## Council to consider amending ordinance

*Student leaders present suggestions to South Bend Common Council*

By MADDIE HANNA  
Associate News Editor

South Bend Common Council members said they would consider changes to the city's Public Nuisance Ordinance after listening to a carefully crafted statement on community relations delivered by six Notre Dame student government representatives at Monday night's Council meeting.

"I was extremely pleased with the outcome," student body president Dave Baron said after the meeting. "That was exactly what I was looking for when I said [I hoped Council members would be] engaging us further."

While student representatives

addressed the strained relationship between the Notre Dame and South Bend communities and explained how student government has addressed the issue, the core of the presentation was much more controversial, centered on perceived problems with the South Bend Public Nuisance Ordinance.

The ordinance was amended on July 25, 2005 to allow the City to send tenants a notice to abate after one violation instead of the previous three.

Senate Community Relations committee chair Nick Guzman said while six students received notices to abate and were evicted last semester, "of all the other notices to abate sent to students,

there have been no [second] violations."

That fact supports student government's position that this aspect of the ordinance amendment is unnecessary, Guzman said, in that it fines both landlords and tenants after a first offense but drops the landlord's fines if he or she evicts the tenant within 30 days.

"We feel the spirit of the law and enforcement of the law have been inconsistent," he said.

Judicial Council president James Leito mentioned an editorial written by the South Bend Tribune this summer that supported the ordinance and described it as an effective tool to teach students

see COUNCIL/page 6



JESSICA LEE/The Observer

Judicial Council president James Leito addresses members of the South Bend Common Council Monday night.

## ND law student to face DUI charges

*Police say driver admitted to drinking, refused BAC test*

By KAREN LANGLEY  
Assistant News Editor

A second-year Notre Dame law student was arrested and charged with operating a vehicle while intoxicated resulting in injury after a Feb. 19 accident in which a Notre Dame senior was injured, officials said.

Jon Schoenwetter, 30, was driving the car that hit Brian Cardile,

see ACCIDENT/page 3

## 2007, 2008 Class Councils decided



PAMELA LOCK/The Observer

Senior class president-elect Sheldon Dutés, left, vice president-elect A.J. Cedeño, center, and treasurer-elect Katie McGucken examine the voting breakdowns Monday night in LaFortune.

*Class of 2009 election will advance to run-off Thursday*

By EMMA DRISCOLL  
News Writer

Candidates in the 2006-07 Class Council Elections expressed varying degrees of excitement, disappointment and prolonged anticipation while hearing election results 9 p.m. Monday in the Club Resource Center of LaFortune.

The Sheldon Dutés-A.J. Cedeño-Stephanie Pelligra-Katie McGucken ticket for senior Class Council gathered 488 votes to defeat the opposing Liz Kozlow-Alex French-Laura Kelly-Danny Chisholm ticket (407 votes).

While Dutés, the senior class president-elect, could not quite get the words together to express his excitement, McGucken — Dutés running mate and senior class treasurer-elect — said the victors are excited to put "ambitious goals and plans" into motion.

Their plans include designated senior service projects, a Christmas dinner in the

see ELECTIONS/page 4

## Dorm debate focuses on academic freedom

By KATHLEEN McDONNELL  
News Writer

Academic freedom and the role it plays in a Catholic university was the topic of discussion Monday as students and faculty members engaged in discussion in the basement of Keenan Hall.

About 25 students attended to listen to and interact with Mendoza College of Business professor Margot O'Brien, theology professor Herald Ernst and Film, Television and Theater chair Peter Holland. Each faculty member

opened with his or her general thoughts before engaging audience members in a debate.

O'Brien spoke of Notre Dame's legal right as an institution to make autonomous decisions. She cited as example a Supreme Court Case that struck down a federal sanction forcing any university accepting public funding to allow military recruitment on campus.

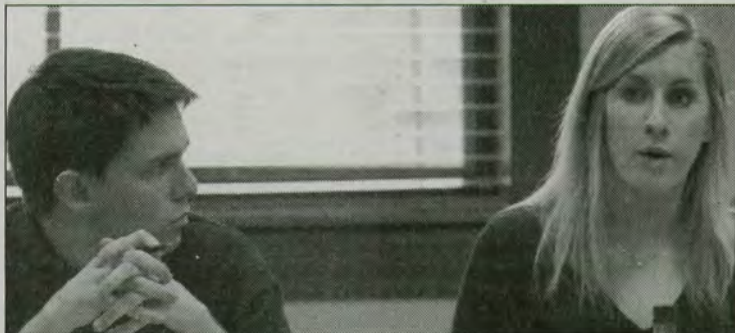
Notre Dame has a right to speak — or abstain from speaking — at its discretion, she said. Lawyers in the Supreme Court case argued

see DEBATE/page 6

### CAMPUS LIFE COUNCIL

## Social, academic life split examined

*Members explore distinction between scholarly, student activities*



JESSICA LEE/The Observer

Student body president Dave Baron and vice president Lizzi Shappell discuss academic freedom at Monday's CLC meeting.

By MARY KATE MALONE  
Assistant News Editor

The issue of academic freedom at Notre Dame deepened its presence in University discussion at Monday's Campus Life Council Meeting, as students, faculty and staff squared off on the topic for nearly 45 minutes.

The Council's discussion came two weeks after student body

see CLC/page 4



# INSIDE COLUMN

## Don't mess with Tiger

Last week, I caught myself watching the Denny's PBA Tour presented by Geico. That's when I realized how desperate things were. The sports world had reached its absolute nadir. Little did I know, March Madness would come to my rescue a few weeks early.

**Greg Arbogast**  
*Sports Writer*

For those of you who don't know, the Accenture World Golf Championships is either the PGA tour's version of March Madness or its attempt to get viewers to pay attention to their sport at any time other than the four majors. Both definitions work.

Basically, it's a straight rip-off of the NCAA tournament. Sixty-four golfers, four brackets, six wins gets you the title. Now, of all the matches, I was obviously going to pay the most attention to any involving Tiger Woods.

His first round opponent: Stephen Ames. Now, I didn't know much about Stephen Ames before this article, so, being an aspiring journalist, I did a little research.

World Ranking: Tiger Woods, 1; Stephen Ames, 65. 2006 Earnings: Woods, \$918,000; Ames, \$14,178. Number of ridiculously hot Swedish wives: Woods, 1; Ames, 0.

I mean, we're talking about the mismatch of the century here. If we put this into NCAA terms, it would be equivalent to Northeast Central Arkansas State A&M vs. Duke.

So Ames did what any logical, obviously overmatched underdog would have done in his situation. He insulted his opponent. To directly quote the wise Stephen Ames, "Anything can happen. Especially where [Tiger's] hitting the ball."

Did Ames even realize what he was saying? Did he forget that he was matched up with the Tiger Woods, not only the best golfer of his era, but possibly of all time? To even possibly comprehend the magnitude of Ames's statement, it was like the coach of the aforementioned Northeast Arkansas team saying he thinks his team will beat Duke because J.J. Reddick will be shooting a lot of 3 pointers.

By this point, I was captivated. How would the maniacally competitive Tiger Woods, who also happened to own a 21-4 career record in match play, respond to the... well, challenge offered to him by Ames?

Responding in his typical fashion, Woods didn't merely defeat Ames, he annihilated him. Woods etched his name yet again into golf's record books by defeating Ames 9 & 8. This was as early as mathematically possible to defeat an opponent in match play and a feat that had never previously been accomplished.

Asked if Ames' comments motivated him, Woods responded, "Yes." Asked if he cared to elaborate, Woods replied with a smile, "No." Well Stephen, let me elaborate for you on Tiger's behalf. After you made those comments, you had about as much chance of winning as Notre Dame down by 1 with 20 seconds to play.

Before I get carried away, however, I would like to personally thank Stephen Ames. He brightened up the always boring sports month of February, and by creating the PGA tour's own version of a reality tv show, he helped spread the madness of march a few weeks early.

Contact Greg Arbogast at garbogas@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: DID YOU VOTE IN THE CLASS COUNCIL ELECTIONS, AND WHY?



**Andrew Smith**  
freshman  
Dillon

"No, I have not voted, to be perfectly honest."



**Aidan Fitzgerald**  
freshman  
Knott

"Yes, I did vote because it's the only effective way to voice my opinion."



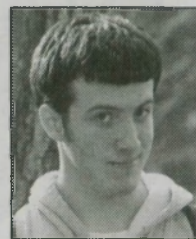
**Marc Mejaki**  
freshman  
Knott

"No, because someone has already bought my vote."



**Sara Loveless**  
sophomore  
Howard

"Yes, because it's my responsibility as a good student."



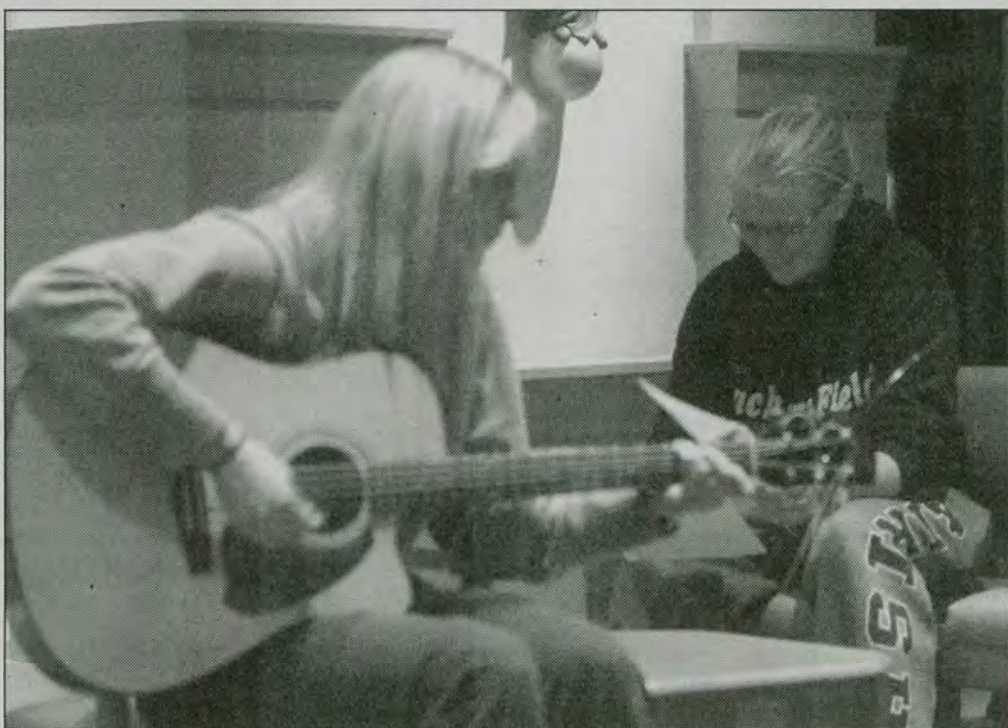
**Will Loftus**  
freshman  
Dillon

"Yes."



**Julie Opet**  
sophomore  
PW

"Yes, I did, because I love Sheena."



JESSICA LEE/The Observer

Freshman Christa Riggins, left, strums on a guitar in Welsh Family Hall with fellow freshman Claire Hubbard. During midterms week, students all over campus — these girls included — crave respites from studying.

### OFFBEAT

#### Distillery to revive 184-proof whiskey

LONDON — A Scottish distillery said Monday it was reviving a centuries-old recipe for whiskey so strong that one 17th-century writer feared more than two spoonfuls could be lethal.

Risk-taking whisky connoisseurs will have to wait, however — the spirit will not be ready for at least 10 years.

The Bruichladdich distillery on the Isle of Islay, off Scotland's west coast, is producing the quadruple-distilled 184-proof — or 92 percent alcohol — spirit

"purely for fun," managing director Mark Reynier said.

Whisky usually is distilled twice and has an alcohol content of between 40 and 63.5 per cent.

#### Poll rates wackiest street names in the country

LOS ANGELES — Farfrompoopen Road, the only road to Constipation Ridge, lost to Divorce Court and Psycho Path, which placed No. 1 in an online poll of the nation's wildest, weirdest and wackiest street names.

Mitsubishi Motors sponsored the poll on the Web

site <http://www.TheCarConnection.com> and more than 2,500 voters cast their ballots during a week of voting that ended this month. Winners were announced Friday.

In first place was Psycho Path in Traverse City, Mich., followed by Heather Highlands, Pa.'s, Divorce Court in second and Tennessee's Farfrompoopen Road in third. Eisenstein said all the roads were verified, although some are private and hard to find.

Information compiled from the Associated Press.

### IN BRIEF

A campus and community conversation about "Understanding Juvenile Justice in South Bend" will take place at 6 p.m. tonight at Robinson Community Learning Center on Eddy Street.

Jim Towey, Director of the White House Office for Faith-Based and Community Initiatives, will speak about "Compassion for America's Poor: What Happens When God and Government Mix" today at 4 p.m. in the Hesburgh Center Auditorium.

The departments of Art, Art History and Design, Film, Television and Theatre and Music are sponsoring a Mardi Gras Celebration of the Visual and Performing Arts tonight from 7 to 9 p.m. in the DPAC's Philbin Studio Theatre. Music will be provided by the Notre Dame Brass Band and String Quartet.

There will be a Jazz Coffeehouse at 8 p.m. Wednesday in the LaFortune Ballroom.

The Asian American Association will sponsor a "Grotto Walk" on Wednesday. They will meet in front of Bond Hall at 11 p.m.

The opening meeting of the Diverse Student Leadership Conference will take place in O'Laughlin Auditorium Thursday at 8 p.m.

AcousticCafe will take place at 10 p.m. Thursday in the LaFortune basement.

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

LOCAL WEATHER	TODAY		TONIGHT		WEDNESDAY		THURSDAY		FRIDAY		SATURDAY	
	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW
	41	28		35		50		40		35		37
				28		30		22		25		28

Atlanta 68 / 42 Boston 35 / 19 Chicago 41 / 22 Denver 72 / 34 Houston 76 / 59 Los Angeles 61 / 56 Minneapolis 35 / 16 New York 40 / 23 Philadelphia 45 / 24 Phoenix 79 / 57 Seattle 46 / 39 St. Louis 67 / 44 Tampa 72 / 47 Washington 47 / 29



BOARD OF GOVERNANCE

# Group decides to award grant

By LIZ HARTER  
News Writer

Student government officers awarded a co-sponsorship grant to the Saint Mary's Sociology Club and discussed the upcoming Dance Marathon at the Board of Governance (BOG) meeting Monday night.

Executive Treasurer Jillian Waters presented the co-sponsorship, submitted by members of the Saint Mary's Sociology Club and reviewed by the Student Academic Council (SAC). The original proposal requested \$1,267 to help sponsor five seniors and one junior planning to attend the North Central Sociological Association Conference in Indianapolis, Ind. on March 25.

The five seniors will be presenting their senior comprehensive projects at the conference. Waters said SAC members granted \$667 to the applicants, arguing they had not sought enough sources for funding.

"SAC felt there wasn't sufficient planning by the club or the girls who are going to warrant giving them [the total amount]," she said.

Student Diversity Board president and sociology club member Amanda Shropshire said in past years, student government has fully funded the expenses of the conference

because attendees have not sought alternative avenues of funding previously.

"I heard from a couple of different girls on SAC that they felt the presentation was very poorly done and [that] people were not very nice [in general]," student body president Kellye Mitros said.

Residence Hall Association (RHA) president Jackie Wright moved to approve SAC's offer of \$667, of the total \$4,478 remaining in BOG's co-sponsorship accounts, which passed.

Following the vote, freshman class president Francesca Johnson gave an update on the Dance Marathon fundraiser. Sponsored by the freshman board and the RHA, the event will benefit Riley's Children Hospital in Indianapolis. Johnson said she and other board members spent hours compiling "dancer packets" to distribute to participants, which include liability waivers and donation request forms.

"I know it is [primarily] in case someone sprains their ankle, [we don't want them to sue]," Johnson said in reference to the liability forms.

Dancers will be asked to personalize letters to family and friends requesting sponsorship for their 12-hour participation in the April 21 event, Johnson said.

Johnson and Wright explained the marathon would

involve more than just keeping on your feet. Johnson said children from the hospital will be present to share their stories, and guest bands will keep the dancers energized.

Johnson asked all board members to participate and said she hoped BOG would do more than just give money to the event.

"I wanted BOG to put together our own banner because I know we are going to have one from each residence hall," Johnson said. "Since BOG is funding it, I thought it would be nice to have a BOG banner."

## In other BOG news:

♦ Student Activities Board is sponsoring a Spa Day today in the lower level of the Student Center from 7 p.m. to 10. Make-up and hair consultations are being offered as well as manicures. Sign up sheets are available in the Student Center Lobby.

♦ Student Activities Board president Jackie Write announced the Chicago-based performance group The Reduced Shakespeare Company will be on campus to perform "The Complete Works of William Shakespeare (abridged)" on Sunday at 3 p.m. in the lower level of the Student Center.

Contact Liz Harter at  
charte01@saintmarys.edu

# Accident

continued from page 1

21, in front of 1631 East South Bend Avenue — the address of the Linebacker Lounge — that Sunday at 2:30 a.m., according to South Bend police reports, said Terry Lanning, a spokesperson for the South Bend Police Department.

The police officer called to the scene filed in his report of the incident that when he arrived, Cardile was alert and receiving attention from trained medical personnel, Lanning said. Cardile sustained head injuries and was taken to Memorial Hospital in South Bend, where he stayed until Feb. 22.

"[Schoenwetter] stepped forward and started speaking with the officer," Lanning said. "They found reason to be suspicious that he had been drinking, and he admitted he had."

The officer asked Schoenwetter if he would submit to a field sobriety test, but because of inclement weather, he instead took the second-year law student to the St. Joseph County Jail to administer the test, Lanning said.

Once there, according to the police report, Schoenwetter refused to submit to the chemical blood alcohol content (BAC) test that is admissible as evidence in court, Lanning said.

Jail records confirm Schoenwetter refused to submit to the chemical BAC test but document he was then administered a preliminary breath test (PBT), Deputy Dawn Burger of the County Jail said Feb. 24. The PBT, a handheld device, yields results that cannot be used in court but

are still fairly accurate, she said. The legal limit in Indiana for operating a vehicle is a 0.08 BAC. Schoenwetter blew a 0.10 on the PBT, Burger said.

The police report says Schoenwetter then was arrested for OWI refusal — operating while intoxicated and refusing to take the chemical breath test — Lanning said, while Burger said the county jail report states he was charged with DUI (driving under the influence) resulting in injury. He was arrested at 3:47 a.m., Burger said.


Schoenwetter left the jail at 9:48 a.m. on a \$500 bond, Burger said. He is scheduled to make his initial court appearance to face charges of DUI resulting in injury at 8 a.m. March 13 in the traffic and misdemeanor court of the St. Joseph County Courthouse, Burger said.

Catherine Wilton, media relations director for the St. Joseph County Prosecutor's Office, said Monday that Schoenwetter's case is currently under review by a deputy prosecutor, meaning the office cannot comment on possible charges until the review is completed.

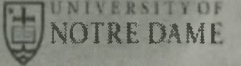
Under Indiana Code 9-30-5-4, a person who causes serious bodily injury to another person while operating a motor vehicle while intoxicated commits a felony crime.

Cardile did not respond to requests for comment in time for publication of this article. Schoenwetter referred The Observer to his attorney, George Horn, who did not return phone calls Monday seeking comment.

Contact Karen Langley at  
klangle1@nd.edu




Center for Social Concerns



UNIVERSITY OF NOTRE DAME

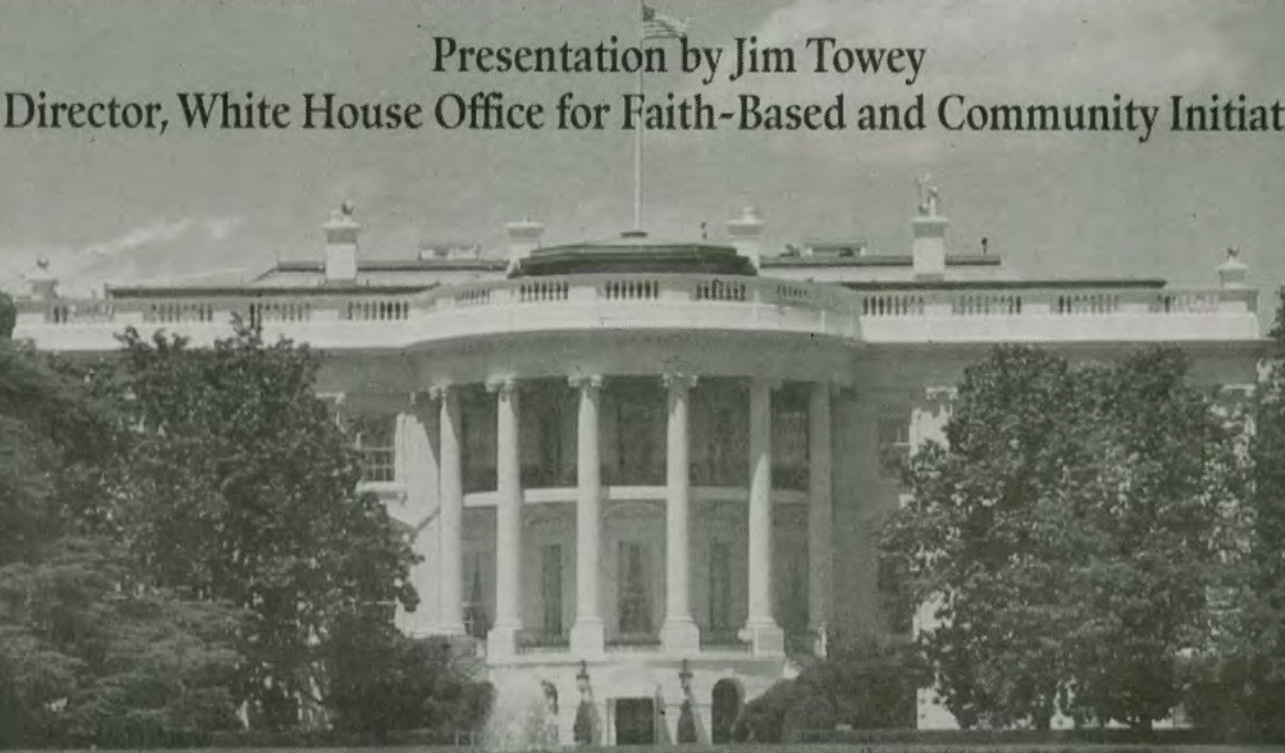
Alliance for Catholic Education



## Compassion for America's Poor:

# What Happens When God and Government Mix?

Presentation by Jim Towey  
Director, White House Office for Faith-Based and Community Initiatives



## Tuesday, February 28, 2006

**Presentation**  
Hesburgh Center Auditorium - Hesburgh Center  
4:00 p.m. - 5:00 p.m.

**Reception**  
Great Hall - Hesburgh Center  
5:00 p.m. - 6:00 p.m.



# CLC

continued from page 1

president Dave Baron created the new Task Force on Programming Standards — charged with examining how University President Father John Jenkins' recent addresses regarding academic freedom and Catholic character could potentially affect events sponsored by the Office of Student Activities.

"I think there is much relevance in what Jenkins said in his speeches ... as to how we go about programming events and how we go about raising issues and raising money as students," Baron said.

The contentious topic spurred extensive debate as members explored the difference between events sponsored by academic departments and events falling under the umbrella of the Office of Student Activities — and, more broadly, the separation of student life and academic activities.

"I can speak as a faculty member ... we don't want people to just come to class and then say 'good that's over,'" history professor Gail Bederman said. "The idea that there should be a split, especially when you're working on something you don't need a laboratory for — like gender history, social work or theology — is kind of sad."

Members discussed the difference between events like the Keenan Revue — a dorm sponsored comedy event — and "The Vagina Monologues," an academic department sponsored event.

"I'd like to see a distinction

made clearly ... a consistent policy between residence life and academic life," student body vice president Lizzi Shappell said. "What are the regulations when working with clubs and organizations? [What about] unrecognized clubs and organizations? Because right now it seems like from department to department it varies, from men to women it varies, from clubs within [the] student union to unrecognized clubs it varies ... it's a mess right now and to find a clear policy is essential."

Shappell said her biggest concern was how the University will define what is "egregiously against Church teaching."

"While I see the entertainment value in many campus productions, I think even the Keenan Revue, that trivialized sexual assault and rape when we're criticizing 'The Vagina Monologues' ... was extremely concerning," Shappell said.

Lewis Hall senator Katie McHugh said she could envision controversial events like "The Vagina Monologues" seeking sponsorship from residence halls next year — perhaps to avoid harsh restrictions.

"I think this is going to be a big problem. I can see dorms getting together to sponsor [The Vagina Monologues] ... I would ask Lewis to sponsor it," McHugh said. "I don't think it's fair to separate academic and student life. The two are equivalent and go together."

Hall Presidents Council co-chair Lindsey Ney said she was upset that "things that are for entertainment value or residence life are being given more freedom."

"People were shocked that [R-

ated horror film] 'Saw 2' was the SUB movie of the week when we're talking about getting rid of 'The Vagina Monologues,'" she said.

Judicial Council President James Leito agreed that there is a difference between academic events and entertainment productions.

"If [the Office of] Student Affairs says a certain dorm event isn't fulfilling [the] mission for positive growth of the students ... they should be allowed to say don't do this," Leito said.

However, if academic departments think an event has academic value "for even one student," that event should be permitted, Leito said.

Baron asked members if they thought the title of a production influenced the permissibility of it.

"That's another part of the inconsistency," McHugh said. "[The title, 'The Keenan Revue'] makes it sound innocent and okay and then you watch it and [there are] serious things in there that are against Catholic teaching."

Bederman said productions like "The Vagina Monologues" take "a thing that was hidden and unspeakable and make[s] [it] speakable."

"To take things that, if you will, were in the closet, and bring them out [...] we can talk about them openly and deal with them," Bederman said.

By changing the titles of productions like the event formerly known as The Queer Film Festival, she said, "we already conceded that we don't talk about them openly. In some ways, it looks to me like that is the crux of the matter ..."

Bederman said that the polar-

izing issue of sexuality at Notre Dame is a problem for the entire nation.

"The next step, in some ways, is what is the role of the Catholic university to reach over these gaps?" Bederman said. "Are we best at bridging by going to one side or other? Do we bring them to campus and have discussions? Do we turn [the issues] over to students? ... Notre Dame could play an amazing role in moving beyond these gaps."

Assistant Vice President for Student Affairs G. David Moss said he does not believe there is only one way to discuss contentious issues on campus, adding that the "Monologues" is not necessarily the solitary catalyst to stimulate dialogue about sexual violence against women.

"The reality is, we still have an important issue to talk about," Moss said. "We have women here that need to have resources ... in many ways, thinking this play is the only way ... to engage in conversation in violence against women is limited and doesn't do it justice."

Zahm senator Pat Knapp, who sits on the advisory council on academic and student life, said closing avenues for discussion will not solve the problem.

"As long as these issues about violence against women and sex are present in the broader societal context, then our mission is to educate Catholic then we should be asking, what is the Catholic teaching?" Knapp said. "How do we prepare Catholics to approach these issues in the context of a broader society, not just within the Church."

Contact Mary Kate Malone at [mmalone@nd.edu](mailto:mmalone@nd.edu)

# Elections

continued from page 1

press box and a monthly Class of 2007 newsletter, according to the ticket's campaign Web site.

For junior Class Council, Bridget Keating, Jarrett Lantz, Michelle Zaldana and Michael Cimino secured 415 votes to defeat the Sheena Plamootil-Paul Robbins-Jordan Gallo-Joe Varchetto ticket (380 votes).

A run-off election will decide the class of 2009 appointees Thursday, since two tickets separated from the rest of the pack in the only Class Council election to present multiple tickets.

Both tickets that will proceed to the run-off acquired over 300 votes, with the Lulu Meraz-Bob Reish-Janeva Waked-Joey Brown ticket obtaining 365 votes and the Kevin Marvinac-Catherine Martinez-Laura Behr-Colin Heye ticket following with 302 votes.

These tickets beat out three other tickets, the closest being the George Chamberlain-Ryan Black-Lizzy Montana-Natassia Kwan ticket with 245 votes.

"The other candidates did an excellent job," said Keating, junior class president-elect. "It was a great competition for both tickets. We've had success working together in the past."

But the competition is not over for those in the run-off, as sophomore Class Council presidential candidate Meraz noted.

"The election is not over, but I am happy with the results and I hope people remember to vote," he said.

Contact Emma Driscoll at [edriscoll@nd.edu](mailto:edriscoll@nd.edu)

## Ten Years Hence

### 2006 Speaker Series

Register Now!

MBGR-60210

BAUG-30210

This one-credit-hour course will explore issues, ideas and trends likely to affect business and society over the next decade. A series of separate lectures on selected Friday mornings will feature a wide range of experts.

[business.nd.edu/tenyearshence](http://business.nd.edu/tenyearshence)

March 3

#### Seven Revolutions

Erik Peterson, Senior Vice President, The Center for Strategic and International Studies

March 24

#### Technology and Talent: Reshaping Global Architectures

John Hagel, III, Consultant and Author

March 31

#### Four Paths to Four Futures

John Petersen, President, The Arlington Institute

April 7

#### Public Health Issues in the Future: America and Beyond

Dr. James Curran, Dean, Rollins School of Public Health of Emory University

April 21

#### Future Government and Public Policy

William McGurn, Chief Speechwriter, Office of the Presidential Speechwriter

April 28

#### The Future of the Faith in an Age of Fundamentalism and Secularism

Harry Attridge, M.A., Ph.D., Dean, Yale University Divinity School

[business.nd.edu/tenyearshence](http://business.nd.edu/tenyearshence)

Selected Fridays from 10:40 a.m. to 12:10 p.m. in the Jordan Auditorium, Mendoza College of Business. Lectures are open to the public.

"Ten Years Hence" is listed as BAUG-30210 and MBGR-60210, and is open to all Notre Dame undergraduate and graduate students, and Saint Mary's students. There are no prerequisites to enroll. See your academic advisor or your department chair for additional detail. You are expected to attend all lectures and be prepared to engage speakers. No unexcused absences. This is a "Satisfactory/Unsatisfactory" course. This course requires no textbook purchases, examinations or term papers. **Use an add form to register; registration is not available online.**



## INTERNATIONAL NEWS

### Forces capture senior insurgent

BAGHDAD, Iraq — Iraqi security forces announced on Monday the capture of a senior al-Qaida in Iraq figure as they sought to deflect criticism of their handling of a surge of sectarian attacks last week. The U.S. ambassador said the risk of civil war is over.

Violence throughout Iraq killed 36 people, as fierce fighting broke out between Iraqi commandos and insurgents southeast of the capital. But sectarian clashes have declined sharply since the bloodletting that followed the destruction of a Shiite shrine, and Baghdad residents returned to their jobs after three days of a government-imposed curfew.

Sunni Arab leaders said they were prepared to end their boycott of the talks on a new government if Shiites return mosques seized in reprisal attacks against Sunnis and meet other unspecified demands.

### U.S. opposes Human Rights Council

UNITED NATIONS — The United States announced its opposition to the proposed new U.N. Human Rights Council on Monday, putting the U.S. administration on a collision course with many U.N. members, key human rights groups, and a dozen Nobel peace laureates.

U.S. Ambassador John Bolton said the United States will vote against the latest proposal for the council unless negotiations are reopened to address what it views as serious deficiencies, especially the chance that countries abusing human rights can become members.

General Assembly President Jan Eliasson and Secretary-General Kofi Annan both indicated they want to see action on the draft resolution this week and no new negotiations.

## NATIONAL NEWS

### Victims' families demand redesign

NEW YORK — Families of people killed in the World Trade Center attack demanded Monday that officials redesign the memorial, saying the current plan is unsafe and disrespects victims by placing their names below street level.

Police and fire union leaders joined victims' families at ground zero to seek a new design, although construction on the "Reflecting Absence" memorial is set to begin in March.

"We're asking that the memorial see the light of day," Pat Lynch, president of the Patrolmen's Benevolent Association, told about 150 people.

The design, chosen two years ago by a panel of artists, civic and cultural leaders, and one Sept. 11 family member, marks the outlines of the twin towers with reflecting pools surrounded by the names of the nearly 3,000 people who were killed.

A tree-lined memorial plaza is planned for above ground, but the museum to commemorate the 2001 terrorist attacks and part of the memorial where the names are listed will be as much as 70 feet below street level.

"It is all wrong in its symbolism," said Rosaleen Tallon, whose firefighter brother was killed at the trade center. "I look up to the sky to remember him. I will never go down."

Tallon also said the underground design was a "death trap" for tourists in case of a fire or a terrorist attack.

## LOCAL NEWS

### Time amendment efforts abandoned

INDIANAPOLIS — A lawmaker said Monday that he likely would abandon efforts this legislative session to revive debate over daylight-saving time or time zones, saying that Gov. Mitch Daniels and Republican legislative leaders oppose them.

Rep. Dave Crooks, D-Washington, considered offering amendments that would have allowed a statewide vote on what time zone Indiana should be in and whether statewide observance of daylight-saving time — which was narrowly approved last session — should be repealed.

# Memo reveals port security fears

*Weeks-old document reveals concerns about company's terrorist connections*

Associated Press

WASHINGTON — Citing broad gaps in U.S. intelligence, the Coast Guard cautioned the Bush administration weeks ago that it could not determine whether a United Arab Emirates-based company seeking a stake in some U.S. port operations might support terrorist operations.

The disclosure came during a hearing Monday on Dubai-owned DP World's plans to take over significant operations at six leading U.S. ports.

The Bush administration said the Coast Guard's concerns were raised during its review of the deal, which it approved Jan. 17, and that all those questions were resolved.

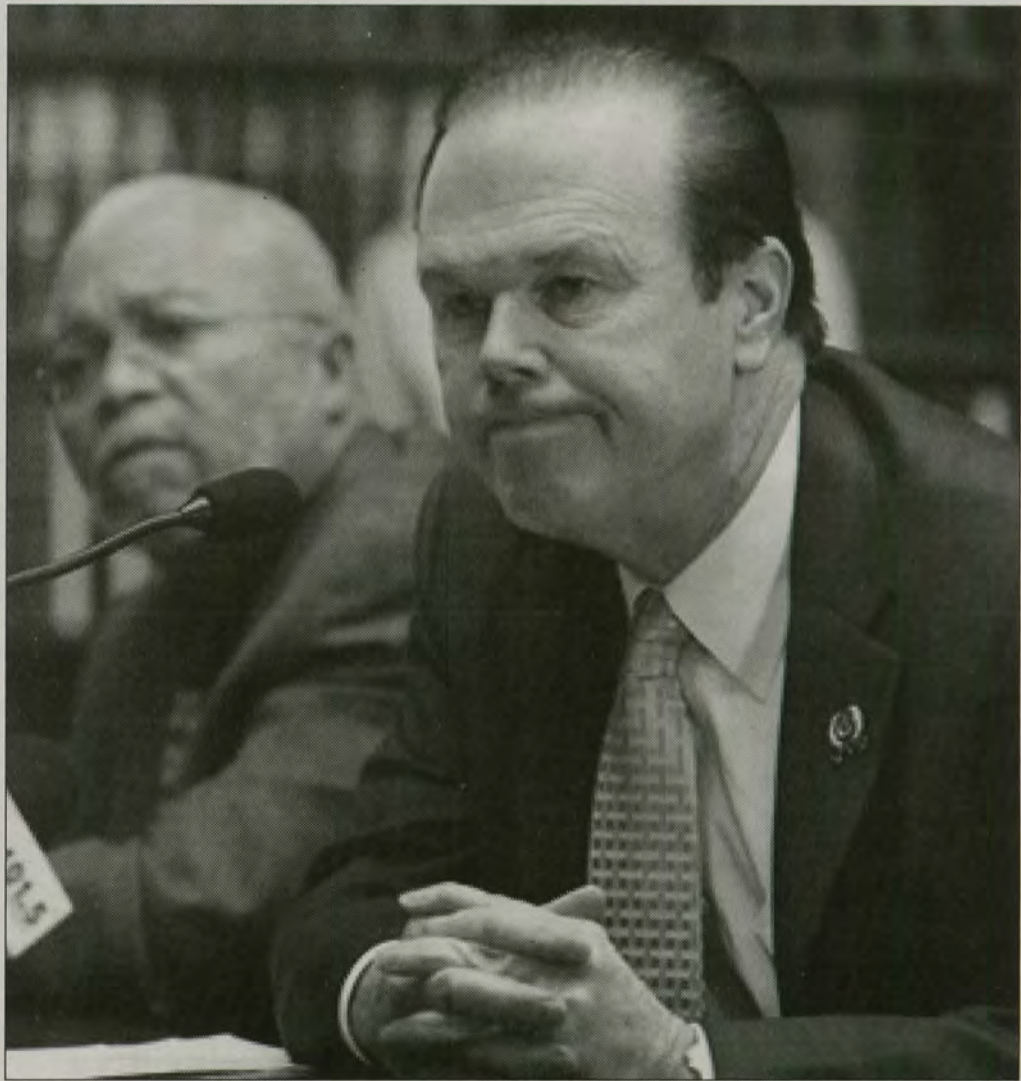
The port operations are now handled by London-based Peninsular & Oriental Steam Navigation Co.

"There are many intelligence gaps, concerning the potential for DPW or P&O assets to support terrorist operations, that precludes an overall threat assessment" of the potential merger, the unclassified Coast Guard intelligence assessment said.

"The breadth of the intelligence gaps also infer potential unknown threats against a large number of potential vulnerabilities," the assessment said.

The Coast Guard said the concerns reflected in the document ultimately were addressed. In a statement, the Coast Guard said other U.S. intelligence agencies were able to provide answers to the questions it raised.

"The Coast Guard, the intelligence community and the entire CFIUS (Committee on Foreign Investments in the United States) panel believed this



New Jersey Assemblyman Patrick J. Diegnan Jr. listens during his state's hearing about a company from the United Arab Emirates assuming control of several U.S. ports.

transaction received the proper review, and national security concerns were, in fact, addressed," the Coast Guard said.

That multi-agency government panel reviews foreign purchases of vital U.S. assets.

The report raised questions about the security of the companies' operations, the backgrounds of people working for the companies, and whether other foreign countries influenced operations that affect security.

Sen. Susan Collins, chairman of the Senate Homeland Security Committee, released an

unclassified version of the document at a briefing Monday. The Bush administration agreed Sunday to DP World's request for a second review of the potential security risks related to the deal.

Congressional leaders who brokered the arrangement for a second review hoped it would diffuse a bipartisan political uproar over port security and scuttle any push for legislation this week that would force such an investigation and could embarrass President Bush.

Senators introduced several bills Monday anyway, even though Senate

Majority Leader Bill Frist, R-Tenn., told reporters in Detroit, "I don't think it's necessary to legislate."

Criticism persisted from both Republicans and Democrats.

"This report suggests there were significant and troubling intelligence gaps," said Collins, R-Maine. "That language is very troubling to me."

Appearing before the Collins committee, administration officials defended their decision not to trigger a 45-day review of national security implications of the business transaction following their initial review.

## TAIWAN

# Chen ends Unification Council

Associated Press

TAIPEI — Taiwanese President Chen Shui-bian on Monday shut down the committee responsible for unifying with rival China, significantly deepening tensions with Beijing and defying opinion in Washington.

After a one-hour meeting with the National Security Council, Chen announced he was ending the National Unification Council and doing away with its guidelines, which commit Taiwan to eventual unification with the mainland.

"The National Unification Council will cease to function," Chen said. "The National Unification Guidelines will cease to apply."

Chen's move came despite dire warnings from Beijing, which on Sunday accused him of stoking tensions across the volatile Taiwan Strait.

"The further escalation of Taiwanese independence and secessionist activities, pushed by Chen Shui-bian, will no doubt cause a serious crisis," said a Chinese government statement.

The United States played down Chen's decision to terminate the committee, with State Department spokesman Adam Ereli saying it "has not been abolished. It's been frozen."

White House spokesman Scott McClellan did not answer directly when asked at a briefing if the

United States considered Chen's move a violation of promises Taiwan had made earlier not to change the status quo.

The United States, he said, welcomes "President Chen's reaffirmation of his administration's commitment to cross-strait peace and stability."

The U.S. government has consistently opposed any change to the China-Taiwan status quo, fearing the consequences of being drawn into hostilities in the region.

The United States is legally committed to providing Taiwan the means to defend itself against China, and has hinted it may come to its aid if fighting breaks out.



## Debate

continued from page 1

allowing military recruitment on campus is a form of speech. In light of the first amendment, the federal government could not compel a university to speak in such a way.

She said this same freedom exists at Notre Dame. In allowing "The Vagina Monologues" to take place, O'Brien argued the University was approving such a production regardless of intentions. She said a Catholic institution should draw the line as to what is immoral. A biology professor performing stem cell research, for example, would not be acceptable, she said.

Holland agreed the University's problem exists in its sponsorship of the event, but he interpreted the term differently.

Holland argued allowing "The Vagina Monologues" or the former-Queer Film Festival at Notre Dame does not imply advocacy on behalf of the University. Instead, it provides a forum for important discussion, he said.

Holland said academic freedom is a privilege and that a university is, by definition, a place for open debate and discussion, he said.

Ernst framed the debate within another perspective. He used his theology background in discussing the inevitable tension between knowing an absolute truth and broadening horizons at a university.

"Some may ask, 'if Catholics already know the truth — what's the point of a university?'" Ernst said. "But seeking always remains. Jesus Christ is the primordial truth, but the truth in itself is inexhaustible. It cannot be fully comprehended."

"That's the very notion that originated universities in the first place — they arise out of happy confidence in the harmony between faith and reason."

All three panelists agreed the vast majority of University-sponsored events do not conflict with the maintenance of academic freedom.

Ernst said advocates on both sides aim to maintain the moral integrity of Notre Dame while exposing students to a variety of ideas and perspectives. The differences exist, he said, in the sides' interpretations of how to present viewpoints contrary to Catholic doctrine. And the disputes, which occur infrequently, concern issues of propriety.

The portrayal of female sexuality sparked the most heated discussion Monday. Students argued the message of "The Vagina Monologues" is empowering, and Holland said while the play is not his favorite, he feels the women of Notre Dame deserve to present their truth.

O'Brien argued the messages on sexuality are against those views of the University.

All three panelists concluded by calling for more discussion and debate. They challenged students to advocate their positions in e-mails to University President Father John Jenkins.

As a student questioned Jenkins' appeal for input as appeasement, Holland defended Jenkins' intentions.

"I think Jenkins is a man of great integrity," Holland said. "We're lucky to have him as our president. This is not a cover for a decision already made. He's willing to hear every argument."

Contact Kathleen McDonnell at [kmcdonn3@nd.edu](mailto:kmcdonn3@nd.edu)

## Council

continued from page 1

who "repeatedly" violate disorderly house laws a lesson.

"The key word is 'repeatedly,'" Leito said, implying the amendment should target frequent — not one-time — offenders. Tenants are given a notice to abate without the opportunity to do so."

Off-campus president Matt Wormington said the notice to abate had failed to become the warning he and Baron believed it would be after discussions with Council members and Assistant City Attorney Ann-Carol Nash this summer.

"[South Bend has] moved away from encouraging reform and open debate, and toward evictions," he said.

Wormington asked Council members to consider amending the ordinance in one of two ways — either send the notice to abate after the second violation, or allow landlords to pass their fines on to tenants, thus reducing the pressure to evict after one violation.

Baron finished the group's presentation by requesting a modification to the ordinance and explaining his desire to cooperate with the Council.

"We do not come before the Council to promote or condone illegal behavior," he said, emphasizing the importance of building a better relationship with the city — something he believes is already happening.

Baron said the election of student body vice president Lizzi Shappell and junior class president Bill Andrichik as next

year's president and vice president, respectively, "designates the issue as resonating with the student body," since the pair prioritized community relations during their campaign.

The conclusion generated multiple compliments for Baron and the representatives, comments directed at the students' professionalism and the strength of their presentation.

"Mr. Baron, we are truly impressed," Council President Timothy Rouse said. "You notified us and prepared well."

But Rouse said the Council "had some issues" with Notre Dame — namely, "reluctance from the administration to assume its responsibility both in the area of students and the neighborhood."

Rouse, who said the Council's Community Relations committee would consider student government's proposal, urged Baron to "keep up that synergy from the young people and go back to the administration."

"Hopefully we can bridge some gaps," Rouse said.

Ann Puzzello, the 4th District Council member who staunchly defended the amended ordinance last fall, also commended Baron.

"First off, I also agree that you made community relations a high priority last year," Puzzello told Baron. "I'm impressed with the way you behaved, impressed with what was said tonight ... I'm very impressed with [student government's proposed initiatives] and am interested in seeing how it works to some degree."

While Puzzello couldn't predict the Council's decision on the proposed modifications to

the ordinance or provide a timeframe, she told The Observer after the meeting it was "something we'll be looking into."

"I don't know what we're going to do just yet," she said. "I don't know how the bill would be amended ... it includes extremely serious issues like drug houses."

Any consideration of changes, Puzzello said, could be a "slow process."

"It's something we wouldn't want to do without a lot of legal assistance," she said.

She noted a decrease in parties during the fall semester and said, "I personally would be interested to see how the spring goes ... things like St. Patrick's Day."

Only one Council member — Council Member at Large Al Kirsits — had a more negative tone.

"I admire you[r] coming out here, but you still have work to do," Kirsits said. "I'm particularly disappointed with some fifth year architecture students [with trash all over their lawn]," he said.

Shappell and Senate Community Relations committee member Shawn Finlen also spoke at the beginning of the meeting.

"I think it went well," Shappell said. "I was pleased at the level of professionalism and pleasantly surprised with the [feedback] we received ... it's a very positive step for my administration in opening the door [to a better relationship with the community]."

Contact Maddie Hanna at [mhanna1@nd.edu](mailto:mhanna1@nd.edu)

# TONIGHT ONLY!

## A MARDI GRAS CELEBRATION

### of the Visual and Performing Arts

An informational event for students interested in majoring in:

*Art, Art History and Design*  
*Music*  
*Film, Television, and Theatre*

**Tuesday,**  
**February 28, 2006**  
**7:00 - 9:00 pm**

Regis Philbin Studio Theatre,  
DeBartolo Performing Arts Center

- Music provided by **Notre Dame Brass Band** and **String Quartet**
- Questions about the majors will be answered by departmental representatives
- **ART, MUSIC, FILM, FOOD, and MORE!**



**DEBARTOLO**  
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**MARKET RECAP**

Stocks			
<b>Dow Jones</b>	<b>10,841.60</b>	<b>+92.81</b>	
Up: 2,573	Same: 125	Down: 761	Composite Volume: 1,523,181,056
<b>AMEX</b>	1,516.48	+11.14	
<b>NASDAQ</b>	2,065.40	+13.70	
<b>NYSE</b>	7,361.89	+78.61	
<b>S&amp;P 500</b>	1,211.37	+11.17	
<b>NIKKEI(Tokyo)</b>	11,658.25	+127.10	
<b>FTSE 100(London)</b>	5,006.80	+37.40	
Treasuries			
30-YEAR BOND	-0.45	-0.21	46.42
10-YEAR NOTE	-0.21	-0.09	42.72
5-YEAR NOTE	+0.15	+0.06	39.01
3-MONTH BILL	+1.44	+0.38	26.75
Commodities			
LIGHT CRUDE (\$/bbl.)	+0.10		51.49
GOLD (\$/Troy oz.)	+0.40		436.10
PORK BELLIES (cents/lb.)	+0.85		88.60
Exchange Rates			
YEN			105.2200
EURO			0.7548
POUND			0.5200

**IN BRIEF****Ball Corp. to buy Alcan assets**

ROOMFIELD, Co. — Packaging products supplier Ball Corp. said Monday it will purchase three manufacturing plants, including one in Illinois, and other assets from Alcan Inc. for \$180 million in cash.

R. David Hoover, Ball chairman and chief executive officer, said the acquisition will complement the company's existing operations and offer technology opportunities. The transaction is expected to close in the first quarter of 2006 pending government approval.

Under terms of the agreement, Ball will acquire plastic container-manufacturing plants in Batavia, Ill.; Bellevue, Ohio; and Brampton, Ontario; and other assets at a Newark, Calif., plant and a Neenah, Wis., research facility. It said it will operate the locations, which employ about 470 people.

The sale, which excludes Alcan's pharmaceutical plastic bottle operations, is part of that company's strategy to focus on units where it has scale and leadership positions, said Christel Bories, chief executive officer of Alcan Packaging.

**Columbian trade negotiations end**

WASHINGTON — The United States on Monday wrapped up negotiations to eliminate tariffs and other trade barriers with Colombia, the second Andean nation to reach a free trade deal with the United States.

The agreement with Colombia followed a deal wrapped up in December with Peru. Negotiations are still under way with Ecuador.

U.S. Trade Representative Rob Portman and Jorge Humberto Botero, Colombia's minister for trade, industry and tourism, announced the successful conclusion of the negotiations following around-the-clock bargaining over the weekend.

In a statement, Portman said that the new deal would generate export opportunities for American farmers, manufacturers and service industries, helping to create job opportunities in the United States. It's a politically sensitive subject given that America's trade deficit hit an all-time high of \$726 billion last year.

# Lay admits to raiding reserves

Enron founder and former CEO comes clean to jurors in fifth week of trial

Associated Press

HOUSTON — The former top accountant for Enron Corp.'s profitable trading division said Monday that he improperly raided reserves to increase earnings in mid-2000 when he understood that former Chief Executive Jeffrey Skilling and other superiors wanted results that would wow Wall Street.

Wesley H. Colwell kicked off the fifth week of the fraud and conspiracy trial of Skilling and Enron founder Kenneth Lay, telling jurors he helped the company fraudulently manipulate earnings to meet or beat analysts' expectations by dipping into reserves when Enron needed an income boost that business operations didn't provide.

Colwell didn't say Skilling ordered him to plunder reserves to boost earnings. He said, however, that he e-mailed his boss — then-Enron North America chief executive David Delaney — days before Enron released second-quarter 2000 earnings to say he understood that it was Skilling's "preference" to surpass expectations.

Colwell explained later he had found out about Skilling's preference third-hand from accounting executive Mark Lindsey, who told Colwell that then-Enron Chief Accounting Officer Richard Causey had discussed it with Skilling.

"I didn't talk to Skilling," Colwell said.

Twice within a five-day stretch between the close of the second quarter in 2000 and Enron's announcement of earnings, Colwell reduced reserves by \$7 million. The total \$14 million was added to reported income so Enron could announce earnings-per-share of 34 cents rather than the 32 cents Wall Street expected, making the company appear more successful than it was.

"Did you use reserve



Former Enron CEO Kenneth Lay walks with his wife Linda near the federal courthouse at the lunch break of his fraud and conspiracy trial Monday.

accounts at Enron North America to fraudulently manipulate Enron's reported earnings?" prosecutor Sean Berkowitz asked.

"Yes," Colwell replied.

Skilling lawyer Randall Oppenheimer tried to establish that reserve accounts are part of normal operations to protect companies against losses or liabilities. He also noted that amounts of those reserves fluctuated with efforts to keep adequate financial cushions.

Colwell agreed that it was proper to establish such reserves, but stood his ground that raiding them to pump up earnings was not.

When Oppenheimer asked if Colwell opposed the timing of the reserves reduction, Colwell responded,

"No, the timing in my mind was not an issue with the changes, it was the way."

Colwell conceded that no one told him to do anything improper with a reserve account, nor did he voice concern that his action was wrong.

"You never said, 'Gee, I don't want to do this?'" Oppenheimer asked.

"I did not say that, you're right," Colwell replied.

Other witnesses have testified that Skilling either ordered or had authority to order the last-minute increase in reported earnings-per-share in the second quarter of 2000.

Colwell's predecessor, Wanda Curry, took the stand Monday and testified that the trading division's

then-chief executive, Cliff Baxter, told her in February 2000 that Colwell would replace as chief accounting officer of Enron North America because she "was incapable of making aggressive accounting decisions."

Causey then assigned her to work for Enron's retail energy unit. In autumn 2000, he directed Curry to analyze its trading contracts and billing procedures in an assignment dubbed "Project Deep Dive."

Curry said she found wildly overvalued contracts stemming from the retail unit's trading operation and piles of uncashed checks from customers, which translated to hundreds of millions of dollars in losses for the unit.

## Monsanto settles Cal copyright suit

Associated Press

ST. LOUIS — Monsanto Co. will pay the University of California more than \$100 million to settle the school's claim that the biotechnology company infringed on its patent related to a hormone that makes cows produce more milk.

The university's Board of Regents and Monsanto made the announcement Monday as the bovine growth hormone case was scheduled to go to trial. The suit was filed in 2004.

St. Louis-based Monsanto agreed to pay the school \$100 million in upfront royalties and would pay 15 cents a dose, or at least \$5 million annually, to license the patented

technology, commonly called BST, in the future. The university's patent rights expire in 2023.

At issue is the genetically engineered bovine somatotropin hormone, sold under the brand name Posilac. Monsanto says injections of the hormone help dairy cows produce 10 percent to 15 percent more milk.

The university alleges in its lawsuit that three researchers at UC-San Francisco first isolated the DNA that is used to make the hormone. The lawsuit said Monsanto knew about the research as early as 1985, but sold the product anyway.

While researchers might have developed the technology decades

ago, the school did not win a patent until 2004, said UC spokesman Trey Davis. The school filed its lawsuit that year.

Monsanto spokesman Andrew Burchett said the company was the first to produce the product commercially and it patented the production process.

Monsanto said the agreement will give it the exclusive commercial license to use the university's patented hormone. The university will have the right to use the hormone in noncommercial research, and the U.S. government will retain some rights because federal funding was used to develop the technology.



# THE OBSERVER VIEWPOINT

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Tuesday, February 28, 2006

## THE OBSERVER

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Questions regarding Observer policies should be directed to Editor in Chief Claire Heininger.

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## War, the Constitution and bananas

The Constitution is more than just a piece of paper. It is far from perfect, but it is a functional summation of the chains and locks that keep the green eyes of our would-be oppressors downcast. It is a detailed explanation of what our government may do and (as in much of the Bill of Rights) what our government may not do. It is something so precious and inviolable that without it, everything for which this country stands — life, liberty and the pursuit of happiness — is lost.

I will be the first to admit that the founders of this nation would never, in their wildest dreams, have imagined the world in which we live today. This fact, however, is not a justification for what the politicians in Washington have done to desecrate the Constitution.

Anyone who has attended a Notre Dame home football game can recognize the preamble: "We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America." It would be impossible for me to count how many times I have heard a left-winger appeal to the preamble to justify price controls, socialized medicine, really any grand social scheme imaginable. Because the Constitution is a "living document," they claim, it must adapt to provide for today's "general Welfare."

Interestingly enough, the same argument is made by many "neoconservatives" to justify "American global leadership" —

the Project for the New American Century's brilliant euphemism for "war" — in bringing about their vision of a free, democratic world. The Constitution is a "living document," they swear, and it need not be wholly respected with regards to foreign policy.

For example, they tell us, just because the Constitution requires a declaration of war, does not mean the government must always comply. Instead, Congress often abdicates their responsibility and, like they did in 2003, delegates the authority to declare war to the president. They have been doing so consistently for the last 60 years, despite the fact that it is dangerous and entirely unconstitutional. In fact, the last time America was at war was 1945; Korea, Vietnam and now Iraq are all something else. Indeed, as former Libertarian Party presidential candidate (and current Republican member of the House of Representatives) Dr. Ron Paul warned in 2002: "Transferring authority to wage war, calling it permission to use force to fight for peace ... is about as close to 1984 'newspeak' that we will ever get in the real world."

You may believe James Madison to be outdated, but he was right; in a letter to Thomas Jefferson, he wrote: "The Constitution supposes, what the History of all Governments demonstrates, that the Executive is the branch of power most interested in war, and most prone to it. It has accordingly with studied care vested the question of war in the Legislature." The president does not have authority to declare war for this very reason, a reason that America has conveniently forgotten.

Articles I through III of the Constitution clearly and succinctly explain the powers of the United States' government. Any powers "not delegated to the United States by the Constitution" nor "prohibited by it to the States" do not exist, and if you don't believe me you can read the 10th

Amendment. Such powers are reserved for the states, or for the populace. So it does not matter how "alive" you believe the Constitution to be; unless the states ratify an amendment granting Congress the power to hand out free bananas, Congress may not hand out free bananas.

But let us take it a step further: if the Constitution is a "living document," which parts of it are "alive"?

Is it the Second Amendment? Surely, as an enlightened civilization, we no longer need the right to bear arms. Is it the Fourth Amendment? Because in the fight against terrorism, we cannot afford to obtain warrants for wiretaps and searches. Or what about the Eighth Amendment, because seriously — why can't we torture terrorists?

What about the First Amendment? Do we need that anymore?

Here is my warning, then, to those with ears to hear it: if the Constitution is alive, its heart vibrates in tune with the party in power. When the ruling parties feel secure enough to ignore the restrictions imposed on them, something priceless and distinctly American is dead.

Our Constitution is not without flaws, but it is also not subject to the whims of anyone. The founders may not have been able to imagine today's world with the Internet or "Dancing with the Stars," but they could most certainly imagine a bloated centralized government that overtaxed its people, dictated its will across many oceans and made non-defensive war against whomever its leader deemed worthy.

In fact, they had just defeated one.

Scott Wagner is the president of the College Libertarians, a club that has an awesome Web site at [www.nd.edu/~liberty](http://www.nd.edu/~liberty). He can be contacted at [swagner1@nd.edu](mailto:swagner1@nd.edu)

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



Scott Wagner

Live and Let  
Live or Die

### EDITORIAL CARTOON



### OBSERVER POLL

What do you think about the tuition hike?

Vote by Thursday at 5 p.m.  
at [www.ndsmcobserver.com](http://www.ndsmcobserver.com)

Submit a Letter  
to the Editor at  
[www.ndsmcobserver.com](http://www.ndsmcobserver.com)

### QUOTE OF THE DAY

"Give fools their gold,  
and knaves their power;  
Let fortune's bubbles rise and fall.  
Who sows a field, or trains a flower,  
Or plants a tree, is more than all."

John Greenleaf Whittier  
Quaker poet



LETTERS TO THE EDITOR

## Living wage a necessity

Notre Dame provides some wonderful benefits to its full-time workers (only), such as health insurance, access to workout and library facilities and the chance for workers' children to attend Notre Dame for free. But if families cannot put food on the table, benefits mean nothing. Campus Labor Action Project (CLAP) has calculated the living wage of \$12.10 based on the costs of living. A family of four making less than \$12.10 an hour would qualify for food stamps. No Notre Dame worker should need to accept federal assistance to feed his or her family. And workers do receive good healthcare at Notre Dame.

Catholicism is neither conservative nor liberal, but transcends political classification to support that which affirms the value of life. CLAP is sponsored by both PSA and Right to Life. That's right, progressives and conservatives. A living wage is not conservative or liberal; it is Catholic, demanded by Leo XIII, Pius XI, Paul VI, John XXIII and John Paul II. Catholics do not believe that the worth of human work is

determined by the market, but that every human has the right to make enough to support his or her family through his or her labor. The ultimate end of any government or economy is not the market, but the human person. This is not welfare. This is not charity. This is justice. No person who works a full-time job should need government support to subsist.

Giving money is not the point. While I'd be happy to "ante-up" what I could, it would not solve the systemic problem of prioritizing the market over people. Capitalism is not our god. Furthermore, statistics from municipal living wages show that service work contracts increased only .003 percent to .07 percent due to savings from reduced turnover, training costs and having healthy, happy, hard-working and loyal employees. Sure, it's going to cost us something. But this is about prioritizing. To consciously withhold just wages to our own advantage is to violate and oppress our cooks, servers and housekeepers. I'd love to know how we could replace them with machines, or even to

cut down on the workforce. If we did, these jobs simply wouldn't get done. I'd also love to see those people who claim a living wage will only hurt workers approach a custodian who works 17 hours a day at two jobs and tell him that a living wage would only hurt him.

The living wage question boils down to a question of our identity. Yes, we're dedicated to learning as an institution, but we call ourselves Catholic, which is supposed to differentiate us. A living wage is Catholic; it's justice, it's humane. This is a true test of our Catholic mission. Are we Catholic or are we corporate? And if we as a Catholic university won't implement the changes necessary to create a just world, who will?

Jackie Clark  
freshman  
Welsh Family Hall  
Feb. 24

## Support basketball

If you went to the basketball game against Marquette on Saturday, you've probably seen my face. I was the guy who came in second in the contest for John Mellenkamp tickets. I'm also the guy who stood up with three or so minutes left in the second half and implored the rest of you to get up and start making noise.

Quick story. Some of you may have heard of the great message board website NDNation.com. If not, go check it out sometime. After the South Florida game in the basketball section I engaged in an argument about the student body. Alumni continually lambasted our classes, saying we've given up and can't get loud. No, no, I countered, wait until a good team comes into town. We'll get loud.

I'm sad to say, I found nothing that dispels this rumor.

Imagine being down a touchdown in Notre Dame stadium with three minutes to go. Would you need a short guy in aviator sunglasses and face paint to tell you to get loud? Of course not. The Marquette fans outshouted us. Hold

on, let me repeat for emphasis:

The Marquette fans were louder than we were.

After a several-hour drive from Wisconsin to South Bend these fans found the energy necessary to start a "We are Marquette" chant. Our fans, meanwhile, couldn't find the energy to get loud and jump around during half of their defensive possessions.

Now looking at my handy packet of tickets I see that there's one game left against DePaul. This is our chance to shine. Prove that we can make noise. Notre Dame basketball has a proud history, from Austin Carr to Chris Quinn. Let's show the world that we care and that we can be loud start to finish — no matter what happens. Four guys are playing their last game in a Notre Dame basketball uniform Saturday, so if you don't do it for me, do it for them. They deserve it.

Jim Bochnowski  
sophomore  
Fisher Hall  
Feb. 26

## Wages shouldn't be based on 'market'

In the last few installments of Viewpoint I have twice come across the phrase "welfare agency" in regard to what Our Lady's University would become — and ought not be — should it institute a living wage for its employees. The authors in question most certainly have used the phrase in a pejorative sense. This troubles me, and should trouble others as well.

Fully aware that I risk making unfair assumptions, I state that it seems to me that the authors who have used this term, and most who agree with them, likely are the same types who support "faith-based initiatives" rather than the bureaucratic statist welfare system. Is this — a living wage paid by a private, Catholic entity — not, in fact, the ultimate in faith-based initiatives?

More to the point, those who continue to attack the idea of a living wage on market-based arguments have underlying their views a fundamental misunderstanding — or ignorance — of the situation. Not only is Notre Dame not bound by market forces, but in a sense has an obligation not to act

simply as the "market" dictates. Capitalism arose out of systems incongruent with and contrary to the Sacred Tradition of the Church. We can look, as Weber did, to the Protestant Reformation, to Calvin in particular, and we can look to the Enlightenment as the sources of capitalism and its equally materialistic sister, socialism. As an integral part of the Catholic world, the University, to the greatest extent possible, must react against, and serve as a force in opposition to, the dismal, materialistic ways of market-based economics. It ought to base its pay scale not on concepts of "supply" and "demand," but on the intrinsic worth of every man and woman. That is the Catholic thing to do. Following market forces — particularly when this is unnecessary — only further separates man from his inherent dignity and worth.

Nathan Origer  
senior  
Fisher Hall  
Feb. 27

U-WIRE

## Society must accept homosexuality

Let me just say this — I'm fine with straight people. Really, I am. I have no problems with heterosexuals, as long as they don't flaunt it. That opening statement probably sounded a little bit weird to you. After all, how would a person go about "flaunting" his heterosexuality?

An individual's sexuality does not define or dictate his character, but gays and lesbians are expected not to "flaunt it," whatever that's supposed to mean. I have had many a conversation about gays' equal rights with well-meaning friends who proceed to say something similar to my opening statement. When I, as an ally, press the person for a further explanation of this phrase, "flaunting it," I am met with a vague response like, "Oh, you know, just when they act really gay." The cycle of ambiguity continues, and the exact definition of "flaunting it" persists in eluding me.

What brings this subject to light is a recent advice column I read last week. A woman wrote in, concerned because her new neighbors, who had previously been so kind to her, were now ignoring her. The neighbors were a young gay couple who bought the most run-down piece of property in the neighborhood, fixed it up and were generally clean, productive members of the neighborhood. The woman seeking advice had no problem at all with her new neighbors, until she saw them embrace and kiss each other as they left for work one day. Shocked at such a public display of affection, she followed her pastor's advice in drafting a letter to her neighbors, asking them to refrain from showing affection like that in public. I am amazed that this woman was actually confused as to why they would ignore her after a stunt like that. Regardless of how nicely she may

Laura  
Alix

University of  
Connecticut  
The Daily  
Campus

have worded the request, her message was still the same: "I don't have a problem with you as long as you don't make public the fact that you are gay." The advice, I believe, was to apologize and be grateful that all they were doing was ignoring her.

This particular attitude toward gays and lesbians is far too prevalent today and is only helping gay rights opponents. Although it's probably not as bad as outright hatred and prejudice toward homosexuals, the "don't flaunt it" viewpoint ultimately only serves to reinforce the compulsory heterosexuality that pervades our culture and oppresses gays and lesbians. Gays, lesbians, bisexuals and transgendered people ought not to face any kind of discrimination in today's America, nor should they be made to feel as though they ought to change their sexualities. That's a pretty simple idea, but one that doesn't seem to be catching on too well. If you don't believe me, just read the news. Ten Republican legislators in Ohio recently introduced a bill that would ban adoption by gays and lesbians, all while demanding that we "think of the children!" The underlying assumption here is that gays and lesbians make unfit parents.

Need another example? Consider the "Love Won Out" conference that was sponsored by Focus on the Family and Exodus International and met just this past weekend in St. Louis. The conference focused on the newest and trendiest way that religious conservatives deal with gays and lesbians today — what is termed "conversion therapy." Conversion therapy is proving to be quite the boon for James Dobson and his ilk. They can claim to love homosexuals and want happiness for them, all the while preaching that gay people ought to repent for their sinful ways and magically become straight again. Proponents of conversion therapy paint gays

and lesbians as miserable and pitiful creatures who are unhappy because they've chosen the "wrong" lifestyle. If gays would only "convert" back to heterosexuality, they could live happily ever after.

A few thoughts run through my mind when considering this cute, almost threatening little trend of conversion therapy. First among them is the notion that if somebody can be "converted" to being straight, then he or she probably wasn't even gay in the first place. Secondly, what about the countless gays, lesbians, bisexuals and transgendered people who are happy with themselves? People who support conversion therapy fail, or refuse, to see that there are other factors in a person's life that can make him unhappy, and the individual's sexuality is not one of them.

Although the days of police raids on gay bars may be over, discrimination still continues in subtler and maybe more powerful forms, like anti-gay legislation and conversion therapy, which is really only thinly-disguised antipathy. In this day and age when we ought to be making progress in the area of gays' equal rights, the "ick factor" that many associate with "flaunting it" has no place. It fuels the notion that homosexuals are not normal and somehow less worthy of the same rights that straight people enjoy. I don't really want to see any two people, gay or straight, playing tonsil hockey in public, but we as a society should not be disgusted by the sight of two men holding hands. I say flaunt it all you want.

*This article originally appeared in the Feb. 27 edition of The Daily Campus, the daily publication at the University of Connecticut.*

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



## SCENE & HEARD

### The harsh life of a pop star

It's not so bad being a pop star. I get paid a lot of money to make mediocre records. In fact, I don't even have to write my own music. Basically, I just listen to a beat (that's the easy part, because most of them sound the same anyways) and then the record producer finds someone to write lyrics for me. Even these don't have to be that decent, as my manager says, "It's all about presentation."

So I have this beat now and the lyrics and I'm in the studio and I am freaking out. Apparently the synthesizer on the computer is broken and I might have to actually sing. This might not "seem" like a problem but believe me, it is. As a pop star, I'm not actually required to have a good voice. In fact, I can't really sing that well at all, probably not much better than you. You would be amazed what computers can do.

You might be thinking, "But what about when you perform live? Surely, then, your façade will be discovered." But alas, my naïve friend, I don't actually sing when I'm live. Heavens no. I could strain my sub-par vocal cords or mess up the lyrics (you have probably seen this happen to other, less-talented artists). Besides, I'm probably too busy dancing to do much anything else. It would be nearly impossible to hit a high note just after doing the worm across the stage. I'm just way out of breath. So instead, I just play one of my CDs over a mega-loud sound system and spend the entire concert dancing around the stage mouthing the words. Do you have any idea how tiring that is for me? Sometimes I don't even last the entire two-hour concert and have to cut the show short. But hey, for \$45 tickets,



Chris McGrady

Assistant  
Scene Editor

what do you expect?

One time, the CD actually started skipping while I was on stage. You can't even imagine how embarrassed I was. Fortunately, after being booed off stage, my publicist got together with a TV producer and made a reality show about me. This really restored my public image. Plus, my older, more talented sibling had some nice quotes about me, and everyone just seemed to forget all about it.

I know what you're thinking — this sounds like it's all so incredibly easy. But you don't know how hard it is for me out there. Just the other day, I was enjoying a chai tea latte and an energy bar when a seven-year old girl practically accosted me asking me for my autograph. Fortunately, I had a way out. She was holding a blue Sharpie. I can only sign autographs with Bic gel pens. Sponsorships, you know?

Besides the stinging heat of the limelight, I have to deal with keeping up with my "rockin' bod." I pay thousands of dollars a week for a personal trainer, a personal chef and a make-up artist to make sure I look this good all the time. On top of that, I have to have a maid to keep my house clean in case any celebrities stop by and a mechanic to make sure my nine cars are always running and full of gas. It's a hard knock life.

I like to think that I'm an inspiration to untalented people everywhere. I am proof that it doesn't really matter how well you can sing or act or really do anything. If you're good-looking enough, or have an older more talented sibling who has already made it big, you can become a pop star — just like me. Despite all the terrible hardships of my lifestyle, I chose it.

Although it's tough, all in all, it's really not so bad being a pop star.

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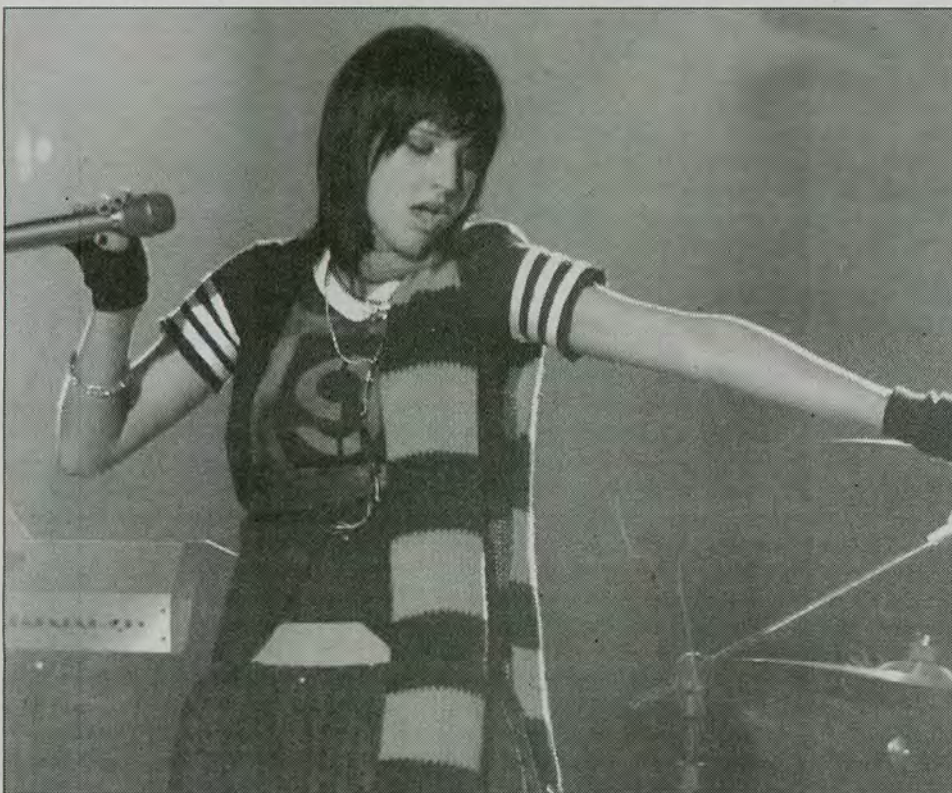


Photo courtesy of bbc.co.uk

Ashlee Simpson, above in concert, suffered from a technical malfunction on Saturday Night Live in 2005, revealing that she lip synched her appearance.

## DPAC REVIEW

### Sir Galway, wife en

By BRIAN DOXTADER  
Assistant Scene Editor

Sir James Galway is a living legend in classical music circles, and his performance on Sunday in the Leighton Concert Hall of the Debartolo Performing Arts Center (DPAC) was as impressive as they come.

In celebration of the 250th anniversary of Mozart's birth, flutist Galway and his wife Lady Jeanne Galway have embarked on a North American tour with the Polish Chamber Orchestra. If Sunday's performance is any indicator, Galway certainly seems intent on putting the "art" back into Mozart.

The program consisted of four major works, three of which were composed by Mozart — Serenade No. 13 in G Major, K. 525 ("Eine Kleine Nachtmusik"), Flute Concerto No. 2 in D Major, K. 314 and Symphony No. 40 in g minor, K. 550. The final piece, "The Magic Flutes" (written by Galway's friend David Overton), was a homage to Mozart and featured various works by the composer strung together into the form of a standard symphony.

Galway said it received its inaugural performance in South Bend with Sunday's performance. As such, only the first, third and fourth movements were played, as Overton requested the second be omitted.

The program was extremely well-selected, featuring many of the genius' most famous works. "Eine Kleine Nachtmusik" was probably the best-known, though Symphony No. 40 is also one of Mozart's most noted pieces. Galway himself only played on half of the selections, Flute Concerto No. 2 and Overton's *The Magic Flutes*. As he has

recently taken up conducting, Galway demonstrated his new endeavor on the other two works.

The Polish Chamber Orchestra was capable throughout, especially in Galway's up-tempo take on *Molto Allegro* from Symphony No. 40. Though "Eine Kleine Nachtmusik" is one of classical music's most famous pieces, the Polish Chamber Orchestra's performance was still noteworthy for its graceful musicianship.

Galway's wife, Lady Jeanne Galway, was featured on *The Magic Flutes* — the program noted that Mozart never actually wrote a solo piece for two flutes, thus necessitating Overton's oft-clever reworking.

Galway seemed to have a great time, bantering with the crowd and becoming animated whilst playing. This was infectious, as both the audience and the orchestra seemed to enjoy this interaction. His high spirits poured over into the music, which was impressively played throughout.

Galway is oft-considered one of the greatest flutists in the world, and his performance did not disappoint. The orchestra stayed right with him, never flagging in energy or musicianship. He flew through Flute Concerto No. 2 with passion, purpose and artistry. The duet with his wife fared slightly less well, as the players seemed more hesitant and less relaxed than on the solo works.

Still, it was a good selection for Mozart enthusiasts, who could pick out snippets of their favorite compositions within the framework of Overton's faux-symphonic piece.

The concert featured no less than four encores, all of which were short, but

## VIDEO GAME REVIEW

### 'Maverick Hunter' a

By MARK BEMENDERFER  
Assistant Scene Editor

Mega Man.

For some, the name seems vaguely familiar. They may have some vague idea what the name entails, be it a video game or cartoon image.

Older gamers should instantly recognize the name, associating it with many nostalgic memories from the days when Nintendo ruled the console scene. The little blue android known as Mega Man has been around for nearly 20 years, and for many has become an icon for gaming. Appropriately, Capcom's release of "Mega Man Maverick Hunter X" on the PlayStation Portable extends the character's reach into the next generation of gaming.

Essentially a remake of "Mega Man X" from the original Super Nintendo console, this game is a deal for veterans and rookies alike. "Maverick Hunter" expands on its source material to craft an engaging experience. Featuring new introductions and conclusions to the story, animated in cartoon

fashion, as well as a wealth of other features, "Maverick Hunter" is worth the gaming dollar.

For newcomers to the series, the story isn't too complex to get into. Humankind created a race of androids, titled reploids, which are capable of independent thought and action. They work side-by-side with humanity in a peaceful co-existence.

In typical gaming fashion, things go wrong very quickly. Reploids begin to question their existence, and turn on their human partners. These maverick reploids are a danger to humanity, and to combat them the Maverick Hunters, also reploids, are formed.

The Maverick Hunters are lead by the powerful Sigma. In a twist, he also goes maverick, leaving the group disorganized and leaderless. This leaves the lowly and recently restored B-class hunter Mega Man to pick up the pieces, and attempt to restore peace and order to the land.

Part of remaking the classic "Mega Man X" has been to give this incarnation a graphical update. Featuring fully three-dimensional characters, the graphics are good enough to push the PSP's hardware capabilities.

Retaining the two dimensional nature of the original, the mixture works well and retains fans of the original. The graphical updates alone make the game worth a purchase for veteran "Mega Man" fans.

However, the story has received an upgrade along with the graphics. The supporting characters have all had their parts elaborated, with small cut-scenes before each boss bat-

Mega Man  
Maverick Hunter X

PSP





# Entertain Notre Dame



Photo courtesy of Patrick Ryan

Sir James Galway performed alongside his wife, Lady Jeanne Galway, at the Debartolo Performing Arts Center Sunday.

crowd-pleasing. Highlights include Mozart's "Turkish Rondo" and a rendition of "Danny Boy," which Galway described as a "musical prayer." Though these encores meant the concert ran on the long side (over two hours), it was kept enjoyable by Galway's well-chosen selections and his nimble musicianship.

Galway's performance in the Leighton Concert Hall was an impressive concert by one of the world's most noteworthy musicians.

Contact Brian Doxtader at [bdoxtade@nd.edu](mailto:bdoxtade@nd.edu)

# nostalgic fan tribute

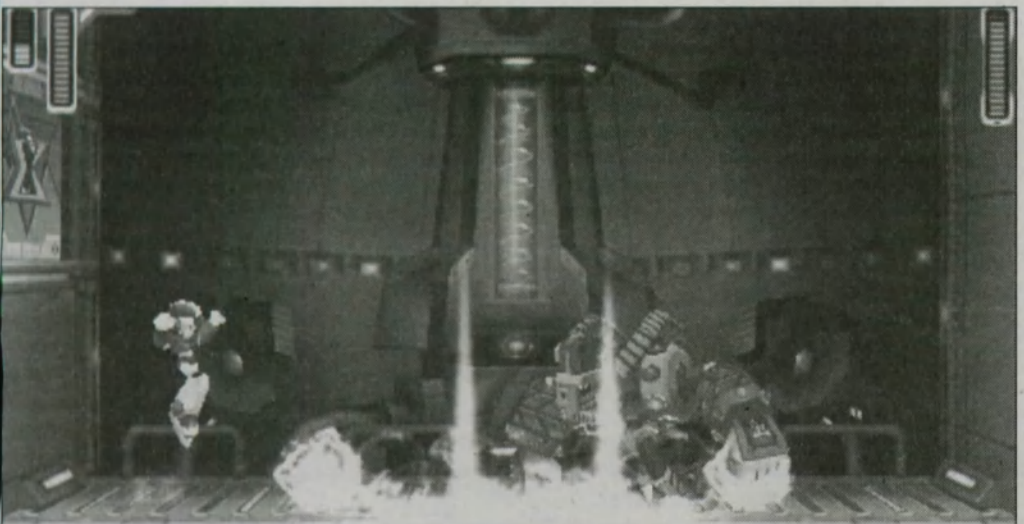


Photo courtesy of gamespot.com

Mega Man, left, faces off against the dangerous maverick, Spark Mandrill. "Maverick Hunter X" is a remake of the Super Nintendo classic.

the featuring a brief exchange of words. Zero, and Mega Man's nemesis Vile, have also received elaborated storylines.

This brings up perhaps the greatest addition to "Mega Man X," which is the inclusion of a new unlockable playable character. Vile is playable after one play-through of the game, and his abilities are vastly different than those of Mega Man.

Featuring a vast arsenal of weapons that greatly outnumber Mega Man's, Vile's gameplay manages to spice things up enough to warrant another trek through "Maverick Hunter." Given three weapons to use at once, as opposed to Mega Man's solitary hand cannon, Vile is a walking armory

to complement Mega Man's classic mode of gameplay. Vile is also given his own animated introduction and conclusion, as well as unique dialogue exchanges with the bosses.

Also unlockable is a 20-minute movie that chronicles Sigma's betrayal and leads up to the actual game. It's additions like this that push the game above the realm of standard remakes and earn it a worthy place in any PSP gamer's library. At \$10 below the standard price for a new PSP game, "Mega Man Maverick Hunter X" is worth the price of admission.

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## MOVIE REVIEW

# Vengeful 'Munich' packs punch



Photo courtesy of movieweb.com

Avner (Eric Bana), right, and Robert (Mathieu Kassovitz) prepare to carry out their mission of exacting revenge on Palestinian terrorists in Spielberg's latest.

By RAMA GOTTUMUKKALA  
Scene Editor

There's a moment in Steven Spielberg's "Munich" that echoes one from 12 years earlier in the director's career.

In 1993's "Schindler's List," a young girl runs through a melee while trying to escape from Nazi soldiers. Decorated in a brilliant red dress, the girl provided a stark contrast to the rest of the film's black and white imagery and her plight was one the audience — and Oskar Schindler, the film's protagonist — couldn't ignore. Her sudden death gripped viewers in the heart of the film's conflict and shocked Schindler into action, perhaps even single-handedly changing his character's destiny for the better.

Fast forward a dozen years and a similar trial-by-fire is visited upon Avner (Eric Bana), a young and idealistic Israeli government agent in "Munich." A girl, not quite as young this time but still innocent, is placed in harm's way simply because her father had a hand in the murder of 11 Israelis by a Palestinian terrorist group during the 1972 Olympic Games in Munich, Germany. And again, this precarious scene in "Munich" precludes what comes next. But this time, the girl's fate is jeopardized by a nation's pained attempts to exact blind vengeance, instead of Nazism.

Chosen to lead a four-man Israeli team in tracking down and wiping out the Olympic terrorists, Avner believes strongly in the job and proves to be all-too-effective at his task. But as the body count rises, he begins to morally question his nation's bloody quest for revenge.

"Munich" is a difficult film to watch, with each successive mission turning bloodier and casualties falling on both sides. Yet through it all, Spielberg manages to tiptoe a careful line, allowing "Munich" to remain politically even-handed despite primarily seeing through the eyes of the Israeli side of the brutal conflict.

As possibly the world's foremost Jewish-American, Spielberg had very little to gain from this film. After all, "Schindler's List" was a film that won seven Oscars — including Best Picture and Best Director — and staked Spielberg's claim as one of the world's greatest living directors. Here was someone who could lay claim to "Action King of Hollywood" — having directed the Indiana Jones trilogy, "Jurassic Park" and "Jaws" early in his career — attempting to balance his oeuvre with a heartfelt look at the horrors of the Holocaust — and

succeeding masterfully.

Amidst the controversy swirling around the production of "Munich," Spielberg faced intense scrutiny from all sides, even from those who likely cheered his previous effort in "Schindler's List." Jewish author Jack Engelhard vehemently accused Spielberg of being "no friend to Israel" largely on the basis of the ambiguous message presented in "Munich." Amidst all the criticism, the question isn't how Spielberg made the film. The more perplexing question is, "Why?" Why "Munich," and why now?

While debate about the film's message may rage on for years, there's very little fault to be found with the film's technical brilliance. Featuring superb cinematography, the film transports viewers into the heart of the visceral conflict. Each locale of the film's increasingly global scale —

as Avner's team races from one mark to the next — is exquisitely shot and each has its own unique feel. As the film's narrative darkens, so too does the gritty appearance and frantic pace of the cinematography and editing, respectively.

On a purely technical level, "Munich" is a fascinating look at Spielberg's craft in the 20th century.

A film like this one is defined by its performances and Bana's performance as Avner, the tumultuous emotional center of "Munich," is as raw and visceral as the film's content. Bana's pose in the film's theatrical poster, seated all alone and silhouetted in a dark hotel room, is just a small sample of his striking role in the film. Long gone is any semblance of Dr. Bruce Banner and Hector, the roles in "Hulk" and "Troy" that catapulted Bana to international stardom. Bana spearheads a strong ensemble cast — including Geoffrey Rush, Daniel Craig (the future James Bond) and Ciaran Hinds — that remain wholly absorbed in their respective roles, driving the film's action forward.

The plight of the young girl in "Munich" proves to be a microcosm for the film's difficult content. The resolution of this one tense scene leaves Avner shaken — after all, he's no monster, just a loyal citizen doing a job for his country. But, unlike in "Schindler's List," it changes little of the protagonist's course of action, instead leading him down a much darker path.

"Munich" lingers in the back of the mind long after the credits roll. Few films have its guttural power, but even fewer leave audiences with such a complex and unclear message — just as Spielberg intended.

Contact Rama Gottumukkala at [rgottumu@nd.edu](mailto:rgottumu@nd.edu)

## Munich



**Director:** Steven Spielberg  
**Writers:** Tom Kushner and Eric Roth  
**Starring:** Eric Bana, Daniel Craig, Geoffrey Rush and Ciaran Hinds



## NBA

# Smith's clutch shooting gives Hawks OT win

*Pistons overcome five technical fouls as Ben Wallace and 'Rip' Hamilton lead Pistons to sixth-straight victory*

Associated Press

ATLANTA — Josh Smith's work on his jump shot is paying off.

Al Harrington scored 22 points and Smith hit two key jumpers to help the Atlanta Hawks beat the New Jersey Nets 104-102 in overtime Monday night.

Smith, who won the NBA dunking title a year ago and is known more for his athleticism, made a jumper with 33.9 seconds left in overtime to give the Hawks a 104-100 lead. He also scored on a jumper with 4.9 seconds to play in regulation to tie it at 94.

"Coach has put confidence in me. He knows I've been working on my jump shot, so he doesn't have any problem with me taking it," Smith said.

Smith, a second-year forward, was 6-of-12 from the field and finished with 19 points, nine rebounds and four blocks.

"Last year we would cringe when he would shoot the basketball," Atlanta coach Mike Woodson said. "Now his shot looks like a shot and he is handling the ball a little better."

Vince Carter attempted a long 3-pointer in the final seconds of overtime but it rimmed out and Nenad Krstic also missed a follow attempt for the Atlantic Division-leading Nets, who have lost two straight.

"We have great trust in Vince's judgment," New Jersey coach Lawrence Frank said. "He wanted to put it on his shoulders and win it. It went in and out. We gave ourselves an opportunity for an offensive rebound. The basketball gods

saw it another way."

Carter had an earlier chance to win it for the Nets, but fumbled the inbounds pass and his desperation shot from about 20 feet at the buzzer wasn't even close.

"I just lost the ball," Carter said.

Carter scored seconds after Smith's clutch jumper in overtime to cut it to 104-102 and the Nets got a chance to win it when the Hawks failed to get off a shot within 24 seconds, giving New Jersey the ball with 7.1 seconds left.

"[Assistant coach] Larry Drew kept telling me to shoot my shot because it's right on target," Smith said. "The opportunity came, Al [Harrington] swung the ball to me, and I knocked down the jump shot."

Richard Jefferson and Carter scored 22 points apiece for New Jersey. Krstic had 21 points and Jason Kidd had 19 points, a season-high 17 assists and nine rebounds.

"You have to give Josh Smith credit. He made two huge shots," Frank said.

## Detroit 84, Cleveland 72

Rasheed Wallace helped Detroit to back-to-back wins over the Cleveland Cavaliers, and had a few laughs at their expense.

Wallace scored 24 points and Richard Hamilton added 22 to lead the Pistons to a win Monday night, their sixth straight.

Wallace made four 3-pointers a night after he split open Zydrunas Ilgauskas' head with an elbow during Detroit's 90-78 home win. He was fined \$5,000

by the NBA on Monday for the flagrant foul.

The two tangled again in the rematch, but Wallace simply laughed when Ilgauskas shoved him to the floor in the second quarter.

"I guess that was his wannabe retaliation," Wallace said. "I started laughing and got a [technical foul] for that."

It was one of five technicals called against the Pistons, who complained all night about the officiating.

"We get three, four, five technicals, but all we do is win. And that's the ultimate spit in the face," Wallace said.

Cavaliers fans booed Wallace loudly during the pre-game introductions and nearly every time he touched the ball. One sign read "Rasheed Must Bleed!"

But the result was the same, another 12-point loss in which the Cavaliers were outthrustled, allowing the Pistons too many second chances on offense in losing their fourth in a row.

"They both hurt," Cavaliers forward Drew Gooden said. "The feeling I had yesterday was the same one I have today."

LeBron James led Cleveland with 26 points and Ilgauskas, playing with five stitches in his head, scored 18 and had 15 rebounds.

Chauncey Billups added 15 points and 12 assists for Detroit. Ben Wallace was scoreless but had 12 rebounds and helped keep James from making easy trips to the rim.

The Cavaliers took their first lead of the second half on James' fast-break dunk with 5:03 left in the third period. He followed with two jumpers to push the margin to 60-56 on an 8-0 run.

But the Pistons reclaimed the lead early in the fourth quarter with an 11-4 run keyed by Maurice Evans and Hamilton that made it 73-67.

Detroit held Cleveland to nine points in the fourth quarter, tying a Cavaliers season low.

"They did a great job of executing in the fourth quarter and we didn't," James said.

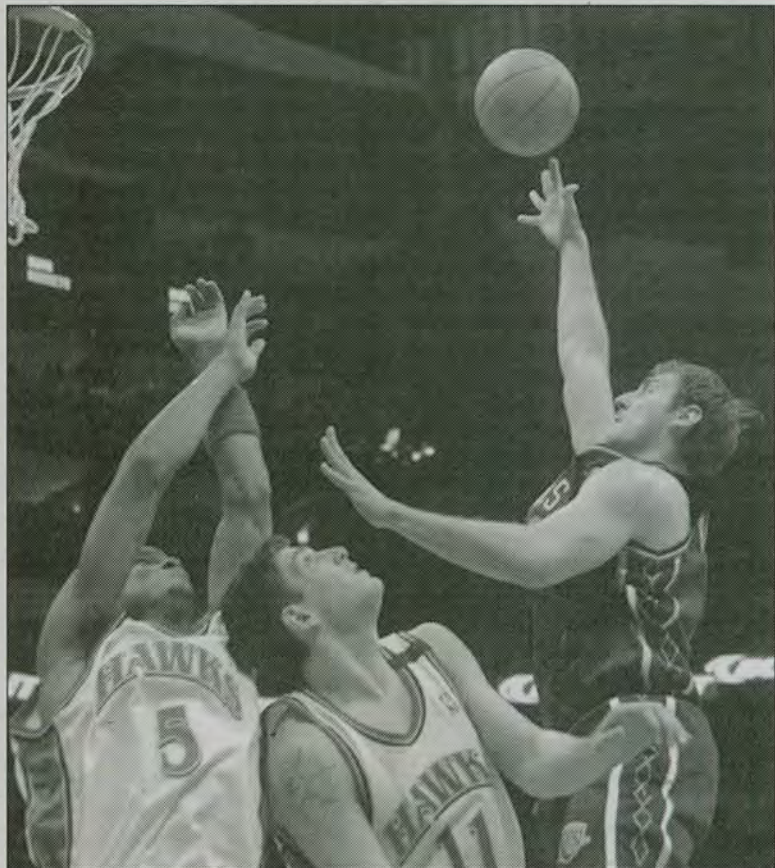
## Miami 101, Toronto 94

Miami Heat coach Pat Riley said he talked to his team for 90 minutes at practice Sunday, and for an hour the next morning at a shootaround.

Then, before Monday night's game against Toronto, Riley walked into the locker room with tape over his mouth.

"I did not say anything," he said. "I think they got the message."

Warding off a possible let-down against a sub-.500 oppo-



New Jersey center Nenad Krstic, right, shoots over Atlanta center Esteban Batista, middle, and forward Josh Smith during the Hawks 106-104 overtime win.

nent, the Heat extended their season-best winning streak to six games with the victory.

Dwyane Wade was 15-for-19 from the field and scored 32 points. Shaquille O'Neal added 27 points and 11 rebounds and the Heat shot a season-high 60 percent.

Riley's motivational tactics apparently worked.

"I've been around for nine or 10 years with him," Heat center Alonzo Mourning said. "You never ever know what he's going to do, so you can expect anything. Hey, as long as we're collecting wins when he's doing it, that's all that counts."

Atlantic Division leader Miami is feasting on a soft stretch in the schedule, and the next five games are against teams with losing records.

The Raptors lost their fourth game in a row, and the latest defeat came with Toronto on the verge of hiring Bryan Colangelo as president and general manager. He resigned Monday as president and general manager of the Phoenix Suns, and a news conference is scheduled for Tuesday in Toronto to announce his hiring.

Mike James scored 26 points for the Raptors, who won the earlier meeting between teams — their lone victory in their first 16 games.

"Our guys had great respect for this team," Riley said. "They stung us."

Chris Bosh and Morris Peterson scored 19 points apiece for Toronto.

"I'd rather lose a close game to a tough team than get blown out," Bosh said. "I sleep better at night."

## Milwaukee 110, Denver 89

Michael Redd had 24 points and nine rebounds, and Charlie Bell added 17 points in the Milwaukee Bucks' victory over Denver on Monday night.

Andrew Bogut and Jamaal Magloire scored 16 points apiece for the Bucks, who ended a six-game losing streak against the Nuggets dating to Jan. 25, 2003.

Carmelo Anthony had 19 points for Denver, but only four in the second half after the Bucks had built a 24-point lead. Newcomers Ruben Patterson and Reggie Evans combined for 11 points for the Nuggets.

Earl Boykins, who had eight of Denver's 18 points in the fourth quarter connected on his first three shots to cut it to 93-79 with 7:22 left, but Bobby Simmons hit a 3-pointer. The Nuggets closed within 14 again on Boykins' two free throws, but Joe Smith hit a jumper and a layup with 5:08 left to make it 102-84.

Milwaukee shot 58 percent in the first half to take a 69-45 lead. The 69 points are the Bucks' most in a half this season.



Cleveland forward LeBron James, middle, drives between Detroit forward Rasheed Wallace, left, and center Ben Wallace in the Pistons' 84-72 win. James scored 26 points in the loss.

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I looked into it, and upon further review, Buffalo is not the worst city in America. That distinction belongs to Palo Alto. Lousy Nor-Cal.

The Observer accepts classifieds every business day from 8 a.m. to 3 p.m. at the Notre Dame office, 024 South Dining Hall. Deadline for next-day classifieds is 3 p.m. All classifieds must be prepaid. The charge is 5 cents per character per day, including all spaces. The Observer reserves the right to edit all classifieds for content without issuing refunds.



# AROUND THE NATION

Tuesday, February 28, 2006

COMPILED FROM THE OBSERVER'S WIRE SERVICES

page 13

## NBA Standings

### Eastern Conference, Atlantic Division

team	record	pct.	GB
New Jersey	31-25	.554	-
Philadelphia	28-27	.509	2.5
Boston	23-33	.411	8
Toronto	20-36	.357	11
New York	15-40	.273	15.5

### Eastern Conference, Central Division

team	record	pct.	GB
Detroit	47-9	.839	-
Cleveland	32-25	.561	15.5
Indiana	28-25	.528	17.5
Milwaukee	28-28	.500	169
Chicago	24-31	.436	22.5

### Eastern Conference, Southeast Division

team	record	pct.	GB
Miami	36-20	.643	-
Washington	29-25	.537	6
Orlando	20-35	.364	15.5
Atlanta	18-37	.327	17.5
Charlotte	15-42	.263	21.5

### Western Conference, Northwest Division

team	record	pct.	GB
Denver	30-26	.536	-
Utah	26-29	.473	3.5
Minnesota	24-31	.436	5.5
Seattle	21-36	.368	9.5
Portland	18-37	.327	11.5

### Western Conference, Pacific Division

team	record	pct.	GB
Phoenix	37-17	.685	-
LA Clippers	31-23	.574	6
LA Lakers	28-28	.500	10
Sacramento	25-30	.455	12.5
Golden State	24-31	.436	13.5

### Western Conference, Southwest Division

team	record	pct.	GB
Dallas	44-11	.800	-
San Antonio	43-12	.782	1
New Orleans	31-25	.554	13.5
Memphis	30-26	.536	14.5
Houston	25-31	.446	19.5

## Fencing Top 20

No.	Men	No.	Women
1	Ohio State	1	NOTRE DAME
2	NOTRE DAME	2	Penn State
3	Penn State	3	Columbia-Barnard
4	Harvard	4	Ohio State
5	Columbia	5	Harvard
6	St. Johns	6	St. Johns
7	Princeton	7	Northwestern
8	Pennsylvania	8	Yale
9	Stanford	9	Pennsylvania
10	Duke	10	Princeton
11	Air Force	11	Stanford
12	Rutgers	12	Wayne State
13	Brown	13	Temple
14	NYU	14	Duke
15	Yale	15	UC-San Diego
16	North Carolina	16	Air Force
17	UC-San Diego	17	NYU
18	Wayne State	18	Rutgers
19	Brandeis	19	North Carolina
20	Cleveland State	20	Brown

## MLB



Oakland Athletics first baseman Frank Thomas smiles during a media conference Jan. 26 in Oakland, Calif. Thomas and Chicago general manager Kenny Williams discussed their escalated verbal feud Sunday night by phone.

## Thomas and Williams discuss issues

Associated Press

TUCSON, Ariz. — Former White Sox star Frank Thomas and Chicago general manager Kenny Williams talked by phone for 20 minutes to discuss their escalated verbal feud.

Williams called Thomas "an idiot" and "selfish" Sunday after reading the ex-slucker's comments in a newspaper interview in which he reiterated that he wasn't happy with his send-off from the team after 16 years.

Now with the Oakland Athletics, Thomas called Williams on Sunday night,

left a message, and Williams returned the call.

"I'm going to tell you this. As long as I don't hear another word about this organization or the members of this organization, I won't have another thought about this. And we'll move on," Williams said Monday.

Thomas, speaking to reporters at the A's complex in Phoenix on Monday, didn't go into details about the conversation with Williams.

"You know, it was a heated discussion. Lasted for a while. But, I think everything that needs to be said was said," Thomas

said.

"We're finished talking. I mean, there's nothing else to talk about. Actual love lost — I mean, basically there's not much love there over the last five years," Thomas said. "So, you know, we're just moving forward."

That doesn't mean the rift has been mended.

"Patch it up?" Williams said. "There is no patching up."

Thomas agreed.

"There doesn't need to be anything patched up. We're men. We can handle it over the phone. I wished we had handled it over the phone before it became

national," he said.

"And it's over. It really is."

Williams said Thomas feels he has been misquoted, misrepresented and taken out of context by his comments since the White Sox bought him out for \$3.5 million in the offseason. Earlier, Thomas said he thought he was coming back to the White Sox and would not have participated in a couple of post-season ceremonial duties while he was injured if he were not.

"This talk could have been had way back when if he'd returned my initial phone call," Williams said.

## IN BRIEF

### Agassi to skip clay court season to focus on Wimbledon

DUBAI, United Arab Emirates — Andre Agassi will skip the entire ATP clay-court season, including the French Open, to improve his chances of playing at Wimbledon.

The 35-year-old Agassi said cortisone injections are helping him stay on the court after sustaining a lower back strain and a sprained left ankle in the last few months.

"It is not realistic for me to consider myself competitive on clay," Agassi said Monday after a first-round win at the Dubai Open. "The wear and tear it puts on my body has set me back the last couple of years. And Wimbledon is something that I don't want to miss this year."

The eight-time Grand Slam champion hinted that he has been thinking about retirement.

Agassi had a 6-4 record last year on clay, where he's won seven of his 60 career titles.

### Charlotte is the favorite for NASCAR Hall of Fame

CHARLOTTE, N.C. — The race for the rights to NASCAR's Hall of Fame is in its closing laps, and chairman Brian France remains insistent that three cities are still in contention.

Technically, that's true.

In reality, the stock car racing shrine is Charlotte's to lose.

France will never come right out and say that, though. NASCAR's top boss instead continues to count Atlanta and Daytona Beach, Fla., among the legitimate contenders.

But for either city to actually win the rights, Charlotte would need to veer sharply off track.

Logistics and common sense have always made Charlotte the obvious choice to host the Hall of Fame. Although NASCAR's official headquarters are in Daytona Beach, almost everything else is run out of Charlotte, and France himself recently purchased a house here.

### Robertson found guilty of aggravated assault

CANTON, Texas — An East Texas jury on Monday found a man guilty of aggravated assault with a deadly weapon in the shooting of a high school football coach.

The same panel then began considering a penalty Monday afternoon for Jeff Doyal Robertson, who faces a prison sentence of two to 20 years. The jury in this small town about 60 miles east of Dallas rejected a charge of aggravated assault on a public servant in favor of the lesser charge.

Robertson, a heating and air conditioning repairman, shot Kinne in April. Kinne was critically injured but has since recovered and is on the coaching staff of Baylor University.

Robertson's son played on Canton's freshmen football team along with Kinne's son, who was the quarterback.

## around the dial

### NCAA MEN'S BASKETBALL

Illinois at Minnesota, 7 p.m., ESPN  
LSU at South Carolina, 7 p.m., ESPN  
St. Joseph's at Xavier, 7:30 p.m., ESPN2

### NHL

Minnesota at Colorado, 9 p.m., OLN



## MLB

# Special K: Rocket gives up blast to son Koby

*Detroit closer Percival considering retirement after Sunday's outing*

Associated Press

Roger Clemens' son took the Rocket deep on his first real pitch of spring training, crushing a trademark fastball over the left-field fence.

"That was probably one of the harder fastballs I cut loose," Clemens said after throwing to son Koby and other Houston Astros minor leaguers Monday at Kissimmee, Fla. "He got my attention."

Then the Rocket got Koby's. The next time his oldest son came to the plate, Roger buzzed him high and tight with another fastball. The younger Clemens dodged the pitch, then smiled at his father.

"He was like, 'Sorry about that pitch inside. I was trying to change the view of the ball for you a little bit,'" said Koby, a third baseman who was drafted by Houston last summer. "I said, 'I knew what you were doing.'"

Clemens, 43, got applause from about 100 fans as he walked to the mound behind the Astros' minor-league complex. He threw 18 pitches from behind a screen before his 19-year-old son took him deep on his first pitch after the screen was moved away.

Clemens threw a total of 66 pitches to Astros minor leaguers in preparation for the World Baseball Classic, then said he's no closer to deciding his future beyond the event. Asked if he was retiring, Clemens shied away.

"I'm not even going to mention that word," he said. "I've been trying to do that for a couple of years now and it's not working."

Troy Percival might be headed for retirement after leaving Detroit Tigers camp in Lakeland, Fla. His locker was cleaned out Monday and the

nameplate removed, and he could not be reached for comment.

The four-time All-Star, 10th on the league's career saves list with 324, struggled Sunday in his inning of relief in a simulated game at Joker Marchant Stadium, which included a long home run to nonroster invitee Mike Rabelo.

"Obviously, in his mind, he doesn't think that he's ready to compete at this level," Tigers manager Jim Leyland said Monday.

Percival, who signed a two-year, \$12 million deal with the Tigers before last season, partially tore a muscle near his pitching elbow last July and finished a 1-3 with a 5.76 ERA and eight saves in 26 appearances.

"Never was I counting on him or not counting on him," Leyland said. "The plan was to get him in here and we'll see what unfolds and we'll take it from there."

The Tigers signed free agent closer Todd Jones to a two-year, \$11-million deal in the offseason. Jones saved 40 games last season with the Florida Marlins.

At Jupiter, Fla., Joe Borowski appears to be the leading candidate to replace Jones with the Marlins, though the former Cubs reliever's last save came in May 2004.

Borowski's best season came in 2003, when he had 33 saves and a 2.63 ERA. He missed much of 2004 with a shoulder injury, then broke a bone in his right forearm in spring training last year. After the Cubs released him in June, Borowski joined Tampa Bay and set a club record with 21 consecutive scoreless innings. But then he gave up 15 earned runs in his final 14 1-3 innings of the season.

At Tampa, Fla., New York Yankees outfielder Gary Sheffield took part in most drills Monday, including batting practice and running, after sitting out Sunday with back spasms.

## A Discussion on Issues Surrounding the Academic Freedom Debate

All Students are invited to Attend

Wednesday, March 1

7:30 PM

Coleman-Morse Lounge (1<sup>st</sup> floor)

An opportunity for all students to come together and discuss the issues surrounding the Academic Freedom debate. Students will be broken up into small groups (randomly selected) to discuss the issues and then will reconvene in a large group to share the discussions.

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## CLUB SPORTS

# Volleyball upsets No. 5 Illini, takes fifth place

*Steves cycles to first in C road race; Ultimate stays solid in the mud*

Special to the Observer

The Men's Volleyball club traveled to Indiana University to play in the annual Hoosier-Illini Classic, the biggest season tournament on the team's schedule. The Classic drew 40 teams from all over the country.

The Irish began pool play Saturday morning with two tough losses to top-25 teams. In their first match, No. 5 Illinois swept the Irish, 25-21, 25-19. In the following match, mental errors led to an Irish defeat versus No. 17 Utah, 25-23, 25-16.

With two games left for the day, the fate of the Irish was in doubt.

In the team's final pool-play meeting, Notre Dame quickly put away Wisconsin-B 25-17, 25-16. Sparked by junior opposite hitter Mike Toomey, the Irish played their best volleyball of the tournament and got the first win of an eventual four-game win streak.

Finishing 2-1 in pool play and in third place, the next cross-over match against Cincinnati was critical if the Irish planned on advancing to the Gold Division for the first time in three years.

Notre Dame played aggressive volleyball, as the Irish surprised the Bearcats and took the first game 25-19. Led by sophomore Dan Zibton, the Irish pulled through in game two and edged out Cincinnati 27-25.

In their first Gold Division

match, the Irish faced No. 15 Ohio State. The Irish used a series of streaks behind the serving of Drew Williams and Ryan Flynn to dominate the Buckeyes and control the entire match. Notre Dame ended up winning 25-16, 25-16.

In the second round of play, the Irish would have a rematch with Illinois. Coming off of three solid performances after their loss to the Illini, The Irish jumped early on the Illini in the first game. Behind a combination of solid defense and a complex, forceful offense, the Irish won the game 25-23.

Game two was a completely different scenario. Playing point for point to 10-10, Illinois went on an eight point run behind incredible blocking and precise serving. The Irish dug themselves too big a hole, and ended up losing the second game 25-17.

## Cycling

A blend of veterans and first year racers represented Notre Dame at Depauw University this weekend. Freshman Andrew Steves captured first place in the men's C road race, topping a field of 135 racers over the 26-mile course.

Captain Mike Lavery, Matt Prygoski, Geoff Gisler and Tim Campbell raced in the 36-mile men's B road race, and stayed with the main pack until the last lap when multiple crashes caused by battles for position dropped the team behind the leaders. Campbell placed No. 20, Lavery No. 32, and Gisler No. 47 in a field of 115. Prygoski was victim of a crash that damaged his bike and he was unable to finish.

Meghan Johnson placed No. 40 among 70 racers in the women's B division. Stuck behind a slower group, Johnson managed a very respectable finish in her first race for the Irish.

## Ultimate

The Notre Dame Ultimate Club traveled to Baton Rouge this weekend for the annual Mardi Gras tournament. Despite the wet and muddy fields, both the men's and women's teams played well during the two-day tournament. The women's team started out strong, easily defeating their first two opponents, Truman St and TCU, 12-3 and 11-2 respectively.

The rain and wind on Saturday made the disc slippery and passes hard to throw or catch. However, that didn't stop a huge layout score from sophomore Shields Duss during the TCU game. Senior Chris Dube was a dominant threat on the field during the games, both offensively and defensively. Great defensive play also came from freshmen, Mary Clare McGregor and Katie Bilek during the two games.

As the day went on, the field conditions became worse greatly affecting play as the women went into their third game against always strong Michigan. Despite sophomore Loretta Brown snagging some discs from the air to stop the flow of Michigan's offense, the women still dropped the game 13-1.

Although the connections didn't come for the Notre Dame offense, sophomore Libby Whiting's play was a highlight as she competed in her first

ultimate tournament. The final game of the day was against LSU. Although the game was short, Notre Dame took control winning 6-0. Excellent upwind throws from senior Lizzy Shiel made the wind not a factor in this game.

After a miscommunication from the tournament director about game time, the Notre Dame women's team found themselves in the consolation bracket. This did not put a damper on their competitive attitude, however. The weather conditions on Sunday were much improved and the sun finally made an appearance.

The team's opponent was sectional rival Indiana. The Irish shut out the Hoosiers, 10-0. Senior Kasey Farrell was a strong force in this game making impressive catches and stepping up as a handler. Junior Jeannie Joekel found her groove this game too and made a layout D to stop a score twice in the end zone along with some layouts on offense as well. Junior Rachel Meeks continually broke down the zone defense with her break mark passes and sharp throws.

The men's field boasted 52 college teams competing on slippery fields as rain continued throughout play on Saturday. The Irish swept all four opponents on the day, defeating Arkansas B, Grinnell, Rice, and Florida B. Although the offense had difficulty catching the wet disc, the defense was stellar, led by freshmen Thomas Rivas and Ryan Gorman.

## Women's water polo

Notre Dame's women's water polo club swept through four opponents before dropping the title game to Miami OH this weekend at Eastern Michigan. In the opening 16-1 victory over Dayton, every member of the club contributed to the score.

The Irish blanked Ohio 21-0 in the second round, as Junior Caitlin Shorrock and freshman Maggie Hyde combined to register the club's first shutout of the year. The Irish then faced the host Eastern Michigan squad, and posted a solid 12-3 win in

front of their home crowd. The tournament finale saw the Irish drop a 10-4 decision to rival Miami OH. Senior Kristy Bohling rifled home two goals, while junior Bridget O'Neill and freshman Kelly Horner each put a shot in the cage to account for all the scoring.

The Irish will next head to California for a week-long training camp featuring games against tough west coast varsity and club teams. The Irish will host the division championship April 22-23 in Rolf's Aquatics, with the winning team advancing to the Nationals. Miami will be the top seed, with the Irish seeded second.

## Gymnastics

The Notre Dame Gymnastics Club competed this weekend at the Indiana University Big Red Classic. Several gymnasts had strong performances and received their highest scores of the season. The Irish continue to improve and appear to be peaking at the right time.

The Notre Dame women were led by Anne Krishnan and Wendy Svetanoff, as each placed in two events. Krishnan placed second on beam and fourth on vault, while Svetanoff placed fifth on vault and sixth on beam. Additionally, Krishnan placed sixth in the all-around and continues to anchor the team. Solid performances were also turned in by Cecilia Torres, Kelleen O'Leary, Kelly Pirozzi, and Maura Steed. Several gymnasts increased the difficulty for their routines for this meet and received season high scores. The women's meet was won by Miami of Ohio.

The Notre Dame men also turned in a strong performance. Competitors included Brian Dunn, Paul Kane, and Joe Lillie. The Notre Dame men failed to field a complete team score, due to injury. The men's meet was won by the University of Illinois. The Irish look forward to being healthy and having a complete team at the Clover Classic on March 25 at Gymnastics Michiana. The Classic will complete the regular season.



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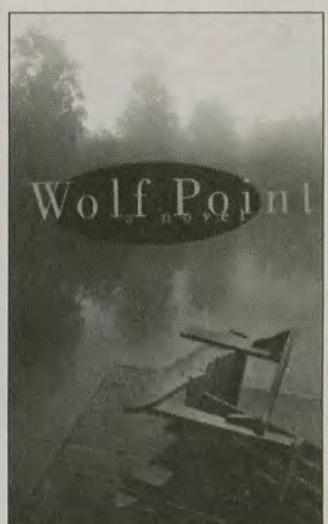
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## NHL

# Concussions end Primeau's season

Associated Press

PHILADELPHIA — Flyers captain Keith Primeau will sit out the rest of the regular season nearly four months after suffering another concussion, a person in the NHL with knowledge of the decision told The Associated Press on Monday.

The person spoke on the condition of anonymity because Primeau was going to make an official announcement Tuesday at the Flyers practice facility in New Jersey.

Primeau was injured Oct. 25 after taking a hit from Montreal's Alexander Perez-hogin, the latest and most severe in a list of head injuries the center has sustained in a 15-year career. Primeau had not been cleared to play by Flyers doctors and a concussion specialist in Montreal had

advised him to forego playing this season and continue his rehab, leaving him with little choice but to shut it down and try and return next season.

With his history of head injuries, even next season is in jeopardy for the 34-year-old Primeau. The person said, however, that Primeau was prepared to try and return next year.

Primeau did play in two more games after he was injured before symptoms forced him out of the Oct. 30 game against Ottawa.

Primeau did not immediately return a telephone message from The Associated Press.

He had one goal and played in only nine games for the Flyers (33-16-5) this season, and was asked by Flyers general manager Bob Clarke to make a decision by the end of the Olympic break.

## MLB

# 'Hall' inducts 17 Negro Leaguers

*Record class has five pre-Negro Leaguers; O'Neil, Minoso wait*

Associated Press

TAMPA, Fla. — Effa Manley became the first woman elected to the baseball Hall of Fame when the former Newark Eagles executive was among 17 people from the Negro Leagues and pre-Negro Leagues chosen Monday by a special committee.

This year's Hall class — 18, including former reliever Bruce Sutter — is by far the biggest in history. The previous record was 11 in 1946.

Manley co-owned the New Jersey-based Eagles with her husband, Abe, and ran the business end of the team for more than a decade. The Eagles won the Negro Leagues World Series in 1946

— one year before Jackie Robinson broke the major league color barrier.

Manley was white, but married a black man and passed as a black woman, said Larry Lester, a baseball author and member of the voting committee.

"She campaigned to get as much money as possible for these ballplayers, and rightfully so," Lester said.

Manley used baseball to advance civil rights causes with events such as an Anti-Lynching Day at the ballpark. She died in 1981 at age 84.

Buck O'Neil and Minnie Minoso, the only living members among the 39 candidates on the ballot, were not elected by the 12-person panel.

Mule Suttles and Biz Mackey were among the 12 players selected, along with five executives.

Ray Brown, Willard Brown,

Andy Cooper, Cristobal Torriente and Jud Wilson were the other former Negro League players elected. Five pre-Negro Leaguers — Frank Grant, Pete Hill, Jose Mendez, Louis Santop and Ben Taylor — were also chosen.

Alex Pompey, Cum Posey, J.L. Wilkinson and Sol White were the other executives elected.

The new inductees will be enshrined with Sutter — elected by the Baseball Writers' Association of America last month — on July 30 in Cooperstown, N.Y. The new group brought the Hall's membership to 278.

Only 18 Negro Leagues players had been chosen for the Hall prior to this election.

The election was the culmination of a Hall of Fame project to compile a complete history of blacks in the game from 1860 to 1960.

## CLUB SPORTS

# Water polo wins four straight, slips in final

Special to The Observer

Notre Dame's women's water polo club swept through four opponents before dropping the title game to Miami of Ohio this weekend at Eastern Michigan.

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# Starters

continued from page 20

a career record of 69-27 and a 1.71 ERA. "I have a lot of innings in the circle, and I feel my nerves have left me."

Booth has shown her steady nerves already early this season, most notably in the Golden Panther Invitational last weekend. Booth allowed only one earned run and had 22 strikeouts in victories over Memphis and Florida International.

She especially dominated Florida International. In the five-inning game, Booth struck out half of the batters she faced, and only three Golden

Panthers reached base against her.

The two wins in Miami are a sign of improvement from Notre Dame's opening tournament in Las Vegas, Nev., in which the team lost three of its five games. Booth pitched in all five games of the Desert Classic but dropped two decisions.

"Our pitching was not great in Vegas," Booth said of the staff's performance. "It was a good learning experience. But we found our rhythm in

Miami."

Irish freshman Brittney Bargar learned from her mistakes in Las Vegas and cemented her role as Notre Dame's No. 2 starter in Miami

*"I know we are young, but we are very solid. We have great dynamics and team chemistry, and I feel better about this team than any I have played on."*

**Heather Booth**  
Irish pitcher

this weekend. Even though she lost one game, Bargar picked up a crucial win over Buffalo in the tournament to impress her fellow starter.

Bargar pitched a four-hit shutout against the Bulls — shouldering the responsibility when Notre Dame's bats fell silent —

and held on for her first career complete game win.

"Brittney was phenomenal against Buffalo," Booth said. "She did exactly what she had to do."

Booth prepared Bargar in the off-season to be her successor. Booth helped Bargar improve her game and is confident of and encouraged by the freshman's growth.

"We've been working our hitters all winter," Booth said. "I think she will be great for the program and will be an exceptional choice to take my spot on the team when I graduate

at the end of this year."

With Booth and Bargar making up one of the best one-two combinations in the Big East, the team is confident heading into this season.

"I know we are young, but we are very solid," Booth said. "We have great dynamics and team chemistry, and I feel better about this team than any other I have played on."

Notre Dame next plays Nebraska and Tulsa Friday in Tulsa.

Contact Jay Fitzpatrick at [jfitzpa5@nd.edu](mailto:jfitzpa5@nd.edu)

# Hoosiers

continued from page 20

son, and we don't expect anything different from Indiana," Thompson said. "But it has been our singles that halve been getting the job done all year, and that is what we are counting on [against Indiana]."

Thompson, junior Catrina Thompson and sophomore Brook Buck have led the Irish all season. Christian and Catrina Thompson have lost just one doubles match in the team's first nine spring contests. They are currently

ranked No. 2 nationally in doubles.

But Catrina Thompson did not compete against No. 51 Wisconsin last Saturday due to a wrist injury, and her status remains unknown for the upcoming Indiana match.

"Catrina has really been a big part in doubles and singles for the team this year, and we are hoping she will be able to compete [against Indiana]," Nelson said. "But we still don't [know the severity] of the injury."

Notre Dame will continue its series of home matches against Illinois Sunday.

Contact Dan Tapetillo at [jtapetil@nd.edu](mailto:jtapetil@nd.edu)

## NFL

# Colts sell rights to new stadium

Lucas Oil will name the 63,000-seat facility in downtown Indy

Associated Press

INDIANAPOLIS — The Indianapolis Colts have sold the naming rights for their new downtown stadium to California-based Lucas Oil Co., according to media reports.

The team was expected on Wednesday to announce the deal with Lucas, which makes automotive lubricants and has several sponsorships in auto

racing. Indianapolis television stations WISH and WRTV and The Indianapolis Star reported Monday, all citing sources they did not identify.

The company will pay the Colts \$120 million over 20 years to have the 63,000-seat, retractable-roof facility named Lucas Oil Stadium, WISH reported.

Myra Borshoff Cook, a spokeswoman for Colts owner Jim Irsay, had no immediate comment on the reports. A receptionist at Covina, Calif.-based Lucas said no one with the company would comment and declined to take a message.

Lucas Oil already sponsors speedways, tractor pulls and boat races. The company's Web site lists itself as the official oil

of the Indianapolis Colts.

Colts officials said in December that they hoped the team's success in recent seasons would help them bring attract possible corporate sponsors for the stadium.

Construction work on the \$500 million stadium began last fall, with completion expected by the start of the 2008 football season.

The Colts will continue to play in the RCA Dome, their home since the team moved from Baltimore in 1984, until the new stadium is completed.

Once the stadium is built, the Indiana Convention Center will be expanded onto the current site of the RCA Dome. That project is slated to be finished by 2010 at a cost of more than \$400 million.

Matt Steward, who directs the state's efforts to attract motor-sports businesses, said that buying the stadium's naming rights would fit Lucas Oil's growth pattern.

"In the last several years, Lucas Oil has increased their marketing strategy by doing a lot of these sponsorships in the racing industry, and they are competing on an even level, I think, with the Penzoils and the Quaker States of the world," he said.



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FOR MORE INFORMATION



## Seniors

continued from page 20

Tournament."

The Irish enter the contest fresh off a dramatic 75-66 overtime win in Cincinnati Saturday. The Bearcats took a two-point lead with 2.4 seconds remaining, but LaVere found guard Lindsay Schrader on the ensuing inbounds pass. Schrader tipped the ball to fellow guard Tulyah Gaines, who hit a running layup as the buzzer sounded.

The win was the second of the week for the Irish, who beat West Virginia Tuesday.

"It's nice to put two games together and get two wins in a row," said Duffy, who scored 10 in the extra session to put the game away. "We've been on so many losing streaks this year. But we're in good position for where we need to be to beat Pittsburgh and we need to win a few games in the Big East Tournament."

The Panthers have no such momentum.

Pittsburgh (18-8, 9-6) lost to Rutgers Saturday in its worst offensive performance of the year. The Panthers scored a season-low 50 points and shot just 30 percent on field goals.

Sophomore center Mercedes Walker leads Pittsburgh in scoring this season, averaging 17.6 points a game on 49 percent shooting from the floor.

She is also a force to be reckoned with under the basket with 9.3 rebounds per contest.

Junior guard Mallorie Winn

is Pittsburgh's primary weapon on the perimeter. She averages 15.2 points per game and shoots 36 percent (48-of-134) from three-point range.

Xenia Stewart, a freshman guard, is the only other player on the Panthers averaging in double digits. Stewart, at 6-foot, plays on the interior much of the game and averages 5 rebounds a night.

The 6-foot-3 LaVere will be the key on the inside for the Irish to stopping Pittsburgh's inside attack. LaVere scored 17 points and connected on 8-of-11 field goals against Cincinnati.

"I'm really proud of Courtney, the way she's stepped up her game these past six or seven [contests]," Duffy said. "From the point of scoring and on the block, and leadership in the locker room, it's invaluable."

### Notes:

♦ Duffy was named Big East player of the week Monday for the second time in her career. She averaged 19.5 points and four rebounds a game in Notre Dame's two victories last week.

♦ Senior day celebrations will begin approximately 20 minutes before the opening tip.

Fans are encouraged to arrive early, as the team will honor Duffy and LaVere, senior video assistant Janelle Tretter and senior managers Meghan Callahan and Luke Hoover.

Contact Ken Fowler at [kfowler1@nd.edu](mailto:kfowler1@nd.edu)

## Seeds

continued from page 20

night with vested interest. A Michigan-Ferris State tie would have allowed MacMillan's Nanooks to remain tied with the Irish and the Bulldogs at the season's conclusion. Tiebreakers would have given the Irish seventh place and the Nanooks eighth — and sent the Bulldogs on a plane to the Land of the Midnight Sun for the first round.

Instead, Alaska-Fairbanks will stay in South Bend for another week in preparation for this weekend's match up between the No. 8 Irish and the No. 9 Nanooks.

Such was the way of the parity-rife CCHA in its last regular season weekend. When the ice spray settled, only four teams remained unchanged in league standings — three of which were the top seeds.

Those three teams are No. 1 Miami, No. 2 Michigan State and No. 3 Michigan.

"Michigan State is the hottest team in the league right now," Irish head coach Jeff Jackson said. "Just from the teams we played in the second half, I think Michigan State is playing the best hockey at the right time of the year."

Northern Michigan jumped into the last bye slot at No. 4 with a weekend sweep of Ohio State, while Nebraska-Omaha lost its bye and slid into fifth after a loss and tie to lowly Western Michigan.

Lake Superior State main-

tained the No. 6 spot despite being swept by Michigan State. Ferris State, Notre Dame and Alaska-Fairbanks emerged from the tiebreaker scuffle to finish at No. 7, No. 8 and No. 9, respectively.

Ohio State plummeted from No. 7 to No. 10 after being swept by Northern Michigan, and Western Michigan swapped places with Bowling Green to escape last place.

No. 5 Nebraska-Omaha will host No. 12 Bowling Green in a series less lopsided than the pairings suggest. UNO has a duo in Hobey Baker hopeful junior Scott Parse (19 goals, 40 assists) and Bill Thomas (25 goals, 21 assists) that Jackson describes as the two-man combination in the league.

"The biggest thing will be how the goaltending holds up for both teams," Jackson said. "Bowling Green's got a pretty good one-two punch too in [Jonathon] Matsumoto and [Alex] Foster. I'd expect Bowling Green to give Nebraska a little bit of trouble, but it's all going to be based on them getting solid goaltending."

Bowling Green has two goalies who split time in net — John Horrell (3.36 goals against average) and Jimmy Spratt (4.44). Freshman Jerad Kaufmann holds a 2.77 goals against for Nebraska-Omaha.

No. 6 Lake Superior State will take on surging Western Michigan at home. Western Michigan forward and CCHA rookie of the week Jeff Lovecchio must help his team navigate through a strong Lakers defense. Junior Jeff Jakaitis boasts a stellar 2.25

goals against average and a save percentage of .919 for Lake Superior in 33 appearances.

"Usually defense beats offense, and that's the nature of that series," Jackson said.

No. 7 Ferris State welcomes No. 10 Ohio State to Big Rapids, Mich. in a surprising role reversal of fortunes. The fallen Buckeyes look to ride goaltender Dave Caruso and his 2.16 goals against average over a Ferris State team fresh off a 3-point weekend against Michigan. Ohio State must neutralize senior center Greg Rallo (16 goals, 21 assists) and get offense from sophomore Tom Fritsche (11 goals, 19 assists) and junior Andrew Schembri (12 goals, 11 assists) if it hopes to survive the first round.

"Ohio State's really had a tough year," Jackson said. "They've had a lot of injuries and I think that that puts them at a disadvantage. But there's always the X-factor and that's [Caruso], in my opinion he's probably the best goalie in the league."

The final pairing of the first round is No. 8 Notre Dame versus No. 9 Alaska-Fairbanks in a rematch of last weekend. The Irish had a chance to move up to sixth place with a sweep of Fairbanks, but remain satisfied with the last home spot.

"We were in 12th place at Christmas time, and our team deserved with their efforts in the second half, to get home ice," Jackson said. "But now we have to take advantage of it."

Contact Kyle Cassily at [kcassily@nd.edu](mailto:kcassily@nd.edu)

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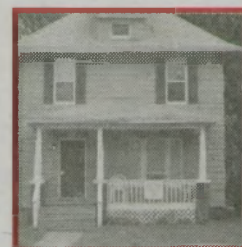
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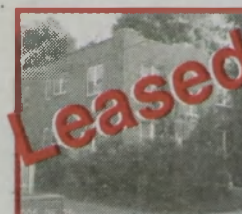
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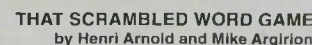
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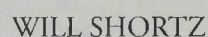
Now arrange the circled letters to form the surprise answer, as suggested by the above cartoon.

Print answer here:

(Answers tomorrow)

Yesterday's	Jumbles:	DEMON FINIS BEHOLD SYMBOL
	Answer:	What the cobbler did on a hot, humid day — "SHOO-ED" FLIES

## ADAM FAIRHOLM



## EUGENIA LAST

**CELEBRITIES BORN ON THIS DAY:** Chelsea Clinton, 26; Rozonda "Chilli" Thomas, 35; Elizabeth Taylor, 74; Joanne Woodward, 76

**Happy Birthday:** You have the potential to reach your goals, make financial gains and start some very exciting new projects this year. Don't waste too much time pondering the possibilities -- take action. By late fall of this year, the tables will turn and it will be too late to start. Your numbers are 1, 8, 10, 26, 33, 41

**ARIES (March 21-April 19):** Encourage the people around you, even if you aren't getting the same in return. You will divert everyone's attention, allowing you to push your ideas to the forefront. \*\*\*

**TAURUS (April 20-May 20):** You can rely on others to bend a little to help you do your own thing. Take your time: Rushing will lead to mistakes. Organization will enable you to carry your plans to completion. \*\*\*\*

**GEMINI (May 21-June 20):** Not everyone will understand what you are trying to accomplish. Your imagination and creative talent will help. However, you'll need the backing of someone who is convinced you really have something to work with if you want to fulfill your dreams. \*\*\*\*\*

**CANCER (June 21-July 22):** You have everything under control so stop questioning your every move. You can push your ideas on everyone around you and get the support you need or you can make a financial move that will ensure greater future security. Love is in a high cycle. \*\*\*

**LEO (July 23-Aug. 22):** Everything will boil down to how you handle money and investments. If you believe in something, make sure you are truly investing in yourself and not someone else's ideas or fortune. Changes at home will be financially beneficial. \*\*\*

**VIRGO (Aug. 23-Sept. 22):** There will be plenty on the line today, especially where partnerships are concerned. Someone you love and care for will cause problems. A business relationship can be made better through communication. \*\*\*

**LIBRA (Sept. 23-Oct. 22):** You will represent yourself well today if you go for an interview or talk with a networking group about your pursuits. Make changes that will help put you in a higher earning bracket -- they will turn out better than anticipated. \*\*\*

**SCORPIO (Oct. 23-Nov. 21):** Play whatever game you want and you will win. You will be able to outmaneuver the competition and stir up interest in whatever you want to do. Money matters can be resolved and investments made. Changes to your personal life will be beneficial. \*\*\*\*\*

**SAGITTARIUS (Nov. 22-Dec. 21):** This can turn into a very iffy day, depending on the choices you make. Research and learn all you can about something you want to do. A personal connection may be in trouble. Arguments will erupt if you are too forthright. \*\*

**CAPRICORN (Dec. 22-Jan. 19):** You may question the changes taking place around you but adapt as quickly as possible so you don't lose. Your charm and diplomacy will help you get your way, find out secret information and lead to an advancement. \*\*\*\*

**AQUARIUS (Jan. 20-Feb. 18):** You may feel let down today by someone you thought you could count on. Face the facts and be honest with yourself. \*\*\*

**PISCES (Feb. 19-March 20):** Everything is looking very good as long as you don't get your dander up and argue a moot point. Trying to get your way will be a

don't get your dander up and argue a moot point. Trying to get your way will be a waste of time. Explore new avenues and you will achieve.\*\*\*

**Birthday Baby:** You are quick to respond and like to take control. You approach everything you do uniquely and always attract a lot of attention. You are intuitive, unpredictable and very innovative.

Eugenia's Web sites: [astroadvice.com](http://astroadvice.com) for fun, [eugenialast.com](http://eugenialast.com) for confidential consultations

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# THE OBSERVER

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## ND WOMEN'S BASKETBALL

# Calling all captains

*Irish look for conference win on Senior Night to end regular season*

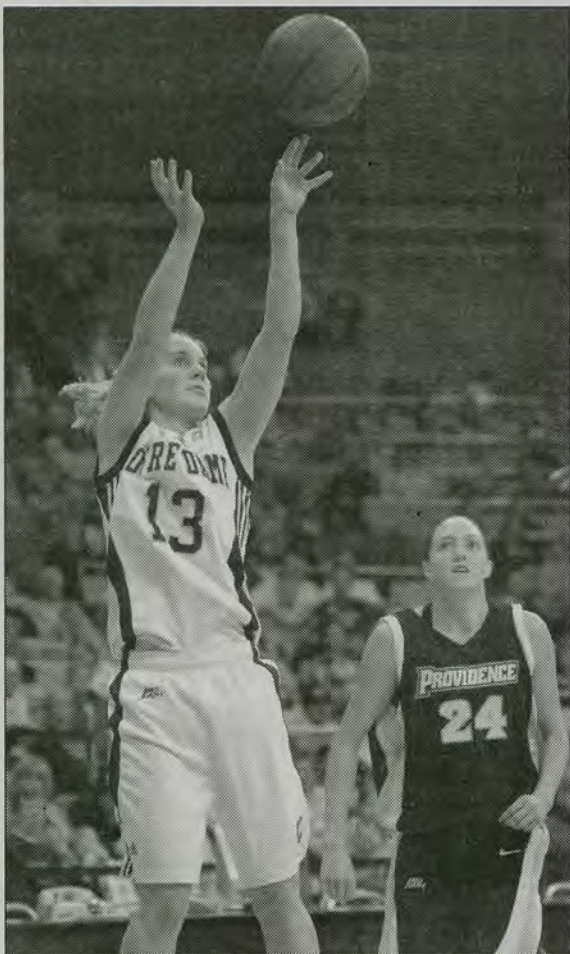
By KEN FOWLER  
Sports Writer

Notre Dame will honor its seniors and play for an improved conference tournament seed when it hosts Pittsburgh at 7 p.m. in the Joyce Center tonight.

The Irish are fighting for an NCAA Tournament bid and also can improve their seed in the upcoming Big East Tournament in Hartford, Conn., with a win. Depending on the outcome of this week's conference games, Notre Dame can finish anywhere from No. 8 to No. 11.

"Playing one last time on the JACC floor is going to be awesome, but everyone on the team knows what's at stake," said point guard Megan Duffy, who will be honored alongside fellow senior co-captain Courtney LaVere before the game on Senior Night. "We need to win if we want to get in the NCAA

see SENIORS/page 18



*Left, Irish guard Megan Duffy shoots and forward Courtney LaVere, at right, handles the ball in a 66-48 win over Providence on Feb. 4.*

PHOTOS BY  
PHIL HUDELSON

## ND SOFTBALL

# Booth and Bargar lead ND starters

By JAY FITZPATRICK  
Sports Writer

Notre Dame has played only two tournaments thus far this season, but it already has discovered the value of its pitching — starting with senior Heather Booth, its No. 1 ace.

The former Big East rookie of the year and two-time first-team All-Big East pitcher has dominated hitters as a starter since she her freshman season.

Booth assumed the role of No. 1 starter her first year and has not relinquished that position. She started at least 30 games all three seasons and has struck out more than 200 batters in each of the past two seasons — all reasons why she is confident and anxious to continue her dominance.

"As a senior, all my pressures are settled," said Booth, who has

see STARTERS/page 17

## ND WOMEN'S TENNIS

# Irish host Indiana in battle of top-40 teams

*Injury may sideline Irish junior Catrina Thompson Tuesday*

By DAN TAPETILLO  
Sports Writer

No. 7 Notre Dame returns to the Eck Tennis Pavilion to face No. 31 Indiana two days after completing a weekend sweep of two ranked competitors.

Despite its successful weekend and a 9-0 record (including two top-10 victories), the Irish will not overlook the Hoosiers, Irish senior Kelly Nelson said.

"We have gotten off to a great start because everyone has been playing really well, especially in close matches," Nelson said. "But we have taken every match seriously, no matter where they stand in the rankings."

The Hoosiers are 9-2 coming off a 5-2 win over No. 28 Tennessee Saturday. It was the team's second victory over a ranked opponent this season.

Indiana beat No. 52 Western Michigan 5-2 on Jan. 15.

Doubles partners sophomore Brianna Williams and freshman Sigrid Fischer led the Hoosiers Saturday, earning their first doubles win over a ranked opponent when they beat the Tennessee's Blackeley Griffith and Victoria Jones (No. 58, 8-2).

"Their win over Tennessee definitely shows that they can compete with top teams in the country," Irish junior Christian Thompson said. "But hopefully our doubles teams will play as well as they have been this season and help us win the doubles point early in the match."

Indiana had impressive wins in its singles matches against Tennessee, as well.

Sarah Batty (8-3) played at No. 1 for Indiana and won in straight sets. No. 2 Laura McGaffigan and No. 3 Brianna Williams also impressed in the Indiana victory.

"We have gone against tough opponents in singles this sea-

see HOOSIERS/page 17

## HOCKEY

# CCHA playoff matchups are set

*Miami (Ohio) leads conference with top seed in tournament*

By KYLE CASSILY  
Sports Writer

When Ferris State junior forward Zac Pearson beat Michigan goalie Billy Sauer 42 seconds into overtime for a 4-3 win on Saturday night in Ann Arbor, he not only scored the game-winning goal — he also saved his team a 3,500 mile road trip.

Pearson's goal launched the Bulldogs into sole position of seventh place in the CCHA. The goal also had far reaching implications on the rest of the conference. Fifth through eighth place receive opening round home ice, while the first four seeds gain a bye in the 12-team league.

Alaska-Fairbanks head coach Tavis MacMillan followed the Ferris State game via computer from the Joyce Center press box after his team's 2-1 victory over the Irish on Saturday

see SEEDS/page 18



JENNIFER KANG/The Observer

**Irish sophomore Mark Van Guilder passes the puck during Notre Dame's 3-2 loss to Michigan State Feb. 4. The Irish may face the Spartans in the second round of the CCHA Tournament.**

## SPORTS AT A GLANCE

### MLB

Former Negro Leagues executive Effa Manley became the first woman elected into the baseball Hall of Fame Monday.

page 16

### CLUB SPORTS

Notre Dame women's water polo went 4-1 this weekend, including wins over Miami (Ohio) and Eastern Michigan.

page 16

### CLUB SPORTS

#### Hoosier-Illini Classic

Notre Dame men's volleyball upset No. 5 Illinois and took fifth place in the 40-plus-team tournament.

page 15

### MLB

Koby Clemens blasted a home run off his father, Roger, on the first pitch the son saw in a simulated spring training game Monday.

page 14

### ATP

After going 6-4 on clay courts last year, Andre Agassi said he would not play any tournaments on the surface this year.

page 13

### NBA

#### Hawks 106 Nets 104

Atlanta forward Josh Smith hit a jumper with two seconds left in overtime to beat New Jersey Monday.

page 12