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Accuser testifies in Dykes trial

Observer Staff Report

The rape trial of former Notre Dame football player Donald Dykes began this week and his accuser, a former Notre Dame student, testified as the first witness for the prosecution on Tuesday.

Dykes is the second of the four former Notre Dame football players accused of sexually assaulting the woman to be tried. He is charged with rape, conspiracy to commit rape and sexual battery.

Dykes, along with Abram Elam,

Lorenzo Crawford and Justin Smith, testified at Elam's trial

earlier this month and all maintained their innocence, claiming the acts were consensual. Elam was acquitted on the charges of conspiracy to commit rape and criminal deviate conduct, but found guilty



Dykes

on the charge of sexual battery.

The woman claims the four football players sexually assaulted her multiple times the morning of March 28, 2002 at Smith's off-campus home. She testified today that she was too scared and in too much pain to leave Smith's home after the alleged gang rape and waited to report it because she did not think accusing Notre Dame football players would win her much sympathy.

Jury selection for the trial started Monday and was a lengthy process as special pre-

ceptor Maureen Devlin and defense attorneys William Stanley and Michael Tuszynski questioned the approximately 90 potential jurors. The juror pool was larger than usual for this case due to fears that the pool may be tainted by the extensive media coverage throughout Elam's trial.

The trials for Crawford and Smith begin later this year.

WNDU and the South Bend Tribune contributed to this report.

County rezones parcel

By MEGHANNE DOWNES
News Editor

The St. Joseph County Council unanimously approved the rezoning of a land parcel near Notre Dame which will become a new upscale residential development near Notre Dame.

Dan Foley and Nicholas Tyszka, who formed the development company DNPEG, decided to build "Irish Crossings" as a residential location for professors and administrators that is close to Notre Dame, citing a need for an upscale community within walking distance of the campus and a retail area.

The site is located on 8.25 acres between Willis and Burdette Streets one block east of Notre Dame. Final plans for the development are awaiting approval and Foley expects the first villas to be completed in spring 2004.

"We knew people who wanted an upscale living area that was an alternative to Granger," Foley said. "Right now the area is a hodge-podge of different homes. Some are rented, some are owned and some are run-down. People are very hesitant to invest there, but by making this into a community, people can be assured they have made a sound investment."

The development, which will begin construction this fall, will have a maximum of 70 single-detached and duplex villas. The entry price for a 1,600 square-foot duplex villa with a basement and attached garage will be \$189,000, Foley said in a press release.

Foley said "Irish Crossings," which complements Notre Dame's master plan to rejuvenate the area adjacent to the University, could have a ripple effect on the area by improving the surrounding residential community and increasing the property values over the next five to 10 years.

Foley and Tyszka decided to develop this land in May after learning the county council, in a 8-1 decision, voted against the development of a tailgate park on the same site.

Contact Meghanne Downes
at mdownes1@nd.edu.

SMC vaccinates against meningitis



ALLISON NICHOLS/The Observer

A Saint Mary's student looks away in fear as she receives a vaccination against bacterial meningitis. Saint Mary's has increased its efforts to educate students about the disease and the vaccination.

By NATALIE BAILEY
News Writer

Saint Mary's Health and Wellness Services provided their third annual vaccination clinic for meningococcal disease, or bacterial meningitis, on Tuesday.

With recent research showing that first year college students have a higher rate of contracting meningitis, awareness of the illness and vaccine is increasing.

This fall semester, colleges are beginning to fully implement the state statute issued in October 2002 that required colleges in the state of Indiana to inform students and their parents of the risks associated with the disease, as well as the availability and effectiveness of vaccination. Those students who decline vaccination must sign waivers.

"The thing that makes

see VACCINE/page 4

Two students to screen '9/11' film

By MATTHEW SMEDBERG
News Writer

Ask Scott Schaefer and Amanda Rothey what they did this summer, and they will not need to search their memory for something interesting.

That's because they participated in a fellowship with the Foundation for the Defense of Democracies that sent them to Israel for two weeks this August to learn about terrorism and its effects. While there, they underwent an intensive regimen of lectures and activities, including meeting an agent of the Israeli counterterrorism force and touring the naval base at Haifa.

Back on campus, Rothey and Schaefer have decided to organize a screening of the documentary "9/11" today as a commemoration of the ter-

rorist attacks and a chance to raise awareness of terrorism and its effects. The screening will begin at 7 p.m., in 102 Debartolo Hall.

"9/11" is a film made by brothers Jules and Gédéon Naudet, who were originally documenting the life of a trainee NYFD firefighter. However, their purpose changed dramatically as airplanes slammed into the World Trade Center towers barely blocks away. "9/11" has been hailed as an extraordinary tale of heroism, heroic too in its own right, and was shown on CBS television last year.

Schaefer and Rothey applied for the fellowship after taking political science with Keir Lieber, who is a fellow of the FDD as well as of the Notre Dame Institute for

see FILM/page 4



Firefighters walk away from the remains of the World Trade Center Towers in New York on Sept. 11, 2001. The men are the topic of the documentary "9/11."

AFP Photo

INSIDE COLUMN

Complainers beware

I always thought writing the Inside Column for The Observer would be a great gig. You've got four hundred words to complain about ... well, anything you want, really.

But when I got the fateful call to actually write this column, I had to rack my brain to find a topic. For once, I had nothing to whine about. So I turned to my best resource — my room-

Nicole Zook
Staff Writer

mates. "What about the dining hall?" they said. True, the lack of a deli or sundae bar (and pretty much any good food) has been the major topic of conversation in our room since school resumed. But the fine quality of the SMC dining hall is a topic that has been beaten to death in the pages of this paper.

So the roommates left me back where I started. Other friends didn't leave me with too much either — book prices skyrocketing (no news there), no money to buy beer (I'm not 21, can't complain about that), and how hard it is to get football tickets if you're not a student (it's been done).

I can't complain about the baseball season because this isn't the sports section. I can't complain about the people who write dumb crap on the sidewalks, because I would dread opening my e-mail for the next two weeks.

I can't complain about the masses of poison ivy down by the lakes, because I haven't rolled in it. I can't complain about the South Bend weather, because it's great so far this year. And as much as it irritates me, I can't even complain about the construction on campus, because my hall is so far away that I can sleep through all of it — and regularly do.

For the first time in my life I had an open forum to gripe to the masses, or the ten people that read this, anyway. I just couldn't think of a single thing that bothered me enough to write about!

So I perused through some old issues of The Observer, looking for some ideas. I figured I could steal some poor sap's argument.

And while I was looking, I really did run across something to complain about.

I cannot stand the people who write in to The Observer to complain about dumb stuff. Really — do we need to go over and over the same argument about whether or not Notre Dame should support homosexuals? The same letter-to-the-editor rant between SMC and ND girls? The never-ending concern with the schools' policies on alcohol, tailgating and party busts?

Trust me. No moans to The Observer are going to change the way the University works, how people feel about war or even the Saint Mary's DH. So please — next time you feel a spiteful letter coming on, turn on some music, let in some fresh air and just be happy to be alive.

You have nothing to complain about.

Contact Nicole Zook at zook8928@saintmarys.edu.

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

CORRECTIONS

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

QUESTION OF THE DAY: WHO DO YOU THINK PROGRAMS THE SPRINKLERS ON CAMPUS?



Kat Donovan
Senior
McGlinn Hall

"The squirrels."



Robert Bauchman
Senior
Off-campus

"It has to be Monk."



Dan Maguire
Senior
Off-campus

"Jesus!"



Jana Miller
Freshman
McGlinn

"Somebody with a sense of humor."



Tai Baird
Sophomore
McCandless

"God."



Jenny Peterson
Junior
Le Mans

"Your five o'clock shadow."



ALLISON NICHOLS/The Observer

Saint Mary's students had an opportunity to enjoy the warm weather Tuesday. The annual Twilight Tailgate, which took place on Library Green, featured food, games, and live musical entertainment from 3 to 7 p.m.

OFFBEAT

FBI probes how man shipped self to Texas

DALLAS — A homesick shipping clerk had himself shipped from New York to Dallas in an airline cargo crate, startling his parents — and a delivery man — when he broke out of the box outside their home.

Charles McKinley, 25, was arrested and jailed on unrelated bad-check and traffic charges after his overnight odyssey. Federal officials are considering additional charges of stowing away on a plane.

Federal officials want to

know how the stowaway bypassed airport security.

Man falls into judge's chamber

DECATUR, Ga. — An inmate found himself before a judge sooner than he expected when he fell through the courthouse ceiling into the judge's chambers while trying to escape, police said.

Ben Rogozensky, 31, was one of about a dozen inmates awaiting hearings Monday when he was taken to the empty jury room to speak with his

attorney.

The inmate asked to go into the adjacent restroom and from there climbed into the ceiling crawl space, DeKalb County sheriff's spokeswoman Mikki Jones said.

State Court Judge J. Antonio DelCampo was in the courtroom when the barefoot Rogozensky fell through the ceiling and landed near the judge's desk in his chambers.

Rogozensky was arrested Sept. 2 and charged with obstruction of officers and giving false information.

IN BRIEF

The Student Union Board will show "The Italian Job" this Thursday, Friday and Saturday in 101 DeBartolo Hall. The movie will play at 10 p.m. on Thursday and 8:30 p.m. and 10 p.m. on Friday and Saturday. Admission is three dollars.

Mothers: Founders of the Environmental Justice Movement will sponsor a lecture featuring Hazel Johnson, a lifetime resident of Chicago Public Housing. The lecture takes place today at 4:30 p.m. in the Hesburgh Center Auditorium.

Anyone who is interested in pursuing a Latin American Studies minor is invited to a meeting today at the Hesburgh Center at 5:30 p.m.

View the SSTAR Grant Project by Sandi Ginter and Lisa Ritter at the Moreau Gallery at Saint Mary's College.

Students for Environmental Action will host their first meeting of the year at the Center for Social Concerns classroom. The meeting begins at 6 p.m.

A Tri-Military Service will be held in honor of those who lost their lives in the attacks of Sept. 11, 2001. The service will take place at 7 a.m. Thursday at the Pasquerilla Center.

Enjoy campus musicians at the Student Union Board's AcustiCafe Thursday night at 9 p.m. in the LaFortune Student Center.

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

	TODAY	TONIGHT	THURSDAY	FRIDAY	SATURDAY	SUNDAY
LOCAL WEATHER						
	HIGH 77 LOW 61	HIGH 82 LOW 69	HIGH 90 LOW 68	HIGH 85 LOW 65	HIGH 78 LOW 50	HIGH 65 LOW 38

Atlanta 80 / 64 Boston 70 / 60 Chicago 82 / 65 Denver 68 / 43 Houston 90 / 72 Los Angeles 80 / 64 Minneapolis 77 / 62 New York 76 / 67 Philadelphia 76 / 62 Phoenix 89 / 72 Seattle 66 / 52 St. Louis 88 / 69 Tampa 90 / 73 Washington 76 / 60

GSU

Graduate Union kicks off new year

By AMANDA MICHAELS
News Writer

The first Graduate Student Union meeting of the 2003-04 school year opened with the unanimous approval of a new budget and a proposal for an economized council system that would decrease the number of standing committees while increasing their allotted stipends.

The tentative budget is set at \$113,653 with a projected \$26,000 surplus rolled over from last year. However, because the budget calculations are based in part on the \$55 fee paid by graduate students, and the number of actual students is said to be considerably higher than was estimated, council members anticipate higher numbers when statistics become available in November.

The budget includes modifications on the stipends for the chairs of each of the GSU's standing committees. These changes stem from the proposal to reduce the number of committees from 12 to eight, freeing up more money to be given to the remaining groups.

"It is very difficult to find people every year willing to be duped into working for the GSU," said Academic Affairs Committee chairman Tim Dale, adding that the condensed committees would mean more shared work, less recruiting issues and more money for the members to work

with.

"I think the plan sounds entirely sensible, and students are being paid fairly for the time they put in," said Holly Vanderwall, a history and philosophy of science graduate student.

Both the budget and the reduction of committees were approved unanimously, though a second budgetary proposal may be necessary when fund statistics are solidified in late fall. Since the committee plan involves amending the GSU constitution, there must be two consecutive majority votes at two consecutive meetings for it to pass.

In other GSU news:

◆ The motion proposed by Electronic Resources Administrator Yanto Go to purchase an upgraded, \$700 server to replace the current one was unanimously passed. Go said that reasons for the change were that the existing server is too slow to accommodate graduate student needs, and still runs the old, outdated operating system.

◆ The GSU will be running a concession stand at the Nov. 8 football game against Navy, and volunteers with training are needed.

◆ The council unanimously approved the motion to sponsor Alexandra Imre and her free EuroGym aerobics course, as she has currently been denied club status by RecSports and can no longer reserve a room for the



ALLISON NICHOLS/The Observer

Graduate Student Union President Martiqua Post updates members at Tuesday's meeting.

class.

◆ Misty Schieberle's request for help in funding the Kaneb Center's program to send graduate students to the Wakonse Conference on College Teaching was unanimously passed.

Contact Amanda Michaels at amichael@nd.edu

SMC issues campus security warnings

By NICOLE ZOOK
News Writer

Two Saint Mary's students have reported to campus security that they were the victims of unwanted sexual advances during the weekend of Aug 29. The advances occurred in a setting where alcohol was present, they said.

Saint Mary's security did not disclose the identity of the women.

"I wouldn't be able to comment at all," said Rosemarie Harris, Interim Director of Security.

Security, however, is taking steps to ensure that other Saint Mary's students feel safe. On Sept. 5, Security Program Coordinator Chris Pennino sent an e-mail to the entire student body.

It reminded students that in situations where alcohol is involved, the chance for an incident such as the one the women faced is much greater.

The message included sev-

eral tips for students, including staying with friends, never leaving a drink unattended and keeping a cell phone on.

After the report, a posting was also hung in each residence hall in several conspicuous places.

Health and Wellness Services also issued a warning earlier in this week. In it, tips for safe drinking were released.

"I always feel safe on campus. It's such a small campus that you are never very isolated; there is usually a security car, building or other people around, even late at night. I personally have never felt like I wasn't safe."

**Corrie Brisson
Saint Mary's sophomore**

In spite of the report by the two young women, most Saint Mary's students are not worried about

being attacked.

"I've always felt safe on campus," sophomore Corrie Brisson said. "It's such a small campus that you are never very isolated; there is usually a security car, building or other people around, even late at night. I personally have never felt like I wasn't safe."

Contact Nicole Zook at zook8928@saintmarys.edu

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Members of the university community and all those beyond with interests in Graeco-Roman constructions of gender and in ancient social and cultural history will find this conference absorbing and enlightening.



Conference Schedule

Friday, September 12, 2003

- 1:30 p.m. **David Ladouceur**, University of Notre Dame
Modern Approaches to the History of Medicine
- 2:15 p.m. **Helen King**, University of Reading
Beards, Blood and Gender: Displaying Difference in the Ancient World
- 3:30 p.m. **Lesley Dean-Jones**, University of Texas at Austin
Pseudo-Aristotle on a Woman's Sexual Emissions

Saturday, September 13, 2003

- 9:30 a.m. **Lawrence Bliquez**, University of Washington
Gynecological Surgery from the Hippocratics to the Fall of the Roman Empire
- 10:45 a.m. **Ann Ellis Hanson**, Yale University
Alternative Medicine in Graeco-Roman Antiquity: The Role of Amulets
- 1:30 p.m. **Keith Bradley**, University of Notre Dame
Retrospect and Prospect
- 2:15 p.m. **Open Discussion**

Film

continued from page 1

International Peace Studies and the Nanovic Institute for European Studies. The FDD is a non-partisan, non-profit think tank based in Washington, D.C. dedicated to educating Americans about the threats which terrorism poses to democratic societies. Among its board members are Steve Forbes of Forbes magazine, Newt Gingrich and Donna Brazile, who managed Al Gore's 2000 presidential campaign. Approximately 50 students were selected from around the country to participate in the fellowship, which attempts to use Israel as a case study of how a democratic government can effectively fight terrorism.

"The program wasn't intended to study the political

crises and issues which surround the Middle East, particularly Israel and Palestine," said Schaefer. "It was so that we, the participants, and those with whom we come in contact, may realize that terrorism in any form, in any place, is a terrible thing which must be stopped."

Nevertheless, the program included lectures from the Turkish and Indian ambassadors to Israel.

The program primarily took place in Tel Aviv, and although the students were not injured, there were two suicide attacks in the city's suburbs, and two days after they group departed from Israel, another suicide attack on a Jerusalem bus left 18 dead and over 100 wounded.

Contact Matthew Smedberg at smedberg@nd.edu.

Vaccine

continued from page 1

[meningitis] so frightening, even though it is considerably rare, is that it can be so severe and fatal," registered nurse Cynde Horton-Cavanaugh said. "A significant number of people who contract it die or have life long side effects. Understanding this is a major motivation for parents to encourage students to get immunized."

Studies show that about 2,600 people get meningococcal disease each year in the

United States and 10 to 15 percent of these people die. Of these, approximately 100 to 125 cases are among college students and five to 15 result in death.

Junior Cathy Tindall became aware of the disease just before her first year at Saint Mary's. She remembers being told about a student athlete who contracted the illness, showed the symptoms, and went untreated until it was almost too late.

"The symptoms [of meningi-

"The thing that makes [meningitis] so frightening, even though it is considerably rare, is that it can be so severe and fatal."

Cynde Horton-Cavanaugh nurse

tis] seem so common," Tindall said. "The flu goes around so much that they can easily be ignored, so I think that it is better to be safe and get the vaccination, than be sorry."

Further research is being performed to determine who is at an increased risk for the disease and why.

Contact Natalie Bailey at baill1407@saintmarys.edu.

Law suits against piracy anger some

Associated Press

LOS ANGELES — The recording industry has taken its piracy fight directly to music fans, suing more than 200 people this week alone. Now comes the hard part: Persuading the very people it has threatened with legal action to revisit music stores or to sample legal downloading services.

It might prove difficult to do so, some observers say, because the industry's lawsuit campaign could spark a consumer backlash spurred by the discontent many music fans already feel over soaring CD prices and the reduction of retailers offering varied music titles.

"The real hope here is that people will return to the record store," said Eric Garland, CEO of BigCampagne LLC, which tracks peer-to-peer Internet trends. "The biggest question is whether singling out a handful of copyright infringers will invigorate business or drive file-sharing further underground, further out of reach."

Jason Rich, of Watervliet, N.Y., said the record companies' campaign prompted him to stop downloading music from file-sharing networks, but he called the issue "disconcerting."

"I think it's kind of silly to go after individuals," said Rich, 26. "There are so many Web sites out there, people don't know necessarily they're doing anything wrong."

Some of the music fans

caught in the piracy net cast by the recording industry took steps Tuesday toward settling the copyright infringement lawsuits levied against them for sharing song files over the Internet.

The industry sued 261 people on Monday and has promised to sue hundreds more in coming weeks as it strives to stamp out music piracy it blames for a three-year slump in CD sales.

The Recording Industry Association of America settled the first of the suits Tuesday for \$2,000 - with the mother of a 12-year-old defendant, Brianna LaHara of New York. Brianna was accused of downloading more than 1,000 songs using Kazaa.

RIAA Vice President Matt Oppenheim said he was not surprised to see young and old alike caught in the industry's snare.

"We know that there are a lot of young people who are using these services and we totally expected that we would end up targeting them," Oppenheim said.

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ARGENTINA

Government defaults on IMF loan

Associated Press

BUENOS AIRES — Argentina defaulted on a \$2.9 billion loan owed to the International Monetary Fund on Tuesday, complicating efforts to restore its standing with the international financial community.

It was the second time this year the nation failed to make a payment to a multilateral lender. It also missed a deadline on a \$681 million payment to the World Bank in January.

A government official, speaking on condition of anonymity, said the payment wasn't made by the close of business Tuesday but negotiations with the IMF were continuing.

The missed payment is not likely to immediately affect the economy, but could further damage investor confidence at a time when the country has shown signs of beginning to emerge from a financial crisis that began in 2001.

Argentine officials said they were not willing to tap the country's \$13.5 billion in reserves to make the payment without assurances of a new long-term deal. They aren't seeking any fresh loans, but a rollover of about \$12.5 billion the country owes the IMF over the next three years — a step that would give the economy significant breathing room.

Officials had been negotiating with the IMF for months to secure the long-term agreement. But talks appeared to stall last week after the IMF insisted the government implement deeper economic reforms.

Argentina needs a new agreement to restructure the \$103 billion in public



Demonstrators march through downtown Buenos Aires Tuesday protesting the International Monetary Fund. Argentina has refused to pay its debts to the IMF because of what they describe as unjust stipulations for use of the funds.

debt it defaulted on in December 2001 at the height of its worst-ever economic crisis. That decision cut off badly needed external financing for both the government and local companies, leaving most businesses to rely heavily on cash instead of credit.

In recent months, the economy has stabilized after a turbulent period that forced a currency devaluation and a \$143 billion debt default overall.

Earlier this year, the

IMF's executive board approved a \$320 million loan installment as part of an interim program. That approval came despite Argentina's failure to meet several economic benchmarks.

As part of a new accord, the IMF wants Argentina to overhaul the banking sector, compensate banks for losses and increase public utility rates that were frozen since last year's currency devaluation.

But President Nestor

Kirchner has been outspoken about giving priority to Argentina's domestic needs, dismissing IMF demands that the country increase budget savings for those measures.

During the months of talks, Argentine and IMF officials have sought to mend a relationship that soured over the financial crisis. An IMF decision to suspend an emergency aid program months before the economy unraveled had forced the country into default.

INTERNATIONAL NEWS

U.S. alleges Iranian nuclear violations

VIENNA, Austria — The United States accused Iran on Tuesday of violating the Nuclear Nonproliferation Treaty but said Tehran had "a last chance" to prove it wasn't running a covert weapons program.

Backed by key allies, chief U.S. delegate Kenneth Brill took Iran to task on the basis of a report outlining discrepancies between its past statements on its nuclear program and findings by the International Atomic Energy Agency. The report, by IAEA chief Mohamed El-Baradei, lists the discovery of weapons-grade enriched uranium and other evidence that critics say point to a weapons program.

"The United States believes the facts already established would fully justify an immediate finding of noncompliance by Iran," Brill said at a meeting of the agency's board. Still, he said, the Americans were ready to give "Iran a last chance to drop its evasions" before pushing for punitive action.

Car bombing rocks northern Iraq

ANKARA, Turkey — A car bomb exploded Tuesday outside an office used by U.S. soldiers in northern Iraq, private CNN-Turk television reported. Several people were wounded, but it was unclear if Americans were among them.

The wounded included Iraqi Kurdish guards and children from nearby houses. Firefighters were at the scene of the blast in Irbil, the largest city in Kurdish-controlled northern Iraq.

U.S. military officials said they could not immediately confirm the report on CNN-Turk, a local subsidiary of U.S.-based CNN.

U.S. soldiers flew to the site by helicopter and cordoned off the area together with local Iraqi Kurdish fighters.

A Turkish reporter at the scene said by telephone that the blast collapsed the front of the two-story building. He said that most of the injured were from nearby houses.

NATIONAL NEWS

Democratic candidates criticize Bush

BALTIMORE — Sen. Joe Lieberman accused Howard Dean in a campaign debate Tuesday night of turning his back on Israel, and the Democratic presidential front-runner shot back that he and former President Bill Clinton held the same view on the issue.

"It doesn't help ... to demagogue this issue," Dean quickly added in the sharpest clash of the young Democratic debate season.

Two days before the second anniversary of the Sept. 11 attacks, Democrats criticized President Bush's handling of the war on terror at the same time they began to sketch out their differences on foreign policy.

Rep. Dennis Kucinich of Ohio criticized Rep. Dick Gephardt of Missouri for voting to support the war in Iraq.

Without mentioning any names, Sen. Bob Graham of Florida attacked Democrats for voting for the same legislation, saying they "gave the president a blank check."

LOCAL NEWS

Homeless man to run for city council

PAINESVILLE, Ohio — A self-employed homeless man will face an eight-year incumbent at the Nov. 4 elections, despite his opponent's concern over residency requirements for the city council seat.

The Lake County elections board voted 4-0 Tuesday to add Michael Padula's name to the ballot, rejecting City Councilman William Horvath's questions about Padula's eligibility.

The city charter requires a council member to have lived in the ward for one year. The board agreed that Padula had established residency by living in a garage for 18 months. He now lives out of a 1985 Chevrolet van.

Padula, a self-employed carpenter, said he earned \$2,500 last year, but a slow economy cut into his home-remodeling business.

The part-time council position pays \$6,000 a year.

Alabama rejects tax increase

Associated Press

MONTGOMERY, Ala. — Gov. Bob Riley's \$1.2 billion tax package was rejected overwhelmingly Tuesday night as voters agreed with those who said Alabama needs spending cuts rather than the largest tax increase in state history.

With 39 percent of precincts reporting, 342,058, or 66 percent, opposed the plan while 173,565, or 34 percent, voted for it.

The Republican governor promoted the tax package — the largest percentage tax boost proposed in any state — as the way to get Alabama off the bottom of many national education rankings.

But opponents, including leaders of Riley's own party, said Alabama politicians need to cut wasteful spending rather than raise taxes.

"The opponents were able to play on the voters' cynicism about politicians in Alabama, that the tax increase wasn't necessary, and that

even if it did pass the money wouldn't go to education," said David Lanoue, chairman of the political science department at the University of Alabama.

At polling places across the state, voters voiced their distrust of politicians.

"If the money they have now was spent wisely, we wouldn't need this," said Adie Ward, a 74-year-old retired state employee from Montgomery.

Some, however, agreed with the governor that a tax hike could lift Alabama's public schools.

"This tax bill is written for the future of our kids and of Alabama," said Roger Smith, a 54-year-old minister of music in Birmingham.

Riley repeatedly told voters in last year's election for governor that he never supported a tax increase during his six years as a congressman. But when he became governor in January, he said he "had no choice" in proposing a tax increase to alleviate the state's

worst budget deficit since the Great Depression. Without a tax hike, he said, budget cuts would be so deep that state government wouldn't function.

The Alabama Legislature is expected to be called into special session in about a week to deal with the red ink. The new fiscal year begins Oct. 1.

Riley's plan was aimed at erasing a \$675 million budget shortfall and pay for new education programs, including college scholarships, a longer school year and distance-learning technology that would allow rural schools to offer the same advanced courses as urban schools.

Many states raised taxes and fees in 2003 to cope with budget problems. California added \$4 billion and New York nearly \$2 billion, but Alabama's package was the largest in terms of the percentage increase in state tax revenue — nearly 20 percent when completely phased in over four years.

Domus Properties educates students about safety issues

By KATE DOOLEY
News Writer

Domus Properties sponsored a seminar Tuesday to educate its tenants about personal safety and hosting responsible parties.

The company rents over 38 houses to students and said they have a vested interest in educating their tenants about personal safety.

"We do this for the students because we are concerned about them and their safety," Mark Kramer, owner of Domus Properties, said.

Speakers at the annual BBQ and seminar included representatives of the South Bend Police Department, the South Bend Code Enforcement Department, Notre Dame Security, and Residence Life.

The speakers focused on potential issues students may face and ways these issues can be prevented.

Patrick Hechlinski, a South Bend Police officer, said that the seminar is a good way to

educate students who may be living on their own for the first time.

"We want to make sure students are alert and using their street smarts while they are living off-campus," he said.

He said that criminals are looking for easy targets, so the best prevention is being aware of your surroundings. Hechlinski added that the seminar is not specifically in response to crime or problems in the area, but instead organized for preventative reasons.

"By hosting the seminar, we are taking pro-active steps to prevent problems", he said.

The police officers gave students phone numbers that they can call for help and informed them of programs the police department offers to assist students.

One program is a Homewatch service, where officers will monitor a house while its tenants are on break, to help prevent break-

ins. Along with safety tips, Hechlinski also warned students of the ramifications of violating South Bend laws. He wanted students to be aware of the fact that they could receive citations for serving underage drinkers or breaking noise ordinances.

Residence life and Notre Dame security also addressed the idea that actions by students off-campus have real consequences.

He said that the University expects students to respect duLac rules even when they are living off-campus.

"Just because you are off-

campus, certain types of behavior will still come to the attention of Resident Life," Rick Kazmierzak, a Notre Dame Security and Police officer, said.

Contact Kate Dooley at dool6110@saintmarys.edu

Boston Archdiocese settles for \$85 million

Associated Press

BOSTON — The Boston Archdiocese agreed Tuesday to pay \$85 million to 552 people who claim sexual abuse by Roman Catholic priests devastated their lives, giving victims long-awaited recognition of their pain and the U.S. church a chance to move forward from its worst scandal ever.

The deal is the largest publicly disclosed payout by a U.S. diocese to settle molestation charges.

Finalized after months of negotiations, the pact came with a new pledge from the church to prevent abuse in the future and a sense from victims that the burden of their anguish has been lightened. "This piece of paper means one thing to me and many men I represent here today. From this day forward I am not an alleged victim of clergy abuse. I am recognized, I'm a survivor," said Gary Bergeron, who sued for molestation by the late Father Joseph Birmingham.

Under the agreement, victims will receive awards ranging from \$80,000 to \$300,000. Award amounts will be decided by a mediator, based on the type of molestation, the duration of the abuse, and the injury suffered.

Parents who filed lawsuits claiming their children were abused will receive \$20,000.

The church also will provide for psychological counseling for victims for as long as they want it, and will put some victims on advisory boards monitoring the abuse problem.

Boston's new archbishop, Sean O'Malley, was in Washington at a meeting of the U.S. Conference of Catholic Bishops as the deal was struck but sat in on critical negotiations over the weekend.

"It's a good day for the archdiocese," said his spokesman, the Father Christopher Coyne.

"We haven't had too many over the last couple of years, but this is one."

The archdiocese also released a statement saying in part that it is "committed to doing everything humanly possible to make sure that this never occurs again. Our prayer is that this may, with the help of God, become a reality."

Coyne said the church is still looking for ways to finance the settlement. Possible revenue sources include selling off surplus property and suing the archdiocese's insurance carriers.



Pirámides, Palacios y Playas

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QUOTES & FACTS

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"The cinema is not an art that films life: the cinema is something between art and life. Unlike painting and literature, the cinema both gives to life and takes from it... Literature and painting both exist as art from the very start; the cinema does not."

-Jean-Luc Goddard (1930), French film director

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Sat. 9/13 7:00PM: ND vs. Utah

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Sun. 9/14 1:30PM: ND vs. S. Carolina

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MARKET RECAP

Dow Jones 9,507.20 -79.09

Up: 6 Same: 0 Down: 21 Composite Volume: 1,907,869,000

AMEX	992.81	-3.94
NASDAQ	1,873.43	-15.19
NYSE	5,766.18	-39.42
S&P 500	1,023.10	-8.47

COMPANY	%CHANGE	\$GAIN	PRICE
JDS UNIPHASE (JDSU)	+4.74	+0.19	4.20
SIRIUS SAT RADI (SIRI)	+5.95	+0.10	1.78
CISCO SYSTEMS (CSCO)	-0.38	-0.08	20.78
INTEL CORP (INTC)	-1.34	-0.39	28.79
MICROSOFT CORP (MSFT)	-1.63	-0.47	28.37

IN BRIEF

Conseco recovery plan approved

INDIANAPOLIS — A judge on Tuesday approved Conseco Inc.'s bankruptcy reorganization plan, clearing the way for the company to pursue its goal of emerging as a profitable insurer after nearly nine months under Chapter 11 protection.

The plan cuts Conseco's debt load to \$1.4 billion from the \$7 billion it owed Dec. 17, when it became the third-largest U.S. company to file for bankruptcy.

Bondholders, who were owed \$1.5 billion, will assume majority control as Conseco casts off unprofitable consumer finance operations. The reorganized Conseco will focus on restoring improved credit ratings to the traditional insurance business that made the firm a Wall Street darling through most of the 1990s.

At a hearing in Chicago, U.S. Bankruptcy Judge Carol Doyle approved Conseco's exit plan, as well as a separate plan for the consumer finance unit the parent company is selling.

Dollar records heavy losses

NEW YORK — Hurt by continued concern about the stubbornly weak U.S. labor market, the dollar slid sharply against its main rivals Tuesday apart from the yen, thanks only to another round of apparent intervention by Japanese monetary authorities.

Strong bids from Japanese and U.S. financial institutions — some out of Tokyo — lifted the dollar from its lows during New York trading, preventing it from sinking below 116.00 yen, a level market participants say Japanese authorities are determined to protect.

This was virtually the only respite the dollar got all day. Against the euro, Swiss franc, sterling — and until the apparent intervention, the yen — the currency was consistently under heavy selling pressure.

FTC investigates Dana Corp. takeover

DETROIT — The Federal Trade Commission on Monday asked for more information about potential antitrust issues surrounding automotive supplier ArvinMeritor Inc.'s \$2.2 billion hostile takeover bid for rival Dana Corp.

Last month, ArvinMeritor, a Troy-based supplier of shocks, struts, suspensions and exhaust systems, extended its offer for Toledo, Ohio-based Dana, its largest competitor, to Oct. 2 after its original \$15 per share cash offer expired. Both companies have extensive Indiana operations.

Dana said the FTC's request highlights antitrust concerns about the potential takeover, while ArvinMeritor said the request wasn't unusual and its scope was expected. The request was expected to give the FTC more time to examine the bid.

ND joins prepaid tuition program

By MATT BRAMANTI
 News Writer

Notre Dame has joined a popular prepaid-tuition program which offers significant tax benefits to families, University officials announced.

Joseph Russo, director of the Office of Student Financial Services, praised what he called "a more secure approach" to saving for college.

The program, called the Independent 529 Plan, allows families to lock in the current level of tuition and fees — minus a small discount — by contributing to a specially managed investment account. Contributions of up to \$110,000 are not subject to the federal gift tax, and the investment grows tax-free, as long as the funds are used for educational expenses.

The accounts are also portable, meaning the money can be used at any of the 200 participating private colleges and universities. In the event a beneficiary attends a public or non-participating private institution, the funds can be used for those expenses without penalty.

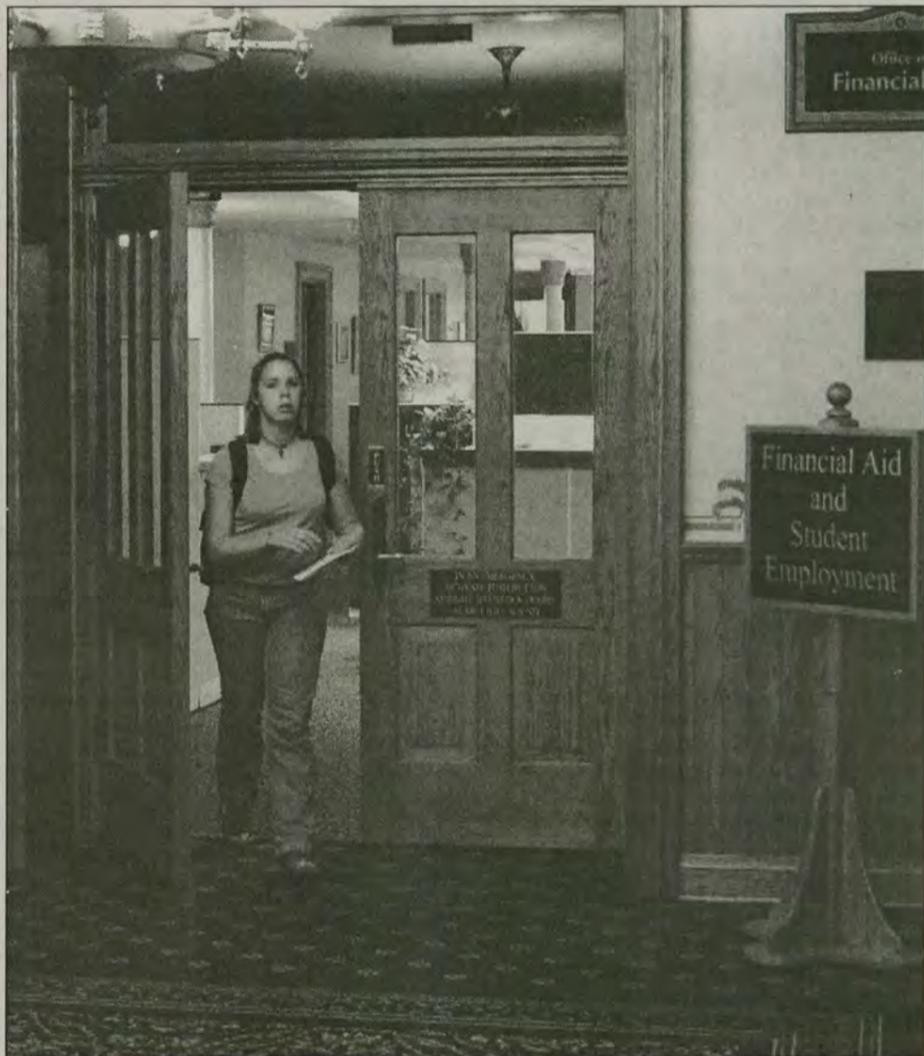
While 529 plans — which get their name from the section of the tax code that authorized them — have been around since 1997, they were administered by states, with the intent that the money would be used at public universities.

Recognizing the need for a plan to help families pay for expensive private education, hundreds of institutions formed the Tuition Plan Consortium, aimed at lobbying Congress to amend the 1997 law which authorized 529 plans.

"There were over 200 institutions who supported the effort," Russo said.

The result was the first 529 plan administered by colleges rather than states.

"Notre Dame has, as part of our basic mission, the responsibility to take a leadership role in promoting planning and saving for education," Russo said.



Allison Nichols/The Observer

A student exits the Office of Financial Aid in the Main Building. The Office of Student Financial Services is becoming a member of the "Independent 529 Plan."

"We're taking a national leadership role, and we're very proud of it."

The program is administered by TIAA-CREF, a New York-based firm that manages over \$250 billion in assets. By investing in conservative but profitable securities, TIAA-CREF — the nation's largest pension fund manager — can minimize risk, while ensuring that the money will grow steadily over time. Russo praised the company as a leader in the college-savings business.

"TIAA-CREF manages a number of programs, so they've got a lot of experience," he said.

The plans have proven to be very popular among families who fear skyrock-

eting tuition bills in the future. "There's \$25 billion out there in 529's," Russo said.

The money is certainly needed. According to a 2002 survey by investment bank Morgan Stanley, only 33 percent of U.S. families believe they are saving enough for college expenses, while 54 percent of families have not started saving at all.

At the current rate of hikes in tuition — around 5 percent — a Notre Dame education for a child born today will cost over \$290,000, excluding room and board.

Russo acknowledged that marketing the program will be challenging, since many of the students it will help

are still in grade school, or even younger. He said the Alumni Association is working to educate its members about the plan, since about 25 percent Notre Dame undergraduates were born to alumni. Notre Dame financial aid officials will also work with TIAA-CREF to build awareness of the program.

Russo encouraged families to start saving early.

"With a little discipline early on in a young family's life ... paying for college can be a lot easier," he said. "[The 529 plan] is another product that can keep a Notre Dame education affordable."

Contact Matt Bramanti at mbramant@nd.edu

Purdue gets \$18M grant for germ research

Associated Press

WEST LAFAYETTE, Ind. — The federal government has awarded Purdue University nearly \$18 million in grants to study viruses thought to have potential as biological weapons.

The two grants awarded by the National Institutes of Health will allow Purdue biologists to study viruses and also speed the development of antiviral agents that could result from the research.

"This grant is a significant achievement for both structural biology and Purdue as a whole," Richard J. Kuhn, primary investiga-

tor for the projects, said in a news release Tuesday.

The grants will enable Purdue researchers to more efficiently analyze the protein building blocks of viruses, Kuhn said. The money also could allow researchers to make advances in viral research in a fraction of the time they now consider necessary, he said.

The larger award of \$14.7 million will support basic research on the fundamental biology of viruses, including the myriad proteins that form various parts of viruses.

"Up to this point, we have only been able to focus on one protein at a time," Kuhn said.

The money will allow Purdue to

establish a new type of laboratory and "produce about 100 proteins simultaneously," he said.

The second grant, \$3.2 million, will support development of antiviral compounds that might emerge from the research.

"We have moved with unprecedented speed and determination to prepare for a bioterror attack or any other public health crisis since the terrorist attacks of 2002," said Tommy Thompson, secretary of the U.S. Department of Health and Human Services. "These new grants add to this effort."

Spending of the money from both grants is to be spread over 4 1/2 years.



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INSPIRING THOUGHT

Study urges society to battle underage drinking

Associated Press

WASHINGTON — Alcohol and youth make a dangerous combination, a \$53 billion problem that

can lead to increased crime and traffic deaths and one the government, parents and industry need to solve, the Institute of Medicine said Tuesday.

The institute, a health policy advisory center affiliated with the National Academies, urged higher federal and state taxes on alcoholic beverages, tougher state drinking laws, better state identification cards and improved policies for detecting and stopping underage drinking parties.

As the report was being issued, the alcoholic beverage industry said it will increasingly target its advertising away from youth.

The Beer Institute and the Distilled Spirits Council of the United States said their members plan to limit advertising to media with 70 percent adult audiences.

The current standard is a majority adult audience — over 50 percent — and the Federal Trade Commission said Tuesday, in its own report, that the industry has improved to 99 percent compliance.

The FTC study was issued at the request of Congress because of the suspicion that newly popular flavored alcoholic melt beverages were being targeted at youth.

The FTC concluded that was not the case but noted that young

legal drinkers and the underage tend to watch many of the same shows and read the same magazines.

Besides advertising, the FTC said national alcohol policy should deal with the ways underage drinkers obtain beverages they cannot legally drink.

“There’s still too much advertising in the magazines and on the television and radio programs that attract our kids.”

**Jim O’Hara
Center on Alcohol
Marketing and Youth
Georgetown University**

Nonetheless, Jim O’Hara of the Center on Alcohol Marketing and Youth at Georgetown University said alcohol companies have to do more to keep their advertising from reaching children.

“There’s still too much advertising in the magazines and on the television and radio programs that attract our kids,” he said.

The Center for Science in the Public Interest welcomed the Institute of Medicine report as “a historic first step toward ending decades of complacency about one of the most damaging and widespread public health and safety threats facing society.”

Alcohol use is deeply rooted in American society, the report observed, but underage drinking is a significant factor in traffic fatalities, suicide, violent crimes

and academic failure.

Richard Bonnie, a professor at the University of Virginia and chairman of the institute’s committee that prepared the analysis, said a major goal needs to be to persuade adults to avoid behavior that would encourage underage drinking.

The need is a “comprehensive program involving all sectors of society and a common acceptance of responsibility,” he said.

The committee estimated the cost to American society of underage drinking at \$53 billion annually in losses stemming from crime, traffic crashes and other activities.

A 2002 study found that 72 percent of 12th graders and 39 percent of eighth graders reported having consumed alcohol in the previous year.

Federal and state excise taxes are potentially important tools for preventing and reducing underage drinking, the report suggests. The committee said that even small changes in these taxes can reduce drinking by youths, who tend to have limited incomes.

Bonnie said he expects opposition to higher taxes, but evidence shows that they have a significant impact on youth drinking.

State taxes vary, but federal alcohol taxes amount to \$2.14 per 750-ml bottle of 80 proof spirits, 33 cents per six-pack of beer and 21 cents per bottle of wine.

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Three wounded in Calif. drive-by

Associated Press

LOS ANGELES — Three teenage students were critically wounded in an apparent drive-by shooting across the street from a San Fernando Valley high school Tuesday afternoon.

Police Chief William Bratton said investigators believed the shooter, one of three people in a car, missed an intended target, instead hitting three of the hundreds of students in the area.

Someone in the car yelled out “where are you from,” police said, describing that as gang language.

A 17-year-old girl and a 16-year-old boy were rushed by ambulance to trauma centers and a 15-year-old boy was

flown by helicopter to a hospital, said Fire Department spokesman Brian Humphrey.

Blood and book bags remained on the sidewalk where paramedics treated the teens.

All were students at Taft High School in the Woodland Hills area, said Los Angeles Unified School District spokeswoman Francine Eisenrod. Their parents were notified, but the school declined to release their identities.

“We do know those children were not gang-involved. They were innocent kids,” said Taft interim Principal Pete Ferry. “This is a community crisis that we just aren’t used to.”

The victims had been standing at a bus stop across the

street from the school, police said.

Steven Montalvo, a student at Taft, said he was waiting for the bus when he heard the gunshots. He thought they were fireworks at first.

“All of a sudden two more shots, and everybody started running,” he told KCAL-TV. Montalvo said the girl was shot in the stomach, and one of the boys was shot in the chest.

Taft’s 3,400 students had been given a scheduled early release about 1:30 p.m. and the shooting occurred about a half-hour later, school district spokeswoman Hilda Ramirez said.

Officials planned to have crisis teams at the school when classes resumed Wednesday.

Barnes & Noble ends e-book sales

Associated Press

NEW YORK — Barnes & Noble.com, once an aggressive competitor in the electronic market, stopped selling e-books Tuesday, citing both limited sales and limited technology.

“We did not see sales take off as we and many others had anticipated,” Daniel Blackman, vice president and general manager of Barnes & Noble.com, said Tuesday.

“The other factor is that consumers haven’t embraced the technology. There isn’t widespread adoption of an affordable and an easy to use e-book device.”

In an e-mail sent to customers, Barnes & Noble.com said that those who purchased

an e-book in the Adobe format have 90 days from the date of purchase to complete their download. People using Microsoft have until Dec. 9 to access their e-books.

“In the short term, it’s disappointing,” said Arthur Klebanoff, founder of RosettaBooks, which sells digital versions of works by Pat Conroy, William Styron and others.

“But it’s also true that if the market keeps growing, and I think it will, they’ll be back in with both feet.”

Demand for e-books has been growing quickly, but remains relatively tiny. According to the Open eBook Forum, a trade organization, e-book sales totaled about \$5 million in the first half of 2003, compared to \$3.8 million in the first half of

2002. “One bookseller dropping out will have no impact on Random House’s commitment to e-books,” said Random House Inc. spokesman Stuart Applebaum.

Open eBook Forum executive director Nick Bogaty said he has no individual corporate statistics, but believes Barnes & Noble.com had just a small percentage of sales. Palm Digital Media, OverDrive, Inc., and Amazon.com are among the leading e-book competitors, Bogaty says.

Barnes & Noble.com had been quite active in the market, even starting its own digital imprint in 2001 and releasing an original work by Dean Koontz.

“We all believe there is a future for e-books,” Blackman said. “It’s just not here yet.”

THE OBSERVER VIEWPOINT

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Wednesday, September 10, 2003

THE OBSERVER

The Independent, Daily Newspaper Serving Notre Dame and Saint Mary's

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

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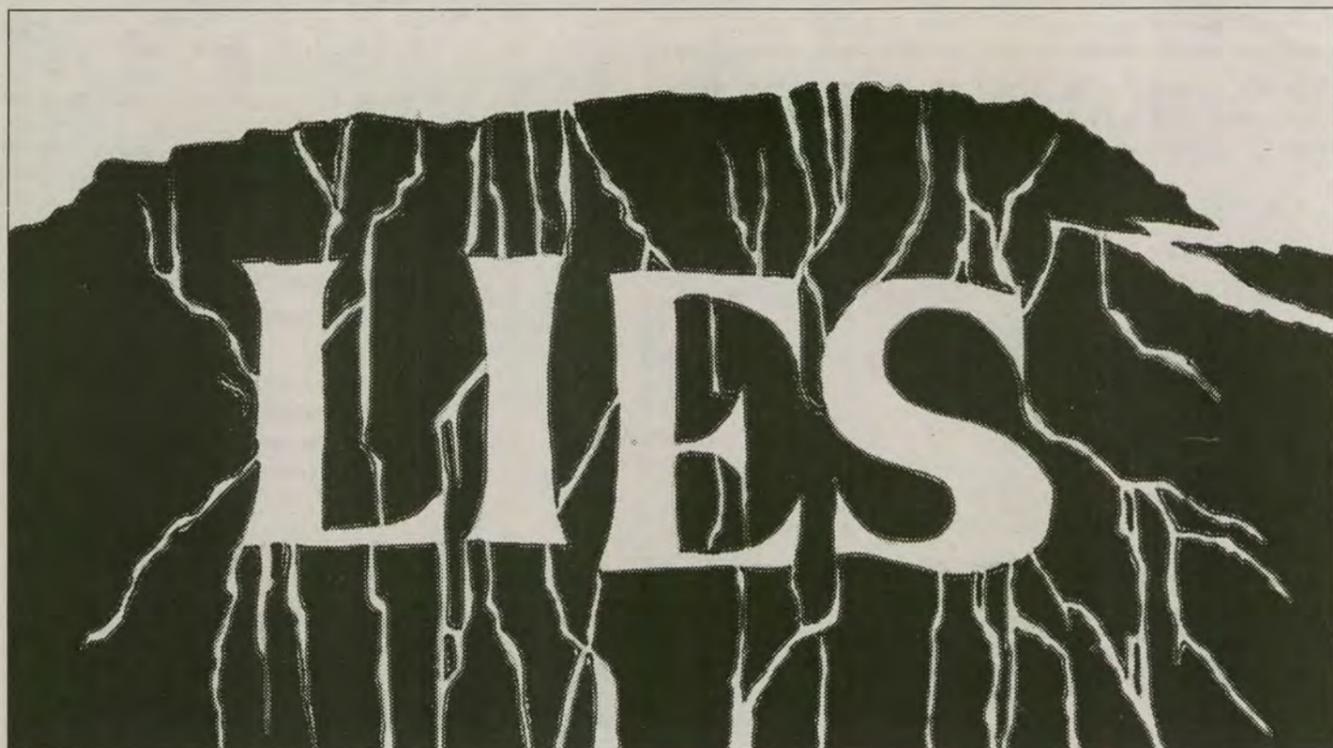
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Let's have some decency

I walk into a party on some familiar street near campus and I see a lot of familiar faces. Saying hello and making sure to be seen, I make my way through the crowd in search of something or someone I have yet to determine. I'm always in search of something that can hold my attention for awhile — if not the whole night.

The music is loudly blaring some unknown rap artist that I have no intention of hearing again after tonight. Everyone seems to be moving in hyper drive, the frustrations of the week and a close football game having finally subsided. Usually, I would head straight for the doorman who holds the rights to house cups but tonight I don't feel like drinking and I'm not sure why. Maybe the excitement found at the beginning of each school year is wearing off. Who knows?

I weave in and out through the crowd and stop to have a couple two minute conversations with people that I know neither of us is going to remember the next day. In one of these chats, though, I come across some troubling information. My aimlessness now has a goal and I begin to search. One person. One goal. I need to help out, do something.

It isn't long before I pass through an open doorway and around the crowd that has accumulated near the keg. A group of my friends are in the pack, though, and distract me into a couple of meaningless and testosterone driven conversations that none of us would repeat to our mothers. It isn't too long before I break free from them, citing the urge to pee

as my excuse.

Two steps in the opposite direction and I see her. Vertical streaks cover both sides of her face and her eyes remain locked on the center of the floor, empty and distant. I ask a friend of mine how long she's been like this and he says about an hour. I sit down next to her and without a word she slides one shoulder down and lays her head on my left shoulder. Her body is trembling so I lift my arm over her head and pull her close with my left arm.

It will be okay, I tell her. Everything will work out. She tries to talk but nothing audible comes out. Don't talk I say. There will be time for that later.

Her boyfriend had heard of something that she hadn't done from someone who had never talked to her or had any business talking about her. The rumor train had gotten the best of her and there was nothing she could do about it. Sitting there on the couch I could say nothing to comfort my friend. I mean, what is there to say? She had not done anything wrong but the damage had been done. No matter what kind of mending abilities she had, her boyfriend would always have that shade of doubt when it came to trusting her.

Why do we, as human beings, do this? Why do we feel it necessary to bring to the forefront that which we know nothing about? We have nothing to gain by spreading rumors and ruining the lives of others, but yet we still do. We have nothing to gain by talking ill about people that we don't

know, but we do. Are we that desperate to find things to talk about?

In a world of reality television and Jerry Springer, we've lost the will to interact with others peacefully. Instead of learning about the person we are talking to, it seems more appropriate to talk about someone else. Do we find ourselves, as individuals, so dull and boring that we have to delve into the lives of others in order to keep a conversation going?

Come on people, let's grow up. We spend years of our lifetimes trying to prove to our parents that we've grown up when all we've accomplished is a lot of empty talk. I'm going to do this. I'm going to do that. But when it comes down to it, none

of that matters because we haven't done anything for each other. When is the last time we've made a stranger feel good? Or better yet, when is the last time we resisted the temptation to talk about someone we don't

know?

Now I'm not saying that everyone is guilty — it is not my intention to be so bold. But wouldn't it be wonderful if the drama was left up to those who were involved and not those who were not? There is enough drama in the world to go around, but their lives are theirs, we should keep it that way and let each person live it.

Adam Cahill is a senior history and American Studies major. His column appears every other Wednesday. He can be contacted at acahill@nd.edu.

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

"In a world of reality television and Jerry Springer, we've lost the will to interact with each other peacefully."

OBSERVER POLL

Has the University implemented enough alternative programming for students?

Vote by 5 p.m. Thursday at
www.ndsmcobserver.com.

QUOTE OF THE DAY

"Never attribute to malice that which can be adequately explained by stupidity."

anonymous

THE OBSERVER VIEWPOINT

Wednesday, September 10, 2003

page 11

Let's make an Honor Code deal

In the first part of this column, I argued that only a tiny fraction of honor code violations at Notre Dame are being referred to honesty committees. I also suggested that this fact should alarm all of us, faculty and students alike. In this concluding column, I wish to discuss how we might deal with the problem.

Mending our ways will not be easy. Still, some first steps are evident. Students might do some genuine soul-searching about their own dedication to academic integrity. Academic commissioners in the residence halls might ask themselves whether the maintenance of dorm files, containing exams, essays and the like, is anything more than a semi-clandestine means of encouraging successful cheating. Administrators could do a better job of educating new teachers about the honor code. Department chairs could discuss the code with their faculty and could appoint to honesty committees only those who will take their responsibility seriously. And instructors could be honest with themselves about why they might be inclined to ignore their obligations under the code and could think more carefully about the example they set when they do so.

These are all rather conservative remedies. Some might feel that other, more radical courses of actions are called for, such as scrapping the code entirely, say, or strengthening it by mandating much harsher penalties both for students who cheat and for faculty who ignore the code. But one other intriguing possibility falls somewhere between the tame and the wild: adopting what we might call a Let's Make a Deal honor code.

Many honor-code universities explicitly give individual instructors the authority to confront students they suspect of dishonesty and to negotiate a fitting punishment. Most of those universities require that both the instructor and student sign (and send to the appropriate administrator) a form describing the offense and the agreed upon penalty. Should the student either deny the allegation of dishonesty or feel that the proposed punishment is inappropriate, an appeal is usually available.

Notre Dame could easily adopt a Let's Make a Deal code. Faculty and students who reach an agreement would send a signed report to the associate provost's

office, which would, as it does now, keep track of these files and impose additional sanctions on those guilty of recidivism. When agreements could not be reached, cases would be forwarded to the relevant honesty committees, which would handle cases exactly as they do now. Appeals of honesty committee decisions would also proceed as they do now. And all records would end up in the associate provost's office.

What is there to be said for a Let's Make a Deal code? Provided that the procedures for reporting private agreements were simple and clear, many faculty would probably report. Such, at least, seems to have been the case at a number of universities that have adopted such a policy. Since Penn State moved to this type of system recently, roughly 400 cases have been reported per year. Under their old, all-cases-go-to-hearings system, the yearly average was less than 6.

Faculty might thus be saved from the dishonesty inherent in the under-the-table deals they now make with students. Honesty committees would probably need to meet even less often than they do now, thereby saving members a good deal of time and energy. Furthermore, since all records would eventually reach the associate provost's office, repeat offenders would find it much harder to escape detection.

The likely advantages to a Let's Make a Deal code are thus apparent and significant — but so are the probable disadvantages. Since experience suggests that most students will go to great lengths to avoid the embarrassment involved in a full hearing, teachers would clearly have the upper hand in negotiating agreements. Though I have no doubt that most instructors would try to fashion just agreements, they would often be doing

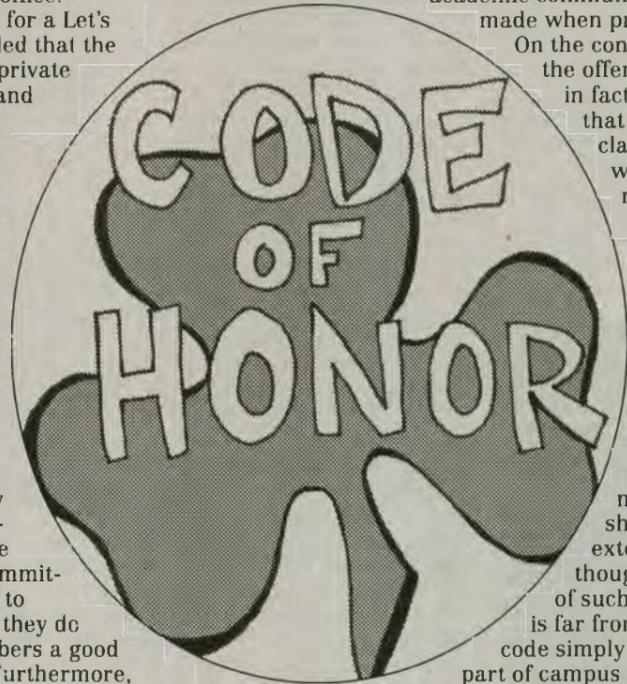
so while dealing with strong feelings of personal affront, feelings which are not the most conducive to students' receiving fair and consistent penalties. Furthermore, our current code, by insisting that all cases of apparent academic dishonesty be handled communally via set procedures, makes a strong statement about how grave an offense cheating is, an offense against the whole academic community. No such statement is made when private deals are sanctioned.

On the contrary, some might argue that the offense of academic dishonesty is in fact trivialized by a university that treats it as a matter for in-class housecleaning. Many would no doubt discern an element of lowering our standards to match our practice were we to make such a shift. And it's not obvious that this is the best means of closing a gap between one's ideals and one's behavior.

There are undoubtedly more pluses and more minuses connected to our moving toward such an alternative. It is a change we should make, if at all, only after extended discussion. I believe, though, that it is a change worthy of such a discussion. Our honor code is far from a complete failure. But the code simply has not become the integral part of campus culture that its initiators hoped it would be. Whether this means that further changes to the code are in order, and (if so) whether mild or more radical amendments are called for, are matters eminently worthy of further thought and conversation.

Thomas Flint is a professor of philosophy. This column is the second in a two-part series. He can be contacted at flint.1@nd.edu.

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



EDITORIAL CARTOON



LETTER TO THE EDITOR

Observer should follow Church teachings

The inaugural issue of The Observer provided incoming freshman with the following information: "The University Health Center does not prescribe birth control, but prescriptions can be filled at Planned Parenthood on 1818 Miami St. as another health resource." We take issue with The Observer promoting contraception and the world's largest abortion provider in direct opposition to the teaching of the Catholic Church.

The Observer's position is that the paper has a duty to provide objective information to the student body, regardless of religious belief. That stance is appropriate when it comes to reporting the news. It is a different matter when the paper attempts to subvert a principled decision of the University.

The Catholic Church has always embraced sexual intercourse as the unitive and procreative act of a married couple. Thus, the Church opposes contraception because it frustrates these innate aspects of the sexual union. Notre Dame, in accordance with its Catholic mission, has made a conscientious decision not to offer contraception at the Health Center. In response, The Observer made an equally determined decision to provide students with information that will enable them to act in direct opposition to the moral goals of the University. Unlike advice concerning restaurants or auto repair, the use of contraception is a moral question and providing such information implies an editorial stance, regardless of the section in which it appears.

Furthermore, rather than reference the various medical facilities in South Bend, The Observer specifically provided Planned Parenthood with free publicity. Far from a mere "health resource," the organization has a very specific agenda. Statistics show that for every pregnant woman who visits Planned Parenthood and decides to keep her child, 60 are persuaded to abort.

Women deserve better than the thinly veiled agenda of Planned Parenthood. And the Notre Dame student body deserves better than a newspaper that willingly takes students' money and the University's aid and uses it to subvert the foundational mission of this great institution. The University should take an active role in assuring that the paper does not publish such immoral advice to 18 year old freshmen.

Law School Right to Life
Ryan Dwyer
president
Sept. 4

ALBUM REVIEW

John Mayer soars on new release

By EMILY TUMBRINK
Assistant Scene Editor

John Mayer's second studio release *Heavier Things*, one of the most anticipated albums of the year, has the ability to either make or break Mayer's staying power as a pop star. Listed as number one on Amazon.com's sales rank days before it was even released, the question of whether or not *Heavier Things* will live up to everyone's expectations has yet to be answered.

From the opening strains of "Clarity," the first track on *Heavier Things*, lis-

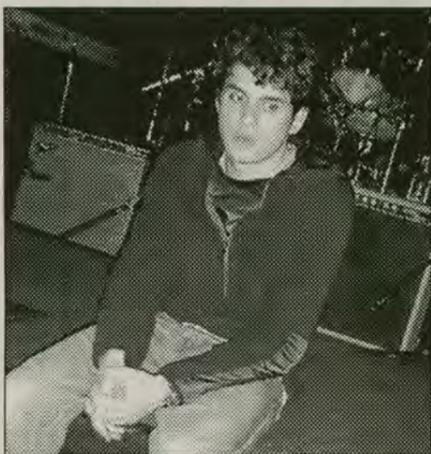


Photo courtesy of mtv.com

John Mayer's new release highlights his skills as a singer/songwriter.

teners can already tell they are in for something a little different. Abandoning the completely acoustic feel found on the majority of *Inside Wants Out*, Mayer explores a jazzier, more electric sound, complete with horns, with the end result sounding like a combination of Van Morrison and The Police. Though the comparisons to Dave Matthews have bombarded Mayer since he first entered the public eye, *Heavier Things* finds Mayer tackling new terrain and taking cues from the bands of his childhood. Mayer, always one to admit to being a bit of a "square," has repeatedly named Sting as one of his favorite artists and this influence becomes apparent on the song "Homelife." With lyrics like "I am not a nomad / I am not a rocket man / I was born a housecat / by the sleight of my mother's hand," Mayer once again shows his poetic skills with a wittiness that is unparalleled.

Mayer's first single "Bigger Than My Body," which was released in August, contains a catchy chorus and is more upbeat and rock-inspired than many songs on his previous releases. Familiar to many fans, the song "Something's Missing" has been played during Mayer's concerts for several years now, and the version found on *Heavier Things* remains relatively unchanged from the recognizable live version. Mayer's talent as a guitarist is evident in "Come Back to Bed," with his electric stylings becoming the central focus of the track. "Split Screen

"Sadness" possesses mournful strings layered underneath catchy drum and guitar hooks, creating a true sense of sadness in this otherwise upbeat song. But perhaps the most stunning ballad on *Heavier Things* is the final track "Wheel." With beautifully spare instrumentation, Mayer's voice takes center stage, and the soft guitar jam in the middle of the song is the closest thing to Mayer's live performances found on any album.

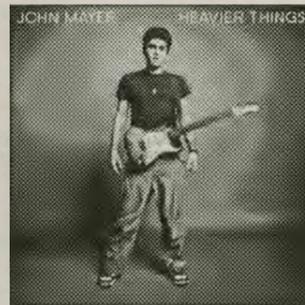
When asked how *Heavier Things* would be different than his previous releases, Mayer told *Crazewire.com* that "It's going to change a little bit. It's not going to be so crazy. It's going to become a little more electric, but not heavier, still smooth. The record is also going to be a little less sunny than "No Such Thing" (I remember somebody saying that it had a tropical light). It will be more complex. I like the idea of producing record after record, and them all being completely different. Hopefully, I won't lose too many fans in the process."

Quickly growing in popularity since

Heavier Things

John Mayer

Sony Records



his major label debut *Room for Squares*, Mayer has rapidly become a household name. On *Heavier Things*, Mayer both explores new territory, and also reformulates the familiar sound found on both *Inside Wants Out* and *Room for Squares*. Though Mayer must be classified as a pop star due to the accessibility and popularity of his music, his obvious talent as a singer/songwriter shines through on *Heavier Things*, making him more comparable to the new brand of pop stars including Norah Jones, rather than the likes of Britney Spears. *Heavier Things* shows marked progress from the successful *Room for Squares*, and is sure to bring even more critical acclaim and success to this wunderkind.

Contact Emily Tumbrink at etumbrin@nd.edu

ALBUM REVIEW

Rooney's debut impresses

By REBECCA SAUNDERS
Scene Music Critic

Through the barrage of bands that are constantly releasing new albums every day, it has become increasingly difficult to encounter a new band that embodies a fresh and different sound. The increasingly popular new band Rooney has accomplished just that. Rooney, a five-member band hailing from Los Angeles attains their unique and modern emo meets rock sound by "combining sounds of the last four decades," and in doing so creates a distinct sound unlike anything heard before.

Rooney's self-titled debut has only recently become a popular item. The lead singer and guitarist, Robert Carmine, is actually already known by many, but not for his music. Carmine recently played the leading man in

Disney's "The Princess Dairies" before beginning serious touring with the band. Having toured with bands such as Weezer and The Strokes, Rooney is now beginning the climb to success, and it shouldn't take long to get there. Compared by critics to bands ranging in style from the Beatles to Weezer, Rooney is enjoyable for listeners with a variety of musical tastes.

Lyricaly the album carries many emo themes, with all but three of the songs being about a girl in some capacity. The band's latest single, however, is one of the aberrations to this



Photo courtesy of mtv.com

Hailing from Los Angeles, Rooney's self-titled debut embodies a fresh and different sound, one combining emo and rock to create a style that is unique and completely their own.

pattern. "Blue Side" carries an extremely upbeat melody on top of an almost vintage guitar sound, making the sound both modern and classic at the same time. There is even a tambourine thrown in there and it simply all sounds amazing together.

The instrumentation found on the Rooney album is simply terrific, but the sound is also securely backed by terrific, clever and thought-provoking lyrics throughout the album. Although many of the song lyrics relate to females and dating, the subjects of the songs range from falling in love to being left behind. In the energetic "If It Were Up to Me," the song tells of a boy yearning to tell a girl how he feels about her. Carmine reveals his feelings to her in a unique way singing, "I want you to know I've done our charts / And it says that we work as one / Like the Jackson Five and The Temptations." It is fun, distinctive lyrics like this, set to Rooney's unique blend of music, that make this album a project of such quality and excellence. Another clear example of this quality is shown in the song

"Sorry Sorry" where heavy repetition is used to describe an extremely unusual subject. Throughout the song, a guy approaches a girl and introduces himself saying, "Having seen the future ... I'm sorry sorry for making your life a living hell". Although all these elements seem almost comically ridiculous, they work together extraordinarily well.

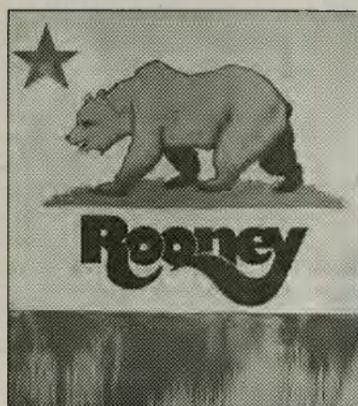
The album as a whole is spectacular. Rooney brings so many different elements together to create their unique sound, and that is just what they create, a sound that is exclusively Rooney. At times the lyrics can be a bit typical of the emo style of music, but even those clichés are rare throughout the album. Rooney is a group of artists, which becomes exceedingly apparent as the album progresses. It is an album that transcends typical music genres and begins to develop a category that belongs exclusively to the band. Expect to see much more of Rooney very soon.

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Rooney

Rooney

Geffen Records



ALBUM REVIEW

Punks prove they are indestructible

By STEPHEN HOEPLINGER
Assistant Scene Editor

A lot has happened to Rancid since its last album. They've endured major trauma and hospitalizations, the death of family members, close friends and a mentor and the breakup of marriages. The good news for them, and for punks all over the world, is that they have picked themselves up, dusted themselves off and come back with a personally touching, totally balls-out hardcore record that proves why they are Indestructible.

The album opens up with the title track, a rocking little song in which lead singer and guitarist Tim Armstrong blasts consumerism and his ex-wife, gives a mini-lesson in Greek history and pays tribute to his late mentor Joe Strummer, all in under two minutes. The tone shifts radically with

"Red Hot Moon," an addictive ska piece featuring rapper Rob Aston that is reminiscent of 1995's album ... And Out Come the Wolves, and proves that Rancid are still the masters of the ska-punk genre. One of the most interesting tracks on the album is a song called "David Courtney," written about a punk rocker crime boss who acts as a Robin Hood figure to the poor people of London. Aside from the hooky chorus, it features a chilling spoken word monologue at the end of the song that leaves tingles up the spine.

Indestructible also shows Rancid's political side. "Start Now" is a song about talking your problems through instead of going to war, "Born Frustrated" blasts dead-eyed mall junkies, "Stand Your Ground" is dedicated to the homeless of Los Angeles and "Arrested in Shanghai" features Armstrong singing from the point of view of a political prisoner in China.

Punk purists would most likely scoff at this slow, ballad-esque poem, but the song is reminiscent of both Joe Strummer and Bob Dylan and exhibits the band's more mature musical talents.

Also, the album's personal songs do not disappoint. The first of these is "Fall Back Down." The chorus is easy to identify with for anyone who has ever relied on their friends to help them through a bad time: "If I fall back down, / You're gonna help me back up again." "Spirit of '87" is about growing up in the punk community and how it saved them from being "either dead or in jail." The album also has a few breakup songs dedicated to Armstrong's wife Brody, who left him halfway through the recording process. "Tropical Melbourne" and "Ghost Band" leave the singer's heart on his sleeve for all to hear. "Other Side" is dedicated to the memory of guitarist Lars Frederickson's brother Robert, who died in 2001. As the album's final track, it is a sendoff that manages to be mature and hardcore at the same time.

While "Indestructible" is a quality album, it is by no means the band's best.

The problems, though few, are easy to identify. At times, the sound mix gets muddy and some guitar solos blur and sound generic. The most important thing missing from this album is bass player Matt Freeman. Freeman is undoubtedly the best rock bass player alive today, but this album lacks the amazing bass lines and jaw-dropping solos that have become his trademark.

On the whole, this is a solid album. Fans of the band will like hearing the more heartfelt lyrics and punk rockers in general should get a kick out of the variety in the musical styles.

It's just hooky enough that people who have never heard of the band before or who don't like punk rock as a principle might find a few songs they enjoy.

Contact Stephen Hoeplinger at shoeplin@nd.edu

Indestructible



Rancid

Epitaph Music

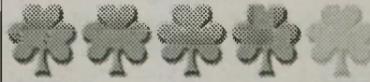


Photo courtesy of mtv.com

Veteran punk band Rancid overcomes various personal traumas and releases a new album that proves they are still the masters of the punk-ska genre.

ALBUM REVIEW

Damien Rice delivers powerful performance

By LIAM FARRELL
Scene Music Critic

Very few albums exist that can completely consume you when you listen to them. So many elements have to come together in the right formula to produce a memorable sound that makes you lose yourself in the music, lyrics and production of each successive song. What is even more remarkable than making such a record is having that success on a major label debut. Damien Rice, an Irish singer-song-

writer who began to make critical waves this past year in Ireland, has made such a record in his astounding and haunting *O*, a deceptively simple and incredibly complex homemade masterpiece.

Rice possesses a voice that is entirely his own, one that whispers words of love and loss one moment and screams pain and anguish the next. His versatility as a vocalist makes what he says true. Like Chris Martin of Coldplay, or early David Gray recordings, every song seems to be written actually about someone or something rather than just an idea that came into his head one evening before a session. The musical texture behind his delicate guitar work only makes the overall effect stronger; strings, choruses and, on occasion, seemingly infinite layers of music seem to transcend the gap between musician and listener.

The songs on *O* reach into the deep and personal territory of

O

Damien Rice

Vector Recordings

damien rice O

love, friendship and desire, and Rice seems to come out of the experience with more questions than answers, more contradictions than certainty. On the tear inducing "Cannonball," Rice sings "stones taught me to fly / love taught me to lie / life taught me to die / so its not hard to fall / when you float like a cannonball." Luckily for the listener, Rice's music floats for him.

One of the most intense elements of the album is its overall composition and production, with songs, melodies and lyrics weaving in and out of each other to the point where there are hardly any boundaries between songs. One gets the feeling that conceptually, and more importantly musically, the album can barely be analyzed or discussed in separate pieces. To say the album is a musical opus or perhaps a concept album may be too pretentious. However, there is a certain grace and harmony that bleeds through every part of this album, unlike in most disjointed pop albums. The strength of one song seems entirely dependent on

the ability of the one that came before.

On an album mostly concerned with self-reflection, it is somewhat ironic that outside musicians provide some of the album's best moments. Vocalist Lisa Hannigan's solos on "Older Chests" and "I Remember" do for *O* what Natalie Merchant did for Billy Bragg and Wilco's *Mermaid Avenue*, adding color and depth to an already exceptional album. The string and violin work also stands on its own, turning simple melodies into movie soundtracks.

Damien Rice's *O* is an outstanding example of what an album should be. Its haunting melodies and lyrics provide a worthy companion for late night drives, reflection and heartbreaks. When the album finishes playing, the listener will be left understanding Rice's lines in the song "Amie." "You know when you found it / there's something I've learned / 'cause you feel it when they take it away."

Contact Liam Farrell at lifarell@nd.edu

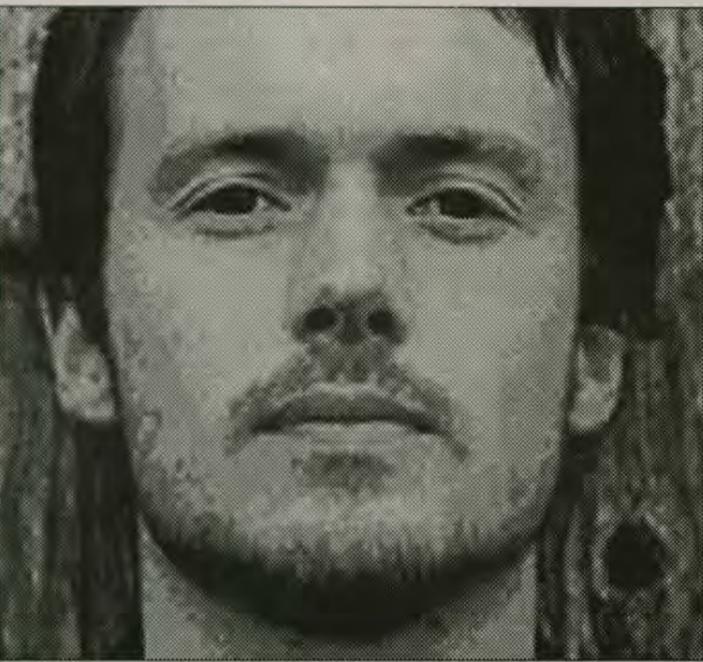


Photo courtesy of mtv.com

Irish singer Damien Rice creates worldly melodies that allow the listener to become completely absorbed in the music.

AMERICAN LEAGUE

Ortiz's 4 RBIs lead Red Sox past Orioles at Camden

Associated Press

BALTIMORE — Derek Lowe pitched six innings of six-hit ball, and David Ortiz homered and drove in four runs to lead the Boston Red Sox past the Baltimore Orioles Tuesday night.

With his towering home run in the third inning, Ortiz enabled the Red Sox to set a club single-season record for homers (214) and extra-base hits (591).

The shot also gave Boston a 4-0 lead and propelled the Red Sox to their sixth win in eight games.

Bill Mueller and Jason Varitek also homered for the Red Sox, who improved to 6-8 against the pesky Orioles.

Lowe (15-6) struck out five and walked two, throwing 109 pitches in winning his fourth straight decision since losing two in a row to Baltimore in early August.

Larry Bigbie and Jack Cust each had an RBI for the Orioles, whose three-game winning streak ended.

The Red Sox went up 2-0 in the second inning against Damian Moss (1-4). Damian Jackson drove in a run with the third of four straight Boston singles, and Mueller added a sacrifice fly.

Manny Ramirez opened the third with a single and Ortiz followed with his 26th homer, a titanic shot to right that became the 33rd drive in the 12-year history of Camden Yards to land on Eutaw Street.

Moss, obtained in the trade that sent Sidney Ponson to San Francisco, allowed four runs and seven hits in three innings.

A run-scoring grounder by Ortiz made it 5-0 in the fourth against Sean Douglass, making his 2003 debut for the Orioles.

Bigbie singled in a run with two outs in the fifth, but Boston went ahead 7-1 in the sixth on Mueller's 19th homer and an RBI single by Ortiz.

New York 4, Detroit 2

Pinch-runner Drew Henson stumbled home to score the tiebreaking run on Bernie Williams' eighth-inning single,

and the New York Yankees beat the Detroit Tigers Tuesday night.

Jorge Posada hit a two-run single for the Yankees, who got an excellent effort from their maligned bullpen and remained 3 1/2 games ahead of Boston in the AL East.

Detroit (37-106) needs six wins in its final 19 games to avoid matching the post-1900 record of 120 losses in a season set by the 1962 New York Mets.

Yankees starter Jose Contreras came out in the fifth with a mildly sprained left ankle. X-rays were negative and he is day-to-day.

Fernando Rodney (0-3) walked Posada with one out in the eighth and was replaced by Henson. The former Michigan quarterback moved to second on Ruben Sierra's single and Williams then snapped a 6-for-43 skid with a single off the glove of diving second baseman Warren Morris.

Henson tripped and fell coming around third, but still scored easily.

The Tigers appealed at third base, but umpire Paul Schrieber ruled Henson hit the bag, and he smiled in the dugout with his teammates.

Henson was called up from the minors last Friday amid rumors that he plans to give up baseball for a possible NFL career.

Hideki Matsui followed with a sacrifice fly, making it 4-2.

Gabe White (1-0) threw one pitch in the eighth for his first win with the Yankees since being acquired from Cincinnati on July 31. Mariano Rivera worked the ninth for his 34th save in 40 chances.

Tampa Bay 11, Toronto 6

Carl Crawford hit a three-run homer and rookie Doug Waechter won his third straight game as the Tampa Bay Devil Rays beat the Toronto Blue Jays.

Crawford put the Devil Rays ahead 6-4 with his three-run shot in the fourth.

Waechter (3-0) gave up four runs and eight hits over six innings.

Toby Hall homered and drove in three runs for the Devil Rays, who are 33-31 since June 28.

Joe Kennedy pitched the final three innings for his first career save.

Toronto got homers from Josh Phelps and Orlando Hudson. The Blue Jays are 3-10 against Tampa Bay this season.

Cory Lidle (12-12) gave up seven runs, five hits and four walks in 4 1-3 innings. He is 1-4 over his past six starts.

Cleveland 7, Kansas City 1

Jason Davis gave Cleveland five shutout innings, and the Indians parlayed Angel Berroa's error into a big sixth inning and a 7-1 win over the fading Kansas City Royals on Tuesday night.

Victor Martinez hit his second career home run, a three-run shot that capped Cleveland's five-run sixth, as the Indians handed Kansas City its eighth loss in 11 games.

Davis (8-10) scattered five hits over five innings.

He retired the last eight batters he faced before Jack Cressend took over to start the sixth.

Cressend retired the first five he faced before back-to-back doubles by Desi Relaford and Brent Mayne broke up the shutout with two outs in the seventh.

All five of Cleveland's sixth-inning runs were unearned, the result of a rare fielding error by Berroa that undid Jimmy Gobble's strong start.

Gobble (3-4) gave up just one hit through 5 2-3 innings and was on his way to a perfect sixth when Berroa misplayed Casey Blake's groundball to deep shortstop.

Gobble then hit Jody Gerut with a pitch, and Alex Escobar and Ben Broussard followed with RBI singles before Martinez homered into the leftfield bullpen for a 6-0 lead.

The Indians went up 1-0 in the first on Coco Crisp's leadoff triple and Blake's sacrifice fly. After Crisp's hit, Gobble retired the next 11 batters before walking Escobar with two out in the



AP Photo

David Ortiz had 4 RBIs to carry the Red Sox past the Orioles. The win was Boston's sixth in their last eight games.

fourth.

Gobble gave up four hits in six innings, striking out two and walking five.

Aaron Guiel had three hits and Mike Sweeney had two for the Royals, who stranded 10 runners — four in scoring position.

Chicago 8, Minnesota 6

Mark Buehrle got another win against Minnesota, and the Chicago White Sox held on to beat the Twins and take a two-game lead in the AL Central.

Buehrle (12-13) allowed seven hits and two runs in six innings and improved his career record against the Twins to 10-4 — his most wins against any team.

Magglio Ordonez, Roberto Alomar and Carlos Lee homered as Chicago won its fifth straight and also beat the Twins for the sixth consecutive time.

The Twins made it close with four runs in the ninth. Lew Ford hit a ground-rule double, and Denny Hocking followed with an RBI triple off Jose Paniagua to make it 8-3. Justin Morneau drove in Hocking with a pinch-hit single. Paniagua then walked Corey Koskie one out later before he was removed by manager

Jerry Manuel.

Paniagua, who gave up three hits and a walk, walked off the mound and apparently said something to plate umpire Mark Carlson, who then ejected the reliever.

Tom Gordon came in and walked Torii Hunter and A.J. Pierzynski drove in another run with a sacrifice fly to make it 8-5. Pinch-hitter Jacque Jones singled in another run before Gordon struck out Michael Cuddyer to end it for his 11th save.

Ordonez's 27th homer, off Rick Reed, put Chicago up 4-2 in the fifth.

Alomar hit his third homer since coming to Chicago, also off Reed. After Frank Thomas doubled, Ordonez delivered an RBI single off Grant Balfour and Lee followed with his 28th homer for an 8-2 lead.

In the second, Lee singled and, after Paul Konerko walked, stole third. Joe Crede then doubled to make it 1-0. Konerko scored on Sandy Alomar's sacrifice fly and the White Sox went up 3-0 when Tony Graffanino hit a jam-shot grounder past first for an RBI single.

CLASSIFIEDS

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

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COLLEGE FOOTBALL PREVIEW

Cornhuskers ready to upend Nittany Lions

Associated Press

OMAHA, Neb. — Based on Penn State's two lackluster performances this season, Nebraska appears poised to exact a measure of revenge for last year's blowout loss in Happy Valley.

But Cornhuskers coach Frank Solich doesn't think his squad is staring at a cakewalk in Memorial Stadium on Saturday.

"We expect it will be the same type of Penn State team that we always see," Solich said. "I know coach (Joe) Paterno will have them ready to play in Lincoln."

The 18th-ranked Cornhuskers (2-0) look to avenge their worst loss of last season when they host the struggling Nittany Lions (1-1).

Nebraska traveled to Penn State last year armed with a 3-0

record and a No. 8 national ranking. But the Lions used three interceptions to score 33 unanswered points en route to a 40-7 triumph.

The loss marked the beginning of Nebraska's tailspin as the Cornhuskers dropped seven of their final 11 games for their worst season since 1961.

"It's on everybody's mind, definitely," Nebraska linebacker

Barrett Ruud said. "It was a pretty embarrassing moment last year. I haven't brought it up a lot, but I think about it quite a bit."

This season, Nebraska's offense has been racking up the yardage but is having trouble getting in the end zone.

After scoring just one offensive touchdown in a 17-7 win over then-No. 24 Oklahoma State on Aug. 30, the Huskers scored three in last Saturday's 31-7 rout of Utah State despite generating 405 total yards.

Quarterback Jammal Lord ran for 72 yards and a touchdown for Nebraska, which settled for four David Dyches field goals. Lord also completed 8 of 12 passes for 85 yards before giving way to Joe Dailey late in the third quarter.

Dailey, a highly touted freshman, finished with 47 yards on nine carries, and completed 4-of-5 passes for 47 yards.

However, he doesn't foresee a quarterback controversy brewing with Lord.

"Jammal's the starter no matter what," Dailey said, "and people have to accept that. I'm still learning the game."

Despite Paterno's insistence to the contrary, a quarterback controversy may be brewing in State College, Pa.

After a rough season opener against Temple, starter Zack Mills had his second poor outing of the season in Saturday's 27-14 home loss to Boston College.

The junior passed for just 79 yards with one score and one interception against Temple on

Aug. 30 and followed it up with Saturday's 15-of-28 performance for 143 yards and an interception.

Backup Michael Robinson, who's also been used as a running back and wide receiver, relieved Mills in the third quarter and seemed to provide a spark for the offense, directing the Lions to their lone second-half score.

But Paterno doesn't see a change on the horizon.

"Zach Mills is the quarterback," Paterno said, "and I think

we can use Robinson effectively in a lot of different ways, particularly until we decide what the makeup of the team is going to be."

Paterno has also been questioned

about his tailback-by-committee approach. With Heisman Trophy finalist Larry Johnson now in the NFL, Penn State is using a combination of three and even four running backs, including freshman Austin Scott, Tony Hunt and Donnie Johnson.

Paterno hopes that as the season goes on, the youngsters' grasp of the offense will allow him to be more creative at the position.

"Obviously, you are hoping they are getting better each week," Paterno said. "I would hope that when the staff sits down to talk about what kind of substitutions we are going to make, and in what situations, that we will be more comfortable that we can do more things with those kids."

Penn State holds a 7-5 edge in the all-time series.

"It was a pretty embarrassing moment last year."

Barrett Ruud
Nebraska linebacker

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Hawkeyes ready for Cyclones on Saturday

Associated Press

IOWA CITY, Iowa — As far as the people of Iowa are concerned, there's just one game: Iowa against Iowa State.

The 23rd-ranked Hawkeyes (2-0) and the Cyclones (2-0) will renew their longtime rivalry when they meet Saturday at Jack Trice Stadium.

"Every year it's what the fans talk about, in season, out of season, it doesn't matter," Iowa State wide receiver Jack Whitver said about Saturday's game. "Even on my summer break, that's all people want to talk about."

"It's important to a lot of people. There's not much in professional sports going on around here. That's why I say it's like our Super Bowl."

Iowa, which leads the all-time series 33-17, owned Iowa state during the mid-1980s and early 1990s, winning 15 straight meetings starting in 1983. The Cyclones have since turned things around, winning five straight over the Hawkeyes, including handing Iowa its only regular season loss last year — 36-31 in Iowa City.

Iowa comes in well-rested following a 56-7 win over Buffalo last week. The Hawkeyes scored touchdowns on their first four drives and added Sean Considine's 11-yard interception return for a 35-0 second-quarter lead.

Hawkeyes coach Kirk Ferentz then sat starting quarterback Nathan Chandler and running back Fred Russell. Freshman quarterback Drew Tate led an eight-play, 69-yard scoring drive before the half. Freshman running back A.J. Johnson had a second-half touchdown and receiver Maurice Brown finished with four catches for 82 yards and a TD.

"I think we have a lot of exciting young players on our football team right now, intriguing players," said Ferentz, who is 0-4 against Iowa State. "It's always good to have them get a chance to get in and play ... It's kind of fun."

The Cyclones are feeling better about themselves following last week's 48-20 win over Ohio. Iowa State was coming in off a lackluster 17-10 win over Division I-AA Northern Iowa on Aug. 30.

TRACK AND FIELD

Governing body wants White stripped of medals

Associated Press

LONDON — Track and field's governing body wants American sprinter Kelli White stripped of her two gold medals from the World Championships. Now it's up to U.S. anti-doping officials.

The International Association of Athletics Federations ruled Tuesday that White committed a doping offense when she tested positive for a stimulant and should lose her world titles in the 100 and 200 meters.

The IAAF rejected White's explanation that she took the stimulant for a sleep disorder and sent the case to the U.S. Anti-Doping Agency for a hearing and disciplinary action.

Rich Wanninger, a spokesman for the U.S. Anti-Doping Agency, said his organization had not received any information from the IAAF as of Tuesday afternoon. Once that information is received, Wanninger said, the agency

will begin a review process that could last months.

The IAAF made clear it expects U.S. authorities to remove White's medals.

"The proper sanction under IAAF rules will be a public warning and disqualification from the competition concerned," IAAF general secretary Istvan Gyulai said.

If the IAAF isn't satisfied with the U.S. action, the international body would take the case to the Court of Arbitration for Sport in Lausanne, Switzerland.

"She is disqualified only at the end of the procedure because further legal issues need to be exhausted," Gyulai told The Associated Press by phone from IAAF headquarters in Monaco. "This can only happen after she has been given a hearing by her national federation."

White, the first American woman to sweep the sprint events at the worlds, tested positive for modafinil after win-

ning the 100 on Aug. 24. She passed a drug test after winning the 200 four days later.

The IAAF gave White until Tuesday to produce medical documents explaining her use

of the drug. She said her personal doctor prescribed the medication for narcolepsy.



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NFL

Steelers' Porter could play as early as Sunday

Associated Press

PITTSBURGH — Steelers linebacker Joey Porter, who was shot outside a Denver night club less than two weeks ago, could be on the field this Sunday in Kansas City.

Steelers Coach Bill Cowher announced Tuesday that he has listed Porter as doubtful to play in the game, which in the NFL means Porter has a 25 percent chance of playing.

Cowher initially said Porter would return within two to eight weeks, and his best estimates are coming true.

"I really just tried to get you guys to understand this was not as bad as some people were saying," Cowher said at a news conference. "As the information comes, it just keeps getting better and better and, knock on wood, hopefully it'll continue to be that way."

Cowher said the risk of infection was the biggest concern of doctors after they removed a 9mm bullet from Porter's upper right thigh on Labor Day. The risk has been minimized with the help of the Steelers' training staff, who have been changing the dressing on the wound twice a day.

"That was the biggest concern and he's doing better," Cowher said. "We just don't want to put him out there when he's not ready to play and be able to defend himself, but at the same

time we're welcoming him back as soon as he can get back."

Porter's presence was felt by both teams during the Steelers' 34-14 season-opening victory against the Baltimore Ravens.

Porter and Ravens linebacker Ray Lewis engaged in a pre-game argument, and then Porter was pointed out to the TV audience for running ahead of teammate Kendrell Bell along the Steelers' bench area during Bell's 42-yard interception return in the first quarter. After the game, Porter took his pre-game problem with Lewis to the media and criticized Lewis' performance during the game.

"He had one tackle today, maybe two," Porter said, "and he was jumping around like he had 30."

Two Steelers, linemen Aaron Smith and cornerback Dewayne Washington, made gestures during the game indicating their sympathy for Porter. Wide receiver Plaxico Burress wore a sticker on his helmet bearing Porter's No. 55.

"Before the game, in the locker room, we got together as a team, getting ready to pray, and you could see a guy bending over on the counter with tears in his eyes because he couldn't be out there," Burress said. "It kind of sent a message to all of us to just go out there and play hard every down, because you never know what's going to happen."



API photo

Pittsburgh Steeler Joey Porter congratulates a teammate after a play last season. Porter was shot two weeks ago at a bar, but could play this Sunday against the Chiefs. Porter was a key part of Pittsburgh defense last season and his teammates are eager for his return to their lineup.

COLLEGE FOOTBALL

Priest charged with manslaughter

Murder charge dropped, death called an accident

Associated Press

PITTSBURGH — An involuntary manslaughter charge was refiled Tuesday against the priest accused of providing alcohol to a drunken Pittsburgh football player who fell to his death through a church ceiling.

Father Henry Krawczyk was recharged, one day after the Allegheny County coroner's office ruled Billy Gaines' death was an accident and dismissed the charge.

Allegheny County District Attorney Stephen Zappala Jr. said the case was too important to be dismissed, and a jury should be allowed to decide whether Krawczyk is responsible for Gaines' death.

"Whether or not we get a conviction, the most important thing is whether or not a jury hears this matter because injuries determine guilt or innocence," Zappala said.

Krawczyk, who has resigned

as pastor of St. Maximilian Kolbe parish in Homestead, was arraigned Tuesday afternoon and released on his own recognizance.

Gaines, a 19-year-old wide receiver and kick returner from Ijamsville, Md., died after he fell about 25 feet onto a church pew. He and a teammate, placekicker David Abdul, had been exploring a crawl space.

Abdul and two other men testified at a coroner's inquest Monday

that Krawczyk furnished alcohol to six underage men at a cookout in the hours leading up to Gaines' fall around 2:30 a.m. Tests showed Gaines' blood-alcohol content was 0.16 percent when he was taken to the hospital, well above the state's legal intoxication limit of 0.1 percent.

David Cercone, Krawczyk's

attorney, said he will handle the case the same way he did during the coroner's inquest.

"I don't think any of the facts have changed," he said.

Zappala said he would ask the Court of Common Pleas in Allegheny County to send the case directly to an administrative motions judge in order to avoid another coroner's inquest.

An attorney for Gaines' family welcomed the news that Krawczyk has been charged.

"The family of Billy Gaines is impressed and grateful for the decision and the district attorney's actions," Christopher Hellmich said.

"We continue to monitor the civil and criminal aspects of this case very carefully."

Father Ronald Lengwin, a spokesman for the Roman Catholic Diocese of Pittsburgh, declined comment. Krawczyk is already facing a single count of reckless endangerment, a misdemeanor punishable by up to two years in prison, as well as six counts of furnishing alcohol to minors, all misdemeanors carrying up to one year in prison each.

"The family of Billy Gaines is impressed and grateful for the decision and the district attorney's actions."

Christopher Hellmich
spokesman for the family

"Whether or not we get a conviction, the most important thing is whether or not a jury hears this matter because injuries determine guilt or innocence."

Stephen Zappala Jr.
Allegheny county district attorney

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NATIONAL LEAGUE

Alou's single puts Cubs ahead for good in victory

Associated Press

SAN JUAN, Puerto Rico—Moises Alou hit a tiebreaking two-run single in the seventh inning, and the Chicago Cubs overcame a scary moment when Sammy Sosa was hit in the helmet with a pitch in a 4-3 victory over the Montreal Expos on Tuesday night.

Sosa was plunked by Zach Day in the fourth inning, drawing boos from the crowd of 15,632 at Hiram Bithorn Stadium. The All-Star right fielder took a knee and was immediately approached by manager Dusty Baker and the team's trainer. After a few minutes, Sosa walked to first, and appeared to be fine. He later scored on a sacrifice fly by Aramis Ramirez.

In April, Sosa was hit in the helmet by a pitch thrown by Pittsburgh's Salomon Torres. The ball's impact was so severe it ripped a large hole in front of his left ear flap.

With the win, Chicago moved a half-game ahead of Houston in the NL Central. The Astros played Milwaukee later Tuesday.

The Expos were playing the fourth of a six-game "homestand" in Puerto Rico — the team's third this season away from Montreal.

Pitcher Carlos Zambrano led off the seventh with a single. One out later, Day (7-7) hit

Mark Grudzielanek, the last batter he faced.

Reliever Hector Almonte then walked Sosa to load the bases, and Alou hit a hard grounder between second and third that squeezed just beyond the reach of shortstop Orlando Cabrera, scoring Zambrano and Grudzielanek to make it 4-2.

Colorado 8, St. Louis 1

Gregg Zaun homered and drove in four runs for the Colorado Rockies, who snapped an eight-game losing streak with an win over the St. Louis Cardinals.

The loss left the Cardinals 2 1/2 games behind Chicago and Houston in the NL Central with 17 to play.

The Rockies had lost 13 of their previous 14 games overall and 10 straight road games, tying a team record set 1997 and tied in 2000. Colorado is an NL-worst 21-52 on the road this season.

Colorado starter Jason Jennings (12-12) ended a personal road losing streak of six games, allowing one earned run on six hits over six innings. He struck out three and walked two.

Three Colorado relievers combined for three scoreless innings.

Philadelphia 18, Atlanta 5

Tomas Perez and Jason Michaels both hit grand slams and Philadelphia reached a sea-

son high in runs with a rout of the Atlanta Braves, keeping the Phillies even with Florida in the NL wild-card race.

Perez and Michaels became the third duo in Phillies history to hit two slams in a game. Ralph Miller and Lee Meadows were the first on April 28, 1921, followed by Billy McMillon and Mike Lieberthal on Aug. 18, 1997.

Lieberthal also hit a three-run shot in the first off Shane Reynolds. Perez nearly hit another homer, settling for an RBI double off the left-field wall.

Philadelphia won for the seventh time in eight games to keep pace with the Marlins, who defeated the New York Mets 3-1.

The Braves gave up two grand slams in a game for only the second time in modern franchise history. Miller and Meadows hit their 1921 slams against Boston.

Houston 7, Milwaukee 6

Lance Berkman doubled home the go-ahead run with two outs in the ninth inning and the Houston Astros rallied past the Milwaukee Brewers.

The Astros tied it on pinch-hitter Jose Vizcaino's three-run homer in the eighth, then went on to their fifth win in six games. Houston remained in a first-place tie with Chicago in the NL Central.

Milwaukee lost its fifth in a

row.

With two outs in Astros ninth, Dan Kolb (1-2) walked Jeff Bagwell. Jeff Kent followed with a single and Berkman doubled.

Brad Lidge (6-3) pitched the eighth for the victory and Billy Wagner closed in the ninth for his team-record 40th save.

Vizcaino hit his third homer of the season, connecting on the first pitch from reliever Luis Vizcaino.

Cincinnati 10, Pittsburgh 6

Russell Branyan hit a three-run homer and Wily Mo Pena added a go-ahead two-run shot in Cincinnati's six-run sixth inning as the Reds rallied past the Pittsburgh Pirates.

Pittsburgh led 6-2 when D'Angelo Jimenez and Sean Casey opened the sixth with singles off starter Salomon Torres.

Craig Wilson followed Matt Stairs's one-out single with his third homer in two nights to give Pittsburgh a 2-0 lead in the second.

Reggie Sanders hit a run-scoring double and Wilson added an RBI single as the Pirates made it 4-0 in the fourth.

Florida 3, New York 1

Jack McKeon chomped on another victory cigar after his surprising Florida Marlins pulled out another clutch win.

And the Marlins manager had several more cigars on his desk, waiting to be lit during the final month of the pennant race.

Alex Gonzalez tripled in two runs with two outs in the ninth to lift Florida to a 3-1 victory over the New York Mets and keep the Marlins tied atop the NL wild card standings Tuesday night.

The Marlins won for the 10th time in 12 games and moved to a season-high 15 games over .500 (80-65). They remained deadlocked for the wild card lead with the Philadelphia Phillies, who won 18-5 at Atlanta.

"It's a lot of fun," said Derrek Lee, who scored the final Marlins run. "September is when you're making offseason plans already. But right now, we're in it."

New York lost in its opponent's last at-bat for the fourth time in six games.

"A lot of times this year, one pitch has beat us," losing pitcher David Weathers said. "The bullpen on the whole has not been real good at that."

Tempers flared in the ninth inning for the second straight night. Lee slammed his bat down after he was struck by Weathers' pitch and strode toward the mound. He was steered to first base and the benches didn't empty.

Ugueth Urbina (3-0) worked one inning for the victory. Braden Loper pitched a perfect ninth for his 28th save.

"We feel like if it's a close game, we have a great chance of pulling it out," Lee said.

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NCAA ATHLETICS

Vanderbilt will extinguish athletic department

Athletics will be placed under central university control

Associated Press

NASHVILLE, Tenn. — Vanderbilt will eliminate its athletic department in a major shakeup designed to curb the ills of big-time college athletics. Vanderbilt will continue playing intercollegiate sports, but the reorganization merges the departments that control varsity and intramural athletics, putting sports under the central university administration, the school said Tuesday.

"There is a wrong culture in athletics, and I'm declaring war on it," Vanderbilt Chancellor Gordon Gee said at a news conference.

No NCAA sports programs or jobs will be eliminated, but just about everything else will change at a school that has run one of the country's cleanest programs in the last half-century. That includes the elimination of the athletic director position, which Todd Turner has held for seven years.

Turner has been offered a job as special assistant to the chancellor for athletic and academic reform, a position in which he would advance "a national agenda for the reform of intercollegiate athletics."

"Let there be no misunderstanding of our intention: Vanderbilt is committed to competing at the highest levels in the Southeastern Conference and the NCAA, but we intend on competing consistent with the values of a world-class university," Gee said.

Vanderbilt's sports programs have had mixed success in recent years.

The football program has lost 18 straight Southeastern Conference games and 27 of its last 28 SEC games. The women's basketball team went to the NCAA regional tournament last year and lost in the second round while the men's basketball team finished 11-18. The men's tennis team was sec-

ond in the nation.

Vanderbilt's move comes at a time of much debate in college sports about how schools run their programs, and follows numerous scandals across the country.

Gee said the traditional structure for collegiate athletics was "broken."

"At least (Vanderbilt) has a chance for success because it has athletes and academics in the same enterprise," he said.

Last season, Georgia and Fresno State withdrew their men's basketball teams from postseason play because of academic fraud, while St. Bonaventure forfeited two games when players boycotted after a player was declared ineligible.

At Missouri, school officials have appointed an engineering professor to oversee a probe into allegations a basketball player received improper academic and financial help. At Baylor, former coach Dave Bliss is accused of attempting to cover up the finances of a slain basketball player, Patrick Dennehy, by portraying him as a drug dealer.

Another high-profile basketball coach, Larry Eustachy, resigned from Iowa State earlier this year after the Des Moines Register published photos of him drinking and partying with students from another school.

At Ohio State, star running back Maurice Clarett was suspended indefinitely and charged with lying to police about items stolen from his car.

The National Association of Basketball Coaches has told all Division I basketball coaches to attend a summit next month in Chicago to discuss all the problems and ways to avoid them.

Vanderbilt's sports programs have been cited for just one major NCAA violation since 1953, an unethical conduct charge involving the women's basketball coach in 1991, and the school self-imposed penalties of fewer recruiting visits and the loss of one grant.

This month's NCAA report on graduation rates had the university leading the Southeastern Conference with 84 percent of all 1996 freshmen graduating, 75 percent for athletes and 91 percent for football.

Gee, who has been crusading for higher academic standards since he came to Vanderbilt in 2000, said college athletics "is in a defining moment in its life. Either we get control of it through university presidents, or it becomes simply a segregational, embarrassing part of institutions, and we'll just have to close it down."

He said leaders from other SEC schools have told him, "Gordon, you go ahead and do it, and if you succeed we'll follow." There's not a great deal of courage out there.

But Gee, a former university president at football powerhouse Ohio State, acknowledges that he faces far less pressure than his peers at schools with big-time football and basketball programs.

"If I did this at Ohio State I'd be pumping gas," he said.

Charles Bloom, spokesman for the Southeastern Conference, based in Birmingham, Ala., said it's too early to tell whether the changes at Vanderbilt are a trend or an anomaly.

"There's been discussion on the national level about bringing athletics into the academic world, and the question is, is this a sign of things to come?" he said.

Baylor President gets 'no confidence' vote

Associated Press

WACO, Texas — The Baylor faculty senate passed a "no confidence" motion Tuesday for embattled President Robert Sloan.

A group billing itself as "Friends of Baylor" countered the senate's action — academia's severest form of criticism — by announcing it has raised \$300,000 for a public relations campaign to defend Sloan and the scandal-ridden university.

The opposing messages came amid mounting pressure from some circles for Sloan, who has headed the world's largest Baptist university for eight years, to step down.

The 26-6 vote of no confidence came after the faculty senate met for more than three hours.

Joe Cox, the faculty senate chairman, said the motion cites the "deeply polarized and relationally paralyzed Baylor community" under Sloan's presidency.

The senate, which has no actual authority over Sloan's employment, will forward its recommendation for his ouster to Baylor's 36-member board of regents, which opens a two-day meeting Thursday.

In recent days, five of Baylor's 36 regents and three former regent chairmen have called for Sloan's resignation.

Baylor is reeling from the fatal shooting of basketball player Patrick Dennehy, the arrest of former player Carlton Dotson on a murder charge, and revelations of serious NCAA rules violations in the basketball program.

Last month, Sloan accepted the resignations of coach Dave Bliss and athletic director Tom Stanton and put the program on voluntary probation.

Friends of Baylor, founded less than two weeks ago, issued a statement saying it has "recruited a heavy hitting committee of Baylor alumni and supporters from across Texas" to support its campaign.

U.S. Rep. Max Sandlin, D-Texas, a Friends of Baylor steering committee member, said the group "is not just a pep squad — we are a group of highly active, highly motivated Baylor alumni and students who are committed to supporting Baylor and its current leadership."

A few hundred yards from the building where the faculty senate met, about 200 students gathered at a special prayer service, asking for peace of mind and strength for Sloan.



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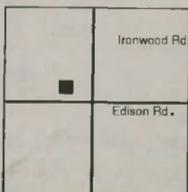
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AROUND THE NATION

AVCA Division 1 Coaches Top 25 poll

	team	record	points
1	USC (65)	6-0	1,625
2	Hawai'i	7-1	1,544
3	Florida	6-1	1,511
4	Stanford	4-1	1,388
5	Nebraska	5-0	1,359
6	Northern Iowa	3-1	1,266
7	Pepperdine	5-2	1,216
8	Penn State	7-0	1,154
9	UCLA	5-1	1,112
10	Georgia Tech	5-0	1,088
11	UC Santa Barbara	2-2	902
12	Kansas State	6-2	886
13	Santa Clara	5-1	746
14	Arizona	4-3	625
15	NDRE DAME	4-1	596
16	California	5-0	544
17	Michigan State	5-0	478
18	Washington	6-0	473
19	Long Beach State	3-1	429
20	Minnesota	2-4	348
21	Louisville	3-3	332
22	Loyola Marymount	7-0	294
23	Missouri	5-1	274
24	Pacific	3-1	207
25	Wisconsin	4-2	171

2003 MIAA Volleyball Standings

team	League		Overall	
	W	L	W	L
Calvin	2	0	6	0
Kalamazoo	1	0	7	2
Albion	1	1	5	5
Hope	1	1	4	4
Alma	0	0	7	2
Adrian	0	1	2	3
Olivet	0	0	2	3
Saint Mary's	0	2	4	4

Eye on Irish Opponents

Saturday

WASHINGTON STATE (1-1) at Colorado State

Louisiana Tech at MICHIGAN STATE (2-0)

PURDUE (2-1) at Wake Forest

Ball State at PITTSBURGH (1-0)

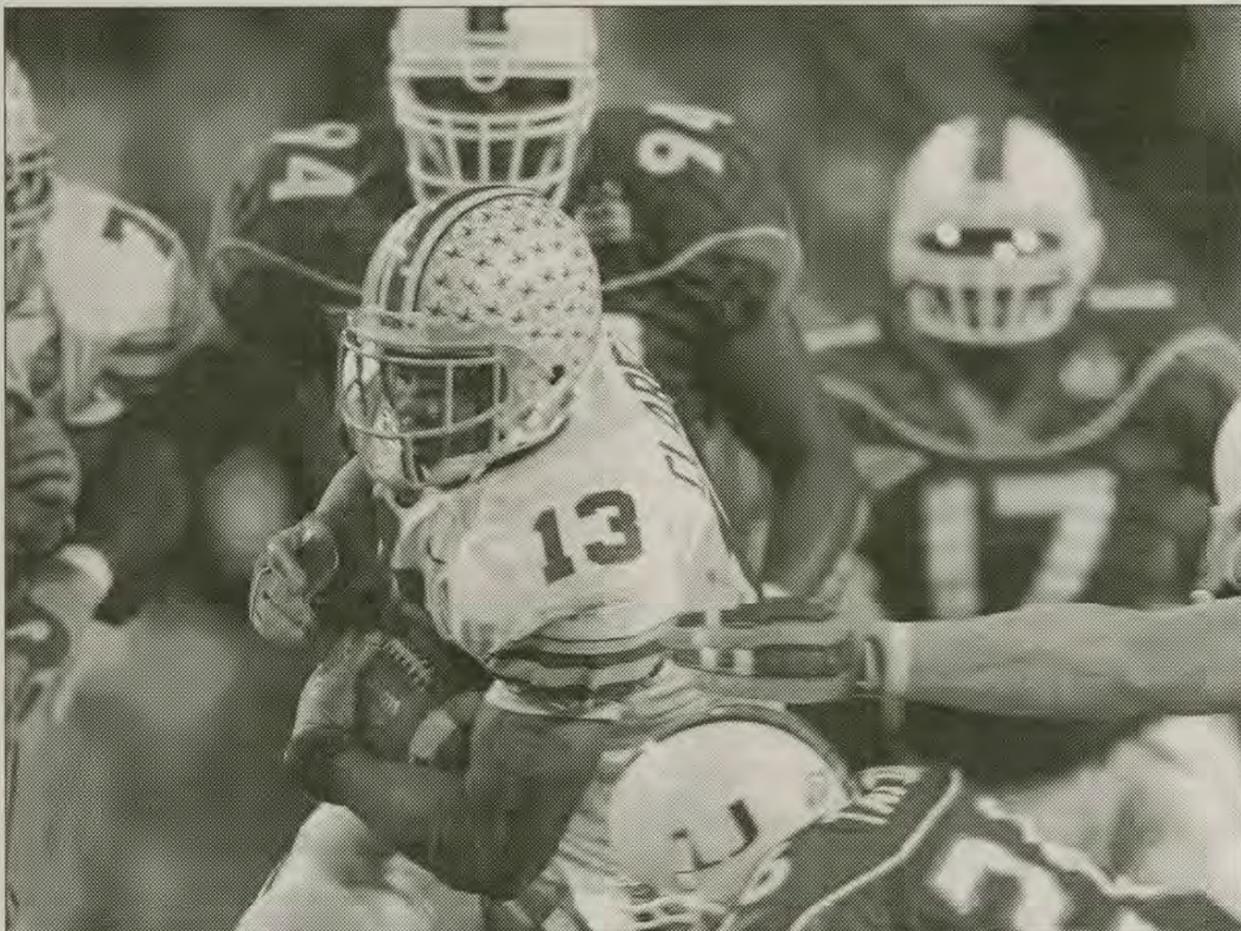
Hawaii at USC (2-0)

BOSTON COLLEGE (1-1) at Connecticut

Georgia Tech at FLORIDA STATE (2-0)

BYU (1-1) at New Mexico

COLLEGE FOOTBALL



Ohio State running back Maurice Clarett breaks a tackle during the Fiesta Bowl last season. Clarett was charged with a misdemeanor for lying about stolen property and will likely not return to the Buckeyes.

Clarett charged with misdemeanor

Associated Press

COLUMBUS, Ohio — Maurice Clarett was charged Tuesday with lying about items stolen from his car, and Ohio State coach Jim Tressel said the school is ready to cut ties with the star running back.

Clarett was charged with misdemeanor falsification, city attorney spokesman Scott Varner said. If convicted, Clarett would face up to six months in jail and a \$1,000 fine. But probation is likely the harshest sentence a judge would impose, city prosecutor Stephen McIntosh said.

Tressel said he does not

expect Clarett to return this season to the defending national champion Buckeyes. He would recommend that Clarett be released from his scholarship if the request was made by Clarett, the coach said.

Clarett has already been suspended indefinitely from the team, and probably will not play for the Buckeyes this season. He is also being investigated by the NCAA.

Tressel was asked if it was time for Clarett to move on.

"I think that he needs to make, along with his family, whatever decision he

thinks is best for him," Tressel said.

If Clarett's career at Ohio State is over, the running back's last carry would rank among the most memorable in school history. He scored on a 5-yard run in the second overtime in a 31-24 victory over Miami in the Fiesta Bowl, giving the Buckeyes their first national championship in 34 years.

Alan C. Milstein, the Clarett family attorney, said he wasn't surprised by Tressel's comments or the misdemeanor charge.

"Nothing Ohio State does surprises me," he said. "I don't think the family re-

cognizes what Ohio State's actions and motivations are, either."

Milstein declined to comment on whether Clarett would consider transferring.

If Clarett transferred to another Division I-A school, he would have to sit out a year in addition to any suspension or ineligibility handed down by the NCAA. He could transfer to a Division I-AA, II or III and be immediately eligible to play, but any possible penalties would also pertain.

Hawes said the NCAA had not received Ohio State's formal response.

IN BRIEF

Devil Rays sign top pick Young

The Tampa Bay Devil Rays signed No. 1 overall pick Delmon Young to a \$5.8 million, five-year contract Tuesday.

The outfielder will report to the Devil Rays' instructional league program Sept. 19.

Young, the younger brother of Detroit's Dmitri Young, hit .541 with seven homers and 28 RBIs in 22 games this season at Camarillo (Cal.) High School. He was the first selection in June's amateur draft.

Asked if signing a major league contract was a dream come true, Young said,

"Winning the World Series would be," Young said.

Young, 18, hopes to reach the majors during the 2005 season. He also believes the Devil Rays, who have one of the major's youngest teams, can become championship contenders in the near future.

"We should be able bring a World Series title back before 2010," Young said.

Tampa Bay general manager Chuck LaMar foresees Young as a corner outfielder.

"He's got a chance to be an awfully good offensive player," LaMar said. "I think we've signed a tremendous competitor."

To make room on the 40-man roster for Young, Tampa Bay transferred shortstop Rey Ordonez from the 15- to the 60-day disabled list. Ordonez is out with a knee injury.

Young gets a \$3.7 million signing bonus, of which \$25,000 is payable in November, \$225,000 in January, \$1.5 million each in January 2005 and January 2006 and \$450,000 is July 2006.

Ueberroth drops out of recall race

Former baseball commissioner Peter Ueberroth dropped out of the

California gubernatorial recall race Tuesday.

The move came as the latest poll showed him trailing badly among candidates in the Oct. 7 election.

Ueberroth, chief of the 1984 Los Angeles Olympic Games, said his focus on creating jobs had caught on with people but conceded his candidacy didn't have enough time left.

"In the four weeks where we are and where we have to get, we just can't get there," he said during a news conference at his campaign headquarters.

Ueberroth's departure is the latest among GOP candidates. Former gubernatorial candidate Bill Simon and U.S. Rep. Darrell Issa, who financed the recall effort, earlier said they were dropping out of the race.

Simon and Ueberroth's names will still appear on the ballot, while Issa's will not because he never filed candidacy papers.

around the dial

MLB

AMERICAN LEAGUE

Detroit at NY Yankees 7:05 p.m., ESPN2

Anaheim vs. Oakland 9 p.m., ESPN

NATIONAL LEAGUE

Philadelphia at Atlanta 6 p.m., ESPN

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And Returning Students

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VBall

continued from page 24

Loomis was joined by Big East Player of the Week Lauren Kelbley, who had 11 kills in the first two games. She did not play the third game.

"We had the opportunity to play everybody today," Brown said.

Senior Jessica Kinder set a school record with 28 digs on the match. She was joined by Meg Henican, who had 14 digs to go along with three kills.

Senior setter Kristen Kinder led the attack with 35 assists and only one ball handling error. She also had eight digs in the three games.

Sophomore middle blocker Lauren Brewster contributed eight kills as well.

The Irish had trouble finishing the match after dominating the first two games. Game one began with a 13-5 Irish lead. This was too much for the Crusaders to overcome, as Loomis had eight kills in the game.

Game two looked to be more of a challenge for the Irish, as Valparaiso was within one point at 11-10. However, Kelbley put together a string of serves, including two aces that put the Irish up 15-10. After that, the Irish never looked back.

In game three, Notre Dame got off to a slow start once again. However, unlike the

previous game, the Irish couldn't break it open, as the Crusaders were winning most of the way.

With the score 24-20 in favor of Valparaiso, Loomis put the ball away, and proceeded to serve three straight points to bring the Irish within one. She tied the game at 30 a few minutes later, and senior Kim Fletcher put the Irish ahead 31-30; Loomis then finished Valparaiso off.

"In game three, we made a lot of unforced errors," Brown said. "That was a little disappointing, but hopefully it's a learning experience for us and we don't repeat that."

The Irish will take the win, but they are not yet satisfied with their play.

"We can definitely play at a higher level," Brown said. "What we were looking for is really steady play from start to finish."

NOTRE DAME 3,
Valparaiso 0
at the JOYCE CENTER,
Tuesday

NOTRE DAME	30	30	32
Valparaiso	21	17	30

NOTRE DAME — Kills 62 (Loomis 24), Assists 55 (K. Kinder 35), Digs 81 (J. Kinder 28), Blocks 7 (Brewster 3), Hitting percentage .257 (Loomis .571), Aces 7 (Three with 2)

Valparaiso — Kills 37 (Robinson 12), Assists 35 (Norman 32), Digs 75 (Silcox 26), Blocks 7 (Mikos 4), Hitting percentage .135 (Norman .333), Aces 1 (Hansen 1)

Contact Heather Van Hoegarden
at hvanhoeg@nd.edu

Belles

continued from page 24

the match, holding close to Calvin in a first game that was only decided by three points. After that, it seemed as though the team might have lost a bit of intensity, a fact reflected in the scores of the final two games.

"We're the kind of team that needs to win that first game," Schroeder-Biek said. "When we started this match it was just like this weekend [at the Kilt Classic, where the Belles went 4-1]."

"The first game we made some sloppy mistakes that caught up to us, and after that we didn't ever seem to get that original intensity back."

Freshman Kristen Playko continued her impressive rookie season, leading the Belles with 11 kills and also

contributing nine digs and three service aces. Senior captain Alison Shevik led the team with 15 digs.

Setter Lauren Temple had 32 assists to lead the team, and middle hitter Elise Rupright pitched in with a solid performance — eight kills, seven digs, two solo blocks and three service aces.

The loss drops the Belles to 0-2 in conference play, but their coach maintains that this team has the ability to be something special.

"We have great potential this year," Schroeder-Biek said. "We cannot lower our expectations. We need to play at the level we know we can play at, for the entire game."

Saint Mary's returns home to face non-conference opponent Rochester College Thursday.

Contact Justin Schuver at
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**Observer Sports
Meeting
Thursday,
September 11
6:00 p.m.
South Dining Hall
Basement**

FOOTBALL

Watson focused and ready to play Saturday

By MATT LOZAR
Associate Sports Editor

For the second straight year, linebacker Courtney Watson missed the beginning of the Notre Dame season. Watson missed the first two games in 2002 due to an illness. This season, Watson was forced to watch the opener from the sidelines after a circumstance outside of his control resulted in a one-game suspension.

The mystery surrounding the cause of his suspension brings about a lot of attention—which Watson is trying to ignore.

"I'm trying to do the best I can to put it behind me. A lot of people want to ask questions about it and bring it up," Watson said. "I can't focus on it. I can't worry about that. I have a big enough task at hand Saturday to be worried about stuff like that."

The return of Watson for Saturday's game against Michigan is extremely important since his performance is key to stopping the running game. Michigan's team running attack leads Division I with 367.0 yards a game. Chris Perry is first in the country averaging 208.0 yards per game.

Renewing bitter ties

In case you didn't know, it's Notre Dame-Michigan week. Which means the players and coaches are attempting to not over hype this game.

"You still have 11 guys on offense, 11 guys on defense. You still have to lineup and execute your technique and the play calls," cornerback Vontez Duff said. "It's one of those games where there are more fans. We have to have the mindset and attitude to go in there and execute our technique and get things done."

Even Duff admits it's hard not to think about how big this game actually is.

"It's a battle man. It's going to be a way. It's going to be down to the last second on the clock just like last year," Duff said. "I feel as though if we go in and execute, it's going to be a great game."

The significance of this rivalry goes back to Nov. 23, 1887 when the Irish played their first game against the Wolverines. Michigan won 8-0.

Besides the length of this rivalry, the success of these two programs adds that much more meaning to every game.

"From my perspective, I think you would say really one word probably captures it

more than anything else — winning," Notre Dame coach Tyrone Willingham said. "By that I think you have the No. 1 program in the country in terms of winning percentage involved in this contest. On the other hand, I think you have the No. 1 program in terms of games won in this contest."

"It's a natural that this becomes a game that gathers the interest of a lot of people, not only in this region, but around the country."

Notre Dame has a winning percentage of .750 compared to Michigan's .746. The Irish have won 791 games in 114 years while the Wolverines have won 823 games in 123 years.

Telltale sign?

After surviving a major scare from Washington State Saturday, the Irish know this game will be very important to determining their course for the rest of the season.

A loss drops their record to even, but a win could propel the Irish into the top 10 and give the Irish attention around the country.

"I think this is a game, this year, that means a lot to us as a team," Watson said. "It's a pretty big game to show how we can play away, at

Michigan. I think it's a real big deal for our team this year and how the season will play out."

Last year, the Irish were 2-0 going into the game with Michigan. In the season's third game, the offense finally found the end zone and former Irish cornerback Shane Walton sealed the 25-23 victory by breaking up a fourth quarter two-point conversion and an interception on Michigan's final drive late interception.

Injury update

Cornerback Jason Beckstrom participated in team drills in the beginning of camp when the media was allowed to watch practice. He was in full pads. Cornerback Dwight Ellick had his left leg in an immobilizer Tuesday and did not participate in practice.

Linebacker Mike Goolsby worked out in the team drills in a helmet and shoulder pads, but was not in full-body pads.

Willingham said the status of the injured players will become known throughout the week and no one has been ruled out of Saturday's game.

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D-backs

continued from page 24

jump on the loose ball.

Duff isn't ready to switch roles just yet.

"I'm not too much of a hitter, I'm going to leave that to Earl. It's kind of weird making those big hits and Earl getting the fumble," Duff said. "Usually it's the other way around. If it happens that way, it's great for our team. If it gives us that burst, then I'm glad to have that role."

The one disappointment for this secondary was its inability to directly contribute on the scoreboard. The whole defense, namely the defensive backfield, takes a lot of pride in making the big play to turn the game around and help out what has been an inconsistent offense.

Saturday at Michigan, Duff and company are ready to get back to their old habits.

"It's not just making those big plays and making those turnovers, but we need to score off those turnovers. That's what we really talk about as a defense," Duff said. "We help the offense a little bit more if we're scoring on defense. It helps the team out in the end. We always look forward to [not only] creating turnovers but also scoring off those turnovers."

Contact Matt Lozar at
mlozar@nd.edu

Interfaith

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back to school..."*

~ Adam Sandler, genius

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Adam Kronk '02

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as a first year student, from abroad, or simply a great summer.

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FOOTBALL

Passing the test

Irish defensive backs survive test against Washington State despite injuries

By MATT LOZAR
Associate Sports Editor

The thinnest position on the Notre Dame defense was tested against Washington State, going past the traditional two-deep depth chart.

Starting right cornerback Jason Beckstrom, who missed 2002 with an arm injury, was hurt on the Cougars' first quarter touchdown drive. Dwight Ellick, who was listed as a potential co-starter on the right side, replaced Beckstrom and later left with an injury in the first quarter. Preston Jackson, listed as the backup to Vontez Duff at left cornerback, shifted over to the right side.

Insert true freshman Freddie Parrish into the picture.

Parrish moved into the nickel back role, vacated by Jackson, and saw significant playing time throughout the rest of the game.

"Coach Walters told me [Friday night] to be ready regardless. We went to our hotel, went through the notebook and he told me to be ready since you never know when your number is going to be called," Parrish said. "When the opportunity presented itself, I just tried to do the best I could."

"I thought I might play a little bit, if we were blowing them out or something. I had no idea it was going to be in for crunch time."

Parrish only had the past summer to really learn the defensive schemes and adjust from the high school to the col-

lege game. Therefore, Parrish relied on the knowledge of his willing teammates to make sure he had the correct assignments.

"They were all willing to help me, whenever we went to the sideline, Preston was always going over this and that," Parrish said. "When we were on the field, Glenn [Earl] would talk to me and Garron [Bible]. Same thing as Vontez [Duff] when I was on his side he let me know."

Parrish wasn't the only unexpected player to get into the game. When Duff went to the sidelines with an injury later in the game, Mike Richardson stepped onto the field for his first collegiate action.

Being able to call on players like Parrish and Richardson in important situations says a lot about the Irish secondary.

"Our depth came in and played a great game," Duff said. "They came in and stepped up. Just coming in and getting that experience on defense really helps our defense in the long run of the season."

Besides the Irish having to go nine players deep into their secondary, some of the roles from 2002 were reversed against the Cougars.

Earl earned the reputation of always making the big hit. Duff picked up fumbles or made interceptions and used his play-making ability to make something happen. Saturday, Duff got the big hit that turned around the game in the fourth quarter and Earl was there to



Freddie Parrish plays defense Saturday against Washington State. The Irish secondary, already not very deep, was forced to go to the bench against the Cougars due to many injuries. Parrish saw his first action in a Notre Dame uniform, as did sophomore Mike Richardson.

see D-BACKS/page 22

ND VOLLEYBALL

Irish win big in home opener



ADAM MIGLORE/The Observer

Freshman libero Danielle Herndon passes the ball against Valparaiso Tuesday night.

By HEATHER VAN HOEGARDEN
Sports Writer

The Irish gave the home crowd something to cheer about Tuesday night, as they handed the Valparaiso Crusaders their first loss of the season.

No. 15 Notre Dame (5-1) swept Valparaiso (8-1) right off the court, winning 30-21, 30-17 and 32-30.

"It is great to be home," coach Debbie Brown said after the game. "We were on the road for a very long time."

The Irish shined in the home opener, once again dominating at the nets. Notre Dame finished with 62 kills to Valparaiso's 37. Emily Loomis led the way for the Irish with 24 kills on .574 hitting percentage.

see VBALL/page 21

SMC VOLLEYBALL

Belles play well, but fall just short

By JUSTIN SCHUVER
Associate Sports Editor

Saint Mary's came out of the Calvin game on the short end of the score, but that doesn't mean there's nothing the team can learn from its loss.

The Belles fell to the Knights by a score of 27-30, 21-30, 19-30 Tuesday night, but coach Julie Schroeder-Biek was proud of how her team performed its game plan.

"One of the reasons Calvin

is 6-0 now is that they have a strong middle attack," she said. "I'm very happy with how we played up the middle."

Calvin's leading player, middle hitter Kara Kuipers, came into the game hitting an average of .600, but the Belles were able to hold her to well below that average. It was not enough as Kuipers' teammates were able to back up their star.

The Belles started strong in

see BELLES/page 21

SPORTS
AT A GLANCE

SMC SOCCER

Saint Mary's 2
Calvin 2

Belles fall short in MIAA opener.

page 21

MLB

Baseball scores from yesterday's action in the American League and National League.

page 14

TRACK AND FIELD

IAAF wants to take Kelli White's gold medals, after testing positive for stimulants.

page 16

COLLEGE FOOTBALL

Ohio State tailback Maurice Clarett has been charged with a misdemeanor and will not return to school.

page 20

COLLEGE FOOTBALL

Iowa vs.
Iowa State

Interstate rivals square off in a marquee matchup.

page 15

COLLEGE FOOTBALL

Nebraska vs.
Penn State

The Huskers look for revenge against the Nittany Lions.

page 15