

THE OBSERVER

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NDSMCOBSERVER.COM

Mooney looks to future as 11th SMC president

ND VP will take over June 1

By ANNELIESE WOOLFORD
Saint Mary's Editor

The Saint Mary's Board of Trustees named Carol Mooney, Notre Dame vice president and associate provost, to be the 11th president of the College. She will take office on June 1.

See Also

"ND officials react to appointment" page 3

"Dr. Mooney has extensive experience in Catholic higher education — as a student, professor and administrator," said Sister Joan Marie Steadman, chair of the Board of Trustees, in a letter to the Saint Mary's community. "The Board believes this background uniquely suits her to address the special challenges inherent to this institution. The Board is confident in her ability to

see SMC/page 3



ANDY KENNA/The Observer

Notre Dame associate provost Carol Mooney accepted an appointment by the Saint Mary's Board of Trustees to be the College's 11th president. She is expected to take the position in June.

Community prepares to welcome new president

By NATALIE BAILEY
News Writer

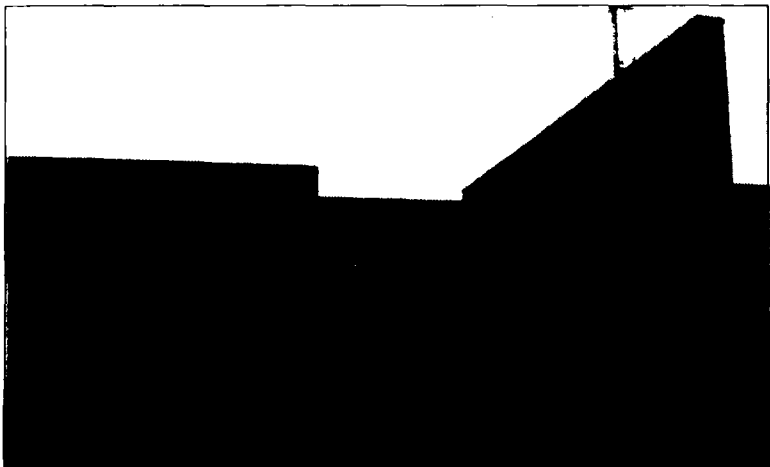
Some at Saint Mary's are impressed by her previous leadership positions, others appreciate that she is a woman and others love that she is an alumna. Whatever the reason, most faculty and students support the Board of Trustees' selection of Carol Mooney as the eleventh president of Saint Mary's.

"I know Carol Mooney and am thrilled that she was selected," current president Marilou Eldred said. "She is an excellent leader and will position the college well for continued success."

Students were invited to take part of the selection process by attending student forum sessions planned for each candidate's visit. In addition, students had the opportunity to make their comments and concerns

see MOONEY/page 6

Indian tribe sues ND over land



ANDY KENNA/The Observer

The Hannahville Indian Community has filed a "friendly suit" claiming they own land located near the WNDU studios.

By SCOTT BRODFUEHRER
News Writer

An Indian tribe has filed a lawsuit against Notre Dame and the U.S. Government alleging that part of Notre Dame's campus belongs to the tribe.

In the suit, the Hannahville Indian Community, a successor of the Potawatamie Tribe, says the state of Indiana illegally transferred land owned by the Potawatamie to Notre Dame. The South Bend Tribune reported the contested land is near the WNDU television studio.

The federal lawsuit seeks the fair rental value of the land occupied by Notre Dame, along with a decree that the tribe is the true and absolute owner of the portion

of land.

Notre Dame spokesman Matt Storin declined to comment on the lawsuit.

"We haven't been formally served with the suit yet. We really don't want to say anything at this time," Storin said.

The Hannahville Indian Community, formerly the Hannahville Indian Community of Wisconsin Potawatamie Indians of Michigan, is a federally recognized Indian tribe located in Michigan's Upper Peninsula. The tribe's Web site says there are 680 tribal members who live on the reservation and that the tribe has flourished since the introduction of gaming in the 1980s. The tribe owns and operates Chip-In's Island Resort and Casino in Harris, Mich.

see TRIBE/page 6

Library suffers water damage

Books and periodicals damaged on lower, first floors

By JOE TROMBELLO
News Writer

Water flooded parts of the lower level and first floor of the Hesburgh Library Jan. 8, leaving nearly 500 items irrevocably damaged, according to library officials.

A broken damper on the heating/cooling unit allowed cold air to rush in, rupturing between 10 and 16 coils. Sub-zero temperatures froze the water in the unit, which was later released through the ruptured coils when building facilities warmed the library back up as staff began their work day early Wednesday morning.

The water reached about 1 inch in depth in portions of the current periodicals room on the first floor, according to

Nigel Butterwick, associate director for user services

"It looked like it was pouring rain into the periodicals room," said Kelly Koski, manager of financial and administrative services for the university libraries.

Barbara Connelly, access services supervisor, said that approximately 490 items in current periodicals had to be discarded and about 500 items suffered water damage but still remain useable. Connelly said that her staff worked diligently to ensure that the room would be open for the first day of classes on Tuesday.

"We scrambled together," she said, "but the current periodicals section is up and running."

Jennifer Younger, director of university libraries, said that

the majority of the discarded current periodicals will be replaced through either paper, electronic or microfilm versions. She noted, however, that there would be a gap of one or two months before replacement.

A few items that were lost will not be replaced, according to Younger, because these titles were cancelled effective this calendar year to cut costs.

Officials said that the cost to replace these materials will be relatively small, as current periodicals are easier to obtain than other sources and can be made available through a variety of mediums.

"We don't need to replace much of [these] costs," Younger said.

see FLOOD/page 4



ANDY KENNA/The Observer

Library staff worked quickly to protect collections from water that flooded the lower level and first floor last week. Approximately 500 items were damaged beyond repair.

INSIDE COLUMN

Love the Eagles

If you're not an Eagles fan already, you should be. Period. There is no logical argument against this.

I don't care if you grew up in Chicago, Dallas, Miami, Boston or — heaven forbid — Pittsburgh. The Linc welcomes all fans.

You're old enough to pick your loyalty.

Grew up in Texas? Jump off the Cowboys bandwagon already and support the green of the City of Brotherly Love.

Chicago native? It's time to get over the 2001 divisional playoff loss and root for the modern powerhouse in the NFC. We're not in the 80's anymore. Bonus: Donovan McNabb is from Chicago, but his loyalty belongs in Philadelphia — shouldn't yours?

I understand that you might need to explain to your friends from home why you're switching allegiance.

Don't worry — it might be awkward now, but they'll appreciate your wisdom someday. So out of sympathy with your neophyte status, here are a few logical reasons to proudly support the Eagles on their quest for their first Super Bowl title.

One: Donovan McNabb is simply McNabbulous.

After Rush Limbaugh's racist comments, he led a 2-3 team to finish 10-4, became November NFL Player of the Month and brought the Birds to the NFC title game for the third straight year.

Against the Packers on Sunday, he rushed for 107 yards on 11 attempts — an NFL playoff record for a quarterback — and passed for 248, including a fourth-and-26 conversion against a Cover-2 defense late in the fourth quarter to set up the game-tying field goal. McNabb stepped up on big-time plays to get the victory.

I love him. A lot. A whole lot.

Two: Andy Reid.

OK, he kind of looks like a walrus. But he has an instinct for coaching and confidence in his Eagles — deservedly.

Three: "Fly, Eagles, fly, on the road to victory..."

The Notre Dame Victory March it's not, but the wonderfully cheesy fight song of the Eagles captures the perennial optimism of fans who have never seen a Super Bowl win.

And my last reason for loving the Eagles is Philadelphia — most notably, the fans.

They overcome disappointment, like the Phillies losing the NL wild card playoff spot to Florida, to rally behind the football team raising their hopes yet again. Eagles Court, where unruly fans received immediate consequences for their actions, is no longer necessary.

As late Philadelphia pitcher Tug McGraw said so eloquently, "You gotta believe."

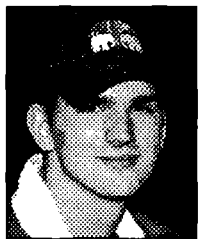
And I do. Fly, Eagles, fly, past Indiana, straight to Houston.

The views expressed in the Inside Column are those of the author and not necessarily those of The Observer.

CORRECTIONS

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

QUESTION OF THE DAY: WHAT WAS YOUR FAVORITE CHRISTMAS GIFT?



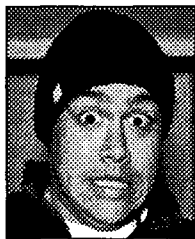
Andy Callan
Junior
Off-Campus

"The best Rolex \$20 can buy in Thailand."



Anne Mulligan
Junior
Pangborn

"Two pounds of nuts."



Brian Vilorio
Junior
Off-Campus

"A mail-order bride."



Jen Connolly
Junior
Pasquerilla East

"Didgeridoo."



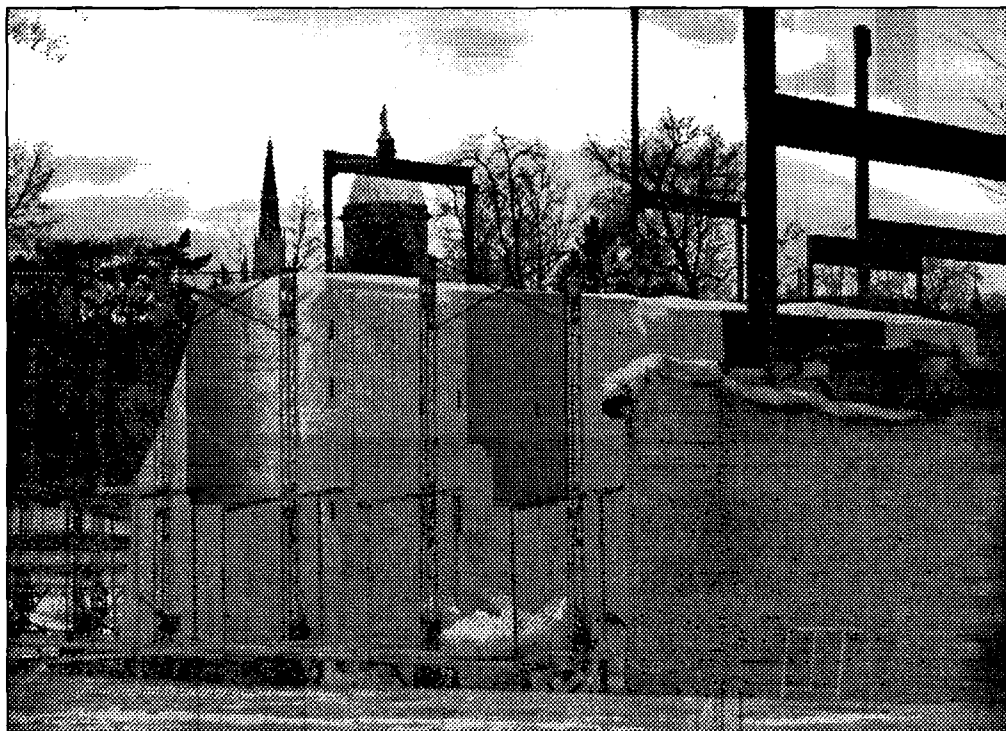
Kevin Boyle
Junior
Off-Campus

"A monkey butler to serve me."



Patrick Ross
Senior
Off-Campus

"All expenses paid trip to the Neverland Ranch."



The University reinited construction on campus in several locations over the holiday break. Pictured above is the ongoing work near Stepan Center, slated to house campus security. Work has also begun in front of Loftus, the location of a new science center.

OFFBEAT

Owner thinks cat's marks honor Earnhardt

DELAND, Fla. — First it was the Dale Earnhardt goat, now it's the Dale Earnhardt cat.

David Albury was at home recuperating from surgery several months ago when he noticed the black fur on his cat's back was shaped in the number "3." The fur screamed "Dale Earnhardt" to Albury.

He told his wife of 30 years, "Valerie, we're rich."

Albury, a NASCAR fan who regularly watches the races on television, called

up the Daytona International Speedway to see if officials there were interested. The Speedway officials suggested he call Dale Earnhardt Inc. based in North Carolina. He hasn't gotten a reply.

Earnhardt died in 2001 during a crash in the Daytona 500. The legendary driver's car bore the number 3.

Man charged with riding his bike drunk

LONDONDERRY, N.H. — A man charged with riding his mountain bike drunk will get his day in court.

Timothy Bradley, 44, of

Londonderry was charged with driving under the influence last July. His driver's license had been suspended after a drunken driving conviction in Massachusetts the year before.

His lawyer says the charge should be dismissed, because the state's drunken driving laws apply only to people operating motor vehicles. He says Bradley was doing the right thing by riding his bicycle instead of getting behind the wheel.

Information compiled from the Associated Press.

IN BRIEF

Dance the night away at Legend's Nightclub Dancing Thursday through Saturday from 12 a.m. to 4 a.m.

The Student Activities Office is sponsoring Open Billiards from 9 p.m. to 12 a.m. Thursday through Saturday, at ND Express in the LaFortune Student Center.

The Joyce Ice Arena will host a College Student Skate this Friday from 7 to 9 p.m. There is a \$3 skate rental fee.

FlipSide will sponsor a night of bowling at the Beacon Bowl on Friday. Buses will leave the Library Circle at 9:30 p.m.

The band "Kennedy's Kitchen" will perform Friday from 10 p.m. to 1 a.m. at Legends. Come enjoy this seven-piece Irish band, and be prepared to dance.

Sign up at RecSports for a cross-country ski clinic to be held Saturday from 2 to 5 p.m. located in the old golf pro shop of the Rockne Memorial. The pro shop will also hold an open house at that time.

The Center for Social Concerns will hold an interviewing workshop for students applying for this summer's service programs. The workshop will take place Jan. 20 from 5 to 6 p.m. in the CSC building.

Come check out service and social action opportunities at the Social Concerns Festival Jan. 21 from 7 to 9 p.m. in the Center for Social Concerns.

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

LOCAL WEATHER	TODAY		TONIGHT		THURSDAY		FRIDAY		SATURDAY		SUNDAY	
	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW	HIGH	LOW
	30	15		19		18		26		30		30
				10		12		20		22		26

Atlanta 54 / 43 Boston 10 / -2 Chicago 34 / 18 Denver 56 / 26 Houston 66 / 52 Los Angeles 72 / 50 Minneapolis 32 / 12 New York 21 / 11 Philadelphia 24 / 17 Phoenix 76 / 50 Seattle 52 / 42 St. Louis 51 / 30 Tampa 67 / 49 Washington 32 / 24

SMC

continued from page 1

to provide strong leadership and creative direction for the College."

Mooney's appointment, announced Dec. 26, follows nine months of a presidential search process, which began after current president Marilou Eldred announced her intent to retire last March. The search committee worked with executive search firm Korn/Ferry International to select and invite four candidates to campus in November.

In addition to Mooney, candidates Gail Baker, vice president of public relations at the University of Florida, Josefina Baltodano, executive vice president for strategic planning at Alliant International University and Susan Keys, an administrator at Johns Hopkins University, met with faculty, staff and students during their respective visits.

Based on student feedback forms and deliberation among members, the search committee narrowed the field and proposed three candidates to the Board of Trustees earlier this month. An official decision was made shortly thereafter.

Mooney said she first became interested in the position after receiving encouragement from others.

"The process of writing to the search committee helped me to realize how much I would love to be at Saint Mary's and play a role in leading it to the next level," she said.

A 1972 alumna, Mooney compliments Saint Mary's for giving her the skills necessary to excel in various phases of her career.

"My experience in academic administration, both in the [Notre Dame] Law School and in the provost's office have familiarized me with the challenges of academic administration and helped me to develop the interpersonal skills necessary to work with the variety of people needed to meet those challenges," she said.

Mooney added that her role as mother to four daughters has also helped her prepare for the new position.

"Managing the multiple roles I play has taught me a great deal about life and setting priorities."

Mooney's first priority as president is to associate herself with Saint Mary's faculty, staff, administration and students.

"I need to understand their hopes and dreams for the college as well as their current concerns

Carol Ann MOONEY

Saint Mary's 11th President

Became Notre Dame Vice President and Assistant Provost in 1996

Has been actively involved in Notre Dame committees:

University Committee on Cultural Diversity

Academic Council

Provost's Advisory Committee

Academic Affirmative Action Committee

Laetare Medal and Notre Dame Award selection committees

Graduated from Saint Mary's College in 1972 with a B.A. in English, and received her J.D. from the University of Notre Dame Law School in 1977, graduating first in her class



Source: Saint Mary's College

MIKE HARKINS/Observer Graphic

before I can know how to best allocate my efforts," she said. In addition, she plans to make student enrollment, in terms of number, quality and diversity, a top priority.

Fundraising and budget discipline are other areas that she deems important.

"President Eldred has taken a number of key steps to advance Saint Mary's, and I am truly grateful to her for all that she has done for the College," Mooney said. "She and I have already worked with the Board of Trustees to help ensure a smooth transition. We will be meeting periodically throughout the spring so that I have the benefit of her knowledge and experience when I take office."

Mooney acknowledges that returning to Saint Mary's will be a transition from her term at a larger university, but she believes her experience at Notre Dame has provided tools that she can use in

her future work at Saint Mary's.

"Notre Dame has given me wonderful opportunities to develop the talents and skills that prepared me to take on this new challenge," she said.

Mooney feels that she will be effective in helping strengthen and maintain the brother-sister relationship between Saint Mary's and Notre Dame. She said she is grateful for the continued support she receives on a daily basis.

"My colleagues at Notre Dame have been extremely supportive both during the search process and now regarding my decision to make the move to Saint Mary's," Mooney said. "They recognize my love and admiration for Saint Mary's, my commitment to Catholic higher education and are pleased that I am moving to another Holy Cross institution."

Contact Anneliese Woolford at wool8338@saintmarys.edu

ND officials react to appointment

By SHEILA FLYNN
News Writer

Notre Dame administrators congratulated vice president and associate provost Carol Mooney on her new appointment, but have not yet begun an active search for her replacement.

"[University Provost Nathan] Hatch has this under consideration right now, ... but no search committee has been named as of today," University spokesman Matt Storin said Tuesday.

Mooney has held her office since 1996. She is the second high-level administrator to leave within the past year; executive vice president Father Timothy Scully resigned last spring, and his office has not yet been filled.

In a statement, University President Father Edward Malloy said the members of the Notre Dame community are "personally and professionally pleased for Carol."

"Through her work in the Provost's Office and the Law School, ... her contributions ... have left an indelible mark on the University," Malloy said.

Before becoming vice president, Mooney was significantly involved in the Notre Dame law school, but Hatch said the law school will not be greatly affected by her departure.

"...Since she's been in the provost office for seven years, she has had less involvement," Hatch said of Mooney's relationship with the law school.

He said that Mooney, as a "wonderful feminist and devout Catholic," is "superbly positioned to lead a Catholic women's college."

Hatch said the search for a new associate provost would most likely not be limited to female candidates.

In his statement, Malloy said, "We'll miss her wise counsel, but look forward to working in collaboration with her in the years ahead."

Mooney will become president on June 1 and Hatch said the University hopes to have found a replacement near that date.

"We'll start acting quickly, because we'll want to replace her by this summer," Hatch said.

Contact Sheila Flynn at sflynn2@nd.edu

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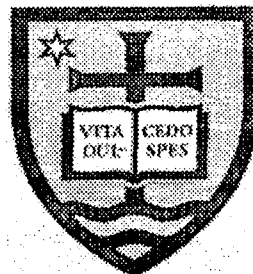
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Information Session

for those interested in the position of

Assistant Rector

for University Residence Halls

Tuesday, January 13, 7:30-8:30 p.m.

Recker's Hospitality Room

OR

Wednesday, January 21, 7:30-8:30 p.m.

Recker's Hospitality Room

Light refreshments served

For further information visit

www.nd.edu/~stdntaff/AsstRector.html

Flood

continued from page 1

In addition to the current periodicals section, portions of the lower level, the faculty/staff lounge located on the first floor and the special collections area were also affected.

Lou Jordan, head of special collections, said that approximately 150-200 books in the rare books and special collection area of the library were suspected of suffering some water damage, although none were damaged irrevocably.

Jordan said that the vast majority of the damage was only to specially made plastic coverings that protect many of the rare books; Jordan estimated that only 15-30 books actually suffered some water damage and said that this damage was often confined to only a few pages and could be treated by the preservation staff.

"It was an emergency situation ... but we really averted a disaster because of all of the people helping out," he said.

He also said that approximately 20 staff members, including a team that responds to emergencies using specific preservation techniques, worked to save the rare books. He said that help from the police and fire department, as well as bystanders, ensured that no books were destroyed.

The department was closed for two days for repairs, Jordan said.

The Risk Management and Safety department quickly contracted a consulting firm, Munsters, to make repairs.

The firm has been removing and repairing the ruptured coils, using fans and special tubing pumping in dry air to remove moisture and cleaning carpets and other damaged areas. Younger and Butterwick said they expect the firm will complete its work today.

University facilities will absorb all costs associated with repairing the building, which leaves the library to foot costs associated with lost staff time.

Younger said that a final report of the library's costs will be sent to risk management, which is in charge of the University's insurance, in about one month for reimbursement; however, she said that she expects very little money.

"We don't know whether there will be any money coming back to us," she said. "[But this] doesn't look to be a huge financial burden. It will mean some penny-pinching, but it won't have an effect on next year's budget."

Library officials nonetheless said that the potential for damages could have been great compared to what was actually experienced. Butterwick said the flood's occurrence at a time when students were not present and when the majority of library staff was available to assist in controlling the damage limited the event's impact.

"The damage is not as high as might have been expected," Butterwick said, "due to prompt action by library and other campus staff. I was very impressed by the way that people pulled together."

Contact Joe Trombello at jtrombel@nd.edu

Governor warns lawmakers

Conn. executive uses threats to stave off impeachment

Associated Press

HARTFORD, Conn. — In what some lawmakers are taking as a veiled threat, Gov. John G. Rowland is warning legislators that their own ethical shortcomings could come to light if they press for his impeachment.

"He said when the press gets tired of him, they will start on us," said Democratic Rep. Michael Lawlor, recalling a recent meeting at the governor's mansion. "It was clearly highlighted in the discussion and inappropriately so, I thought."

Other lawmakers — including some of those who have called on Rowland to step down — said they did not see the governor's remarks as a threat. They said Rowland was merely pointing out a political reality.

"I personally have never felt threatened by Gov. Rowland," said John Kissel, one of 11 GOP state senators who urged Rowland to resign.

Rowland said he only told the lawmakers they should be careful about setting "standards" for impeachment that could be applied to everyone.

Dean Pagani, Rowland's chief of staff, said some lawmakers were the ones who

brought up the idea that they, too, could have ethical violations that might become known.

"It's on the minds of lawmakers as this process goes forward," Pagani said. "They realize there is the potential for unintended consequences."

The governor is under federal investigation and is facing threats of impeachment and calls for his resignation for accepting free renovations on his summer cottage and then lying about it. Rowland has said that the gift-givers were friends and that he did not promise them anything in exchange.

A draft ruling released Tuesday by the State Ethics Commission's executive director says public officials cannot accept expensive gifts from employees or state contractors.

Rowland's legal counsel, Ross Garber, disagreed with commission Executive Director Alan Plofsky's opinion, which did not directly address Rowland's actions.

"Current law prohibits a public official from using his office for financial gain and taking gifts from those doing business with his agency," Garber said. "It does not say what Mr. Plofsky contends."

The commission has planned a hearing on the

issue Friday.

Also Tuesday, the Connecticut Post became the eighth daily newspaper in the state to call for the governor to resign. But despite the mounting pressure, Rowland made it clear that he is staying put.

"I've made mistakes. I've apologized for those mistakes. I've taken responsibility for those mistakes and now it's time to govern," he told a crowd of reporters who followed him and his wife, Patty, to his car after a speaking engagement Tuesday.

Rowland is scheduled to meet privately Wednesday with Democratic House Speaker Moira Lyons, who must decide whether the House should go ahead with impeachment.

If he were impeached in the House, a two-thirds majority in the Senate would be required to remove Rowland from office.

Lyons' staff said she has not made her decision yet. Rowland believes she will likely call for some form of committee to look into his conduct, Pagani said.

"We have been told there is going to be a committee. We don't know the details," Pagani said. "He is looking forward to a process that is fair and deliberative."

THEOLOGY on TAP

NEW SEMESTER!

Brand-spankin' new semester begins Wednesday, January 21st 10pm at Legends

MORE THEOLOGY, MORE TAP!

New speakers, new topics, same good ol' time.



NEXT FEW DATES:

Wednesday, January 21st - Michael Heintz
"Life Beyond the Dome"

Wednesday, January 28th - Cathleen Kaveny
"Jesus, Buffy, & You"

Wednesday, February 4th - Lawrence Cunningham
"Does God Really Listen?"

SENIOR NIGHT!

Wednesday, January 21st

All Seniors receive a Senior Gift. First 100 Students (of any class) receive a free Theology on Tap T-shirt. Brought to you by Campus Ministry and the Class of 2004.

Lively conversation, interesting people, good times.

INTERNATIONAL NEWS

U.N. official missing in crash

TASHKENT, Uzbekistan — A domestic airliner crashed Tuesday on approach to the airport in Uzbekistan's capital, the Interior Ministry said. At least 36 people, including the top U.N. official for Uzbekistan, were aboard and no survivors were reported.

The plane was an Uzbekistan Airways Yakovlev-40 en route from Termez, in the country's far south along the Afghanistan border, said an Interior Ministry duty officer who declined to give his name. He gave no further details.

An Uzbekistan Airways official in Moscow, Eduard Mirzoyan, was quoted by the news agency Interfax as saying 36 people were aboard. One airport employee, who declined to give his name, said 32 passengers and five crew members were aboard the plane. He said no one was believed to have survived.

Serial killer commits suicide

LONDON — The once-respected family doctor who became Britain's worst serial killer was found hanged in his prison cell Tuesday, cheating his victims' relatives of the one consolation they had hoped for — an explanation of his 23-year murder spree.

Officials are investigating why there was no suicide watch on Dr. Harold Shipman, who was convicted in 2000 of killing 15 patients and later was found to have murdered at least 200 more, mostly by lethal injection. He always maintained his innocence.

Guards found him hanging from bedsheets attached to the window bars of his cell at Wakefield Prison in northern England at 6:20 a.m., the Prison Service said.

NATIONAL NEWS

Supreme Court OK's roadblocks

WASHINGTON — The Supreme Court ruled Tuesday that police may set up roadblocks to collect tips about crimes, rejecting concerns that authorities might use the checkpoints to fish for unrelated suspicious activity.

The 6-3 decision allows officers to block traffic and ask motorists for help in solving crimes. Critics have complained that authorities might misuse the power, disguising dragnets as "informational checkpoints."

Roadblocks are used for a variety of investigations. For example, in 2002 police used them to try to produce leads in the Elizabeth Smart kidnapping in Utah and the sniper shootings in the Washington, D.C., area.

But the Supreme Court has limited their use.

Enron exec pleads guilty

HOUSTON — Former Enron finance chief Andrew Fastow and his wife have agreed to plead guilty for their roles in a massive accounting scandal that brought down the energy giant in 2001, sources told The Associated Press on Tuesday.

The two sources, who spoke on condition of anonymity, said an impasse that erupted last week over a judge's refusal to give Lea Fastow only a five-month prison sentence had been resolved.

Fastow will become the highest-ranking executive to plead guilty in the federal government's criminal investigation into the Enron collapse.

STATE NEWS

Governor's address criticized

INDIANAPOLIS — Republicans said Gov. Joe Kernan's State of the State address failed to account for Indiana's dire economy and ignored government scandals.

They also said Kernan already has the line-item veto he requested in the speech Tuesday night and that his government efficiency program is duplicative.

Kernan said the state government finances will be in the black in 2004 and 2005 without raising taxes, but Republicans said Kernan's full-day kindergarten proposal threatens to put the state in debt.

Animal disease lab upgraded

Iowa lab receives funding after mad cow disease found in state of Washington

Associated Press

AMES, Iowa — Agriculture Secretary Ann Veneman broke ground Tuesday on the government's new animal disease complex and said President Bush would ask for the final \$178 million to complete it in his 2005 budget.

Veneman said the upgrade of the lab in Ames, where tests on brain tissue from a Washington state Holstein found it was infected with mad cow disease, is critical.

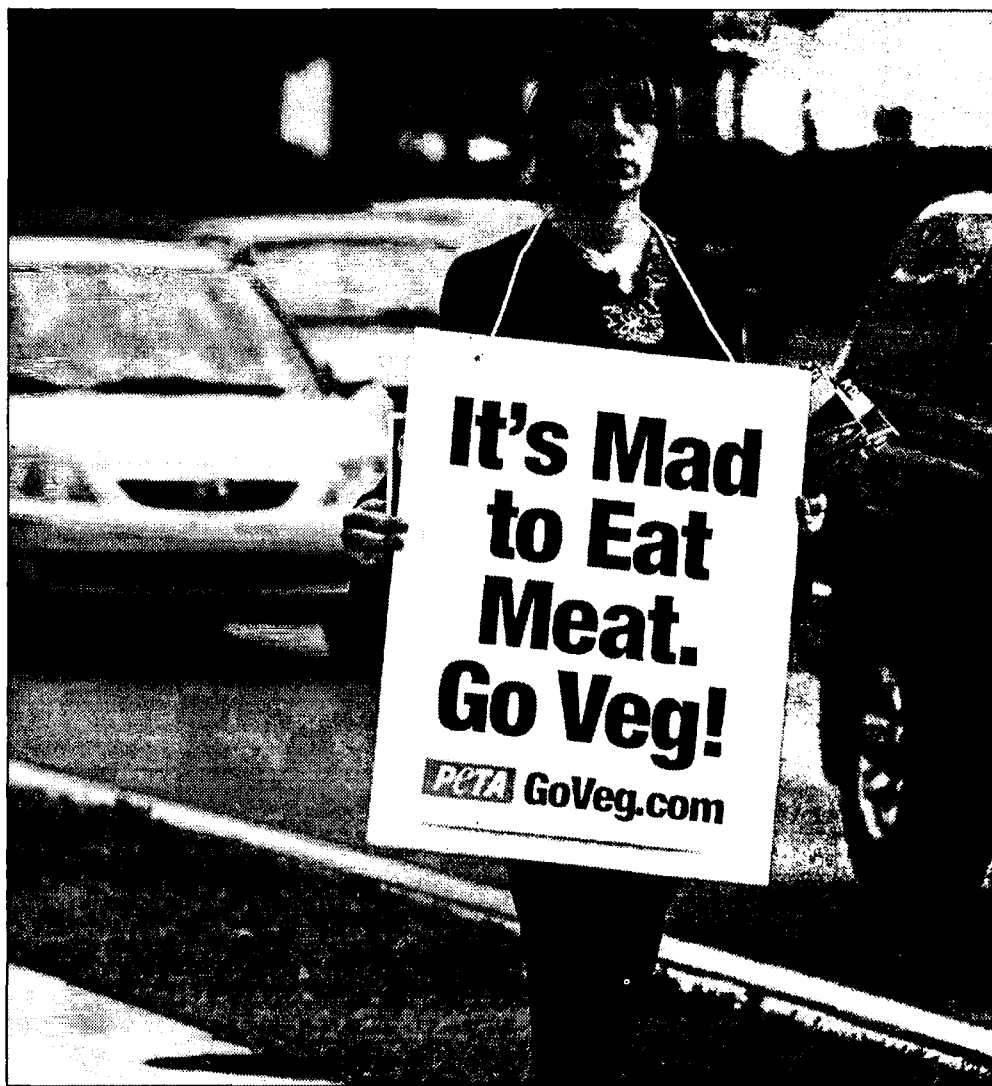
"Our animal health inspection will have greater capacity to respond to animal disease outbreaks and possible acts of bioterrorism," Veneman said.

As the search for potentially infected animals and feed entered its fourth week, Agriculture Department spokeswoman Julie Quick said Tuesday that USDA will soon order the killing of three cows on a Mattawa, Wash., farm that came from the same Alberta, Canada, herd as the infected Holstein.

On Saturday, Agriculture officials began killing 129 more cows in Washington state that could be linked to the Holstein. The slaughter began at an unused facility in eastern Washington.

The animals being killed are from the Mabton, Wash., dairy farm that was the infected cow's final home. Investigators have identified nine cows as coming from the same Canadian herd, and cannot eliminate the possibility that the other 120 animals may have been infected.

Officials have so far condemned 581 animals following the Dec. 23 announcement of the first U.S. case of mad cow disease.



Andrea Kuchy, a member of the People for the Ethical Treatment of Animals, participates in a demonstration outside of the Miami Roadhouse Grille restaurant.

Authorities last week killed a herd of 449 bull calves, which included an offspring of the infected cow.

Meat from those animals is not being sold for human or animal consumption, officials have said.

Agriculture officials also have placed a farm in Quincy, Wash., under quarantine because investigators believe that seven cows from the Alberta herd were sent there, Quick said. Officials are trying to determine whether the animals are

still there.

Even if those seven cows are found on the Washington farm, authorities will have located just a fourth of the 80 cows that entered the United States with the infected Holstein in 2001, although Quick said investigators "have solid leads on the others."

The government still has not verified information from the Canadian government that another 17 cows, possibly including a calf born to the sick cow, entered the United States at a later date.

Investigators are trying to find cows from the same herd because the most likely source of infection was contaminated feed that the Holstein ate as a calf.

Mad cow disease, or bovine spongiform encephalopathy, eats holes in the brains of cattle and is incurable. Humans can develop a brain-wasting illness, variant Creutzfeldt-Jakob disease, from consuming contaminated beef products. Officials have said, though, that the meat supply is safe.

WEST BANK

Palestinians receive financial aid

Associated Press

RAMALLAH, West Bank — Hit by waning support from fatigued donor nations, the Palestinian Authority has been forced to borrow from banks to pay salaries to its 125,000 employees and may be unable to meet its February payroll, the economy minister said Tuesday.

Meanwhile, an Israeli settler was shot dead in a West Bank ambush, and a Palestinian was shot and killed by Israeli soldiers in the Gaza Strip.

With unemployment rampant outside the public payroll, Palestinians could be facing unprecedented economic collapse after three years of conflict with Israel.

"We took loans from the bank for the past couple of months to pay salaries," Palestinian Economy Minister Maher Masri told The

Associated Press. "If this situation continues ... we will not be able to provide salaries next month."

Masri did not disclose the size of the loans, but figures are likely to be made public when Palestinian Finance Minister Salam Fayad presents the 2004 budget to parliament next week.

After nightfall, Palestinians opened fire on an Israeli vehicle at the entrance to the settlement of Talmon, near the West Bank city of Ramallah, killing Roi Arbel from Talmon and wounding two others, the military said. Arbel, a 28-year-old father of five whose wife gave birth to triplets two months ago, was the first Israeli to be killed in a Palestinian attack this year.

The Al-Aqsa Martyrs' Brigades, a militant group with links to Yasser Arafat's Fatah faction, claimed responsibility for the shooting attack.

In the southern Gaza Strip, Israeli troops killed a Palestinian who opened fire on them, the army said, while in the West Bank, Israeli troops conducted house-to-house searches in the Tulkarem refugee camp for a second day. Palestinian witnesses said about 200 residents were rounded up for questioning.

The Israeli military said it arrested six suspects, including one man who allegedly planned to carry out a suicide bombing in Israel. The operation ended at nightfall and Israeli forces withdrew, lifting a curfew, the military said.

Also Tuesday, Israeli Prime Minister Ariel Sharon hinted that Israel might pull out of the Gaza Strip. His comments came as he is pushing mostly undisclosed plans for unilateral pullbacks from the West Bank and Gaza Strip if peace talks fail.

Tribe

continued from page 1

Harris, Mich.

The suit states that the U.S. Government made a treaty with the Potawatamie on Oct. 16, 1826 in which certain land in Indiana was ceded to the United States, other land was ceded to allow a road to be built from the Ohio River to Lake Michigan and that another tract of land was recognized as being in possession and ownership of the Potawatamie.

The suit alleges that part of this tract was claimed by the State of Indiana and given to Notre Dame, in violation of federal laws. The suit

states that the U.S. government was irresponsible in allowing Notre Dame to continue to trespass on the tribal lands.

Michael Walleri, a Fairbanks, Alaska lawyer representing the community, did not return a call seeking comment.

John Hamilton, a local attorney who filed the lawsuit on behalf of Walleri, told the Tribune that the lawsuit is a "friendly suit" and that he believes the suit will be resolved quickly and amicably.

The South Bend Tribune contributed to this report.

Contact Scott Brodfuehrer at sbrodfue@nd.edu

Mooney

continued from page 1

known by filling out a questionnaire on each candidate.

Shay Jolly, residence hall association president, attended all four forums and felt Mooney was first in line for the position.

"Out of all the student forums I felt like [Mooney] interacted with the students the best by forming a personal relationship with the students from the beginning," Jolly said.

The student forums enabled the Board of Trustees to consider what members of the Saint Mary's community wanted in their next president.

"The first priority for students was that we have a woman as president. The second was that she have a vision for the education of women," student body president Elizabeth Jablonski-Diehl said. "The students felt that Carol Mooney embodied these qualities."

The possession of strong leadership skills and Saint Mary's values worked well for Mooney and being an alumna also helped.

"I think she has a very good idea of what the school is about and what we need. She is not coming into this as an outsider, but already established in the university setting and in the Saint Mary's community," alumnae commissioner Anna Bauer said.

In alliance with the majority of the student body, Jablonski-Diehl endorsed Mooney as a positive next step for Saint Mary's.

"Mooney is smart, energetic and a visionary. But with all of that, her biggest strength is her commitment to Saint Mary's. It is a commitment that started years ago. She was a student here. She was an active alumna. She was always a leader,"

Jablonski-Diehl said.

Students and faculty are excited to see where this new woman will lead Saint Mary's and what she has in store for her term as president.

"I feel she will be a strong leader. I have only heard praises about her and I trust she will put her best foot forward," senior Daniela Urs said. "I see Saint Mary's becoming a stronger school, attracting more top-tier women and extending its influence into the next generation."

Even with the support of the school behind her, Mooney faces a road of challenges ahead.

"Mooney's biggest challenge will be the same as all incoming presidents. It is difficult replacing a highly effective, much-loved president. I think that Mooney will excel in the position but it will be tough following Eldred," Jablonski-Diehl said.

Contact Natalie Bailey at Bail1407@saintmarys.edu

WELCOME BACK SALE



Test scores to affect teacher pay

Associated Press

WASHINGTON — In her 24th year of teaching, Brenda Parrish has a new reason for ensuring her students do well on standardized tests: Their scores will affect her pay raise.

If a new commission of government, business and education leaders has its way, all teachers will find a significant portion of their raises tied to progress by their students.

Nationwide, salaries and raises are typically based on a teacher's experience and education.

That system "does nothing to reward excellence because all teachers, regardless of effort or performance, get the same automatic pay increases," according to a new report by The Teaching Commission, a nonprofit group formed in 2003 to improve the public teaching corps.

Parrish, who teaches eighth-grade math at Bell Street Middle School in Clinton, S.C., will have 20 percent of any salary bump based on her students' test-score gains. An additional 30 percent will be based on test scores for her school, while the remaining 50 percent of her review will be based on classroom evaluations, including her ability to motivate students.

Parrish says it seems fair. The school, she says, has greatly expanded regular training for teachers, and the student evaluation is done in a way designed to minimize factors outside her control, such as whether a child comes from a poor home. Still, she's nervous.

"I tell you, as many years as I've been in teaching, I've had good years and bad years," she said, referring to both her own performance and some unruly

classes. "There are years I'd hate to think that I'd be paid based on the performance of the children given the situation I was given. You don't want to make excuses, but on the other hand, it needs to be fair."

The pay-for-performance idea is part of a compensation overhaul recommended by the commission, whose members include former IBM Chairman Louis Gerstner Jr., President Clinton's Education Secretary Richard Riley and former first lady Barbara Bush.

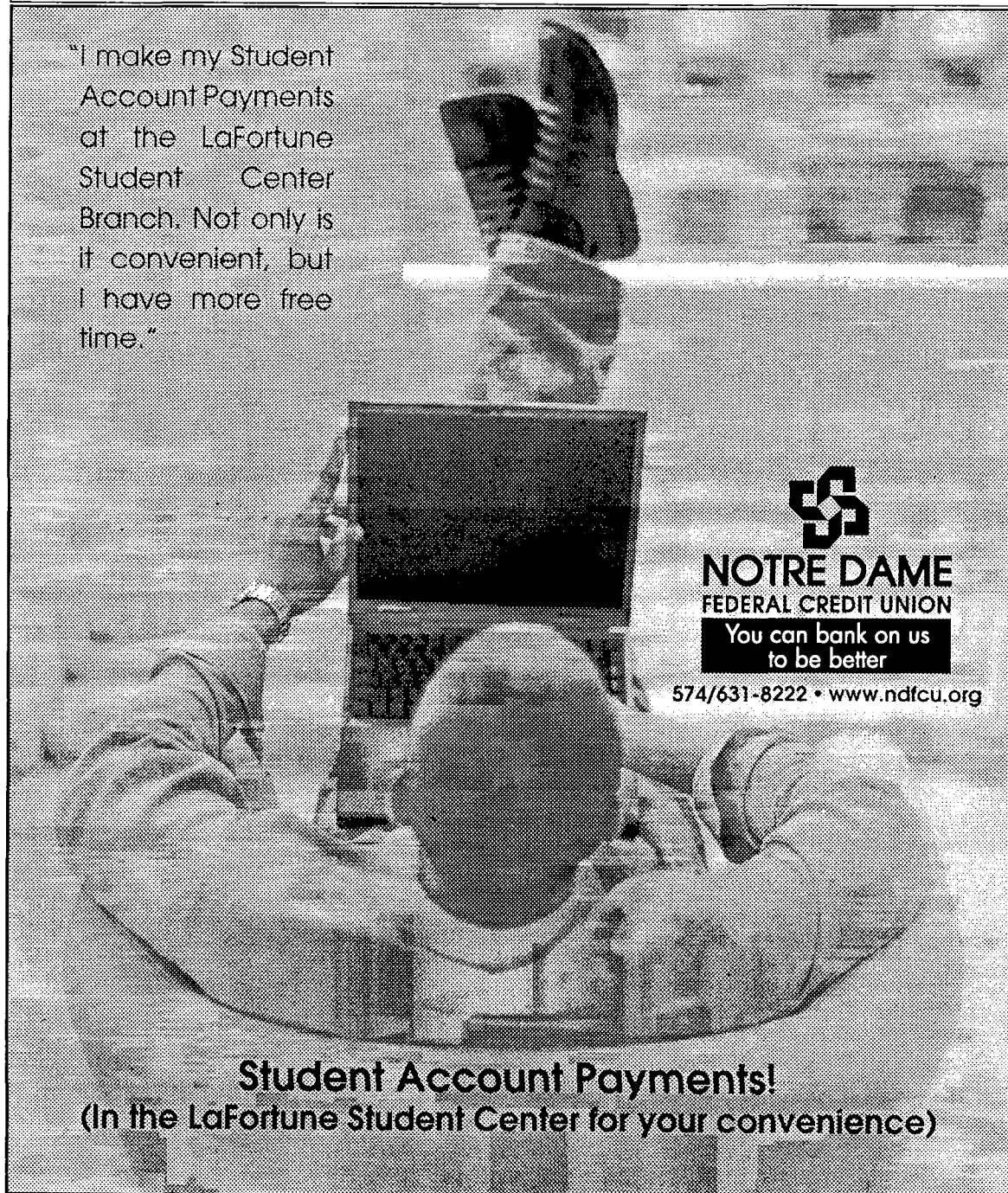
The group also recommends an increase in base salary for all teachers to make the profession's pay more competitive; new paths for teachers to boost their pay and responsibilities without leaving the field; and financial incentives for teachers to serve in hard-to-staff schools or take on high-demand subjects.

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NYSE 6,509.45 -34.23
S&P 500 1,121.22 -6.01
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FTSE 100(London) 4,440.10 -9.50

COMPANY	%CHANGE	\$GAIN	PRICE
SIRIUS SAT RAD (SIRI)	-4.24	-0.14	3.16
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GOLD (\$/Troy oz.)	-2.60		424.00
PORK BELLIES (cents/lb.)	+0.625		84.55

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EURO			0.7843
POUND			0.5419
CANADIAN \$			1.273

IN BRIEF

Migrant workers angered by Bush

FRESNO, CA — President Bush's plan to give undocumented workers temporary legal status brings back painful memories for Florentino Lararios, who spent 14 grueling years in a similar World War II-era program.

Lararios, a 77-year-old with large, rough hands that never mastered a pencil, recalls the back-breaking work picking cotton in the South, the slapped-together communal housing, the cold meals eaten in the fields, and the unwelcome prospect of going back to Mexico without a chance to become a U.S. citizen.

"If we accept, then our grandsons and great-grandsons will go through what we went through," Lararios said. "We suffered a lot."

While generally welcomed by farmers, Bush's immigration proposals face opposition from an unlikely combination that includes unions, conservatives and migrant workers like Lararios who are supposed to benefit the most.

Chinese buy Telecom equipment

WASHINGTON — Chinese telecommunications companies agreed Tuesday to buy \$2.3 billion in equipment and communications systems from mainly U.S. firms, a move praised by the Bush administration as a step toward better balancing trade between the countries.

China United Telecommunications Corp. and China Mobile Communication Corp. signed deals with Motorola Inc. worth \$1.1 billion to buy equipment and for help expanding China's wireless network. Other companies signing agreements included Cisco Systems Inc., Ericsson Inc., Intel Corp., Lucent Technologies Inc., Nortel Networks Ltd. and UTStarcom Inc.

The Bush administration, which has criticized China for its expansive trade surplus with the United States, cheered the deals.

"These agreements will help generate corporate revenue, and they will support high-tech manufacturing jobs in many American communities," Commerce Secretary Don Evans said.

U.S. officials say the trade deficit with China is expected to surpass \$120 billion for 2003, the largest another country has ever recorded over the United States.

Mexico holds trade summit

United States makes trade concessions to Mexico, Canada, other countries

Associated Press

MONTERREY, Mexico — The United States reached out to its neighbors on free trade and battling corruption, smoothing tense relations with Latin American leaders as the 34-nation Summit of the Americas ended Tuesday.

Canada and Mexico won the biggest prizes from the United States. President Bush told Canada it will be eligible for a second round of U.S.-financed reconstruction contracts in Iraq that the administration valued at about \$4.5 billion.

A day earlier, Mexican President Vicente Fox accepted an invitation to visit Bush's ranch in Texas and praised his proposal that would allow migrants to work temporarily in the United States.

Others also welcomed Bush's plan. Honduran President Ricardo Maduro said it would "allow us to have closer ties to Latin Americans in the United States."

But countries complained the region was not doing enough to battle poverty. During negotiations, Prime Minister Ralph Gonsalves of St. Vincent asked: "What's the use of freedom if people are poor?"

Brazilian President Luiz Inacio Lula da Silva said governments need "a new development concept" that distributes income fairly.

"If we want a world that is safe and stable, we must strive toward a just and fair world," he said.

Outside the meeting site, in the mountains of northern Mexico, about 100 anti-globalization protesters clashed with police, hanging an effigy of Bush on a security barrier and burning it before a wall of riot police.

Bush arrived at this week's summit to find many nations publicly criticizing his free trade stance.

The leaders agreed to



Canadian Prime Minister Paul Martin, bottom right, confers with Brazilian president Luiz Lula da Silva during the trade summit's official photo.

support a hemisphere-wide trade area without setting a firm deadline, a concession to Brazil and Venezuela.

The United States had sought a 2005 deadline for the Free Trade Area of the Americas agreement. The summit's final declaration calls for following the FTAA's "established timetable," with no specific date mentioned.

Although the original timetable called for an accord by 2005, recent FTAA talks have stalled on the prickly issues of removing agricultural subsidies and intellectual property rights. Many have questioned whether the original timetable is still realistic.

In a news conference after the meeting, Fox said Mexico wanted a Free Trade Area of the Americas that favored all nations.

"We just don't want just any agreement," he said. "We want a good accord, one that considers differences between countries."

Despite expressing reservations about the declaration, Venezuelan President Hugo Chavez said he would sign the document. He pushed summit participants for a humanitarian fund that could be used to help countries during financial and natural disasters, and leaders said they will consider the proposal.

In addition, the summit

declaration does not call for banning corrupt governments from future summits, as the United States requested. Instead, the declaration only calls for consultations on countries that don't meet the requirements of the Inter-American Convention against Corruption.

Washington's concessions appeared aimed in part at reversing the region's increasing disenchantment with U.S. policy.

In return, countries pledged to "intensify our efforts and strengthen cooperation" to fight terrorist threats. In the last few weeks, Mexico canceled at least two flights because of security concerns.

Wal-Mart hit hard by labor audit

Associated Press

NEW YORK — An audit by Wal-Mart Stores Inc. of about 25,000 employees uncovered thousands of labor violations, including minors working during school hours and workers not taking breaks or lunches.

The company's July 2000 audit detailed 1,371 violations of child-labor laws, including minors working too late, too many hours in a day or during school hours. On more than 60,000 occasions, workers missed breaks and on 16,000 they skipped meal times, in violation of most state labor regulations.

In a statement Tuesday, Wal-Mart said the audit was not a valid study

and should not be taken at face value. The document was distributed to top Wal-Mart executives and has emerged in lawsuits against the company.

The audit, obtained by The New York Times, covered employee records at 128 Wal-Mart stores nationwide. The Bentonville, Ark.-based company has 1.2 million domestic employees.

Wal-Mart said its auditor looked at numbers alone and did not examine employees' circumstances. "The audit erroneously assumed that each time an associate failed to clock in or out ... it was because the associate missed a meal break or rest break," the company said.

"In some cases, associates modified

their schedules to meet a personal need, such as working through lunch in order to leave early that day," the statement said.

Company officials declined interview requests Tuesday.

James Finberg, an attorney who represents Wal-Mart employees seeking class-action status in New York and Washington state on grounds the company didn't pay for all hours worked, said the audit shows Wal-Mart broke its own rules.

"The policy book says the right things, but the pattern and practice is clear — managers tell people to do the work, no matter how long it takes, and they tell them they're not going to pay them overtime," Finberg said.

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Bush seeks to boost NASA budget over 5 years

Associated Press

WASHINGTON — President Bush will seek to boost NASA's budget by \$1 billion over five years to help pay for his plan to put a base on the moon and to mount a manned expedition to Mars later in the century, a senior administration official said Tuesday.

Bush's election-year vision calls for establishing a permanent presence on the moon within two decades and putting astronauts on Mars sometime after 2030, a second official said.

"The spirit is going to be one of continued exploration ... seeking new horizons and investing in a program that ... meets that objective," Bush told reporters Tuesday during a trip to Mexico.

To pay for the space initiative, which he will outline in a speech Wednesday afternoon,

Bush would increase NASA's budget by \$200 million a year for five years.

Congressional negotiators last year agreed to a NASA budget of nearly \$15.5 billion for fiscal 2004, which began last Oct. 1. That's a \$90 million boost over the previous year. The measure, part of a broad-based spending bill, was passed by the House and awaits approval by the Senate.

The administration said part of the funding for the moon-Mars initiative would come from reallocation of money already in NASA's budget, including phasing out of the space shuttle and quickly concluding the U.S. obligations

to the International Space Station. The shuttle now costs NASA about \$4 billion a year and the station about \$1 billion.

Bush's father, the first President Bush, proposed a more muted project, which would have aimed at putting Americans on Mars without mention of a moon base. The cost of that enter-

prise was projected at \$400 billion to \$500 billion in 1989 dollars, far too rich for Congress.

The current president's plan, one official said, calls for sending exploring robots to the moon by 2008, landing humans

there by 2020 and then launching a Mars expedition after 2030. He envisions using the moon as a steppingstone to deeper space exploration, to Mars and perhaps beyond.

He said the president's address will give broad outlines to the moon-Mars plan, leaving details to be worked out later.

The officials spoke on condition of anonymity.

Experts said that an effort to return to the moon will require building new spacecraft. They said the eventual plan could include sending robot craft to the moon and later to Mars to cache supplies for use later by human explorers.

Some have suggested that such an ambitious program would require nuclear power to energize the lunar colony and later to provide dependable electricity for any extended Mars expedition.

NASA already is working to

develop an electric-ion rocket that could be used to speed the months-long trip to Mars.

Much of the equipment and techniques needed for a Mars venture could first be tested at a lunar base.

The moon, with its gravity just one-sixth of the Earth's, might also be used as a jumping off point for voyages beyond Earth's orbit, such as to Mars or to asteroids.

Some experts have proposed that a colony on the moon could exploit mineral resources that are thought to be on the lunar surface. It's known that lunar soils contain helium-3, a potential fuel. Some studies also have suggested the moon may have water that could be chemically split to obtain hydrogen and oxygen, a combination that can be used as a rocket propellant. The oxygen could be used for an atmosphere inside sealed shelters.

"The spirit is going to be one of continued exploration ... seeking new horizons and investing program that meets that objection."

George W. Bush
U.S. president

Magazine accidentally prints slur

Associated Press

McLEAN, Va. — More than 300 newspapers that distribute the weekly USA Weekend magazine have been warned that a racial slur inadvertently appears in the upcoming issue.

A photo illustration, accompanying an article about storytelling in the magazine's Jan. 16-18 edition, contains the slur in randomly chosen text that was used for the illustration's background.

The freelance artist who prepared the illustration was unaware of the offensive language, the magazine

said. The text came from a November New York Times magazine piece in which the author discussed the epithet's use.

The slur was noticed during USA Weekend's printing run, said Marcia Bullard, the magazine's president. It was corrected, but 327 of the 598 newspapers that distribute the magazine received the edition that contains the slur.

The magazine sent a letter of apology to the newspapers, which have the option of pulling distribution. USA Weekend provided the papers with a statement they can include in their paper if

they choose to distribute the magazine, as well as an alert that can be used if distribution is withheld.

"We are extremely chagrined this found its way into print and believe it is important to let our newspapers and readers know in advance that we are aware of the problem and are apologetic," Bullard said.

USA Weekend, published by McLean-based Gannett, has a circulation of 23.7 million.

The magazine, which competes with Parade, uses the familiar logo from Gannett's flagship newspaper, USA Today.

Cell phone linked to deadly bus collision

Associated Press

RALEIGH, N.C. — A truck driver fumbling for a cell phone plowed his tractor-trailer into a stopped school bus Tuesday in rural North Carolina, killing a 5-year-old girl as she boarded the bus, troopers said. Her mother and more than a dozen other children were injured.

The force of the crash, on a two-lane highway near Maxton, propelled the bus more than 400 feet and into the yards of nearby houses. Sheila Hernandez, who was on her way to pre-kindergarten, was killed. Maria Hernandez, 25, was severely injured as she stood nearby, watching her daughter.

The truck driver, Gary Garnett, had been heading to pick up a load of chickens for Mountaire Farms. He told troopers "he was distracted because he was trying to locate his cell phone, which he dropped on the floorboard," said Sgt. Everett Clendenin, a spokesman for the Highway Patrol.

Charges were expected against Garnett once troopers confer with prosecutors later

this week, Clendenin said. Garnett was hospitalized with severe injuries.

According to the Highway Patrol, Garnett had been involved in at least two other accidents and had four previous driving convictions, including one for going 30 mph over the speed limit.

Clendenin said skid marks at the scene showed the trucker attempted to stop before his vehicle hit the bus squarely in the rear and then hit the child's mother.

Maria Hernandez was hospitalized Tuesday in serious condition. Two children from the bus were also taken to nearby hospitals, but information on their conditions was not available. Fourteen others were treated and released.

Mike Terrell, Mountaire's vice president for operations, said he had no information on Garnett's previous record.

"We make sure that we are very diligent in following the U.S. Department of Transportation rules and regulations," Terrell said.

The accident scene was about 1 1/2 miles north of Maxton, near the South Carolina border.

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THE OBSERVER VIEWPOINT

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Wednesday, January 14, 2004

THE OBSERVER

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The news is reported as accurately and objectively as possible. Unsigned editorials represent the opinion of the majority of the Editor in Chief, Managing Editor, Assistant Managing Editor and department editors. Commentaries, letters and columns present the views of the authors and not necessarily those of The Observer.

Viewpoint space is available to all readers. The free expression of all opinions through letters is encouraged. Letters to the Editor must be signed and must include contact information.

Questions regarding Observer policies should be directed to Editor in Chief Andrew Soukup.

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2010: An education odyssey

"Notre Dame 2010: Fulfilling the Promise" is the provisional strategic plan for the University. This plan follows COUP in 1973, PACE in 1982 and the 1993 Colloquy for the year 2000. Our leaders who produced it obviously worked hard in what they see as the best interest of Notre Dame.

Charles E. Rice

Right or
Wrong?

Probably unavoidably, however, this one took the genre to a new level of boosterism and boredom.

ND 2010 stresses the need to improve the rankings of 19 programs. It lists four academic goals: 1. "Provide ... premier undergraduate education ... integrating teaching and research better than any other university." 2. Be "among leading American research universities." 3. Be "the premier center of Catholic intellectual life." 4. Be "a diverse and international academic community."

The real goal is research: "[W]e must take the next step — to move forward as a center of outstanding research and scholarship." In the "allocation of resources," we "must focus on those academic areas that give us the greatest opportunity for growth and funding in our research endeavors." Translation: Get the bucks. ND 2010 hopes to "increase externally sponsored research expenditures to ... \$100 million a year, ... double the current levels."

ND 2010 says that hiring and promotion should be limited to "only those faculty for whom superior teaching is a high priority." Don't bet on it. That same section lists, among the "Fundamental and Defining Premises," "a heightened sense of urgency for the centrality of research and scholarly

publication," including "competition for federal, state and private dollars to support the research enterprise." This "centrality of research" applies to "every academic unit." ND 2010 stresses the importance of hiring new faculty, reducing teaching loads, improving research sabbatical support and increasing support for graduate student programs. ND 2010 omits two things:

1. ND 2010 says not one word about the extent of the costs imposed on students. ND 2010 mentions several times the serious commitment to "financial aid" by the University and its excellent Financial Aid Office. But the underlying problem is a "sticker price" continually rising above the inflation rate. In 1978-79, when Notre Dame began its pursuit of Research Greatness, undergrad tuition, room and board totaled \$5,180. If it had kept pace with inflation it would now be \$14,502. The figure for 2003-04 is \$34,100, a 6.5 percent increase over last year. Notre Dame offers various kinds of aid to students. The primary form of aid, however, is the student or parent loan, whether federal or private.

The major universities, including Notre Dame, have built their research enterprises on the backs of borrowing students. The loan burden distorts the career and family options of students, especially if they contemplate grad study. ND 2010 is a detailed analysis of many things. Its failure even to mention this problem indicates an astonishing indifference. The main beneficiaries of the University envisioned by ND 2010 will not be the students but the researching professoriat, well paid administrators and striving academics.

2. ND 2010 is peppered with references to Notre Dame as a "Catholic" university. But it omits any acceptance of the definition of that term in Ex

Corde Ecclesiae, the 1990 apostolic constitution on Catholic higher education. ND 2010 says that the University "must take into account with ... sensitivity and respect the formal teaching role of the Magisterium in the life of the Church." But Notre Dame does not accept the authoritative nature of that role. For example, the bishops' Application of Ex Corde to the United States states: "Catholic students have a right to receive from a university instruction in authentic Catholic doctrine and practice, especially from those who teach the theological disciplines." Notre Dame accepts that duty neither in theory nor in practice. Notre Dame is servile toward secular academic bodies, the government, the NCAA and others. The only authority it will not accept is that of the Catholic Church to define the "Catholic university." As Father James Burtchaell has demonstrated, a "Catholic" university that severs itself from the defining authority of the Church will predictably follow the secularizing pattern of Vanderbilt, Harvard and other originally Protestant institutions. And there remains a consumer fraud problem in Notre Dame's claim to be "Catholic" when it does not accept the definition of that term by the Catholic Church.

ND 2010 chronicles the success of our leaders in transforming Notre Dame's historic character and mission according to their own lights. But it also evokes an image of the log of the Titanic. The bill-paying students and families deserve better.

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

EDITORIAL CARTOON



OBSERVER POLL

Which cartoon would you rather see on the Today page: Dilbert or Classic Peanuts?

Vote by 5 p.m. next Wednesday at
www.ndsmcobserver.com

QUOTE OF THE DAY

"The entire essence of America is the hope to first make money — then make money with money — then make lots of money with lots of money."

Paul Erdman
writer

THE OBSERVER VIEWPOINT

Wednesday, January 14, 2004

page 11

There's always next year

Over the Christmas holidays, many of us reflected upon 2003 and vowed to make changes in 2004. (Yes, I am not afraid to use Christmas as an adjective preceding the word holiday even if it has gone out of style these days. If this is not politically correct, so be it.) For some, it might be to cut back on our calorie intakes — drink 11 beers every Friday night instead of 12. For others, it might be far nobler — watch less television and read more books. Whatever your resolutions might be, they are not always so easy to keep.

Joe Licandro

*The Licandro
Non-Factor*

Undoubtedly, many of us have already broken our New Year's resolutions only two weeks into 2004. But even if Britney Spears' marriage lasted longer than your resolution, do not despair because the start of a new calendar year is really quite arbitrary. Who says your new year has to begin on Jan. 1? After all, New Year's Day does not have any religious significance nor does it belong in the same category as national holidays like Thanksgiving. January is only for practice anyways, so seek that annulment, take that mulligan, hit that reset button on the Nintendo and throw that chicken back in the oven. Feb. 1 is a perfectly fine day for a New Year's Day party. Or, if that is too long a wait, then why not celebrate it on Jan. 22 with a billion Chinese people? Behold the Chinese New Year, the second chance for all the "second chancers" out there. Just in case you are wondering, and I know you are, 2004 is the year of the monkey.

If these dates do not work, there is always your birthday, which actually makes the most sense to begin a resolution. Jan. 1 might mark the official New Year according to the Julian calendar, but does it really mark a new year for you personally? Unless you were born on Jan. 1, and I am terribly sorry if that is the case, the answer is "No." My new year actually begins on Mar. 26, so I still have nearly three months to continue

practicing bad habits and exercising poor judgment.

Now for those who have remained firm to their commitments, whether it be getting in shape or permanently switching from Budweiser to Bud Light, congratulations for being the obnoxious teacher's pet. But do not get too cocky; there is still a long way to go. Believe me because I was in your shoes last year.

To put it nicely, my driving record is not exactly what one would describe as exemplary. I will not bore you with all the details, but through nearly three and half years behind the wheel, I had received a grand total of six tickets. It is not a wise idea for me to be a passenger in your car, either. Just ask my friend, whose identity will be protected in this column, and who was driving me home for Christmas break sophomore year. A state trooper abruptly stopped him outside of South Bend for going all of five over the speed limit. Talk about bad karma.

Most of my citations were for speeding with a reckless driving citation and a failure to acknowledge a stop sign also thrown in the mix. For the record, a judge dismissed the reckless driving charge. A speeding ticket was also thrown out of court as well. But despite these moments of glory, paying my car insurance has been a living hell. Receiving my sixth ticket driving back to Notre Dame after fall break left me with no choice but to change my ways. So on Jan. 1, 2003, I vowed to go an entire year without getting caught violating a traffic law.

Through June, halfway home and no tickets. Okay, I was in London for the first five months of 2003, but that still

does not take anything away from this extraordinary accomplishment. Making the trip back to school in August from Louisville to South Bend would be the ultimate test. For no reason other than to raise revenue for the state of Indiana, US-31 from Indianapolis to South Bend is only 55 miles per hour — an absolute nightmare for any drivers under the age of 75. Despite the challenge that lay before me, I passed the test with flying colors, making the round trip on two separate occasions this semester without any tickets.

Back home in Louisville for the holidays, I looked to be straight money. But sometimes looks can be deceiving. On Dec. 30, at approximately four o'clock in the afternoon, only 32 hours before the dawn of a New Year, a familiar sound filled the air and lights that I would recognize anywhere lit up the dreary winter sky. I was being pulled over ... again. But this time was worse than all the others, even more embarrassing than the ticket when my mom was riding shotgun in the passenger's seat. This time, I had been driving for less than fifteen seconds and was exactly one block from my house when a not-so-kind policeman, whom I will refer to as Officer V., slapped me with a \$120 fine for "disregarding" a stop sign.

Not to sound like a whiner, but I stopped. Was it full and complete? Of course. But this is a judgment call. Unfortunately, there is no mysterious black box on the sidelines to consult for an instant replay. As soon as Officer V. approached my car, I was doomed. Unlike every American woman under the age of 25, I have never convinced a police officer not to give me a ticket. I am just not pretty enough. My experi-

mental Christmas break, 1970s throw-back, fu man chu moustache certainly was not helping matters. Despite my pleas for mercy and documented proof that I lived only one block away, Officer V. showed no compassion.

Worst of all, he did not even bother to correctly identify my ethnicity when he mistakenly checked the box labeled Hispanic on the written citation. I am honored that he would consider me Hispanic, but why my ethnicity matters for a minor traffic violation I have no idea. For the record, I am a white guy, half-Italian and half-German, for those who care. The politically correct term for people like me is "Caucasian." When I called the Louisville Police Headquarters to complain about Officer V.'s misidentification, hoping the ticket would be dropped, a Sergeant S. lambasted me for suggesting the police need to revamp their ticketing policies. In her words, sometimes errors like this just happen. One mistake does not mean the whole system is flawed. Isn't that reassuring? What if I adopted a similarly cavalier attitude the next time I filled out a graduate school or job application and "accidentally" checked the box labeled Hispanic? Hey, if I am considered to be Hispanic before law enforcement, I might as well reap the benefits of affirmative action. Before anyone accuses me of anything, I am not really going to do this, as it would be completely dishonest.

Back to my main point: I will try again this year to go a full year without getting caught violating a traffic law. I wish everyone else good luck with their New Year's resolutions ... whenever your New Year's Day happens to be. Just be careful and do not grow complacent in those final days. You never know where Officer V. might be hiding.

Joe Licandro is a senior political science major. His column appears every other Wednesday. He can be contacted at jlicandro@nd.edu.

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



LETTER TO THE EDITOR

Terrorism on Christmas

This Christmas I was driving over a small bridge on the way to pick up my grandparents for Christmas dinner, and I saw a black plastic garbage bag in the middle of the road. The bridge had just recently been finished after about six months of repair, which was a contentious issue in my local community, as the construction redirected traffic from a fairly major road. As I swerved around the garbage bag, I could not help but think, just for a fleeting moment: what if this bag has explosives in it to blow up the bridge?

I know. Ridiculous, right? I immediately asked myself: Why was my first thought on seeing a garbage bag in the middle of the road, on Christmas, of all days, that someone had placed it there for less-than-conscionable reasons? My community has not been a site of terrorism in the past. We are not really even large enough for anyone to notice us. But just that past night, on Christmas Eve, I had read online that some flights between Los Angeles and Paris had been canceled for fear of terrorists taking over the plane and that a woman who had failed to stop walking when she set off a metal detector had shut down La Guardia for a while.

Now, I do not consider myself a person particularly prone to irrational fear; on the contrary, I have prided myself on recognizing and refusing the patterns of thought that terrorism has evoked in so many American citizens in this modern "age of terrorism," as so many people like to call it. So why, on Christmas, did I find myself considering whether a simple bag in the middle of the road could actually be an attempt to blow me up? The only answer I can come to is that our society has so embraced this idea of terror that has been

fed to us for over two years now that we have truly turned into a "culture of fear." I am sure that if Osama bin Laden, or whomever the current terrorist du jour is, could read this article in The Observer, he would sit back against the cave wall and have a nice laugh. He would probably pat himself on the back and congratulate himself on a job well done. He has affected the thought processes of a nameless English and Education major at some fancy Catholic university.

And isn't this the goal of these terrorists, anyway? Do we really think that they're trying to kill people and blow things up just to see the carnage and explosions? No, that's not why; they do these things to alter the way we think, and maybe, at the beginning, before they got so carried away with their cause that they actually began to kill real people, they just wanted us to notice them, to say, "Hey, look at us, we're not very happy with what's happening over here." Now they try to call attention to their situation by the only means they believe they have left, because apparently no one listened when they were being a little more rational than they are today.

But do their current means of communication, however horrendous and damnable, invalidate their original message? I don't think so. This is obviously a very complex issue, and maybe I am just adding a strain to the cacophony, but I think it's worth a moment to step back and really think about what has started this "war" on terror. You can't kill an ideology by sheer brute force. We've seen that as a country on numerous occasions. I think it's time to start asking why these people are feeling so passionately about something that

they think the only way to get their message across is by slaughtering innocent people in cold blood.

So what am I supposed to take from the fact that I was semi-spooked by some garbage in the middle of the road? Have things in our country disintegrated to the point that we need be frightened of trash? I do not think so. I think the best, the most productive thing we can do is to strive to continue our normal thought patterns, to tell ourselves that a garbage bag is just a garbage bag, but also to recognize that our thoughts are being affected by some people who obviously feel that our country has done them some grave injustice. Instead of concentrating all our energies on trying to kill the innumerable hordes of imaginary terrorists that have infiltrated lands at home and abroad, why do we not stop for a minute and consider what it is they're actually trying to say with such horrific acts? Yes, I know that is what they want us to do, but it seems to me that instead of trying to kill an ideology, the United States could try to examine how that ideology was begun in the first place.

Maybe then we could address the issue of terrorism without meeting them with their own means. Maybe then I could drive to my grandparents' house on Christmas without having to think twice about a stupid trash bag.

Brian South
senior
Carroll Hall
Dec. 26

ALBUM REVIEW

Missy rushes latest effort

By KENYATTA STORIN
Scene Music Critic

Much like fellow pop rap group Outkast, Missy Elliot and her master producer, Timbaland, have been changing the face of pop for years. She is arguably the most successful female rap artist of all time. But despite these facts, Missy regrettably stumbles on her fifth effort, *This is Not a Test!*

Across the board, Elliot's flow sounds forced, as though she has run out of things to say in her music. This is evi-

dent from the very beginning, as her first track, "Pass that Dutch," sounds a little too much like a sequel to last year's hit, "Work It." Most of what follows are routine party jams and bland R&B tracks, which generally lack any originality on Missy's part. However, there are a few exceptions.

The album's best track, "Wake Up," provides a fresh perspective on hip-hop by attacking thug rap with the chorus, "And your wheels don't spin (it's all right) / And you gotta wear them jeans again (it's all right) / Yeah, if you tried oh well (it's all right) / Emcees stop the beef, let's sell (it's all right)." She also gets a little creative on "Spelling Bee," where she intersperses the spelling of words in her rap and on "Toyz," an ode to vibrators. But even the lyrics on these tracks are average, making them generally sound more gimmicky than innovative.

Missy also suffers from an unfortunate number of dull, under-achieving guest appearances. Elephant Man's contributions to the bouncy "Keep it Movin'" are more distracting than anything

else, and R. Kelly sounds off on "Dats What I'm Talking About." Also, rappers Jay-Z, Fabolous and Nelly all provide short, unmemorable flows. Nelly's best line, "Go, go, gadget dick," is not even his own, coming straight from an Eminem song.

The album's one saving grace is Timbaland's production, once again showing that he is one of the best, if not the best, producer in the business. His batch of futuristic beats often seems to use every sound imaginable except those found on a standard drum. "Wake Up" is one of his best efforts, where he utilizes electronic echoes, subtle bells and a simple bass beat. Regrettably, Timbaland does not produce the whole album. Missy does roughly half of the production, most of which are her R&B tracks, with mixed results at best. She provides solid beats for "Pass That Dutch," "I'm Really Hot" and "Toyz," but her R&B productions are lame piano melodies that will put most listeners to sleep.

Even with Timbaland's imaginative

This is Not a Test!

Missy Elliot

Elektra Records



Photo courtesy of mtv.com

Missy Elliot stumbles on her fifth album, with flows that sound forced and poor production.

beats, *This is Not a Test!* is an uncharacteristically conventional album for Missy Elliot. Instead of taking her time, she rushed to make a follow up to her 2002 hit album, *Under Construction*, and it clearly shows in her lyrics and her noticeably bland R&B tracks. The lack of quality guest appearances will hopefully lead Missy to question throwing so many pop stars on her albums in the future. Considering her track record, this musical lapse is likely temporary, and Missy will probably bounce back on her next record. But in the meantime, unless you are a hardcore Missy fan, do not bother putting this on your wish list.

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ALBUM REVIEW

Belle & Sebastian return to glory

By RYAN RAFFERTY
Scene Music Critic

Very few artists can claim such a comeback as Stuart Murdoch.

As lead singer and songwriter of the Glaswegian septet Belle and Sebastian, Murdoch crafted two of the most elegant and eloquent albums of the '90s. But the band ruined its reputation by attempting to divvy up the songwriting and their following albums sounded like a hodgepodge of musical styles, and the band quickly disappeared.

Enter Belle and Sebastian's latest album *Dear Catastrophe Waitress*. This album came to the rescue and returned the band to its previous grandeur, but with a different direction. Formerly a very private and elusive band, Belle and Sebastian has lifted the veil and started speaking with the press and publishing band photos. But what really made this album a return to glory for the band was Murdoch's return

as the sole songwriter. There are two songs on the album which feature other band members on vocals, but they do not stray far from the uber-pop that Stuart Murdoch and company have perfectly crafted on *Dear Catastrophe Waitress*.

Belle and Sebastian teamed up with producer Trevor Horn, who has worked with the likes of T.A.T.U and Seal, to make their latest album. With Horn's help, the band turned its formerly misguided chamber pop into pop music that could be the soundtrack to any *Partridge Family* episode. Many bands could easily push this sound over the edge into fluff, but Murdoch and company have learned from the past and know exactly where to draw the line.

Dear Catastrophe Waitress, just like Johnny Cash, walks the line. It walks a fine line between fluff and intelligent and catchy; and the music is glorious. Songs like "I'm a Cuckoo," "Piazza New York Catcher," "Stay Loose" and the title track soar amongst the lush backdrop of 1960s

pop. Belle and Sebastian incorporate the wonderful Rickenbacker bounce of bands such as the Byrds, Turtles, Animals and the Mamas and the Papas into every guitar riff. What makes this album so great, howev-



Photo courtesy of mtv.com

Belle and Sebastian's latest release, *Dear Catastrophe Waitress*, returns the band to its previous grandeur, but with a very different direction.

er, is the individual attention paid to every instrument. An expansive orchestra accompanies the band throughout the entire album and rivals the orchestration of the Beach Boy's "Good Vibrations" on such tracks as "Step into My Office, Baby." Other instances of attention to detail occur throughout the album, specifically the wonderfully light guitar solo in "If She Wants Me" and the simple, yet assertive bass line in "Wrapped Up in Books."

Lyrically, Stuart Murdoch is at his finest. He writes beautifully complex character sketches of several varying, suffering characters such as a bullied young boy in "Lord Anthony" and a rattled waitress in the title track "Dear Catastrophe Waitress." His best work appears in the complex "Piazza New York Catcher" in which he intertwines

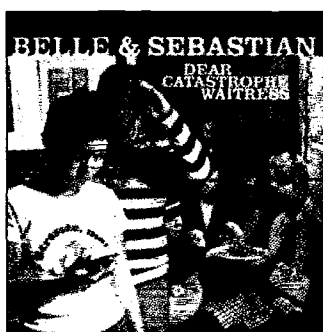
several stories of lost love and somehow manages to work in endearing words for Mike Piazza.

Dear Catastrophe Waitress is a beautifully constructed album. Every song has its own character and invites the listener to explore the vast musicianship employed. The album is extremely poppy and is a step in a new direction for the band. Belle and Sebastian have ditched the introverted, shy façade in favor of the new full force musical experience. The band has evolved greatly from their muddled previous albums, to the grandeur that is the pop masterpiece *Dear Catastrophe Waitress*.

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**Dear Catastrophe
Waitress
Belle &
Sebastian**

Sanctuary Records



ALBUM REVIEW

Not 'the guy from Rushmore's' band anymore

By BRIAN FOY
Scene Music Critic

Question: What do you do after your song "California" appears as the theme to the television show *The OC*, your drummer and founding member, Jason Schwartzman, leaves to pursue his acting career and your popularity is at an all-time high? Answer: If you are Phantom Planet, you release an unanticipated album with a unique sound different from what everyone is expecting.

Phantom Planet's first move was to acquire the services of Dave Fridmann to mix and produce the record. Fridmann was the man behind Weezer's raw, distorted sound on their cult classic, *Pinkerton*, and would be sure to expand the Phantom Planet sound. The next step for the band was to replace their departing drummer

with veteran Jeff Conrad. Conrad would be asked to provide the band with new energy, but not change the dynamic that has made Phantom Planet so successful.

Phantom Planet's self-titled album is their third major label release. *Phantom Planet* is a very appropriate title for the new album because the band seems to have reinvented its sound throughout the album. The Phantom Planet boys keep their catchy melodies and harmonizing, but add a depth and dirty sound not seen on their previous efforts.

"The Happy Ending" proves that *Phantom Planet* will be very different from the previously released *Guest*. The track begins with a pounding drum beat and feedback before the other guitars and bass kick in and the lyrics begin. The song manages to take the classic Phantom Planet sound in a new and more mature direction.

The lyrics continue to be honest and catchy as we hear "I'm begging and pleading / For another beating / I'm ready and waiting / For the Happy Ending." Additionally, the song mixes clean and dirty sounds by using layered guitars that set the tone for the rest of the album.

A couple of tracks later the first single, "Big Brat," clearly displays the hybrid of

new and old Phantom Planet sound. The song starts with a driving guitar riff that is met with a complementary guitar that creates the layered effect Phantom Planet calls its bread and butter.

Furthermore, at several points throughout the song we hear the background vocals and harmonizing melodies that have not only made Phantom Planet popular, but successful as well.

"By the Bed" may not only be the finest track on the new album, but also one of the best Phantom Planet has ever recorded. The song begins with a lone guitar and the lyrics: "Her eyes were closed / When I caught her in bed / She seemed much happier then." In the beginning, it appears to be a simple song, but as it progresses we see the depth and maturity that Phantom Planet has found. The song lacks the classically defined chorus in favor of a building sound and extended bridge. The emotion is present in the urgency of the lyrics: "There is nothing else / That you can do / You can't understand / What I go through." The way these lyrics are delivered and the elevating volume of the guitars and faster pace of the

Phantom Planet Phantom Planet

Sony Records



Photo courtesy of mtv.com

Phantom Planet may have lost its founding member, but the band still managed to release a quality album.

ALBUM REVIEW

The Polyphonic Spree should end

By REBECCA SAUNDERS
Scene Music Critic

The "new" sound in music is often given a great deal of credit just for being different. These "innovative" artists are called musical geniuses and are thought to be people of an enlightened nature. In the case of The Polyphonic Spree, the twenty plus, seventies-themed choral group, genius is not a word to be used in reference to their second album *The Beginning Stages of...* While the large choral group is unquestionably a unique idea, called "Teletubbies for Adults" by The New York Sun, there is not a great deal going on beyond that big idea.

While one must believe that the members of The Polyphonic Spree are not in the record business for the money as a twenty-plus group, one has to wonder if it

is all some strange cult as the members dance around in their long white robes hemmed with bright psychedelic colors. This secular choir, which looks like a gospel choir in appearance, has pushed the boundaries and must be acknowledged, but this ingenuity by no means requires approval of the album itself.

The secular nature of the group leaves the lyrics focusing predominantly on nature, and in nature the primary focus of the group lyrically is the sun and the day that it brings. Eight of the ten songs on the album even have the words "sun" or "day" in the title of the song. With all the songs being titled "Section 1 (Have A Day/Celebratory)," "Section 4 (La La)," "Section 7 (Hanging Around the Day Part 2)" and "Section 9 (Light & Day/Reach for The Sun)," it comes as no surprise that the lyrics throughout the album are anything but clever or meaningful. With

The Beginning Stages of...

The Polyphonic Spree

Hollywood Records

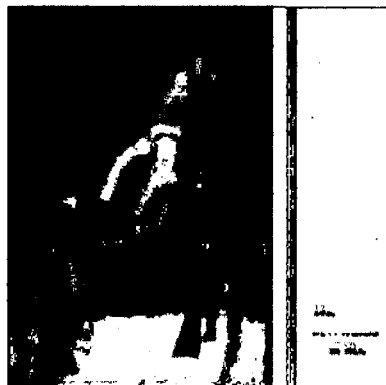


Photo courtesy of mtv.com

The Polyphonic Spree may be a groundbreaking and unique group, but the large choir falls into the trap of redundancy throughout their second album.

lines such as "Have a day / Celebrate / Soon you'll find the answer" in Section 1, "SUN / Suicide is a shame / SUN" in Section 2, and "Just follow the day / Follow the day and reach for the SUN" in Section 9, the album eventually becomes a bit redundant. Much of the good instrumental work in the album is very similar and blends together to the point where after listening to the album a number of times, one would still find it nearly impossible to distinguish the majority of the songs from one another.

The single from *The Beginning Stages of...* is "Section 9 (Light & Day/Reach for the Sun)" and it is rather upbeat and fun. Although sounding a bit overdone in happy glee, it is believable and the vocals and instrumentals are good enough to carry the song through. Any merit that may be gained in "Section 9 (Light & Day/Reach for the Sun)" is completely

wiped away by the 36 minutes and 30 seconds that make up the pure torture that is "Section 10 (A Long Day)." The "Long" is not understatement, it should have been called the Eternal Day as one listens to the droning of one singer as he never utters a word, but only makes groaning sounds which he attempts to pass off as singing in some world far far away.

With no solid lyrics and instrumentals that are not good enough to excuse the absurdness of the album, one can only hope and pray that The Polyphonic Spree is a spree that ends soon, before anyone is forced to listen to this album and believe that it is anything remotely close to good music.

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NBA

Abdur-Rahim lifts Hawks past defending champion Spurs

Associated Press

ATLANTA — No one could have seen this coming.

The defending NBA champion San Antonio Spurs had won 17 of 18 games. The lowly Atlanta Hawks were coming off three straight embarrassing defeats.

But the roles were reversed Tuesday night as Shareef Abdur-Rahim scored 29 points and the Hawks built a big lead over San Antonio and held on for a surprising 86-77 victory.

"It only takes one win to turn the season around," said Stephen Jackson, who played perhaps his best game of the season against his former team. "This could be that win."

There haven't been many wins for the Hawks this season. They were coming off a 1-5 road trip that ended with a 16-point loss in Sacramento, a 46-point rout by the Los Angeles Lakers and a 21-point defeat to Utah.

"We just needed a win, whether it was the Spurs or a high school team," Jackson said.

Coach Terry Stotts and his staff made the players sit through a lengthy film session the previous day.

"We watched film for an hour and a half and just looked at our mistakes," Hawks center Theo Ratliff said. "We can look at it individually, but it's different when you're sitting there with the team and they point out what is definitely supposed to happen on plays."

Atlanta took control against the Spurs with a 14-0 run encompassing the final basket of the first quarter and the first 12 points of the second. The Hawks led by as many as 21 points before settling for a 49-32 lead at halftime.

Abdur-Rahim scored 17 in the opening half.

Nuggets 105, Suns 92

The Denver Nuggets are no longer one of the bottom feeders in the West. They've passed that label to the Phoenix Suns.

Voshon Lenard scored 32 points and the Nuggets, off to their best start in 18 years, handed the Suns their sixth loss in a row Tuesday night.

The one-sided victory was sandwiched between Denver's games against Western powerhouses Sacramento and the Los Angeles Lakers. The Nuggets play at Los Angeles Wednesday night.

"I get tired of people who keep telling me how down the Nuggets were last year," rookie Carmelo Anthony said. "They can talk about how we're playing right now. Any team we play, we go in with the mentality that we can beat them."

The Nuggets scored the first nine points, led by 17 in the first quarter, 21 at the half and 32 in the third quarter against the hapless Suns — 0-4 since the blockbuster trade that sent Stephon Marbury to the New York Knicks.

Kings 90, Heat 86

Brad Miller leaned back in his locker and quietly admitted that sometimes the Sacramento Kings just get bored.

It showed Tuesday night, yet they still won.

Peja Stojakovic scored 14 of his 24 points in the first quarter and Sacramento won its fifth straight at home over the Miami Heat.

"Sometimes it seems like we're the best-record team and a great team and we get bored sometimes," said Miller, who had double-doubles in 11 of his previous 15 games but fell one rebound short of another.

"We've got to keep punishing people. We've got to keep playing. It's just a fun environment out there. We play like the old teams, but that's what gets us in trouble sometimes."

Miller finished with 14 points, nine rebounds and seven assists.

Mike Bibby added 20 points for the NBA-leading Kings, including a clutch 3-pointer with 18 seconds left. Sacramento beat an Eastern Conference opponent at Arco Arena for the 27th straight time.

After Bibby's big shot, the sellout crowd began chanting, "Beat L.A.! Beat L.A.!", referring to the Kings' final game of this three-game homestand Friday against the Lakers.

Timberwolves 94, Hornets 89

Minnesota hadn't won 15 of 18 games without a few strong finishes, so coach Flip Saunders wasn't too concerned when the Timberwolves trailed the New Orleans Hornets by 10 points to start the fourth quarter.

Minnesota scored 31 points in the final period, 12 by Sam Cassell, in a victory over the Hornets on Tuesday night.

"I told our guys when the

fourth quarter started, 'We will win this game if we get a push right now. We need some pace into the game,'" Saunders said. "We can get a couple of quick buckets, get ourselves within striking distance and rely on ability to execute down the stretch, which has been huge for us over these last 20 games."

Latrell Sprewell scored 26 points, including a pair of key free throws with 14.5 seconds left to make it a two-possession game. He was 9-of-18 from the field and 6-of-7 from the line. He hit a 3-pointer with under five minutes to go to trim the Hornets' lead to 81-80.

Kevin Garnett added 22, including a tough baseline turnaround jumper over the Hornets' P.J. Brown that gave Minnesota its first lead with 1:44 left in the game.

Pistons 105, Bulls 89

Larry Brown is used to having Ben Wallace and the Detroit Pistons dominate most opponents down low. Still, Brown was surprised by this.

Ben Wallace had 12 points and 17 rebounds as the Pistons controlled the boards in a 105-89 win over the Chicago Bulls on Tuesday night — Detroit's ninth straight victory.

Led by Wallace, Detroit finished with a 56-35 edge in rebounding. At halftime, Pistons had 15 offensive rebounds — the same number of total rebounds managed by Chicago.

"We really rebounded well tonight. After the first half, I looked at the stats and was shocked," Brown said. "Ben was great the whole night. He's getting better every night."

Richard Hamilton scored 24 points, and Chauncey Billups added 17 points and seven assists. The Pistons own the longest current winning streak in the NBA, and it's the best for Detroit in 12 seasons.

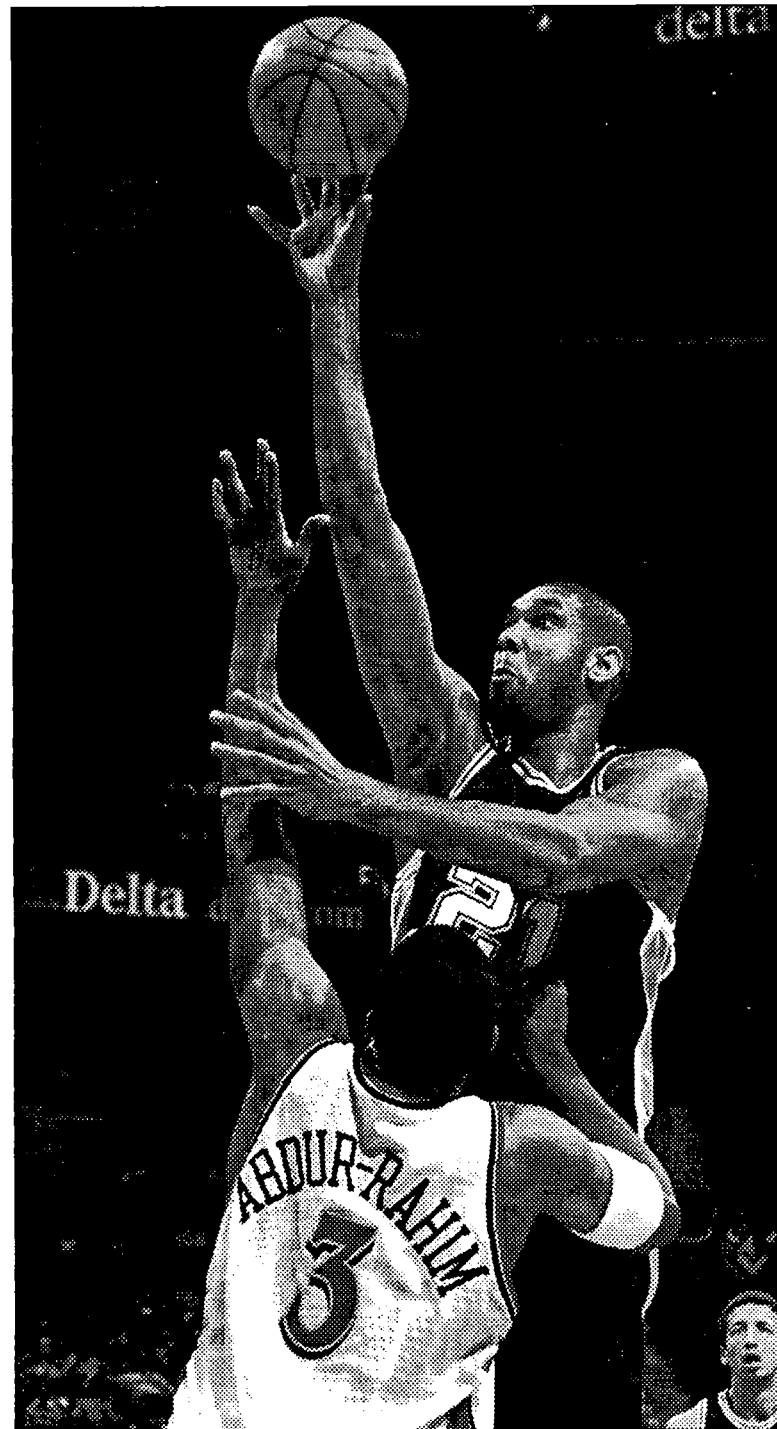
"Right now, we have swagger. You can see it in our team," Wallace said. "We're not panicking, we're not rushing."

The Bulls certainly gave Detroit little to worry about.

Detroit led by five late in the third quarter when Chucky Atkins came off the bench to spark the Pistons.

Bucks 111, Celtics 103

The Bucks' reserves scored more than half their points Tuesday night, as big of a rea-



Spurs forward Tim Duncan shoots a jump hook over the head of Hawks forward Shareef Abdur-Rahim in an 86-77 Hawks victory.

son as any for Milwaukee's victory over Boston.

Michael Redd scored 20 points and reserve Toni Kukoc had 16, leading the Bucks to their sixth victory in seven games.

The Bucks also got 14 points from Erick Strickland and 12 from Desmond Mason. All told, the Bucks' bench accounted for 56 points.

"It's hard to look at them as reserves," said Boston's Paul Pierce, "because I'm used to seeing those guys start. I told the guys before the game, you

got guys coming off the bench who used to start. So they definitely have depth in offensive weapons."

Redd scored 11 points, including the team's first eight, in the third quarter to help the Bucks lead 77-60.

The Bucks led 94-77 early in the fourth quarter before back-to-back 3-pointers by Davis and Pierce helped Boston close to 102-94 with 3:03 left.

The Celtics were within five before Redd made four free throws in the final minute to seal it.

CLASSIFIEDS

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NBA

Kobe Bryant's lawyers provide outline of allegations

Associated Press

DENVER — In a broadside against the woman accusing Kobe Bryant of rape, defense attorneys argued Tuesday that her sexual past and mental health history should be allowed as evidence to prove she had a "scheme" to falsely accuse the NBA star.

Attorneys Hal Haddon and Pamela Mackey said denying them the right to bring up such evidence would violate Bryant's constitutional right to a fair trial.

Echoing accusations they raised during Bryant's preliminary hearing last year, the attorneys suggested the 19-year-old woman was injured during sex with "multiple" men in the three days before her encounter with the Los Angeles Lakers star at a Colorado resort.

They also said the woman's medical history, including treatment for mental illness, is relevant because it could help

explain "her motive, scheme, plan and modus operandi for falsely accusing Mr. Bryant of sexual assault."

The defense has suggested the woman engaged in a pattern of dangerous acts, including suicide attempts and accusing Bryant of rape, to gain the attention of an ex-boyfriend.

The woman "expected Bryant 'to put a move on her'" before she accepted his invitation to come into his hotel room, the defense said.

John Clune, an attorney for Bryant's alleged victim, did not return a call seeking comment. "If we do respond, it will be in the courtroom," said Krista Flannigan,

a spokeswoman for the prosecution.

Bryant, 25, faces four years to life in prison or 20 years to life on probation if convicted of felony sexual assault. He has said he had consensual sex with the woman.

The Lakers star sprained his shoulder Monday and is expected to sit out a minimum of two to three weeks.

Bryant is due back in an Eagle courtroom on Jan.

23, when state District Judge Terry Ruckriegle is expected to hear arguments on whether the woman's medical records can be used as evidence. The defense says she waived her right to medical privacy, a

claim the prosecution denies.

In the latest court filings, Mackey said evidence suggests the woman was either in a manic state or experiencing rapid cycling of manic and depressive states at the time of the June 30 incident in Bryant's hotel room. Mackey said common symptoms of mania include sexual indiscretions.

The defense also said the incident occurred about a month after the woman attempted suicide by overdosing on an anti-psychotic medication, Seroquel, and occurred while she was taking the anti-depressant Wellbutrin.

"Such evidence would be relevant both to help explain to the jury why this young woman might have engaged in multiple acts of consensual sexual intercourse ... and/or why she might be suffering from a delusion — a false but strongly held belief — about what occurred in Mr. Bryant's hotel room," Mackey wrote.

"Such evidence would be relevant to help explain to the jury why this young woman might have engaged in multiple acts of consensual sexual intercourse."

Pamela Mackey
Kobe Bryant attorney

Jury selection begins in Jayson Williams trial

Associated Press

SOMERVILLE, N.J. — Jayson Williams was introduced to a pool of potential jurors Tuesday, the start of the NBA star's manslaughter trial for the shooting death of his limo driver two years ago.

Defense attorneys say the shooting at Williams' estate was an accident. Prosecutors say Williams was showing off his shotgun, then tried to make the death of Costas Christofi look like suicide.

More than 300 potential jurors were sworn in and filled

out questionnaires after being introduced to the former New Jersey Nets center, who rose and said "Good morning."

The jury pool is triple the regular size because of the difficulty of finding people who will be able to serve through a two-month trial. Questioning of individual jurors was to begin Wednesday, and Judge Edward Coleman said it will take several weeks to choose a panel.

A small number of pool members were excused Tuesday because the trial's length would pose a hardship.

The 35-year-old Williams faces seven charges, including aggravated manslaughter and witness tampering, that could carry up to 55 years in prison.

Williams and his wife did not respond to questions from reporters when they arrived at the courthouse.

Christofi was killed Feb. 14, 2002, after driving Williams' friends to the player's 65-acre, 40-room estate in Alexandria Township.

Prosecutors have said Williams recklessly handled the 12-gauge shotgun, opening it and snapping it together in

one motion. It fired and hit Christofi, who was about 3 feet away.

Two of Williams' guests pleaded guilty to tampering with evidence, one for wiping down the shotgun and the other for hiding Williams' clothes. Both agreed to testify against him.

Williams retired from the Nets in 2000 after a decade in

the NBA, unable to overcome a broken leg from a year earlier. He was suspended from his job as an NBA analyst for NBC after the shooting.

The 6-foot-11 Williams was known for his affinity for guns, and wrote in his 2000 memoir that he almost shot New York Jets wide receiver Wayne Chrebet by accident at a range at the Williams estate.

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ND SWIMMING

Men and women pick up wins on training trip

By MATT PUGLISI
Sports Writer

Most swim teams used the extended winter break for some much-needed relaxation, but

not the Irish men's and women's swim teams.

In holiday competition last Friday, the men's squad finished off a 12-day training trip in Mission Viejo, Calif., by picking up a pair of dual meet victories

in a triangular meet against UC-Santa Barbara and Wyoming, 104-101 and 133-98, respectively.

The women swam to a first place finish in the Second Annual Puerto Rico Winter

Training Meet in Encantada, Puerto Rico on Jan. 4.

After trailing UCSB by 21 points with only four events remaining, the Irish men (3-5) cut the Gauchos' lead to 2, 95-93, heading into the meet's final event, the 400-yard freestyle relay.

In a neck-and-neck race to decide the meet winner, Notre Dame senior co-captain Matt Obringer touched out UCSB freshman Pat Cary to secure victory for the Irish.

In addition to the 400-yard freestyle relay — Obringer, junior Frank Krakowski, sophomore Tim Randolph and freshman Louis Cavadini — freshman Ted Brown (500- and 1,000-yard freestyle), Krakowski (50-yard freestyle) and sophomore Doug Bauman (200-yard backstroke) chipped in with first place finishes.

"We were very happy with our performance because we were all swimming tired from our training," freshman Chris Zeches said. "We're ready to swim fast again this weekend in Pittsburgh."

The Irish next hit the water on Friday when they head to

Pittsburgh to compete in a quadrangular meet against Villanova, Maryland and the host Pittsburgh.

The women's squad, on the other hand, recorded four meet records in coasting to a first place finish in Puerto Rico last week.


Opening the competition with a victory and meet record 2:05.38 in the 200-yard freestyle relay by seniors Danielle Hulick, Laurie Musgrave, Lisa Garcia and freshman Katie Carroll, the No. 21 Irish (4-1) never looked back, dominating a field that included St. John's, Yale, Montclair, Seton Hall, Brandeis, Syracuse, Georgetown and Skidmore, among others.

Carroll (50-yard freestyle), Musgrave (100-yard breaststroke) and freshman Ann Barton (200-yard backstroke) also turned in meet records for the Irish.

Notre Dame returns to the pool on Friday to challenge No. 16 Michigan and Illinois in Ann Arbor.

Contact Matt Puglisi at mpuglisi@nd.edu

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ND WOMEN'S BASKETBALL

Irish experience roller coaster ride over break

4-2 stretch includes win over No. 16 Virginia Tech and losses to Purdue and Georgetown

By JOE HETTLER
Sports Editor

Notre Dame had its share of ups and downs over winter break, but the Irish ended on a high note by beating No. 16 Virginia Tech 53-40 at the Joyce Center Jan. 10. Notre Dame won four of six games during the break and improved to 8-6 for the season, including 6-0 at home.

After winning three non-conference games to begin the break, Notre Dame fell to Purdue at West Lafayette on Jan. 4, 76-63, and shot a dismal 25.9. Purdue went on a 10-point run in the middle of the first half to jump out to a double digit-lead they would not relinquish. The Boilermakers led 32-20 at half-time.

"They had a nice run and that was pretty much the game," Irish coach Muffet McGraw said. "It was just that run they had in the first half that really hurt us."

Megan Duffy, Le'Tania Severe and Jacqueline Batteast all scored in double figures for the Irish.

Notre Dame tried to bounce back on the road against Georgetown Jan. 7, but blew a 6-point lead with less than a minute left in the game. The Hoyas Bethany LeSueur hit a field goal, was fouled and converted the free throw attempt with 12 seconds left to give Georgetown a 76-73 win. Georgetown ended the game

on an 11-2 run and scored seven points in the final 27 seconds to secure the victory. It was the Hoyas' first win over Notre Dame in 18 years and gave the Irish an 0-1 start in the Big East conference.

Duffy paced Notre Dame with 22 points on 6-10 shooting, including hitting 4-8 3-pointers and sinking all six of her free throw attempts. Jacqueline Batteast added 18 in the losing effort.

Notre Dame headed back to the Joyce Center Jan. 10 to face a Virginia Tech team that had started the season 12-1. But the Irish pulled it back together and used a strong second half surge, which included a 22-7 run, to beat the Hokies by 13. Notre Dame did not allow Virginia Tech an offensive rebound in the second half and finished the game with a 41-31 rebounding edge.

"I'm really impressed with their mental toughness because we really did a lot of uncharacteristic and unintelligible things at the end of the game," McGraw said. "I was just happy they were able to come back and play the kind of defense we were able to play."

Batteast had 14 points and 11 rebounds, while Teresa Borton also added 14 points for the Irish as they improved to 1-1 in the conference.

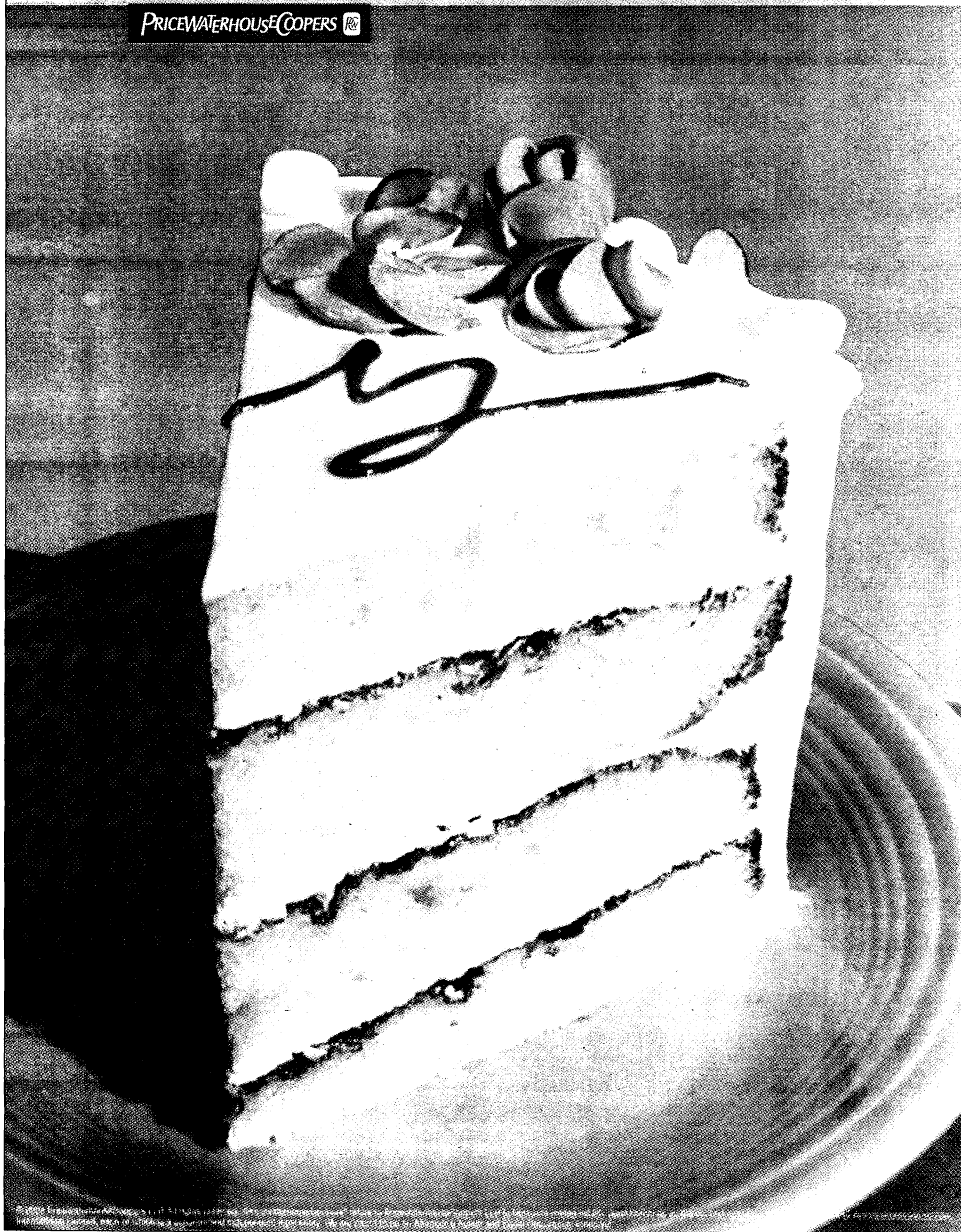
Notre Dame started its break with a 73-62 win over USC at the Joyce Center Dec. 22 behind Batteast's 20 points. The team led wire-to-wire en route in gaining the victory.

The Irish squeaked by Colorado State on the road 63-59 Dec. 29 and then ousted Marquette 72-64 on New Year's Day.

Contact Joe Hettler at jhettler@nd.edu

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AROUND THE NATION

Wednesday, January 14, 2004

COMPILED FROM THE OBSERVER'S WIRE SERVICES

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AP College Basketball Polls

Men		Women	
team		team	
1 Connecticut (52)		1 Duke (24)	1
2 Duke (2)		2 Texas Tech (17)	2
3 Stanford (11)		3 Texas (5)	3
4 Wake Forest (5)		4 Connecticut	4
5 Kentucky		5 Tennessee	5
6 St. Joseph's		6 Minnesota	6
7 Arizona		7 Stanford	7
8 Louisville		8 Penn State	8
9 North Carolina		9 Purdue	9
10 Cincinnati		10 Kansas State	10
11 Oklahoma		11 Georgia	11
12 Georgia Tech		12 Louisiana Tech	12
13 Pittsburgh		13 North Carolina	13
14 Kansas		14 LSU	14
15 Florida		15 Colorado	15
16 Gonzaga		16 Oklahoma	16
17 Syracuse		17 DePaul	17
18 Texas		18 TCU	18
19 Wisconsin		19 Villanova	19
20 Mississippi St.		20 Auburn	20
21 Marquette		21 Miami	21
22 Texas Tech		22 Boston College	22
23 Vanderbilt		23 Virginia Tech	23
24 Creighton		24 Baylor	24
25 Illinois		25 Michigan State	25

NBA

Eastern Conference, Atlantic Division

team	record	perc.	last 10	GB
New Jersey	20-15	.571	7-3	-
Boston	20-20	.500	5-5	2.5
Philadelphia	18-20	.474	4-6	3.5
Miami	15-22	.405	5-5	6
New York	15-24	.385	5-5	7
Washington	10-26	.278	2-8	10.5
Orlando	9-29	.237	2-8	12.5

Eastern Conference, Central Division

team	record	perc.	last 10	GB
Indiana	28-11	.718	7-3	-
Detroit	25-13	.658	9-1	2.5
New Orleans	22-16	.579	4-6	5.5
Milwaukee	21-17	.553	7-3	6.5
Toronto	19-16	.543	6-4	7
Chicago	12-26	.316	4-6	15.5
Cleveland	11-26	.297	3-7	16
Atlanta	11-28	.282	4-8	17

Western Conference, Midwest Division

team	record	perc.	last 10	GB
Minnesota	25-11	.694	8-2	-
San Antonio	26-12	.684	8-2	-
Denver	22-16	.579	5-5	4
Houston	21-16	.568	6-4	4.5
Dallas	21-16	.568	6-4	4.5
Utah	19-17	.528	6-4	6
Memphis	19-18	.514	4-6	6.5

Western Conference, Pacific Division

team	record	perc.	last 10	GB
Sacramento	26-9	.743	7-3	-
LA Lakers	23-11	.676	4-6	2.5
Seattle	19-16	.543	7-3	7
Portland	16-19	.457	3-7	10
LA Clippers	16-19	.441	4-6	10.5
Golden State	15-21	.417	2-8	11.5
Phoenix	12-25	.324	2-8	15

around the dial

COLLEGE BASKETBALL

Cincinnati at Marquette 7 p.m., ESPN
Wisconsin at Purdue 8 p.m., UPN
North Carolina at Maryland 9 p.m., ESPN

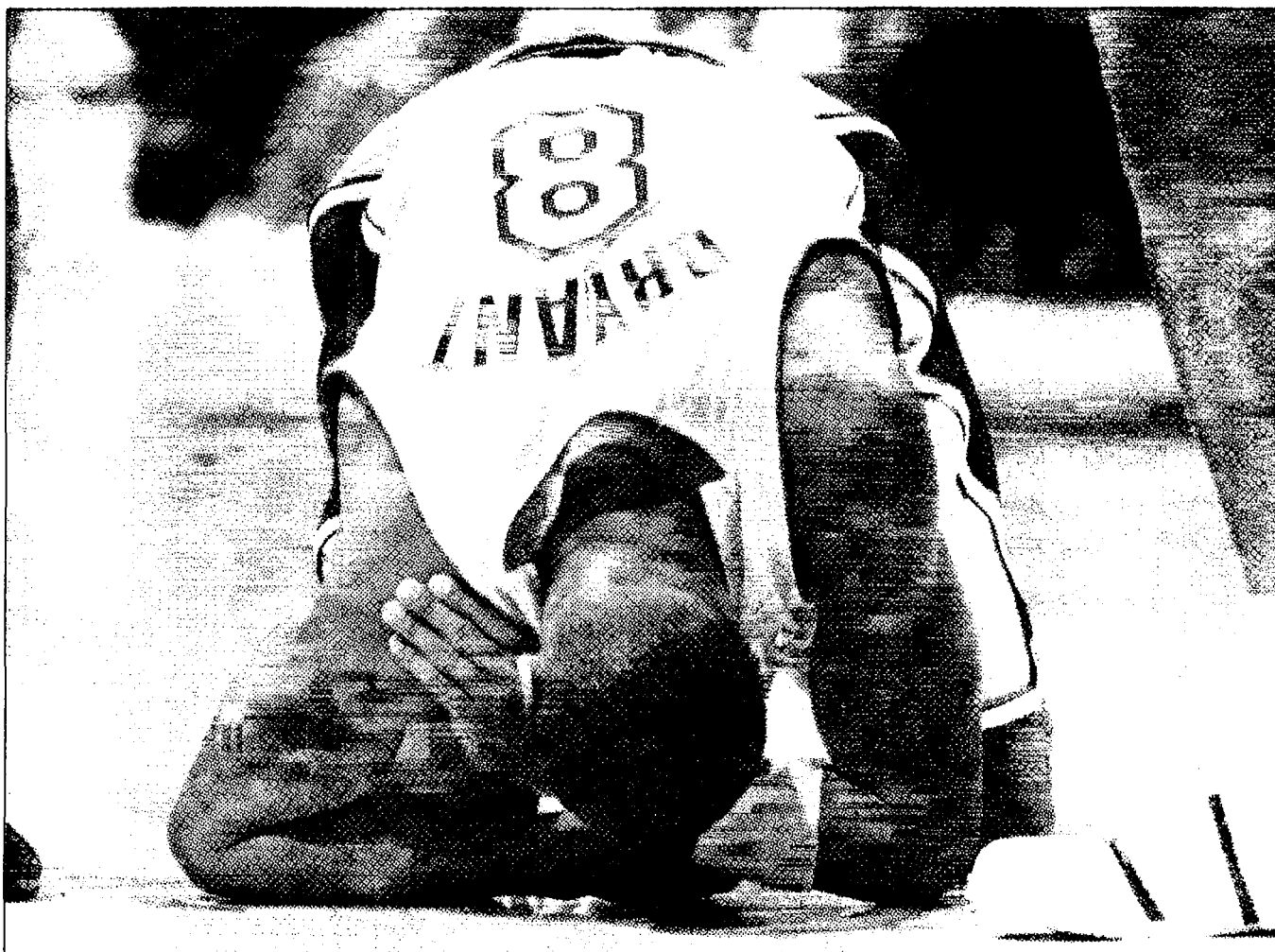
NHL

Chicago at Detroit 7:30 p.m., FOX Sports Net

NBA

Philadelphia at Dallas 9 p.m., ESPN2

NBA



Lakers guard Kobe Bryant reacts to his shoulder injury in Los Angeles' Jan. 13 game against Cleveland. Bryant is expected to miss at least two to three weeks. Getty

Bryant sidelined with shoulder injury

Associated Press

EL SEGUNDO, Calif. — Kobe Bryant joined Shaquille O'Neal and Karl Malone on the sidelines Tuesday, leaving Gary Payton as the only healthy Los Angeles Lakers superstar.

Bryant is expected to miss a minimum of two-to-three weeks with an injured right shoulder, the result of a collision with Cleveland's Kedrick Brown on Monday night, the team said.

An MRI exam taken Tuesday confirmed Bryant sprained his surgically repaired shoulder.

Lakers coach Phil Jackson said Bryant won't need surgery, but will probably be placed on the injured list, meaning he'd have to sit out at least five games.

"I don't think there's any long-term effects to something like this," Jackson said.

It's also possible that Bryant could miss a game in February and two in March because of hearings regarding the sexual assault charge he faces in Colorado.

Bryant, the NBA's seventh-leading scorer with a 22.0-point average, was injured with 5.7 seconds

left in the first quarter of an 89-79 victory over the Cavaliers when he faked Brown into the air outside the 3-point line and Brown landed on Bryant's shoulder.

In obvious pain, Bryant made three free throws, but left after the period ended and went to the locker room for X-rays, which were negative.

Bryant played a little more than five minutes in the second quarter, but was clearly not himself, running with his right arm hanging at his side. His only shot was a left-handed jumper from outside the foul line that didn't

come close, and he was removed from the game shortly thereafter.

Bryant had surgery on his shoulder June 12 four weeks after the Lakers were eliminated from the second round of the playoffs by San Antonio. He had an inflamed bursa removed and a frayed labrum trimmed in his shoulder during the operation.

"You never imagine it, that's why you have 12 men on your roster," Jackson said of the glut of injuries. "We'll have to change somewhat. Personnel makes a big difference in how we play."

IN BRIEF

Wizards' Laettner receives drug suspension

WASHINGTON — Washington Wizards forward Christian Laettner was suspended for five games Tuesday for violating the NBA's drug policy.

The suspension, without pay, began with Tuesday night's home game against Houston.

"I deeply regret any embarrassment that my actions have caused to members of my family, my teammates, my fans and the Washington Wizards organization," Laettner said in a statement released by the team.

Neither the league nor the team, citing the confidentiality rules of the collective bargaining agreement, would comment on when the violation occurred or what substance was involved. A player has to fail three drug tests before drawing a five-game suspension.

Laettner was not allowed to attend Tuesday night's game, although he is eligible to practice with the team.

Maddux, Rodriguez remain on free agent market

NEW YORK — Now that most of the top stars have signed, Greg Maddux and Ivan Rodriguez are the biggest names left on the free-agent market.

Maddux, a four-time Cy Young Award winner, has been talking with the Chicago Cubs, his original major league team. Following seven seasons with the Cubs, Maddux spent the last 11 years with the Atlanta Braves.

"We're continuing to negotiate with about four, five teams," Maddux's agent, Scott Boras, said Tuesday. "There's a possibility something can happen this week, but a lot of Greg's

considerations involve meeting owners of clubs personally, and he's taking a very methodical approach to this."

It's unclear what teams Rodriguez is talking to. After earning \$10 million last year with Florida and leading the Marlins to the World Series title, the team let him go after he asked for a four-year deal.

Lemieux undergoes knee surgery

PITTSBURGH — Mario Lemieux had arthroscopic surgery Tuesday to repair the left hip injury that will sideline him for the rest of the Pittsburgh Penguins' season.

Lemieux, who hasn't played since Nov. 1, learned last week that two months' worth of rest and rehabilitation did not heal the chronic tendinitis in his hip. Lemieux had similar surgery on his right hip before missing more than two-thirds of the 2001-02 season.

Rally

continued from page 24

loose ball to a teammate.

Thomas and Chris Quinn combined to make five 3-pointers in the last three minutes of the game to get the Irish from down nine at 63-54 to within one at 67-66 and down two at 71-69.

But it was Thomas' two 3-point attempts coming off pump fakes, and, for the second straight game, his foul on an opponent's 3-point shot that really hurt the Irish down the stretch.

It was a disappointing end for Thomas who had a solid all-around game. The junior finished with 29 points on 11-of-22 shooting, including 7-of-13 on 3-pointers.

Meanwhile, the Panthers, who shot 50 percent (11-of-22) from the free throw line, consistently beat the Irish to the loose ball off free throw misses and got a number of second chance points.

The win extended the Panthers' (17-0, 3-0 in the Big East) home winning streak, the best in the nation, to 36 games and ended Notre Dame (8-4, 2-1) its first loss in seven games.

In a raucous Petersen Events Center where Pittsburgh has won all 30 games it has played, the Irish didn't let themselves get taken out of the game early. Thomas scored 13 points in the opening 13 minutes.

The Irish held a seven-point lead with less than five minutes left in the first half, but they didn't score the rest of the half. Luckily for the Irish, the Panthers only scored six more points as both teams didn't score in the last 3:40 of the half. The Irish led 31-30 at the break.

Pittsburgh made its run down 46-42 with just over 12 minutes remaining in the game. Six different players scored on the Panthers' 21-8 run that allowed them to hold a nine point lead before Thomas and Quinn tried to use 3-pointers to get the Irish back in it.

Indiana 66, Notre Dame 63

Little-used bench player Ryan Tapak hit a 3-pointer with 28 seconds left to lift the Hoosiers to extend Notre Dame's losing streak to three games Dec. 10.

Thomas led the Irish, who shot only 39 percent, with 24 points.

Falls shot a 3-pointer with 2 seconds left, but his shot hit the rim and time expired.

Notre Dame 82, DePaul 69

In what a number of people called his best all-around game in a Notre Dame uniform, Thomas only scored 13 points, but had five assists, five rebounds, two steals and only one turnover in leading the Irish to their first win in over two weeks Dec. 14.

Cornette tied his career high with 17 points, and Notre Dame broke a shooting slump by making 51 percent of its field goals.

Notre Dame 78, American 74

The Irish overcame a hot-shooting night by American and avoided its second embarrassing home loss of the season Dec. 21.

American converted on 63 percent of its field goal attempts, including a stretch that saw the Eagles make 10 straight at one point. Thomas scored a season-high 28 points and the Irish won their first home game since Nov. 29.

Notre Dame 79, Quinnipiac 62

Quinn finally found the shooting touch he had been missing for most of the season, connecting on his first six 3-pointers and registering a career-high 25 points to lead the Irish to their third straight victory Dec. 23.

Francis recorded a double-double with 19 points and 11 rebounds.

Notre Dame 84, Morehead State 69

After missing his last nine shots against Quinnipiac, Thomas missed his first seven against Morehead State before finding the range and scoring 23 points Dec. 28. Francis had another double-double with 21 points and 10 rebounds.

The Irish were only up 74-67 with 4:32 remaining, but used a 10-2 run to put this one away.



Notre Dame guard Torrian Jones dribbles against Mount St. Mary's on Nov. 29. In the Irish's 78-64 victory.

Notre Dame 63, West Virginia 52

For the first time in Brey's four years at Notre Dame, the Irish won its opening game in the Big East conference Jan. 7. In the process, the Irish ended Mountaineers' guard Drew Schifino's double-digit scoring streak at 48 games.

Jones was the major reason for ending Schifino's streak. Jones also had his best all-around offensive game of the season, scoring 17 points and pulling down a career-

high 13 rebounds.

Notre Dame 82, Villanova 78

The Irish broke another streak at Philadelphia in beating the Wildcats for the first time in Big East play Jan. 10. Villanova was the last team the Irish had not beaten in conference action.

Down six points with 3:31 to go, the Irish came back on a 12-2 run to get the win.

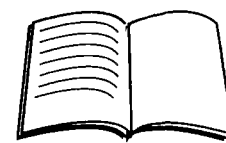
Contact Matt Lozar at mlozar@nd.edu



Happenings

January 14, 2004

centerforsocialconcerns.nd.edu



Social Concerns Festival Held January 21 from 7-9 pm

Learn about service and social action in South Bend at the Center for Social Concerns annual "Social Concerns Festival."

Representatives from area service organizations will be on hand to introduce students

to opportunities with local community organizations.

When: January 21 from 7 pm - 9 pm.

Where: Center for Social Concerns

The event is free.

Reception Held for Malaquias Montoya Exhibit

An exhibition by Malaquias Montoya entitled "Premeditated: Meditations On Capital Punishment New Works" will be on display beginning Sunday, January 11 at The Snite Museum of Art.

A public reception for the exhibitions will be held January 25 from 2-4 pm. At 3 pm that day, Montoya will give a gallery talk.

The reception is free and open to the public.

Vehicle request forms revised

Revised vehicle request forms and policy information for spring semester will be available at the Center for Social Concerns for pick up on January 15. Vehicles will be available for use beginning the week of January 19.

Several policy changes will necessitate careful reading of the revised policy statements before completing your request form. The Policy statements will be attached to the forms for your convenience.

Applications Available for Mexico Seminar

Applications are now available for the Oaxaca, Mexico Seminar. Applications can be downloaded on the Web or are available at the Center for Social Concerns. The due date for the seminar is January 30.

The Mexico Seminar provides students the opportunity for two weeks of experiential-learning in Mexico City (and other areas) in collaboration with local organizations. This one-credit seminar (THEO 366) involves extensive student-directed planning, resource development, and reflection.

During the spring semester,

Service & Social Action Group Leaders reminder

Group meetings at the Center for Social Concerns are scheduled for only one semester at a time. If your group used CSC rooms for meetings during fall semester, please remember that you will have to contact the receptionist to be put on the schedule for the spring semester.

students meet weekly to plan, organize and fund raise in preparation for Mexico. While in Mexico, students participate in a variety of activities including site visits with local non-governmental organizations and other groups doing

work in the community. Discussions, guest lectures, readings and written reflections allow further analysis of the cultural, economic, political and international forces influencing Latin America.

Careers as Vocations

The Center for Social Concerns in collaboration with the Notre Dame Vocation Initiative will host a series of Careers as Vocations panels this semester. Alumni and alumnae of the University will discuss how they have come to understand their careers in response to the "call" and how they have integrated faith and social concerns into their professions.

After each panel presentation, a simple supper will be served and students will be invited into small group discussions with the panelists.

Where: Center for Social Concerns
When: Sundays, 4:00 - 5:30 p.m.

January 18 Not-for-Profit Careers. Speakers: Julie Hodek '01- Organizer, UNITE Chicago; Chris Nanni '88- Associate principal, Cristo Rey High School, Chicago; and Susan Ranaghan '95 - Director, L'Arche South Bend

January 25	Business Careers
February 8	Careers in Law
February 15	Media Careers
February 22	Careers in Medicine
February 29	Careers in Ministry
March 21	Engineering/Architecture Careers
March 28	Science Careers
April 4	Pilots/Aerospace Engineering Careers

Upset

continued from page 24

fought back with a 10-3 run to close the half down 33-26.

Notre Dame led the entire second half. Taurasi hit a baseline jumper with 4:50 left to cut the lead to 53-51, but that was as close as the Huskies would get. The Irish closed the game with an 11-0 run, including five points by Batteast.

"I was excited about our defense," McGraw said. "Our zone frustrated them a little bit. We really worked hard in our zone. I think now we're starting to believe in it."

The Notre Dame defense was key, holding the Huskies to a season low 31 percent shooting. Taurasi, who averages 19.8 points, was held to 11 points on only 4 of 15 shooting.

A crowd of 8,574, the seventh largest in Irish history, played an important role in getting the Irish started. After Teresa Borton (eight points) missed the first shot of the game, Notre Dame hit eight straight to jump out to a 17-12 lead. They never trailed again.

"[The crowd], made us want to play harder," Megan Duffy said.

For the Irish, the win marked their first defeat of a top-five opponent since March 30, 2001, when they defeated Connecticut 90-75 in the NCAA semifinal.

"I'm just so proud of this team right now," McGraw

said. "Probably not many people thought we could win that game. We played with poise down the stretch."

Notre Dame shot a scorching 59.5 percent from the field and outscored the bigger Huskies 32-24 in the paint.

Courtney LaVere scored 14 points, including her second career three-pointer. Le'Tania Severe added 12 points for Notre Dame, who snapped Connecticut's Big East regular

"[Jackie] Batteast was the best player on the court tonight."

Geno Aurlemma
Huskies coach

season win streak of 44 games. Severe also tied a season high with six assists and only one turnover.

"Anytime you can beat a great team, and they are a great team, it's just a great confidence booster for the program," McGraw said. "I thought the whole team played a great game."

Borton, Batteast and Severe were forced to play with four fouls in the closing minutes. They remained aggressive, however. Batteast, who picked up her fourth foul with eight minutes to go, came up with the block on Taurasi, and the others kept battling.

"I thought that they played with a lot of intelligence," McGraw said.

Connecticut was led by Jessica Moore's 13 points and six rebounds. Barbara Turner also added 13 points, and five rebounds.

"This was a big win," Batteast said. "It just feels good right now."

Contact Heather Van Hoegarden at
hvanhoeg@nd.edu

Batteast

continued from page 24

Diana Taurasi, was the best player in the country on this night.

Her 23 points on 10-of-13 shooting and 11 rebounds led all players in both categories. Her clutch shot after clutch shot allowed the Irish to hold onto a slim lead for much of the second half. But it was Batteast's block of Taurasi with 3:17 remaining in the game that sealed the victory for the Irish.

After Taurasi grabbed a loose ball with Notre Dame clinging to a four point lead, the All-American went up for a short jumper that would have cut the Irish advantage in half and likely shifted the momentum back to the Huskies. But Batteast, nursing four fouls, reached up and rejected Taurasi's shot, then scored a lay-up 30 seconds later to push the Notre Dame edge to six. The team would not look back.

"I'm so impressed with Jacqueline Batteast right now," Notre Dame coach Muffet McGraw said minutes after the game. "She played like the National Player of the Year and had just an outstanding game. Every time we needed to score, she was there."

Batteast played aggressive all game, and Connecticut had no answer for her. She muscled her way in the paint and grabbed rebounds away from two or three Huskies at times. When Connecticut gave her room to shoot, Batteast drained jumpers. When Connecticut guarded her close, she simply knocked down 15-foot jumpers in their face. When it looked like Connecticut would go on a big

run, Batteast was there to make the critical play.

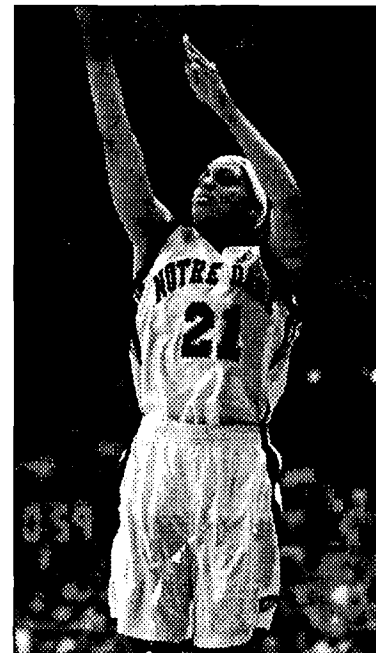
Batteast has always been a very good player during her two and a half years for Notre Dame. But Tuesday night, she played like the best player in the country. And the Irish showed glimpses of the 2001 National Championship team that pounded Connecticut twice by double digits.

While they aren't as good as that team, the Irish are improving. They've bounced back from a tough road loss at Georgetown to beat two top 25 teams in No. 16 Virginia Tech and now top 5 ranked Connecticut. They played their most complete game in two years Tuesday and they gained a huge victory, much thanks to Batteast's play.

The question now is whether Batteast can play like she did last night all the time? The answer is hard to know. A year ago against Connecticut, Batteast struggled on her way to shooting 5-of-21 in a 72-53 Notre Dame loss. The junior couldn't do anything right in that game and didn't play well for much of the second half of the season. In the Big East and NCAA Tournament, Batteast rarely found a shooting rhythm and didn't reach her potential.

Tuesday was the complete opposite. Batteast was in a groove and couldn't make a mistake all game. She played the most complete game of her career and outplayed Taurasi, showing she could be the best player in the nation on any given night. Now Batteast can use this game, like last season, as a stepping stone. Only this time, she can use the game to improve throughout the remainder of the season — the same way Taurasi did last year for Connecticut.

Taurasi could take over a



TIM SULLIVAN/The Observer
Jacqueline Batteast shoots against Connecticut.

game at any moment for the Huskies during the team's national championship run in 2003. Her teammates looked to Taurasi whenever things went wrong for the big bucket and the crucial rebound.

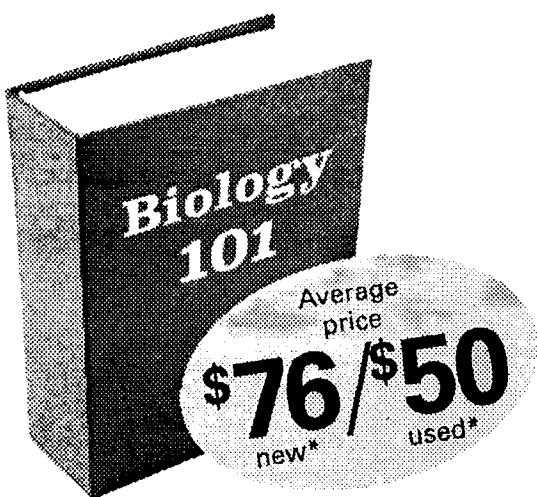
Batteast was that player Tuesday night. She has the potential and talent to be the difference-maker every night for her team.

And if Batteast does evolve into that role, the Irish will not only challenge for the Big East title this season, but be a very dangerous team come tournament time in March.

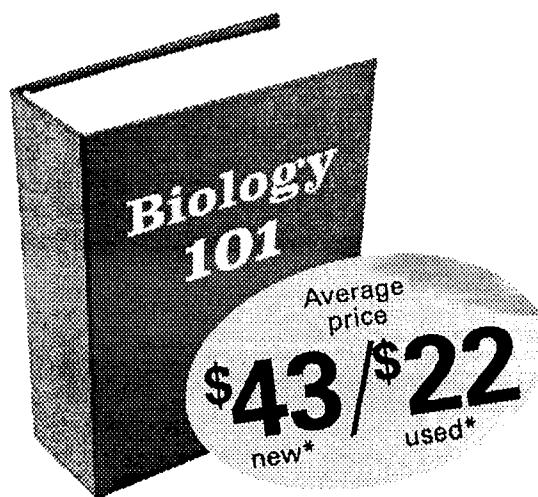
Batteast was the best player on the court Tuesday night. As she continues to improve her game, she has the potential to be the best player on the court every night.

The opinions expressed in this column are those of the author and not necessarily those of The Observer. Contact Joe Hettler at jhettler@nd.edu

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**Same textbooks.
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NBC

continued from page 24

monitor our choice. We haven't made any decision."

Television ratings for Notre Dame home games have steadily declined in recent years. In 1993, when Notre Dame last seriously contended for a national championship, 6.2 million households watched Notre Dame football games, according to data provided by Nielsen Media Research. But that number dropped to 2.6 million in 2003.

The number of people who watch the Irish play on NBC appears to be tied to Notre Dame's success. In the last six years, the Irish have had just three winning seasons. In those years — 1998, 2000 and 2002 — an estimated average of 3.1 million households watched NBC games. When Notre Dame has had a losing season, however, an average of just 2.6 million households have tuned in annually.

Yet Ken Schanzer, the president of NBC Sports, told reporters last month that NBC believed if it didn't renew the television deal, other networks would be more than willing to step in.

The contract extension, coupled with other networks who

consistently televise Irish away games, will help satisfy Notre Dame fans who have come to expect that the Irish will appear on television, Heisler said.

"All of our fans have become spoiled to that, and the expectation has been that in some way, shape or form the game is going to be available," Heisler said. "This will help to give that a chance to be reality on a daily basis."

Since 1991, a portion of the money generated from the NBC contract has been channeled into undergraduate scholarships for non-varsity athletes. The University says it has distributed more than \$12.6 million in financial aid from this fund, and in 2003-04, 111 undergraduates are receiving an average of \$17,600 from money from the NBC contract.

The revenue from the television deal has been one major reason why Notre Dame says it is able to meet 100 percent of the financial needs of its students, Heisler said.

"That's a huge and underpublicized achievement," Heisler said. "For the people in admissions and financial aid, that's a big deal."

Contact Andrew Soukup at asoukup@nd.edu

"All of our fans have become spoiled to that, and the expectation has been that in some way, shape or form the game is going to be available."

John Heisler
associate athletic director

HOCKEY

Cey and Brown net shutouts

By JUSTIN SCHUVER
Associate Sports Editor

Right now, it doesn't seem to matter who is in net for the Irish.

Both junior Morgan Cey and freshman David Brown recorded at least one shutout over the break as Notre Dame went 3-2, including a 1-0 win over then-No. 3 ranked Maine on Dec. 28. Cey collected consecutive shutouts versus Maine and Findlay, a 1-0 victory on Jan. 3 at the Joyce Center.

Brown collected Notre Dame's most recent win, a 3-0 home shutout of CCHA opponent Bowling Green on Jan. 9. It was a nice change of pace for the freshman, who had allowed a combined 15 goals in his last three starts, all losses.

"[Those losses] were very frustrating to me," Brown said after the 3-0 win over Bowling Green. "They were a real test to my character. I was dropping the puck in front and there were some fluky shots that went in. I just tried to focus on one shot at a time tonight and keep things simple."

Fellow freshmen Josh Sciba and Jason Paige, along with senior defenseman Brett Lebda, provided all the

offense Brown would need as he stopped 32 Falcon shots. The shutout was Brown's fourth of the season, a school record.

With the win, the Irish are now 11-7-2 overall and 8-6-2 in the CCHA, good enough for third in the conference and just one point behind Michigan and Miami (Ohio) for first place.

Notre Dame travels on the road to face No. 3 Wisconsin this weekend in a two game non-conference series.

No. 14 Cornell 4, Notre Dame 0

The Irish were blanked by Cornell in the opening round game of the Everblades Hockey Classic on Dec. 27, stymied by Big Red freshman goaltender David McKee, who stopped all 27 Notre Dame shots.

Brown made 18 saves in the loss as the Irish fell despite outshooting Cornell 27-22.

Notre Dame 1, No. 3 Maine 0

The Irish shocked No. 3 Maine at the Everblades College Hockey Classic on Dec. 28, defeating the Black Bears to take third place in the tournament. The win snapped a three game losing streak for the Irish.

Sophomore Mike Walsh scored the game-winning

goal and Cey made 32 saves to pick up the shutout.

Notre Dame 1, Findlay 0

Cey recorded his second consecutive shutout and senior forward Rob Globke scored the only goal to give the Irish a win over non-conference opponent Findlay on Jan. 3.

The junior stopped 27 shots in the win over the Oilers.

Bowling Green 5, Notre Dame 4 (OT)

The Falcons' James Unger scored the game-winning goal with 28 seconds remaining in overtime to give his team the victory Jan. 8. Lebda, Sciba, Paige and senior Aaron Gill each scored for the Irish in the road loss.

Notes:

♦ For his efforts in Notre Dame's recent 3-0 win over Bowling Green, Brown was named the CCHA Defensive Player of the Week for the week ending Jan. 11.

♦ It is the first such honor for the freshman, who has been named rookie of the week three times this season. Brown and teammate Cey have combined for six Irish shutouts this season, already doubling the school's previous record for shutouts in a year.

Contact Justin Schuver at jschuver@nd.edu

WELCOME BACK

JAN.
15

Thursday, 10PM

PARKER AND GAVIN

with Tim Bonadies www.nd.edu/~gferlic

Campus favorites kick off the new semester.



JAN.
16

Friday, 10PM

KENNEDY'S KITCHEN www.kennedyskitchen.com

This seven piece Irish band was formed on St. Patrick's Day in 1998. Need we say more? Be prepared to get your dance on!



JAN.
17

Saturday, 9:30PM

POPULAR GENIUS www.populargenius.com

Named one of Nashville's best, this band brings quality musicianship, clever song-writing, and unparalleled presence to any stage. A must see!

Check out the website:
legendsofnotredame.org

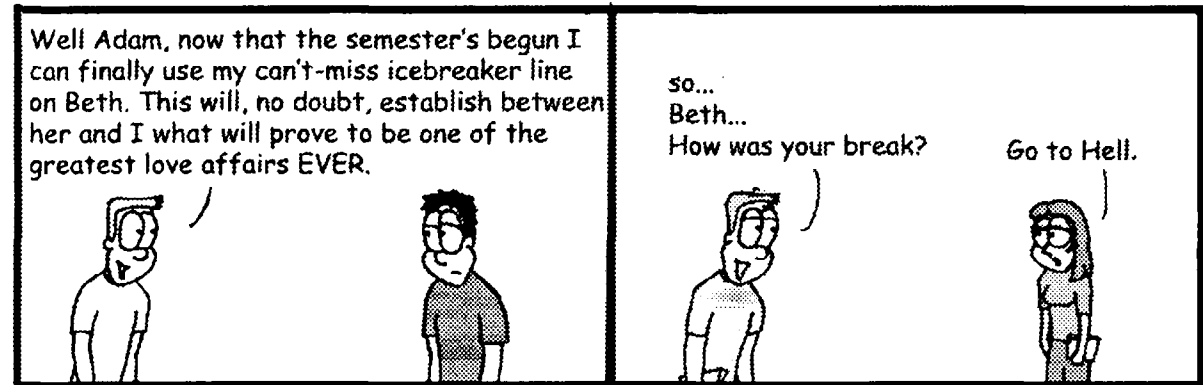
to LEGENDS

FIVES

BRETT CAMPBELL & DAN ZYCHINSKI

JUMBLE

HENRI ARNOLD
MIKE ARGIRION



DILBERT

SCOTT ADAMS



JUMBLE

Unscramble these four Jumbles, one letter to each square, to form four ordinary words.

KYDUS

HOBUG

NOALOS

DILBOE

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www.jumble.com

THAT SCRAMBLED WORD GAME
by Henri Arnold and Mike Argirion

Nobody will suspect me

WHY THE BEAUTY QUEEN BECAME A SPY.

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

Answer: SHE

(Answers tomorrow)

Yesterday's Jumbles: ROUSE WIPED CATCHY INFECT
Answer: What the sailors liked best during their leave overseas — IT WAS "DUTY" FREE

CROSSWORD

WILL SHORTZ

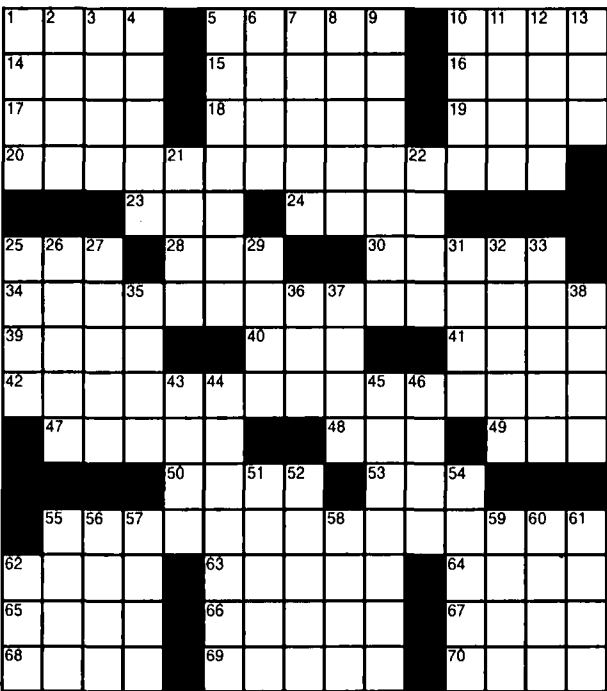
HOROSCOPE

EUGENIA LAST

- ACROSS
- 1 Like some tracks and talkers
- 5 Stereotypically upper-crust
- 10 Make-or-break time
- 14 Cinco y tres
- 15 Golf's "army" leader
- 16 Article in Der Spiegel
- 17 Fella
- 18 Jockey's hand-ful
- 19 Mighty long time: Var.
- 20 Summary of Krzysztof's visit west of Warsaw?
- 23 Bronx attraction
- 24 ___ Grey tea
- 25 Family V.I.P.'s
- 28 Watch readout, briefly
- 30 Model Campbell
- 34 When Krzysztof got up south of Warsaw?
- 39 Pelvic bones
- 40 The Sixties, e.g.
- 41 "... saw Elba"
- 42 What Krzysztof was doing northwest of Warsaw?
- 47 "Gypsy" composer Jule
- 48 Granola morsel
- 49 "Fore" site?
- 50 Baptism or bris
- 53 O.C.S. grads
- 55 Purpose of Krzysztof's travels
- 62 Shade of green
- 63 Like Bigfoot
- 64 Another, in Andalusia
- 65 "Betsy's Wedding" star, 1990
- 66 ___ Detoo
- 67 Quitter's word
- 68 1940's first lady
- 69 Reproduce like salmon
- 70 Artist Paul

DOWN

- 1 French W.W. I commander Ferdinand
- 2 Stomach woe
- 3 Ruler exiled in 1979
- 4 November birth-stone
- 5 Male witch
- 6 Mars: Prefix
- 7 Sarcastic
- 8 Basso Ezio
- 9 "Give me a straight answer!"
- 10 Unwilling to listen
- 11 "Mon ___!"
- 12 In a short time
- 13 Ginza currency
- 21 Big name in pineapples
- 22 Nick or chip
- 25 TV's Hazel, e.g.
- 26 Book with insets
- 27 Time on the job
- 29 Number in a "crowd," in Köln
- 31 Had too much, briefly
- 32 Corday's victim
- 33 "If ___ a rich man ..."
- 35 Hard to recollect
- 36 Son of Prince Valiant



- Puzzle by Bruce Adams
- 37 Green Hornet's aide
- 38 Shoe with a swoosh
- 43 Crucifix letters
- 44 Hired companions, in Japan
- 45 ___ days (happy time in the past)
- 46 Singer James
- 51 "Movin' Out" choreographer
- 52 Madonna title role
- 54 Exchange buy
- 55 Looking scared
- 56 Racetrack figures
- 57 Meadows
- 58 Get one's ducks in ___
- 59 Romance lang.
- 60 French river
- 61 Post-it message
- 62 Sharp left or right

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CELEBRITIES BORN ON THIS DAY: Faye Dunaway, Julian Bond, Lawrence Kasdan, LL Cool J

Happy Birthday: You've got the drive and the passion to accomplish just about anything this year. Don't even think about sitting on the sidelines of life. This is your time to take center stage and let the world know exactly how powerful you can be. You will not have a problem getting the attention you require, so put your best foot forward and implement all those innovative ideas that you've kept locked up inside of you for so long. Your numbers: 4, 19, 28, 37, 41, 46

ARIES (March 21-April 19): Expand your horizons. Take trips that will provide you with adventure and cultural knowledge. Social gatherings will open doors to love connections. ****

TAURUS (April 20-May 20): Don't limit yourself by being stubborn. Your refusal to listen to the advice given by friends or relatives will be your downfall. Job opportunities are present. ***

GEMINI (May 21-June 20): Friends may be unhappy if you allow a new love to monopolize your time. Don't be too eager to get involved in joint financial ventures. **

CANCER (June 21-July 22): Heated arguments with children may lead to changes in your home. Drastic reactions toward others will be detrimental. Be careful whom you lend money to. **

LEO (July 23-Aug. 22): Your dramatic approach to emotional matters may alienate you from the ones you love. Don't let others blame you for things you didn't do. **

VIRGO (Aug. 23-Sept. 22): Problems will surface if you have to deal with institutions. Try to put off meetings with superiors until a more suitable time. ***

LIBRA (Sept. 23-Oct. 22): You can make major improvements if you set your mind to it. Someone you live with appears to be confused. Try to help without making waves. ***

SCORPIO (Oct. 23-Nov. 21): Your mental agility will be at an all-time high. Pursue your professional goals. You can make excellent financial moves if you consider residential changes. ****

SAGITTARIUS (Nov. 22-Dec. 21): Your need for excitement and adventure will be satisfied if you travel or get involved in philosophic groups. A change in your professional direction is in order. ****

CAPRICORN (Dec. 22-Jan. 19): You may be subject to dealing with the affairs of elders in your family. If you haven't left yourself enough time, your mate may be disgruntled by the whole affair. ***

AQUARIUS (Jan. 20-Feb. 18): Tension will cause confrontations with your mate. Opportunities to get involved in secret activities are evident. However, the possibility of damaging your reputation is likely. ***

PISCES (Feb. 19-March 20): One-sided romantic connections will only lead you astray. You are best to keep your thoughts to yourself. Respect the politics that surround you at your place of work. ***

Birthday Baby: It will be hard to say no to you. You know exactly how to get what you want. You're loving, adorable and quick to win the hearts of all those who come in contact with you. You have the energy and charisma to hold the attention of others and the self-confidence that enables you to inspire enthusiasm in those you meet throughout life.
Need advice? Try Eugenia's Web site at www.eugenialast.com

THE OBSERVER

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FOOTBALL

NBC extends football contract through 2010

By ANDREW SOUKUP
Sports Writer

For 13 years, every Notre Dame football home game has appeared on NBC. And thanks to a five-year extension announced Dec. 18, that trend will continue at least through 2010.

Although University and NBC officials declined to say how much the school will receive annually, various news agencies reported the deal is worth \$9 million annually.

"We're extremely pleased to augment what continues to be a very special relationship with NBC Sports," Notre Dame athletic

director Kevin White said in a statement. "The ability to have our home football games telecast on a national basis becomes a tremendous vehicle for us in maintaining a national visibility and platform in terms of our football program's profile and recruiting."

In the past, the money from the

NBC deal has been used to provide financial aid to students at the University. Associate athletic director John Heisler said he expected that trend to continue in the future.

But the decision to renew its television deal should not necessarily be seen as a clear sign that Notre Dame will keep its football

program independent, White said last month.

"There's not an immediate correlation of any kind between those two things," White told the Associated Press. "We made a decision to extend our deal with NBC. We're going to continue to

see NBC/page 22

ND WOMEN'S BASKETBALL

Huskie-sized upset

Batteast's all-around play leads Notre Dame to 66-51 win of No. 4 Connecticut

By HEATHER VAN
HOEGARDEN
Sports Writer

When she hit her first two shots, Connecticut star Diana Taurasi was on her way to redeeming herself after only scoring four points last year at Notre Dame in a 72-53 win.

But Notre Dame's Jacqueline Batteast had plans of her own.

Batteast scored 23 points on 10-of-13 shooting and grabbed 11 rebounds in the Irish's 66-51 upset of No. 4 Connecticut (11-2, 2-1 Big East) Tuesday at the Joyce Center.

"Batteast was just the best player on the court tonight," Huskies coach Geno Auriemma said.

Batteast keyed Notre Dame not only on offense but on defense as well. With 3:17 left in the game and the Irish up 55-51, she blocked a driving Taurasi, then proceeded to score against Taurasi on a driving layup to put the Irish ahead for good. The Huskies didn't score again.

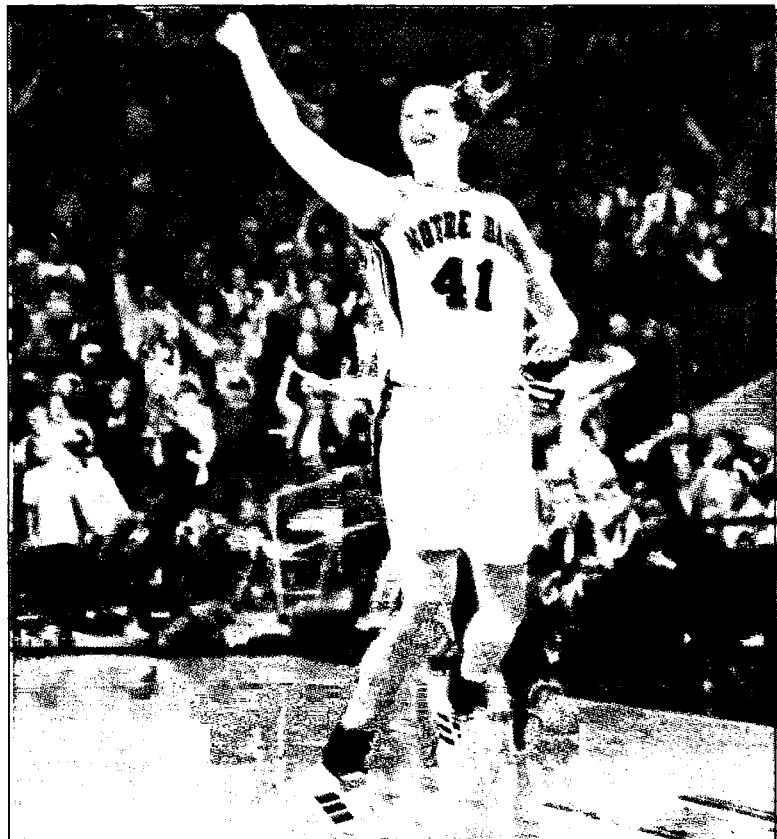
"The block deflated Connecticut," Irish coach Muffet McGraw said. "I thought it was a really big turnaround in the game."

Notre Dame (9-6, 2-1 Big East) led the whole game, their largest lead other than the final margin coming with 6:14 in the first half, when Batteast hit a layup to put the Irish up 30-16.

Connecticut, however, fought

See Also

"Irish experience roller coaster ride over break" page 17



TIM SULLIVAN/The Observer

Forward Courtney LaVere celebrates Notre Dame's upset.

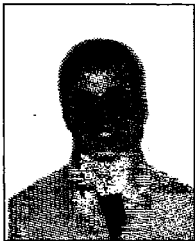
Batteast finally turns in a performance worthy of the best players in the country

After the final buzzer sounded and as the students rushed the court, Irish forward Jacqueline Batteast stood, appropriately at mid-court, threw her hands in the air and embraced the moment.

Yes, Jackie, that game really happened.

And while the rest of her teammates played great throughout the game, Batteast was the centerpiece in leading the Irish to a 66-51 victory over the Huskies in one of Notre Dame's biggest upsets in recent memory. The junior was the heart that kept pumping to carry the Irish ahead of mighty Connecticut Tuesday night.

Batteast showed everyone in the Joyce Center that she, not Connecticut's reigning National Player of the Year



Joe Hettler

Sports Editor

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see BATTEAST/page 20

MEN'S BASKETBALL

Rally not enough for Irish at Pittsburgh

By MATT LOZAR
Associate Sports Editor

Fool me once, shame on you, fool me twice, shame on me.

After the end of Monday's 74-71 loss at Pittsburgh, Notre Dame guard Chris Thomas can relate to that old saying. He twice tried to draw a foul with pump fakes on 3-pointers, but couldn't execute the move, resulting in no points for the Irish.

On defense when the Irish were down 67-66, Thomas fouled Pittsburgh guard Julius Page on a 3-pointer. At Villanova Saturday, Thomas hacked Villanova guard Allen Ray as he shot from behind the arc, but the Irish were up six and Thomas' foul was not damaging.

But Monday, although Page only made 1-of-3 from the line, Pittsburgh forward Chevon Troutman out muscled Notre Dame forward Torin Francis for



CHIP MARKS/The Observer

Jordan Cornette shoots against Mount St. Mary's.

the rebound and tapped the loose ball to a teammate.

see RALLY/page 20

FOOTBALL

Elam to play at Kent

By JOE HETTLER
Sports Editor

Former Notre Dame football player Abram Elam was convicted of sexual battery in August for his participation in an alleged gang rape of a female Notre Dame student with three other football players.

But next week he will start classes at Kent State University with a football scholarship to play for the Golden Flashes in the fall with one year of eligibility remaining.

"He's paid a price," Kent State coach Dean Pees told the Akron Beacon Journal. "I feel very confident that he'll contribute to our program, on and off the field, in

a great manner."

Elam received an 18-month suspended sentence and two years probation for the felony. He was the only one of the four former Notre Dame players convicted of any crime surrounding the incident. Donald Dykes was acquitted, while the prosecutor dropped charges against Lorenzo Crawford and Justin Smith before their trials.

Elam was a reserve safety for the Irish in 2001 after redshirting as a freshman in 2000. Kent State ranked last in pass defense in the Mid-American Conference last season.

Contact Joe Hettler at jhettler@nd.edu

SPORTS AT A GLANCE

HOCKEY

Notre Dame 3 Bowling Green 0

Notre Dame goaltender David Brown gets back on track with a shutout.

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MLB

Maddux, Rodriguez still free agents

The All-Star pitcher and catcher are the biggest names left on the free agent market.

page 19

ND SWIMMING

Notre Dame 104 UC Santa Barbara 101

The men's team inches its way to wins while the women win easily.

page 17

Williams jury selection begins

Jury selection began in the manslaughter trial of former NBA player Jayson Williams.

page 16

NBA

Bryant attorneys bring allegations

Kobe Bryant's lawyers say they must use evidence of the victim's sexual and mental past in the defense.

page 16

Hawks 86 Spurs 77

Shareef Abdur-Rahim scored 29 points as Atlanta held on to an early lead for the win Tuesday night.

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