

The Daily Iowan

WEDNESDAY, OCTOBER 8, 2003

SINCE 1868

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Elliott, Vanderhoef, Bailey lead; Pfab out

CITY PRIMARY CUTS FIELD OF HOPEFULS NEARLY IN HALF.

BY ALEX LANG
THE DAILY IOWAN

The race for four Iowa City City Council seats was cut nearly in half Tuesday, ousting five hopefuls and one incumbent from a citywide pool of 14 candidates.

Leading the council's at-large primary vote was Bob Elliott with 60 percent, followed by Dee Vanderhoef with 43 percent, Brandon Ross at 27 percent, and Steve Soboroff, who culled 21 percent. Voters were allowed to choose up to two candidates.

Regenia Bailey received 55 percent of the vote in the District C race. Dean Shannon, who received 28 percent, also landed a spot on the ballot in the Nov. 4 general election. Incumbent Irvin Pfab lost his seat in the primary.

"This was the first time I've run for a government office," Elliott said. "It is very humbling to have people say that they want you."

Crediting her victory to experience on the council, Vanderhoef said that it was very gratifying to garner such support.

SEE CITY COUNCIL, PAGE 4A



John Richard/The Daily Iowan
Ken Smalley works at the Currier Hall Residence Hall polling place Tuesday. Smalley began at 6 a.m. At 6:45 p.m., only 31 people had voted.

Not meant to be — Etre bows out

Although George Etre dropped out of the race for the Iowa City City Council on Monday night, his name remained on Tuesday's primary election ballot, and he received 2 percent of the vote.

He said he dropped out of the race because he was concerned that his busy schedule would not allow him to put in the effort that the council deserves.

"It just got to be a little too time-consuming," he said, adding that he is not as passionate as some candidates on all the issues. "I'm not really into campaigning, shaking hands, and kissing babies."

Johnson County Auditor Tom Slockett said Etre's name appearing on Tuesday's ballot was "not all that unusual," adding that it has very little effect on the auditor's office.

There have been four elections in the past 10 years that have had candidates

drop out yet remain on the ballot and garner a few votes.

Two candidates who dropped out of elections in 1994 had their names remain on ballots. John Deeth dropped out of the Coralville City Council race, and Mark Libants dropped his candidacy for the Iowa Legislature.

Despite dropping out, Libants still received 2,837 votes. In 2000, Dick Brown bowed out of the race for Johnson County supervisor and received 624 votes, narrowly losing to Myron Smalley by only 31 votes. In 2001, Jacob Felderman dropped out of the Iowa City City Council election and received 46 votes.

Etre said his candidacy was not about acquiring a seat on the council but rather using his name recognition to get students involved in the elections.

"People will be surprised by the student impact on this election," he said, adding that he plans to endorse a candidate following the primaries.

— by Tim Flaherty and Matthew Moss

DOING THE CEDAR RAPIDS STUMP



Nicholas Wynia/The Daily Iowan
Sen. John Edwards, D-N.C., signs autographs following a campaign speech Tuesday evening in Cedar Rapids. See story, page 2A.

Calif. selects Arnold

BY ERICA WERNER
ASSOCIATED PRESS

LOS ANGELES — Californians banished Gov. Gray Davis just 11 months into his second term and elected action-hero Arnold Schwarzenegger to replace him Tuesday — a Hollywood ending to one of the most extraordinary political melodramas in the nation's history.

Voters traded a career Democratic politician who became one of the state's most despised chief executives for a moderate Republican megastar who had never before run for office. Davis became the first California governor pried from office and only the second nationwide to be recalled.

Early tallies showed the recall favored by 1,019,874 voters — 57.5 percent — and opposed by 755,375, 42.6 percent.

Other early returns had Schwarzenegger ahead with 862,217 votes, Democratic Lt. Gov. Cruz Bustamante with 482,376, Republican state Sen. Tom McClintock with 200,970, and Green Party candidate Peter Camejo with 25,916.

Schwarzenegger prevailed despite a flurry of negative publicity in the campaign's final days, surviving allegations that he had groped women and accusations that as a young man he expressed admiration for Adolf Hitler.

The 56-year-old Austrian immigrant — the husband of television journalist Maria Shriver — finds himself in charge of the nation's most populated state with an economy surpassed only by those of four countries.

Schwarzenegger promised to return the shine to a Golden State beset by massive budget problems and riven by deep political divisions.

Voters faced two questions — whether to recall Davis, and who among the other candidates should replace him if he was removed. They chose to get rid of the incumbent and put Schwarzenegger in his place.

Approximately seven in 10 voters interviewed in exit polls said they had made up their minds how they would vote on the recall question more than a month before the election.

Long lines were reported at

SEE RECALL, PAGE 4A

Bailey remembered for compassion, humility

BY SONJA ELMQUIST
THE DAILY IOWAN

Seth Bailey's visitation room in the Yoder-Powell Funeral Home in Kalona was filled for two days with mourners taking in artifacts from his life and describing how the 25-year-old touched their lives.

There were as many smiles as tears for Bailey, who succumbed to a rare form of cancer Oct. 3, as family and friends remembered his compassion and humility.

More than 500 visitors



Bailey
cancer victim

attended Bailey's funeral at Iowa Mennonite High School on Tuesday morning, said funeral director Charlie Yoder.

His family said Bailey's friends from his 2002 International Olympic Committee internship in Colorado Springs attended the visitation, traveling from as far as Texas and North Carolina.

"They had only known Seth for two and a half or three months," said Seth Bailey's father, Tom Bailey. "That they had come from so great a distance amazed me."

After being diagnosed with soft-tissue synovial sarcoma at 17 and overcoming the amputation of one leg that same year, Seth Bailey continued to play

SEE BAILEY, PAGE 4A

Study backs up 'Freshman 15'

BY INDIA MORROW
THE DAILY IOWAN

Watch out, freshmen — you could wake up to a whole new heftier you in 12 weeks if you're not careful.

A study done this summer by David Levitsky, a professor of nutritional sciences and psychology at Cornell University, has found that first-year students gain an average of 4.2 pounds during the first 12 weeks of school — almost 11 times more than 17- and 18-year-olds normally gain and 20 times more than the average American adult.

Those 4.2 pounds could add up to 15 after only one year — hence the expression "Freshman 15," well-known to college students across the country, describing the extra 15 pounds freshmen may gain over the course of their first year.

Levitsky's study showed that partaking of the fare at all-you-can-eat dining halls accounts for 20 percent of freshman weight gain. Other causes included the number of evening snacks consumed, the number of weekend meals, and the consumption of junk food.

Anne Harkins, the Burge Dining Hall manager, said she is aware that such facilities could contribute to the Freshman 15.

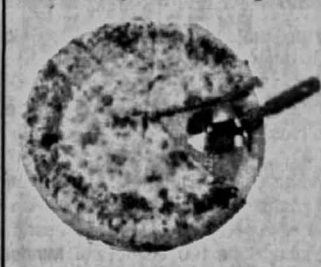
"We try to provide healthier options," she said, noting the extensive salad bar with available low-fat dressings, vegetables served without butter, and boneless, skinless chicken breasts.

Still, most students go for fried food over the body-friendly items, she said.

"It's only our job to provide [the healthy foods], but it's up to them to choose them," she said.

Hillcrest Food Service is also trying to help students combat

A study done this summer by Dr. David A. Levitsky, a professor of nutritional sciences and psychology at Cornell University, has found that first-year students gain an average of 4.2 pounds during the first 12 weeks of school. That's almost 11 times more than 17- and 18-year-olds should normally gain and 20 times more than the average American adult gains.



the spare-tire effect. At the beginning of this school year, signs were posted around the dorm's dining hall to remind students to only take as much as they want to eat, because they can always come back for

SEE FRESHMAN 15, PAGE 4A

WEATHER



↑ 82 °
↓ 55 °

Partly sunny, windy

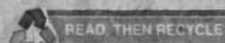
HARMONY OF MOVEMENT

Aikido differs from nearly every other sport; it stresses the connection between opponents. See story, page 1B



CARNEGIE-WORTHY

A UI teacher is being pushed for a prestigious national award. See story, page 2A



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Edwards attacks Bush on jobs

BY ANNIE SHUPPY
THE DAILY IOWAN

CEDAR RAPIDS — Sen. John Edwards remains confident about his bid for the Democratic presidential nomination in a dwindling candidate field despite a less-than-stellar outlook in the polls.

Responding to a question about Monday's announcement that Sen. Bob Graham, D-Fla., has dropped out of the presidential race, Edwards, a Democrat from North Carolina, was quick to note that he intends to charge forward with his own campaign.

"Bob Graham is good man and a friend of mine. It's unfortunate for him that he will no longer be campaigning," Edwards told *The Daily Iowan*. "I feel good about how my own campaign is going. I feel very encouraged."

A Sept. 20 *Newsweek* poll put Edwards at 6 percent nationally among the Democrats, with Gen. Wesley Clark, former Vermont Gov. Howard Dean, and Sen. Joe Lieberman, D-Conn., leading the pack. But a poll released Tuesday by the American Research Group put Edwards first in South Carolina by 9 points.

The former trial lawyer also said he could not predict whether the current nine-candidate pack of Democratic hopefuls will continue to narrow, describing the campaign dynamics as "unpredictable."

"I see us making progress and continuing to have momentum," Edwards said before stepping into his campaign van, which was headed to Tipton.

In a speech to roughly 150 activists in Cedar Rapids, Edwards focused his attacks on Bush, declining to criticize his fellow Democrats. He addressed his concerns about extra tax breaks for multinational corporations that, he says, have moved jobs overseas.



Nicholas Wynia/The Daily Iowan
Sen. John Edwards, D-N.C., campaigns for the Democratic presidential nomination on Tuesday evening in Cedar Rapids.

"We ought to give tax breaks to American companies that will keep jobs right here," Edwards said in his slight Southern drawl.

The University of North Carolina-Chapel Hill graduate also touted his plans to restore funding for after-school programs and make higher education affordable through his College for Everyone initiative. He also discussed ways to address America's nursing shortage, repair the shortcomings of the country's health-care system, and hold pharmaceutical companies accountable.

The drug companies "are absolutely crippling people," he

said. "We've got to stand up to these industries for the American people."

Emily Lundquist, a Luther College senior who plans to attend the Jan. 19 Democratic caucuses, said she was disappointed that Edwards did not address the global AIDS problem, adding that the pandemic is a "huge national-security issue." However, she said, she appreciated Edwards' commitment to education.

"The only candidate talking about [AIDS] right now is Bush," Lundquist said. "I'd like to hear the other candidates talk about what they're going to do without being asked first."

Another student, UI freshman Lindsay Keller, said she has followed Edwards for the past two years and remains a committed supporter. She cited economic recovery and health-care issues as strengths in his campaign.

Kim Rubey, Edwards' Iowa press secretary, said the candidate will return to Iowa for campaign swings next week and the following week, noting that the state is an important component of Edwards' overall strategy.

"We're making a lot of progress, and we want to build on that," Rubey said.

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The Daily Iowan

Volume 135 Issue 73

BREAKING NEWS
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Policy: *The Daily Iowan* strives for accuracy and fairness in the reporting of news. If a report is wrong or misleading, a request for a correction or a clarification may be made. A correction or a clarification will be published.

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POLICE LOG

Denise McKelvie, 31, address unknown, was arrested Oct. 3 on charges of assault on a police officer. Police records show McKelvie allegedly kicked an officer several times and struck him in the arm while she was being arrested for operating while intoxicated.

UI lecturer nominated for national award

BY MEGHAN SIMS
THE DAILY IOWAN

A UI College of Education lecturer who doubles as a West Liberty substitute teacher was nominated by more than a dozen people, among them prominent athletics and student leaders, for a state award that could lead to national recognition for his achievements.

Mitchell Kelly, who has undergraduate, master's, and doctoral degrees from the UI, is a candidate for the Carnegie Foundation Professor of the Year Award, an annual distinction given to one college instructor in each of the 46 participating states.

If selected, the 39-year-old has a chance to win one of four

national awards, which includes a \$5,000 prize and an expense-paid trip to the November awards ceremony in Washington, D.C. But he remains modest about his nomination, crediting his students for his fame.

So what would he buy with the money?

"A race horse," he said. "No, I'm kidding. I don't know; I haven't even thought about it."

What began as a psychology major for the Dubuque native quickly evolved into strong university ties as he progressed through his education, seeking a master's degree in social work and a Ph.D. in educational psychology. All four of his children — three daughters, one son — were born in the UI

Hospitals and Clinics. And his nomination for the award, from former Iowa wrestling coach Dan Gable, underscores his time as a walk-on for the team in the '80s.

Other nominations came from Iowa football coach Kirk Ferentz, whom he met when teaching the coach's son and several Hawkeye players, and former UI Student Government President Nick Klenske.

The Council for Advancement and Support of Education and the Carnegie Foundation established the Professor of the Year Award in 1981 to recognize outstanding teachers dedicated to teaching, students, and innovative instructional methods. It remains the only national

program to commend college and university professors for their teaching efforts. No teacher from any Iowa school has won the award.

WHAT SETS MITCH
APART IS THAT HE
REALLY GETS TO KNOW
THE STUDENTS, AND
HE REALLY CARES
ABOUT THEM.

— THOMAS ROCKLIN,
KELLY'S CHAIRMAN

Part of Kelly's humility stems from his history as a

high-school teacher in West Liberty, where he taught while taking master's degree courses at the UI. When the educational-psychology department became short-staffed, his adviser offered him his current teaching position, which he originally declined.

"But then he said, 'We need you,' and when your adviser says something like that, you can't say no," Kelly said.

The best aspect of teaching, he said, is the people he has met. He said he tries to know each of his 250 students' names and emphasizes an intimate, personal atmosphere in his 50-student lectures.

One student, the granddaughter of the CEO of the Arlington Race Track, invited

him and his family to an Illinois horse race, where they presented a first-place trophy to the winning jockey.

"To be in the winner's circle and present a trophy, that's pretty fun," he said.

Thomas Rocklin, the chairman of the educational-psychology department and another nominator, has known Kelly since he was a graduate student.

"What sets Mitch apart is that he really gets to know the students, and he really cares about them," he said.

Award winners at the state level are scheduled to be announced by the end of the month; national winners will be awarded in late November.

E-mail: reporter.meghan.sims@uiowa.edu

NOTICE OF BOND SALE

Time and Place of Sale: Sealed bids or electronic bids for the sale of bonds of the Board of Regents, State of Iowa ("Board"), will be received in Room 339, Wisconsin Room, in the Iowa Memorial Union, The State University of Iowa, until 10:30 o'clock A.M. on the 16th day of October, 2003. The bids will then be publicly opened and referred for action to the meeting of the Board as stated below.

Sale and Award: The sale and award of the bonds will be held at a meeting of the Board at the R. Wayne Richey Ballroom in the Iowa Memorial Union, The State University of Iowa, Iowa City, Iowa, on the above date.

The Bonds: The bonds to be offered are the following:

I.S.U. REGULATED MATERIALS FACILITY REVENUE BONDS, SERIES I.S.U. 2003, in the amount of \$6,750,000 to be dated November 1, 2003 (the "Bonds").

Manner of Bidding: Open bids will not be received. No bid will be received after the time for receiving bids specified above. Bids will be received in any of the following methods:

- Sealed Bidding: Sealed bids may be submitted and will be received in Room 339, Wisconsin Room, in the Iowa Memorial Union, The State University of Iowa, Iowa City, Iowa.
- Internet Bidding: Internet bids may be submitted via PARITY® in Room 339, Wisconsin Room, in the Iowa Memorial Union, The State University of Iowa, Iowa City, Iowa.
- Electronic Facsimile Bidding: Electronic facsimile bids will be received at 319-335-3434. Electronic facsimile bids will be sealed and treated as sealed bids.

Official Statement: The Issuer has issued an Official Statement of information pertaining to the Bonds to be offered, including a statement of the Terms of Offering and an Official Bid Form, which is incorporated by reference as a part of this notice. The Official Statement may be obtained by request addressed to the Financial Advisor to the Board, Springsted Incorporated, 85 East Seventh Place, Suite 100, Saint Paul, Minnesota 55101 - Telephone: (651) 223-3000, or to the Board of Regents, State of Iowa, 11260 Aurora Avenue, Urbandale, Iowa 50322 - Telephone: (515) 281-3934.

Terms of Offering: All bids must be in conformity with and the sale must be in accord with the Terms of Offering set forth in the Official Statement.

Legal Opinion: Bonds will be sold subject to the opinion of Ahlers & Cooney, P.C., Attorneys of Des Moines, Iowa, as to the legality, and their opinion will be furnished together with the printed bonds without cost to the purchaser and all bids will be so conditioned. Except to the extent necessary to issue their opinion as to the legality of the bonds, the attorneys will not examine or review or express any opinion with respect to the accuracy or completeness of documents, materials or statements made or furnished in connection with the sale, issuance or marketing of the bonds.

Rights Reserved: The right is reserved to reject any or all bids, and to waive any irregularities as deemed to be in the best interest of the public.

By order of the Board of Regents, State of Iowa.

/s/ Gregory S. Nichols
Executive Director

(End of Notice)

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The Bonds: The bonds to be offered are the following:

ACADEMIC BUILDING REVENUE REFUNDING BONDS, SERIES I.S.U. 2003, in the amount of \$7,790,000 to be dated November 1, 2003 (the "Bonds").

Manner of Bidding: Open bids will not be received. No bid will be received after the time for receiving bids specified above. Bids will be received in any of the following methods:

- Sealed Bidding: Sealed bids may be submitted and will be received in Room 339, Wisconsin Room, in the Iowa Memorial Union, The State University of Iowa, Iowa City, Iowa.
- Internet Bidding: Internet bids may be submitted via PARITY® in Room 339, Wisconsin Room, in the Iowa Memorial Union, The State University of Iowa, Iowa City, Iowa.
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Court clears do-not-call

BY CINDY BROVSKY
ASSOCIATED PRESS

DENVER — A federal appeals court on Tuesday cleared away a hurdle that has kept the government from fully cracking down on telemarketers who contact people on the national do-not-call list.

The 10th U.S. Circuit Court of Appeals temporarily blocked a lower court order barring the Federal Trade Commission from enforcing the registry of more than 50 million numbers.

The court questioned the conclusions of U.S. District Judge Edward Nottingham of Denver, who said the list violates the telemarketing industry's free-speech rights by barring calls from businesses but not charities.

"The Supreme Court has held that there is undoubtedly a substantial governmental interest in the prevention of abusive and coercive sales practices," the appeals court said.

The court also noted Congress had found some telemarketing calls "subjected consumers to substantial fraud, deception, and abuse."

FTC Chairman Timothy Muris called the ruling a victory for American consumers and said his agency will return to enforcing the list. The Federal Communications Commission had stepped in at the last minute to handle enforcement, allowing the registry to take effect last week.

Nottingham's ruling had forced the FTC to shut down an

Internet and telephone system that allowed people to register new numbers with the list and file complaints against telemarketers. FTC officials say it will take at least a day to get it up and running again.

THIS IS NOT A CASE WHERE GOVERNMENT IS ACTING ON ITS OWN BUT AN ACTION ONLY AFTER THE CONSUMER OPTS IN AND SIGNS UP

— ED KAHN,
ATTORNEY

The court fight isn't finished. The appeals court said the FTC can run the registry while a challenge from telemarketers winds its way through the courts. Oral arguments were scheduled in Tulsa, Okla., on Nov. 10.

Sean Gallagher, an attorney who represents the American Teleservices Association and two telemarketing companies, said he was disappointed by the appeals-court decision but refused to call it a defeat.

"This does not reverse the judge's ruling that the law is unconstitutional," he said.

Ed Kahn, a Denver attorney specializing in constitutional law, said Nottingham ignored the fact that FTC rules already allow consumers to put their phone numbers on charity no-call lists.

"This is not a case where government is acting on its own but an action only after the consumer opts in and signs up," Kahn said.

The list has been the subject of at least two major court challenges by the telemarketing industry. A federal judge in Oklahoma said the FTC lacked the authority to create and enforce the list, a ruling made moot when President Bush signed a hastily passed law clarifying that authority.

It was Nottingham's ruling that had been closely watched because of the constitutional issues. His decision crippled the FTC's ability to fully punish telemarketers and kept it from sharing information about the list, hindering the FCC from enforcing it.

The FTC also had to stop providing the list to telemarketers, meaning they were free to call listed numbers without fear of reprisal.

The 10th Circuit has consolidated the appeal of Nottingham's decision with two related challenges — a case brought against the FCC by Denver telemarketers and the FTC's appeal of the ruling in Oklahoma. Arguments in all three cases will be heard at next month's hearing in Tulsa.

Attorneys for telemarketers argue the FTC has not shown charitable calls are different from commercial calls. They also said the First Amendment rights of telemarketers need to be protected.

AP writer David Ho contributed to this report.

SIGNING IN



Ben Plank, Telegraph Herald/Associated Press
Russell King of Eau Claire, Wis., puts up a sign at the Port of Dubuque in Dubuque. The sign directs people through a newly developed area containing the Diamond Jo Casino, the Grand Harbor Resort and Waterpark, and a new convention center.

STATE

Dean touts parent program

DES MOINES (AP) — Howard Dean is calling for a \$200 million effort to intensively screen new parents to make sure they are up to the task of raising children.

His proposal, modeled after a program he developed as Vermont governor, calls for a visit with each mother who gives birth in the state while in the hospital, offering a home visit if they choose.

"A lot of the ills of the school system is because we don't send kids to school ready to learn," he said in a conference call with Iowa reporters.

The visits are designed to spot the need to improve parenting skills, identify emotional problems, and plug parents into nutrition and other services.

"We visit, in the hospital, every mother in the state who gives birth, whether she's the richest or poorest,"

Dean said. Mothers then are offered the option of a home visit by a community-based agency.

"Most of the families don't need help," he said. "The ones who are really in trouble get help early on."

He cited a 43 percent decline in child-abuse cases in Vermont since the program has been put in place. The cost of the program is small, and the money flows directly to the communities that want to participate, he said.

ISU center gets CDC designation

ASSOCIATED PRESS

AMES — An Iowa State University center focusing on public health has been designated as one of 12 specialty centers nationally to focus on addressing emerging health threats.

The Centers for Disease Control and Prevention named the ISU College of Veterinary Medicine's Center for Food Security and Public Health a Specialty Center in Public Health Preparedness for Veterinary Medicine and Zoonotic Diseases.

Zoonotic diseases can be transmitted between animals and people.

"We are honored to be recognized by the CDC as the only Specialty Center for Public Health Preparedness to focus specifically on veterinary medicine and zoonotic diseases," said James Roth, the director of the ISU center. "By integrating veterinary and human medical expertise, we can better serve the public health needs of the nation."

The Specialty Centers for Public Health Preparedness Program is a coordinated national effort that focuses on improving public-health workers' and clinicians' ability to address current and emerging public health threats. It was established in 2000.

The 12 specialty centers are based at academic institutions and concentrate on education and training. They provide public-health education, information, and training to support preparedness for bioterrorism, disease outbreak investigations, and other public-health emergencies.

The ISU center was founded in July 2002 with support from the CDC.

It focuses on awareness education on bioterrorism, zoonotic diseases, and agriterrorism. It also is responsible for assembling a public-health support team for emergency responses.

The center works to increase the number of veterinarians with master's of public-health degrees and organizes scientific conferences related to zoonotic and agriterrorism issues.

The 11 other CDC national specialty centers are: Johns Hopkins University and Georgetown University Center for Law and the Public's Health

Saint Louis University Center for the Study of Bioterrorism and Emerging Infections

University of Findlay (Ohio) Center for Terrorism Preparedness
University of Georgia Center for Leadership in Education and Applied Research in Mass Destruction Defense

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NEWS

Turnout for city vote lower than in 2001

CITY COUNCIL

Continued from Page 1A

Still, many candidates were quick to note the campaign isn't over.

"I feel very good," Ross said. "But we haven't won yet."

For many candidates, the campaign trail will resemble the primary. Elliott said he plans on speaking at more forums and continuing to spread his name.

"Our plan in the next month is not that different: We will try to get more volunteers and try to get more people registered to vote," Ross said. "And maybe try to get a

little bit of sleep, but not much."

Vanderhoef, meanwhile, said she will hold more coffee gatherings in the next month to inform voters about her platform.

In District C, Bailey said she plans on talking to more residents and continuing to get her ideas out to people.

For some, the night was not so sweet.

With 10 percent of the vote, UI senior Rachel Hardesty was not able to move past the primary, but she remained upbeat.

"I'm happy I came out here and hopeful I influenced other people to get involved in local politics," she said.

In the precincts located on the

UI campus, Quadrangle and Currier Resident Halls, Hardesty received a much higher proportion of the vote — 25 and 23 percent respectively.

"I hope that students realized the benefit of having a student, someone who could represent them on the council," she said.

She added that she plans on endorsing a candidate or two in the future, but she has not decided on whom.

Voter turnout was lower than in the 2001 city primary, dipping from 13.2 percent of registered voters to 10.7 percent.

E-mail/DI reporter **Alex Lang** at alexander-lang@uiowa.edu

Calif. terminates Gray

RECALL

Continued from Page 1A

polling places through the day. By late afternoon, Terri Carbaugh, a spokeswoman for the secretary of State, said a turnout of 60 percent appeared likely, higher than the 50.7 percent who voted in last November's gubernatorial election. It would be the highest percentage to vote in a gubernatorial election since 1982.

Re-elected last year with less than 50 percent of the vote, Davis fell victim to a groundswell of discontent in a state that has struggled with its perilous financial condition.

As colorless as his name, Davis was also known as a canny politician with sharp elbows. Once chief of staff to Gov. Jerry Brown, he rose through the political ranks as a state assemblyman, controller, and lieutenant governor, before becoming governor in 1999.

By contrast, Schwarzenegger's political inexperience seemed a virtue to many voters.

The actor's improbable rise to political power played out before a rapt international audience. He announced his candidacy in August on "The Tonight Show With Jay Leno" after aides said it was certain he wouldn't run.

The campaign included a parade of bit players among the 135 candidates, including *Hustler* publisher Larry Flynt, former child actor Gary Coleman, a publicity-hungry porn actress



Ric Francis/Associated Press

Patrick Boyrinen checks his ballot for chads on Tuesday as election official Jo Jordan waits in the Studio City section of Los Angeles.

who wanted to tax breast implants, and an artist who dressed in all blue and described his candidacy as the ultimate piece of performance art.

The cast of characters and outsized ballot gave the campaign a carnival-like atmosphere and provided late-night

comics with a stream of material. But to many Californians, it was serious business.

"I'm horrified at the thought that Schwarzenegger can be our governor," said Gretchen Purser, 25, of Berkeley who voted against recall. "I'm sick of Republicans trying to take over the state."

Friends, family recall true Olympian

BAILEY

Continued from Page 1A

on the Iowa Mennonite High School basketball team. He attended Iowa State University until further treatment for his illness required that he stay in Iowa City in 2002, when he began taking classes at UI.

Seth Bailey and Sarah Arens, his fiancée and UI cross-country runner, met at the IOC internship, where their friendship grew through their 5 a.m. swimming sessions where he trained for a place on the paralympic swim team and helped her rehab a broken leg.

"Seth and Sarah had a true, solid love," said Tom Bailey, adding, "They helped each other."

Arens recounted a trip the two took to Colorado to collect a memorial to Ben Arens, Sara's brother, who died in 2001. "Seth helped me to come to peace with Ben's loss. He helped me trust that Seth himself was in good hands."

Adding that he never wanted to draw attention to himself, Arens said Seth Bailey managed to conceal the fact that he had a prosthetic leg from the others at the IOC for weeks and that he had been in treatment for his cancer as recently as May.

"Seth didn't want attention," Arens said. "He didn't need anyone to know."

To his father, Seth Bailey was a quiet example of how to make an impact through compassionate actions.

"Seth was always more concerned about other people," Tom Bailey said, as he recalled his son distributing stuffed animals to children in the oncology ward at the UI Hospitals and Clinics while he was a patient there himself. "He always had a smile on his face."

Seth Bailey's mother, Jackie Bailey, remembered her son's advice: "Live each day in love, and enjoy every minute of it."

He was most satisfied with the simple pleasures of rural life such as playing with the dogs on the family farm, baking holiday

cookies with his family, and sitting on the porch swing, Jackie Bailey said.

She also recalls that immediately after coming out of amputation surgery, Seth Bailey told his parents that he wanted one of their outdoor dogs to come into the house. The family's golden retriever, Cassie, spent five years as an indoor dog because of Seth's persuasion.

"Seth had a knack of getting what he wanted," his mother said, adding that his persistence was also manifested in his athletic pursuits.

Arens said that only three months after his amputation, Seth Bailey was invited to be on the U.S. paralympic ski team.

One artifact at the visitation was a leather jacket reserved for Olympic athletes that Tom Bailey said was given to Seth Bailey by the CEO of the U.S. Olympic Committee and was signed, "To Seth Bailey, a true Olympian."

E-mail/DI reporter **Sonja Elmquist** at sonjaelmquist@aol.com

UI students fret about first-year spare tire

FRESHMAN 15

Continued from Page 1A

more. "These posters helped to encourage students not to eat as much," said Rene Buck, the Hillcrest Food Service manager.

Buck also said he has noticed a trend of students requesting healthier food over the past several years as a result of student worries about falling victim to extra pounds.

UI junior Katie Yanda said that when she came to the university, she was worried about how college life would affect her body. "I tried to fight the urge of ordering Papa John's at two in the morning with my roommates," she said.

UI sophomore Lauren Bruckner beat the poundage by working out all the time. "I tried hard not to gain weight because I saw so many people that it happened to," she said.

Students worrying about gaining weight concerns Kathy Mellen, a registered dietitian at Student Health Service.

"My concern about the Freshman 15 cliché is that the idea of it may lead students to have unhealthy relations with food," she said, adding, "It may force students to focus too much on their eating habits and/or excessively exercise."

"My hunch is that the Freshman 15 is a myth," she said.

In her two years' experience at Student Health, she said, students worry too much. They actually gain less than the typical 15 pounds, she said, adding that more often, it's the "Freshman Five."

E-mail/DI reporter **India Morrow** at india-morrow@uiowa.edu

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NEWS

U.S. appeals Moussaoui ruling

BY JERRY MARKON
WASHINGTON POST

WASHINGTON — Federal prosecutors Tuesday appealed a judge's ruling that dismissed much of their case against terrorism suspect Zacarias Moussaoui, making it clear that the government is intent on keeping the case in the civilian criminal-justice system rather than moving it to a military tribunal.

U.S. District Judge Leonie Brinkema in Alexandria, Va., on Oct. 2 had barred the government from presenting evidence that Moussaoui played any role in the 9/11 attacks on the World Trade Center and Pentagon and had ruled him ineligible for the death penalty. She said Moussaoui could still be tried on charges of participating in a broad Qaeda conspiracy to attack the United States and could be sentenced to life in prison.

Government officials said after Brinkema's ruling that all options were being considered in response, including the possibility of removing Moussaoui from the civilian courts and moving his case to a military tribunal.

But after a series of high-level meetings, prosecutors this afternoon filed a one-page notice of appeal with the U.S. Court of Appeals for the 4th Circuit. It said only that they are appealing Brinkema's ruling under the federal law governing the use of classified information in criminal cases and that evidence Brinkema is excluding "is a substantial proof of a fact material" to the case.

Officials said on Tuesday that while the military option remains on the table, it was not seriously discussed in recent days. They said the decision to appeal had taken several days, in part because prosecutors were surprised by Brinkema's ruling and

had to analyze it. Both sides in the case had expected Brinkema to dismiss the charges against Moussaoui and then to delay the effect of the ruling pending a government appeal.

"The notice of appeal makes it crystal clear that this is staying in the criminal-justice system," one government official said.

Brinkema's decision to bar the death penalty and some of the evidence came after several months of back-and-forth legal briefs and rulings about Moussaoui's access to three high-ranking Qaeda detainees. Prosecutors told Brinkema they would defy her order allowing Moussaoui to question the detainees and await her sanctions. Those sanctions turned out to be a heavy blow to the government's case. Much of the evidence centered on Moussaoui's alleged role in the 9/11

attacks, and Justice Department officials have made him a symbol of the need to extract punishment for the hijackings that killed nearly 3,000 people.

In court papers filed late Tuesday, prosecutors asked the court to expedite its consideration of the appeal and to hold oral arguments the first week of December. They also sought permission to file longer-than-usual legal briefs explaining their position because of the case's complexity.

The decision to appeal means that the major constitutional issues at stake in the Moussaoui case, which pit a defendant's right to interview witnesses who can help his case against the government's national-security concerns, will be heard again by the Richmond-based appellate court. The court in June dismissed an earlier government appeal in the case but only on procedural grounds.

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FBI details late-90s money sting against Hamas officials

BY JOHN SOLOMON
ASSOCIATED PRESS

WASHINGTON — In an undercover operation run in the shadow of Mideast peace talks, the FBI secretly sent money to suspected Hamas figures to see if the militant Palestinian group would divert it from charitable purposes to terrorist attacks, according to interviews and court documents.

The counterterrorism operation in 1998 and 1999 was run out of the FBI's Phoenix office in cooperation with Israeli intelligence and was approved by Attorney General Janet Reno, FBI officials told the Associated Press.

The money, usually just a couple of thousand dollars, was sent to suspected terror supporters during the operation as the FBI tried to track the flow of cash through terror organizations, the agency said in a rare acknowledgment of an undercover sting.

"This was done in conjunction with permission from the attorney general for an ongoing operation, and Israeli authorities were aware of it," the bureau said.

The FBI said the money was given through one of its operative's charities to see if it would be diverted for terrorism, and the amounts were kept small so it couldn't be used to fund a major attack. Court testimony indicates in one case a Hamas figure used the sting money to help orphans.

One of the FBI's key operatives, who had a falling out with the bureau, provided an account of the operation at a friend's closed immigration court proceeding. AP obtained and reviewed the court documents.

Arizona businessman Harry Ellen testified he permitted the FBI to bug his home, car, and office, allowed his Muslim foundation's activities in the Gaza

Strip to be monitored by agents, arranged a peace meeting among major Palestinian activists, and gained personal access to Yasser Arafat during more than four years of cooperation with the FBI.

Ellen's FBI handler in the late 1990s was Kenneth Williams, an agent who later became famous for writing a pre-9/11 memo to FBI headquarters warning there were Arab pilots training at U.S. flight schools. The warning went unheeded.

Ellen, a Muslim convert, testified he was taking a trip to the Gaza Strip to bring doctors to the region in summer 1998 when Williams asked him to provide money to a Hamas figure.

Williams wanted "the transfer of American funds to some of the terrorist groups for violent purposes," Ellen testified to the immigration court in a closed June 2001 session.

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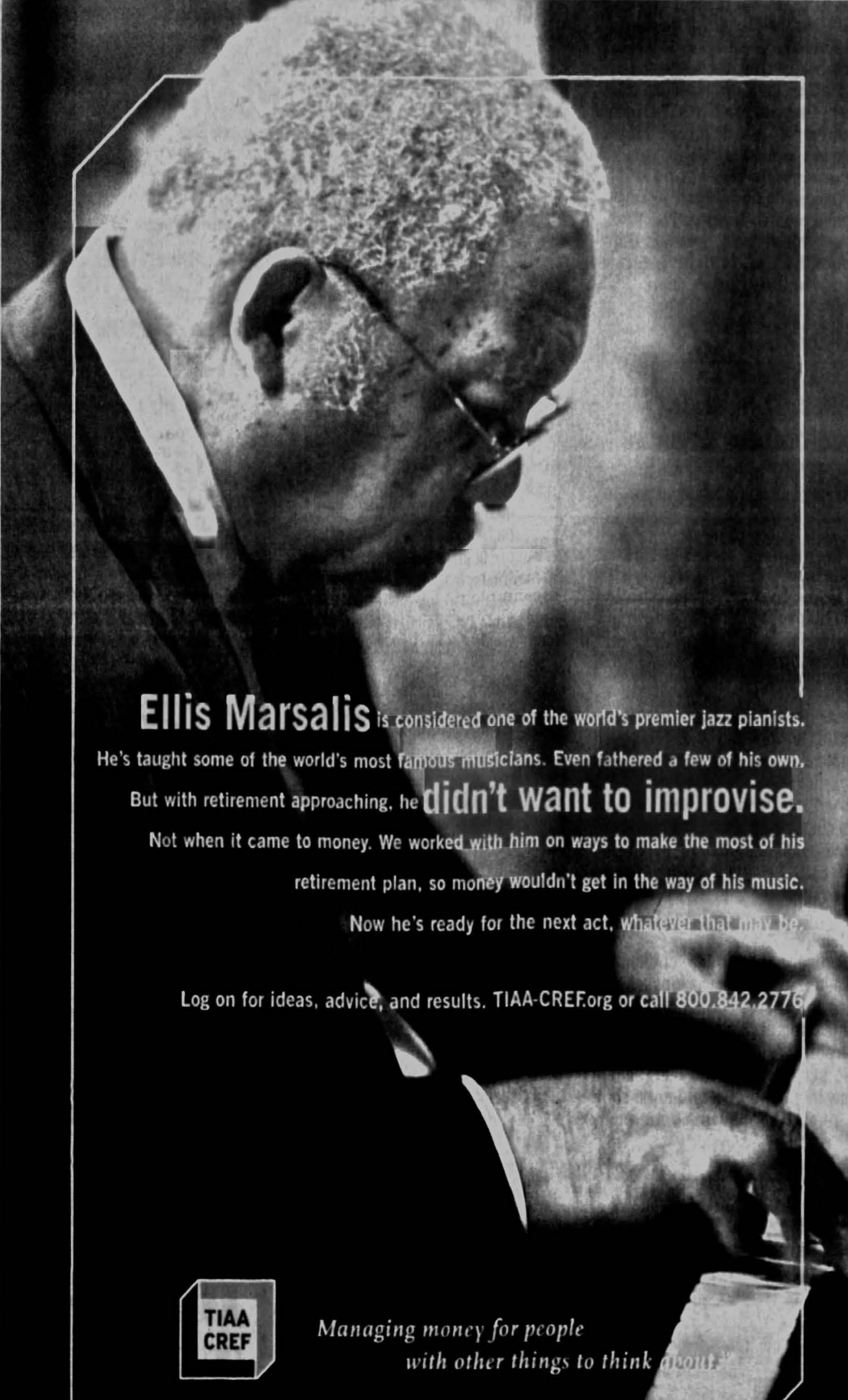
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NEWS

Bush has doubts on nabbing leaker

BY DANA MILBANK
WASHINGTON POST

WASHINGTON — President Bush said Tuesday that he had "no idea" whether the administration officials who exposed the identity of an undercover CIA agent would be identified, as the White House counsel's office sorted through responses from Bush aides to the Justice Department's request for phone records and other documents.

"I don't know if we're going to find out the senior administration official," the president said in response to a reporter's question. "Now, this is a large administration, and there are a lot of senior officials. I don't have any idea."

Bush said he is eager to discover the identity of those who disclosed the name of CIA operative Valerie Plame, who is married to former Ambassador Joseph Wilson, a prominent administration critic on Iraq. Her identity was first published in a July 14 column by Robert Novak.

Bush said that "everything we know the investigators will find out" but told reporters: "I have no idea whether we'll find out who the leaker is — partially because, in all due respect to your profession, you do a very good job of protecting the leakers."

White House officials faced a deadline of 5 p.m. Tuesday to present to the counsel's office any documents that could be related to the Justice Department's criminal investigation. Bush's spokesman said White House lawyers would sort through the documents to determine which are relevant and which would be turned over to Justice. The White House must turn over all information by Oct. 17, with intermediate deadlines before then.

At the briefing, White House spokesman Scott McClellan repeated his categorical denial that three prominent White House officials — Bush's senior adviser Karl Rove, Vice President Dick Cheney's Chief of Staff Lewis Libby, and National Security Council official Elliott Abrams — had leaked the information or authorized leaks, saying that he had spoken directly to the officials.

But McClellan and Bush did not rebut reports that White House officials were spreading damaging information about Wilson and his wife. Wilson has said that was done to retaliate against him for continuing to publicize his conclusion, after a 2002 mission for the CIA, that there was little evidence Iraq had sought uranium in Africa in order to develop nuclear weapons.

Newsweek, in its current issue, reported that Rove referred to Plame as "fair game" in a discussion with Chris Matthews, host of MSNBC's "Hardball." Bush, asked about the "fair game" comment, replied by discussing the leak investigation. McClellan, in his briefing, also sidestepped several questions about the "fair game" remarks.

A legal source close to the case said White House officials are not panicked about the investigation because they believe that even if officials revealed Plame's name and occupation to reporters, they may not have known she was undercover or may not have intended to expose that fact.

"Someone probably did screw up," the source said. "But in terms of a violation of criminal law that could lead to a criminal indictment, that seems pretty far-fetched."

The confidence is based on the wording of the criminal statutes involving the disclosure of classified information. "Even if this information was disclosed when it shouldn't have been, the statute has very strict requirements about the level of knowledge and intent that a person has to have in order to violate it," the source continued. "You would have to intend to blow the cover of an undercover CIA officer."

Sen. Charles Schumer, D-N.Y., who has led Democrats'

calls for a special counsel to lead the investigation, complained about the White House's procedures — although two former Clinton aides said it is standard for the counsel's office to review all materials before turning them over to investigators.

"I am very troubled by the fact that the White House counsel seems to be a gatekeeper, and I want to know what precautions Justice is taking to ensure that it gets all relevant information from the administration," Schumer said.

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WORLD

Canada expands medical pot access

TORONTO (AP) — An appeals court expanded the ability of patients to obtain medical marijuana but affirmed that possession by non-patients remains a crime.

The decision Tuesday resolved a dilemma faced by the federal government: how to follow a court order to enable patients to get marijuana for treatment while also keeping the possession of pot by others illegal.

With a looming court-imposed deadline to create a supply system for patients, the government in 2001 started registering qualified patients and authorizing them or other designated people to grow pot for medicinal use. Several hundred people have registered with the federal government to use marijuana for medical purposes.

Subsequent court challenges invalidated marijuana-possession laws so patients could not be prosecuted for obtaining their medicinal pot. The government this year also started supplying marijuana it grew in an underground mine shaft to registered patients, but many

complained about the quality of the pot and the bureaucracy of the system.

On Tuesday, the Ontario Court of Appeals declared unconstitutional those provisions in the federal Marijuana Medical Access Regulations restricting licensed growers of medical marijuana from receiving compensation, from growing the drug for more than one qualified patient, and from pooling resources with other licensed producers.

The ruling gives so-called compassion centers more leeway to grow and supply medical marijuana.

Because the government medical marijuana program was now valid, the ruling said, marijuana prohibition laws also were constitutionally valid.

"This narrow remedy would create a constitutionally valid medical exemption, making marijuana prohibition ... immediately constitutionally valid and of full force and effect and removing any uncertainty concerning the validity of the prohibition," said a court synopsis of the ruling.

The ruling found that forcing patients to grow their own pot or break the law by buying it on "the black market" was unfair.

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NEWS



Hasan Jamali/Associated Press

Unidentified Cairo University student protesters burn a makeshift Israeli flag during a demonstration Tuesday. The students were protesting Israel's recent attack on a target in Syria.

Sharon ramps up tough talk

BY RAVI NESSMAN
ASSOCIATED PRESS

JERUSALEM — Bolstered by U.S. support for Israel's bombing raid in Syria, Prime Minister Ariel Sharon said Tuesday his nation won't hesitate to attack its enemies anywhere — heightening concerns it may widen the Palestinian conflict by again striking countries it accuses of harboring terrorists. Since the attack on the reputed Islamic Jihad training camp in Syria on Sunday, the regional conflict has already escalated with shooting and mortar fire across the border between Israel and Lebanon, where Syria is the main power-broker. An Israeli staff sergeant who also held U.S. citizenship was killed Monday in a shooting Israel blamed on Hezbollah, the

Shiite Muslim guerrilla group that is backed by Syria and predominantly Shiite Iran. The Israeli military said it raised its state of readiness on the Lebanese border Tuesday because of the increased tension. Sharon's vow to pursue militants wherever they are also came after Israel accused Syria and Iran of providing key backing to Islamic Jihad, the militant group that claimed responsibility for a suicide bombing that killed 19 people in the Israeli port city of Haifa on Saturday. "Israel will not be deterred from protecting its citizens and will strike its enemies in every place and in every way," Sharon said, emphasizing that Israel must prepare "as if the next war is waiting just around the corner." "We are not immune to surprises," he said at a memorial

service for Israeli soldiers killed during the 1973 Middle East war with Syria and Egypt. "Only if we are forever ready will we reach peace, and we will reach it." President Bush said Tuesday the Israeli air strike — the first Israeli attack deep into Syria in three decades — was part of an "essential" campaign to defend the country, and he drew a parallel between Sharon's actions and U.S. policy on terrorism. "The decisions he makes to defend [Israel's] people are valid decisions," he said. "We would be doing the same thing." But Bush's supportive remarks came with a note of caution that Sharon should be wary of creating "the conditions necessary for" more violence and "fully understand the consequences of any decision."

WORLD

New Palestinian Cabinet runs into snag

RAMALLAH, West Bank (AP) — The new Palestinian Cabinet ran into its first hitch Tuesday while being sworn in, when the man slated to oversee security refused to take the oath in what officials called a turf struggle with Yasser Arafat. The outcome of the dispute over control of security forces is critical to the future of the U.S.-backed "road map" peace plan, which calls for Palestinian statehood by 2005 while demanding that the Palestinians dismantle violent groups. The road map was accepted in principle by both sides, but it has been mired in disputes over how to carry it out. Reflecting increasing tension, the Israeli military announced late Tuesday it was extending the closure of the West Bank and Gaza, banning Palestinians from Israel and cordoning off Palestinian towns. The closure was imposed before the Jewish New Year two weeks ago. Normally such closures are lifted after Jewish holidays. The military said the closure is among measures to keep Palestinian attackers out of the country. Security was intensified after a weekend suicide bombing in the Israeli city of Haifa in which 19 people were killed. Also, Israeli military sources said orders for mobilizing reserve soldiers are being drawn up because of an increase of terror threats.

have to take into account the vital interests of Japan," he said. In August, the United States, China, Russia, the two Koreas, and Japan held talks in Beijing aimed at addressing the North's nuclear ambitions. Tokyo used the talks to raise another issue it considers pivotal. Experts said the results were a significant step forward that builds on many years of related research. Previous studies have shown that a combination of testosterone and progesterin can switch off sperm production in men. The latest study is the first to measure the effect on preventing pregnancy. The U.S. government-funded trial, sponsored by Virginia-based family-planning organization CONRAD, successfully and reversibly turned off sperm production in the men who took part, said Rob McLachlan, the director of clinical research at Prince Henry's Institute of Medical Research in Sydney. CONRAD often funds medical studies outside the United States, and works closely with the World Health Organization, which is interested in finding new contraceptive methods for the developing world.

Male contraceptive works in test

SYDNEY, Australia (AP) — A practical male contraceptive could be a step closer after researchers said Tuesday that trials prevented pregnancies among 55 couples using it for two months. The treatment stops sperm production by using implants of the male hormone testosterone under the skin and injections of the female hormone, progesterin.

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How effective is DEPO-PROVERA Contraceptive Injection?
The efficacy of DEPO-PROVERA Contraceptive Injection depends on following the recommended dosage schedule exactly (see "How often do I get my shot of DEPO-PROVERA Contraceptive Injection?"). To make sure you are not pregnant when you first get DEPO-PROVERA Contraceptive Injection, your first injection must be given ONLY during the first 5 days of a normal menstrual period; ONLY within the first 5 days after childbirth if not breast-feeding and, if exclusively breast-feeding, ONLY at the sixth week after childbirth. It is a long-term injectable contraceptive when administered at 2 months (13 weeks) intervals. DEPO-PROVERA Contraceptive Injection is over 99% effective, making it one of the most reliable methods of birth control available. This means that the average annual pregnancy rate is less than one for every 100 women who use DEPO-PROVERA. The effectiveness of most contraceptive methods depends in part on how reliably each woman uses the method. The effectiveness of DEPO-PROVERA depends only on the patient returning every 3 months (13 weeks) for her next injection. Your health-care provider will help you compare DEPO-PROVERA with other contraceptive methods and give you the information you need in order to decide which contraceptive method is the right choice for you.

What are the risks of using DEPO-PROVERA Contraceptive Injection?
The side effect reported most frequently by women who use DEPO-PROVERA for contraception is a change in their normal menstrual cycle. During the first year of using DEPO-PROVERA, you might have one or more of the following changes: irregular or unpredictable bleeding or spotting, an increase or decrease in menstrual bleeding or no bleeding at all. Unusually heavy or continuous bleeding, however, is not a usual effect of DEPO-PROVERA; and if this happens, you should see your health-care provider right away. When continued use of DEPO-PROVERA causes bleeding usually decreases, and many women stop having periods completely. In clinical studies of DEPO-PROVERA, 55% of the women studied reported no menstrual bleeding (amenorrhea) after 1 year of use, and 68% of the women studied reported no menstrual bleeding after 2 years of use. The reason that your periods stop is because DEPO-PROVERA causes a resting state in your ovaries. When your ovaries do not release an egg monthly, the regular monthly growth of the lining of your uterus does not occur and, therefore, the bleeding that comes with your normal menstruation does not take place. When you stop using DEPO-PROVERA, your menstrual period will usually return to its normal cycle.
2.Bone Mineral Changes
Use of DEPO-PROVERA may be associated with a decrease in the amount of mineral stored in your bones. This could increase your risk of developing bone fractures. The rate of bone mineral loss is greatest in the early years of DEPO-PROVERA use, but after that, it begins to resemble the normal rate of age-related bone mineral loss.
Studies of women who have used different forms of contraception found that women who used DEPO-PROVERA for contraception had no increased overall risk of developing cancer of the breast, ovary, uterus, cervix, or liver. However, women under 35 years of age whose first exposure to DEPO-PROVERA was within the previous 4 to 5 years may have a slightly increased risk of developing breast cancer similar to that seen with oral contraceptives. You should discuss this with your health-care provider.
4.Unexpected Pregnancy
Because DEPO-PROVERA is such an effective contraceptive method, the risk of accidental pregnancy for women who get their shots regularly (every 3 months [13 weeks]) is very low. While there have been reports of an increased risk of low birth weight and neonatal infant death or other health problems in infants conceived close to the time of injection, such pregnancies are uncommon. If you think you may have become pregnant while using DEPO-PROVERA for contraception, see your health-care provider as soon as possible.
Some women using DEPO-PROVERA Contraceptive Injection have reported severe and potentially life-threatening allergic reactions known as anaphylaxis and anaphylactoid reactions. Symptoms include the sudden onset of hives or swelling and itching of the skin, breathing difficulties, and a drop in blood pressure.

N. Korea nixes Japan in nuclear talks

SEOUL, South Korea (AP) — North Korea dealt a blow Tuesday to prospects for further multilateral talks aimed at curbing its nuclear-weapons development, saying it will not allow Japan to participate in any new dialogue because it is untrustworthy. Japan firmly rejected the North Korean position, saying it had a role to play in any talks on the nuclear issue. "We simply cannot accept such a statement," Japanese government spokesman Jiro Okuyama said at a regional summit in Bali. Although North Korea frequently issues belligerent statements, often as a way to gain leverage over its adversaries, its latest assertion complicates efforts by the United States and its allies to restart six-nation nuclear talks. Washington considers Japan's participation crucial, saying North Korea's nuclear programs threaten regional security. In New York, the U.S. ambassador to the United Nations, John Negroponte, said Japan must not be excluded. "Any solution to the problems on the Korean peninsula is going to

Percent of Women Experiencing an Accidental Pregnancy in the First Year of Continuous Use

Method	Lowest Expected	Typical
DEPO-PROVERA	0.1	0.3
Implants (Norplant)	0.2*	0.2*
Female sterilization	0.2	0.4
Male sterilization	0.1	0.15
Oral contraceptive (pill)		3
Combined Progestogen only	0.1 0.5	
IUD Progestin-releasing Copper T 380A	2.0 0.8	3
Condom (without spermicide)	2	12
Diaphragm (with spermicide)	6	18
Cervical cap	6	18
Withdrawal	4	18
Periodic abstinence	1.9	20
Spermicide alone	3	21
Vaginal Sponge used before childbirth used after childbirth	6 9	18 26
No method	80	85

Source: Hatcher et al. *Obstet Gynecol* 1990;76:558-567.
*From Norplant® package insert.
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• if you have any vaginal bleeding without a known reason

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Enter the third-annual *DI/KRUI* Local Band Contest by mailing or bringing a press kit (CD, photo, bio) to the *DI* newsroom (201N Communications Center). The deadline for submissions is Oct. 31. Questions should be directed to Drew Bixby at drewhobbes@aol.com.

ARTS



Publicity photo

Death Cab for Cutie brings its indie-pop to Iowa City tonight in support of its new album, *Transatlanticism*.

Getting so much closer

BY ALISSA VAN WINKLE
THE DAILY IOWAN

Whether near or far, personal distance not only makes the heart grow fonder but yields emotions of always wanting to be closer.

"People feel so far away from each other regardless if you're right next to them," Nick Harmer, bass player for Death Cab for Cutie, told *The Daily Iowan*.

Death Cab, which will appear in Iowa for the first time tonight at the Union Bar, is spreading its ideals of personal distance with the band's newest recording, *Transatlanticism*.

Harmer said Ben Gibbard (vocals, guitar) took "poetic license" and developed the term based on the song from the album that was applicable to the overall idea of distance. While the band's previous record, *The Photo Album*, focused on the distance between objects, *Transatlanticism* focuses on the distance between people.

"We're excited to be back on tour," Harmer said. "We haven't been on a big national tour for over a year, and we get to see old friends."

The new record focuses on missing those who are miles away or even those sitting

right next to you — distance is a feeling with this album. Yearning for closeness can happen when people are gone and even when they're right here.

The cover art of *Transatlanticism*, by friend Adde Russel, features a bird tied up in string.

"A bird is free to fly," Harmer said, "and this organic image lets us all see the idea of distance come into play."

Transatlanticism seems to be broken into an album-like structure, with sides A and B. The song "Transatlanticism" breaks up the disk with its crescendo: "The distance is quite simply too much for me to row/it seems farther than ever before/I need you so much closer."

The Death Cab personnel, signed to Barsuk Records, have been playing music together since 1997. The quartet from Bellingham, Wash., consists of Gibbard (vocals), Chris Walla (guitar), Harmer (bass), and Michael Schorr (drums).

Gibbard recorded 25 demos for *Transatlanticism*, but the 11 songs that appear on the album are the ones that "the band gravitated towards," Harmer said.

"Ben has written some of the best songs and lyrics of his career" on this new album, Harmer said.

These bashful boys are quite



Death Cab for Cutie Transatlanticism

busy — Gibbard's emo-electronic side project, the Postal Service, has received critical acclaim, and Walla has produced albums for Hot Hot Heat and the Velvet Teen.

The Death Cab boys take pretty good care of themselves nonetheless. Harmer recalls times when the band barely made enough money for gas and talked of driving to closed fast-food restaurants in hopes of getting free food. Now, they have their first bus with a kitchenette in which eating garden burgers is a habit. The new food craze for this quartet is fried tofu dogs with peanut butter, because of Walla's and the sound guy's strict vegetarian lifestyles.

The quartet is traveling with label-mates and good friends the Long Winters, which is touring in support of its new release *When I Pretend to Fall*. Winters is led by John Roderick of Western State Hurricanes and Sean Nelson of Harvey Danger.

E-mail *DI* reporter Alissa Van Winkle at: Alissa-Van@uiowa.edu

ARTS

Going from Twisted to running for governor

NEW YORK (AP) — Twisted Sister frontman Dee Snider, whose "We're Not Gonna Take It" has become the anthem for Arnold Schwarzenegger's campaign, says the actor-turned-politician actually inspired that hit 1984 record.

The heavy-metal star only met the would-be California governor for the first time on Sunday, when they

appeared together at a rally. But Snider's been a fan for decades.

Twisted Sister's 1984 best-selling album, *Stay Hungry*, was inspired by a Schwarzenegger book Snider read in the early 1980s. Schwarzenegger also starred in a 1976 movie with the same title.

"It motivated me," Snider said Monday. "I dedicated the song on the album to him."

After the album sold millions, the group sent Schwarzenegger a com-

memorative plaque. So when Schwarzenegger's campaign contacted Snider for permission to use "We're Not Gonna Take It," Snider, who wrote the tune, didn't hesitate to say yes.

"I told them, 'I friggin love it,'" he said.

Snider said Schwarzenegger remains an inspiration, and called the wannabe governor incredibly gracious.

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OPINIONS

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Life after recall

TODAY, AMERICA HEAVES a collective sigh of relief. After an approximately 75-year campaign of horror, the burning question of whether California will say "Hasta la Vista" to Democratic Gov. Gray Davis will be answered.

And, incidentally, the appearance of hackneyed references to lines from Arnold Schwarzenegger films in the U.S. news media should decrease by no less than 300 percent.

In a political grudge match that saw the candidacies of deviant-turned-publishing-magnate Larry Flynt, child actor-turned-security-guard Gary Coleman, and the entire population of the Kingdom of Lesotho, which happened to be visiting San Francisco over the summer and collectively decided "Hey, why not?," Davis may or may not have been ridden out of his Sacramento office on a rail, said rail perhaps being proverbial, but perhaps not.



JESSE HELLING

For, thanks to the magical world of newspaper deadlines, this piece reaches you with no knowledge on the part of the author of how the recall finally turned out.

Personally, I'm pulling for Davis. Now, before you lambaste me as yet another bleeding-heart liberal pundit who snuggles up with trees on his nights off, let me just say that my reasoning is not motivated by partisan leanings of any sort but rather by California law. Under the provisions thereof, should Davis survive the recall, he would be granted at least six months' reprieve before new recall petitions can be circulated. Any successor to Davis, conversely, could be up for recall almost immediately, thus hijacking American journalism yet again.

Because I'm endowed with neither the power to see the future nor a functional time machine, it behooves me to utilize this, the medium of the past, to address the past, for, as the old saying goes, those who do not study the past are doomed to repeat it.

Part of the fascination with the California recall no doubt lies within its novelty. As a general rule, the American political system does not lend itself to easy removal of public officials from offices to which they were elected. Treason, bribery, and, of course, perjury are impeachable offenses for all civil officers of the United States. Provisions for removal on the behest of popular frustration, however, are far less common.

Though 18 states allow for gubernatorial recall, in the history of the United States, only one state governor has met this fate: North Dakota Gov. Lynn Frazier, nearly 80 years ago. Like Davis, Frazier was beset with economic downturn in his state — crop prices declined, exacerbating the debt of farmers, who formed the majority of the population. Scandals associated with quasi-socialist programs spearheaded by Frazier were played up by his political rivals, and in October 1921, he was recalled by a slim margin.

Though a successful recall of Davis would constitute a political rarity, efforts to recall California governors are anything but rare. Every governor of California since 1968 has faced a recall effort; as some might remember, a previous attempt to recall Davis was made in 1999, but the requisite petition failed to gain enough signatures.

I suppose it could be argued, then, that the Davis episode is but the culmination of a long-standing California tradition. Legal recalls, proponents say, allow the electorate to hold their officials to a greater standard of accountability. Detractors point out the inherent lack of democracy in allowing a relatively small portion of the electorate to force an election in which the next governor of California could be elected by a small plurality of the votes cast.

No governor, or, for that matter, no politician, can avoid irritating a significant segment of her or his constituents; Gray Davis most assuredly did not write the book on the subject. Regardless of the results of the recall vote, sooner or later the American media will be co-opted by another. ■

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Judge correct in Moussaoui case

U.S. District Judge Leonie Brinkema of Alexandria, Va., offered federal prosecutors a taste of their own medicine when she handcuffed the case against Zacarias Moussaoui, the alleged "20th hijacker" in the 9/11 terrorist attacks and the only person charged in open court for involvement in the attacks. The judge found that Moussaoui could not get a fair trial after the prosecutors defied her order that other captive terrorist suspects be allowed to testify that he was not part of the attacks. Brinkema barred prosecutors from linking Moussaoui to 9/11 attacks and prohibited prosecutors from seeking the death penalty. While the indictment still contends that Moussaoui is a member of Al Qaeda, it falls short of the opportunity for the Bush administration to publicly hold someone accountable for the attacks, which claimed more than 3,000 lives.

The prosecutors contend that allowing Moussaoui's defense team access to the other terrorist detainees would compromise national security, while refusing to do any compromising of

their own. They asserted that Brinkema's order made them choose between the safety of the nation or allowing a known terrorist to go free.

However, barring evidence connecting Moussaoui to 9/11 while preserving the charge that he is a member of Al Qaeda (which Moussaoui does not deny), ensures that he could still serve a life sentence in prison. This move negates the prosecutions' complaints and exposes the Bush administration's main concern in this case: publicity.

While federal prosecutors still have a number of options in prosecuting Moussaoui, an open civilian trial provides an opportunity to have someone face the victims and relatives of those killed in the 9/11 attacks while dramatic footage of the destruction is replayed in the courtroom. Prosecutors will likely appeal the decision to the U.S. Circuit Court of Appeals, but that court could uphold Brinkema's decision.

If prosecutors were mainly concerned with punishing Moussaoui, they could have initially gone with one

of those options — a military tribunal. Unlike civilian court, the government would have complete control over the proceedings and punishment. However, such a tribunal would be closed, and government prosecutors would be denied their opportunity for a public proceeding.

As it stands, the indictment accuses Moussaoui of nothing he hasn't stated on the record himself (for which he could get life in prison); but most importantly, prosecutors won't be able to bring their dramatic 9/11 evidence in the court room while barring Moussaoui's only means of defense to that evidence.

If the U.S. government wants to enact a dramatic public display, it should follow the proceedings of due process, including orders from the presiding judge. Brinkema's maneuver deftly deflects the prosecutors' claims that she was putting them in a no-win situation and forces them to decide whether or not they'll play by the legal system's rules in order to get their show.

Good readers make for good citizens

On Oct. 1, a second trial run of the *USA Today* Collegiate Readership Program went into effect on the UI campus.

A selection of five local and national newspapers — *USA Today*, the *New York Times*, the *Chicago Tribune*, the *Iowa City Press Citizen*, and the *Des Moines Register* — are available every day through the service.

According to a recent report by the National Conference of State Legislatures, only 40 percent of 15-26 year-olds could name which party controls Congress. The study found that this age group lacks "knowledge necessary for effective self-government."

By providing college students with access to these newspapers, the UI can attempt to alleviate this embarrassing problem and educate in ways not possible in the classroom.

The newspapers can be picked up in the dorms, IMU, Hillcrest and Burge cafeterias, and several academic buildings. Students will be more likely to grab a copy on their way to class if the papers are right in front of them; also, plenty of them will want to read while eating if the newspapers are next to cafeteria tables.

Stingy students, excited at the prospect of getting anything free, may pick up a daily just for the heck

of it and become more aware of the wider world while waiting for class to start.

The location and inexpensiveness of this service are not its only enticing qualities; the variety is well-chosen. With its popular journalism school, the university will see many of these majors pick up a copy of the *New York Times*. Many students come from Chicago and its neighboring areas, so Windy City natives will be grateful for the opportunity to keep up with home issues.

The trial run is set to last a month, but hopefully, the UI Student Government will choose to keep the advantageous readership program permanently in November.

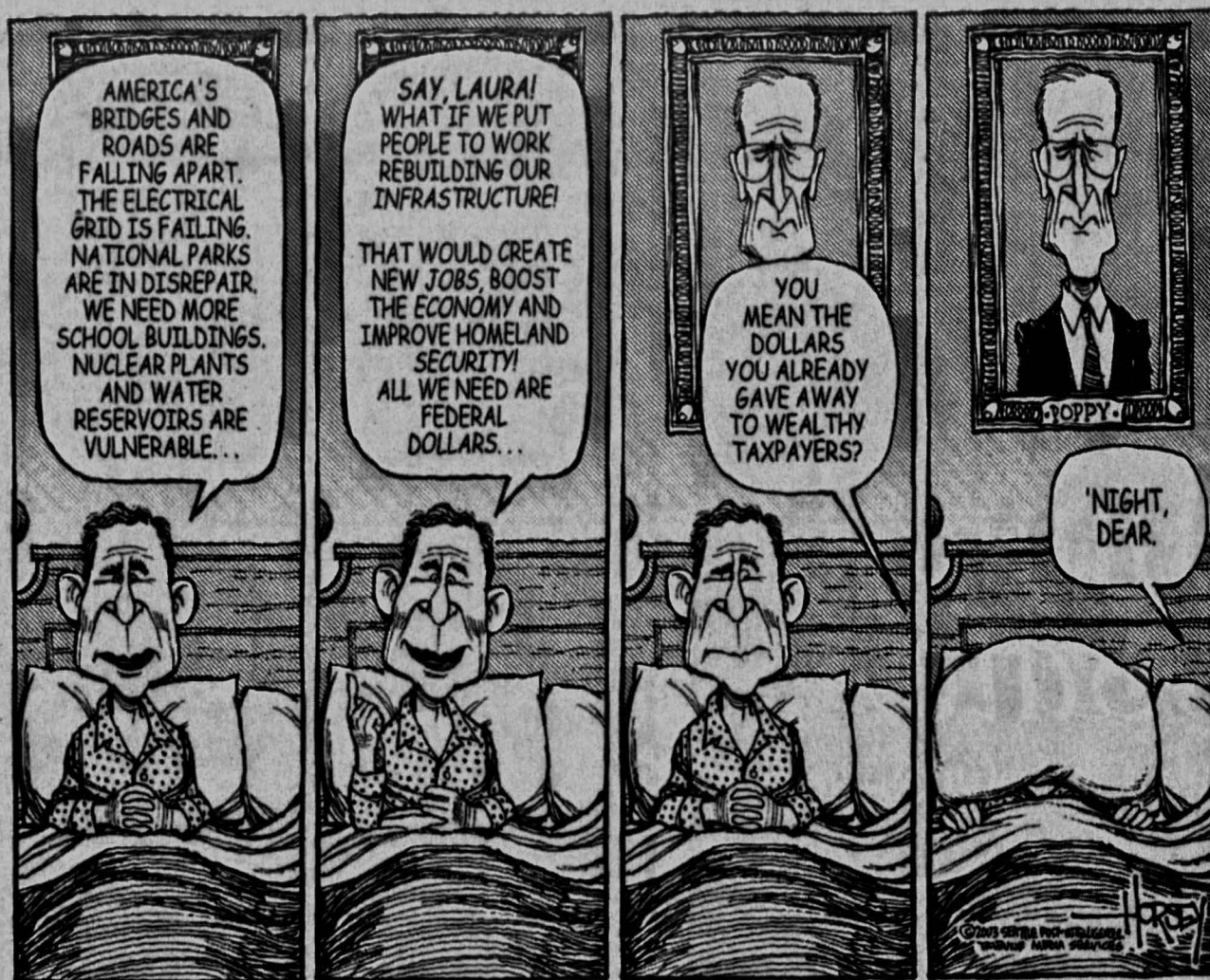
LETTERS

Bush a disaster

No matter how the Bush administration, conservative Republican pundits, and right-wing talk-radio hosts try to spin it, the war in Iraq is not a success. It was a huge error for President Bush to take the United States to war against Iraq without United Nations Security Council backing. We are now reaping the consequences of that mistake. The "arrogance of power" Bush administration believed it could go it alone.

Following Sept. 11, 2001, Bush's tough talk and statements to the nations of the world, such as "You are either for us or against us," only increased the growth of our "ugly American" image. Bush fooled us during the 2000 presidential campaign by calling for a foreign policy based on humility. Our improvised march to war is only being outdone by the improvising that is now going on in postwar Iraq. The Bush doctrine of pre-emptive attacks is a disaster.

Paul L. Whiteley Sr.
Louisville, Ky., resident



ON THE SPOT

What do you think of the Collegiate Readership Program?



"I think they should do it year round. It gives you an update when you're a busy student."

Cara Brostrom
UI senior



"It's a good idea, a good way to get people's thoughts out."

John McCullough
UI sophomore



"I think they have a pretty good selection, and it's something that is really needed."

Tracy Treiber
UI junior



"I think it's pretty great. It allows you to look at different newspapers and different perspectives."

Brian Lisinski
UI junior

Turkey OKs troops to Iraq, but Iraqi panel resists idea

BY LOUIS MEIXLER
ASSOCIATED PRESS

ANKARA, Turkey — Parliament voted overwhelmingly Tuesday to give the government permission to send Turkish peacekeepers to Iraq, but members of Iraq's interim council opposed the move, a sign of the problems Washington faces as it tries to assemble a peacekeeping force.

The United States has been pressing Turkey for months to send what would be the first major Muslim contingent of peacekeepers, a deployment that would enhance the credibility of the American-led force in Iraq by demonstrating Muslim support.

Turkey's Parliament voted 358-183 to allow the government to dispatch troops, a move top officials said would improve ties with Washington and help give Turkey a say in the future of Iraq.

"An Iraq that is in peace, that is on good terms with its neighbors, an Iraq that is stable is in Turkey's interests," Foreign Minister Abdullah Gul said.

In Washington, White House spokesman Scott McClellan applauded the Turkish vote, saying: "We welcome that decision and we will be working with Turkish officials on the details of their decision."

Secretary of State Colin Powell expressed his appreciation to Gul in a telephone conversation, saying that the United States would work with Turkey and Iraq on putting it into effect, a senior U.S. official said on condition of anonymity.

The motion gives the government the power to send troops, but it provides no details as on when, where, or how many soldiers would be deployed. Those matters are expected to be worked out in talks with Washington that could take weeks or even months.



Burhan Ozbilicli/Associated Press

Antiwar demonstrators march to the headquarters of Turkish Prime Minister Recep Tayyip Erdogan's party in Ankara on Tuesday, protesting sending troops to Iraq.

"The decision that came out of Parliament is not one that will be executed immediately, this instant," Prime Minister Recep Tayyip Erdogan said. "Time will decide. The process will depend on developments."

The 15-member U.S.-appointed Governing Council of Iraq met at about the same time as the Turkish Parliament.

"After long deliberations, we reached consensus on issuing a statement opposing the arrival of Turkish troops," said Mahmud Othman, a Kurdish member of the council. "The council already has said it does not want other foreign troops in the country."

He said, however, that the release of the statement was delayed for a time Tuesday, apparently because of pressure from the U.S.-led Coalition Provisional Authority. The council is likely to defer to the

United States on issues involving security.

Gul dismissed the Iraqi council's action.

"Members with Kurdish origins thought that way, but in the end they decided that it wouldn't be right," he said when asked about the statement.

But Gul also seemed to address some of their concerns.

"Turkey has no secret designs over Iraq," he added. "We won't be going there to prolong the occupation — on the contrary, to shorten it."

Council members have repeatedly said that they would prefer if peacekeepers are not sent from neighboring countries.

The Turkish Ottoman Empire ruled today's Iraq for approximately 400 years until World War I. For some 15 years, Turkey has fought Turkish Kurdish rebels who now have bases in the Kurdish areas of northern Iraq, a fight that killed 37,000 people.

WORLD

Protests roil Baghdad

BAGHDAD (AP) — Insurgents killed three U.S. soldiers with roadside bombs, the military reported Tuesday, and former Iraqi intelligence officers demanding jobs hurled stones and charged American forces guarding occupation headquarters in the capital. Large sections of Baghdad were in turmoil. There was an explosion inside the Foreign Ministry compound

approximately a half mile from the confrontation outside the occupation headquarters.

Across the city, U.S. soldiers were met with a demonstration by Shiite Muslims after closing a mosque and allegedly arresting the imam. Late in the afternoon, U.S. troops fired concussion grenades and shots in the air to disperse the crowd, which grew by the hour.

By nightfall, an estimated 200 American troops backed by helicopters

and at least six M1A2 tanks had sealed off the area, and more Americans and Iraqi protesters converged on the scene. As the midnight curfew approached, however, the standoff eased, with the Americans pulling back most of their forces. Shortly afterward, the protesters began leaving the area, too.

L. Paul Bremer, the U.S. administrator for Iraq, said the trouble in the capital did not reflect a turn for the worse.

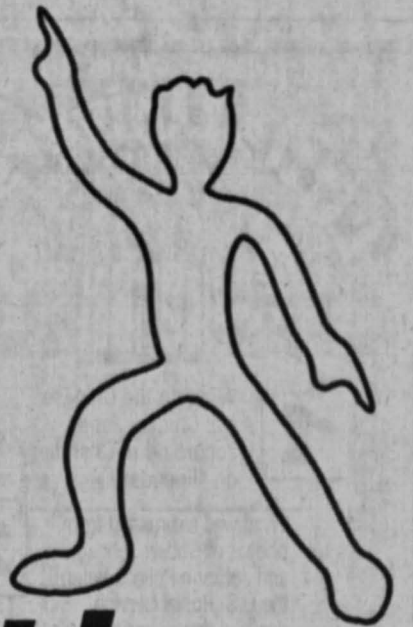
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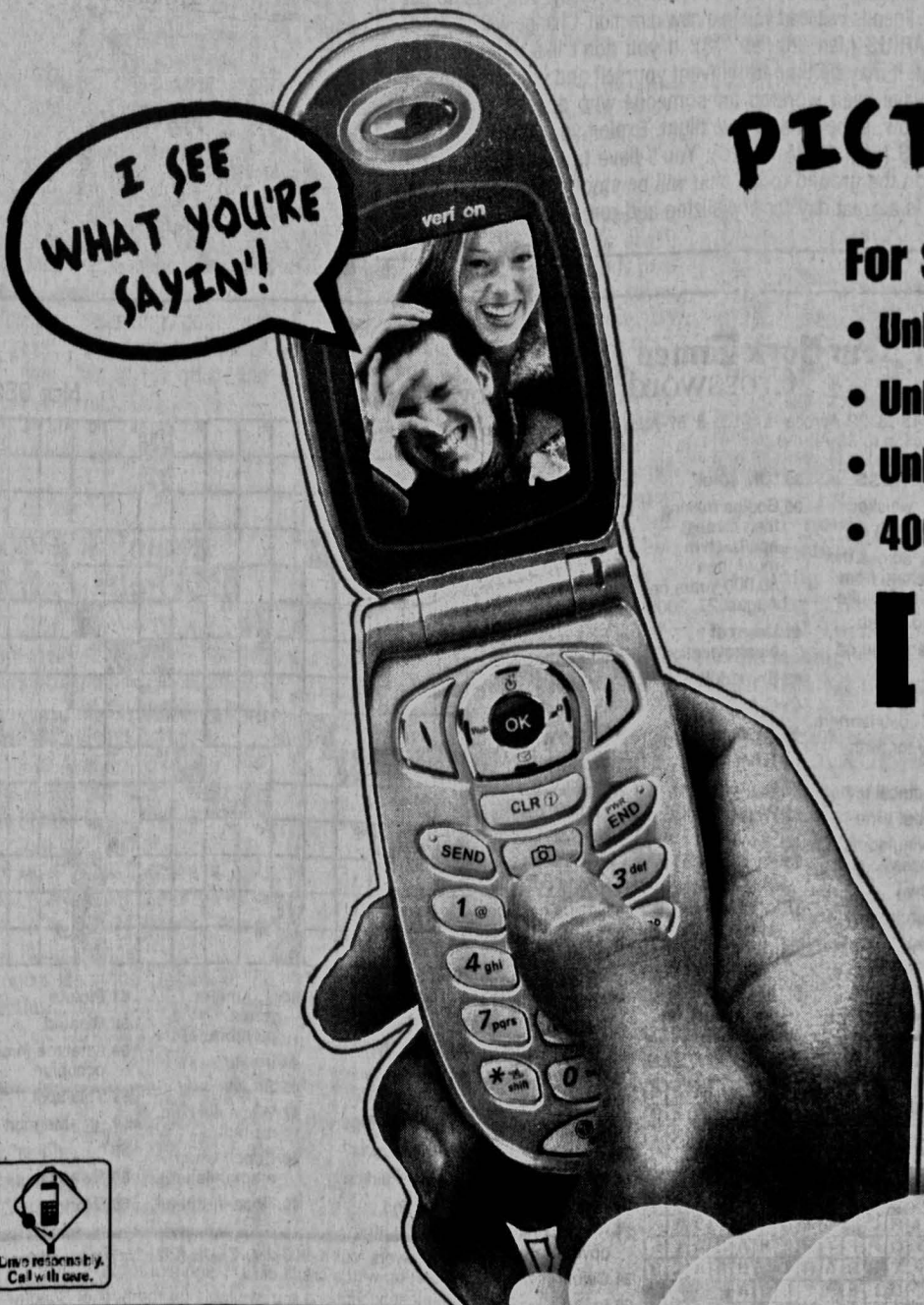
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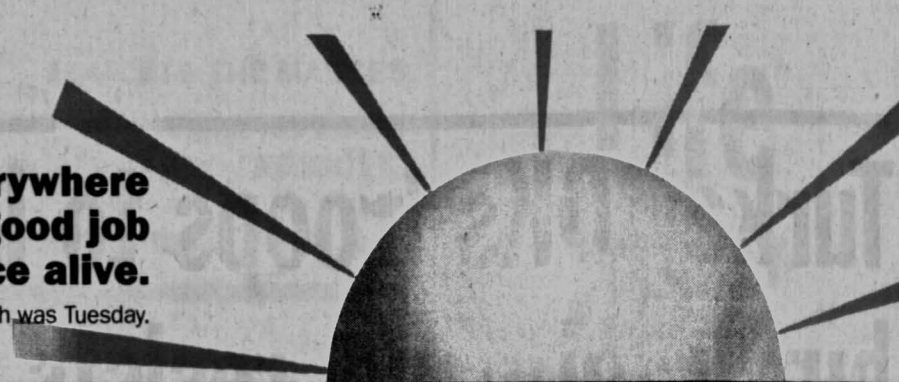
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QUOTE OF THE DAY

I think one has to acknowledge that anti-gay attitudes live everywhere among some people, and I think we've done a reasonably good job here of keeping the dialogue about social justice alive.

— University of Wyoming President Philip Dubois, speaking on the fifth anniversary of the death of Matthew Shepard, which was Tuesday.



The Daily Break

calendar

• Iowa High School Press Association's Annual Fall State Conference, "50 Ways to Learn It, Live It, Love It," 8:15 a.m., IMU.

• UI Staff Development Special Events, "Workplace Politics: How to Survive and Thrive," 8:30 a.m.-3:30 p.m., IMU Richey Ballroom.

• "One Community, One Book — Johnson County Reads," *Bel Canto*, by Ann Patchett, 10 a.m., Hancher.

• Brentano String Quartet presentation, 2 p.m., Voxman Music Building Harper Hall.

• Staff Council meeting, 2:30 p.m., W401 Pappajohn Business Building.

• Career Center Programs Fall 2003 Internship and Job Search Series, "Interviewing With Style," 3 p.m., S401 Pappajohn Business Building.

• International Writing Program panel discussion, "Landscape and Literature,"

International writers and multi-media artist Chris Cozier, 3:30 p.m., Iowa City Public Library, 123 S. Linn St.

• Citizen Lawyers: The Role of Community, Family, and Faith in a Legal Career, David Crawford, 3:30 p.m., 235 Boyd Law Building.

• Career Center Programs Fall 2003 Special Topic Workshops, "Finding Government Jobs," 4 p.m., S401 Pappajohn Business Building.

• Brentano String Quartet, 8 p.m., Clapp Recital Hall.

• Career Center Programs Fall 2003, Midweek Mock Interviews, time TBA, 24 Phillips Hall; to register, call 335-1023.



HOW TO GET STUDENTS TO ACTUALLY VOTE IN CITY COUNCIL ELECTIONS

by Jesse Ammerman

• Offer free food at the polls, even if it really is just a crate full of Funyons and pine nuts.

• Encourage incumbent candidates to spend less time at City Hall, more time on the One-Eyed Jakes dance floor.

• Gravely inform students that the future of the city's sewage-treatment budget for fiscal 2004 is in their hands.

• \$1-U-Call-Its at all local polling booths. If Dee Vanderhoeft's tastefully done yard signs won't bring out votes, the Jäger shots will.

• Place Eminem and Beyoncé on the District C ballot, in spite of their controversial views on Iowa City's property-tax rates.

• Lure unsuspecting freshmen to the polls with exotic displays of free T-shirts and credit-card applications.

• Remind students that voting is generally a more valid excuse for skipping class than "Ricki Lake."

• Force new frat members to vote in local elections as part of a bizarre new hazing ritual.

Little University

- 1 What do the Chinese call Chinese food, according to Chandler on "Friends"?
- 2 What was airbrushed from photos of Robert Johnson and Jackson Pollock before the U.S. Postal Service deemed them stamp-worthy?
- 3 What hip chicks waxed "Nasty Girl," "Apple Pie à la Mode," and "Bug-A-Boo"?
- 4 What Caribbean island is considered the hub of Internet gaming, with 850 Web gambling sites based there?
- 5 What TV legal eagle debunks feminine myths in her book *Beauty Fades, Dumb Is Forever?*

5. Judge Judy Sheindlin
4. Anghra
3. Destiny's Child
2. Cigarettes
1. Food

public access schedule

- 7 a.m. Democracy Now
- 11 Open "Mike" at the Mill on Monday
- 1 p.m. Our 2nd Home: the Neighborhood Center
- 1:40 Myths of the Game
- 2 First United Methodist Church
- 3 Dance Performance
- 3:40 Free Medical Clinic
- 4 Our Redeemer Church
- 5 Getting to Know Islam
- 6 Ripitup Sports! Live
- 7 Sports Opinion
- 8 The Cousin Arnold Show
- 9 PATV Reserved: Premières
- 10 Iowa City Other News
- 11 The Hot Spot
- Midnight Cold & Grey

UITV schedule

- 6:30 p.m. Education at Iowa: Invent Iowa 2003
- 7 p.m. UI President David Skorton's Annual Keynote Address
- 7:30 p.m. The University Convocation
- 9 p.m. Live from Prairie Lights featuring Arthur Phillips

For complete TV listings and program guides, check out Arts and Entertainment at www.dailyiowan.com.

horoscopes

Wednesday, October 8, 2003 by Eugenia Last

ARIES (March 21-April 19): You will get the most accomplished if you work by yourself. Moneymaking opportunities are apparent. Avoid government agencies and authority figures today.

TAURUS (April 20-May 20): Rely on others to lend a helping hand. You will be in a perfect position to meet a potential partner if you attend an event that deals with issues that you believe in.

GEMINI (May 21-June 20): Taking an unusual path may upset someone you are close to, but you have to follow what you know in your heart is right. Put your efforts into moneymaking ventures.

CANCER (June 21-July 22): You will have a feeling that someone is holding you back. Follow your intuition to see clearly who is on your side. You will be a magnet when it comes to picking up information.

LEO (July 23-Aug. 22): Someone you are responsible for may be a burden. Don't let anyone put unreasonable demands on you. A past romantic partner or someone you once worked with may get in touch with you.

VIRGO (Aug. 23-Sept. 22): This is a great day for love and romance. Take part in things that interest you, and it will lead to a new spin on a hobby that you enjoyed in the past.

LIBRA (Sept. 23-Oct. 22): Take advantage of any offers being made. You will work well with others and be appreciated for your vision and insight. Entertaining others will help you get what you want.

SCORPIO (Oct. 23-Nov. 21): Luck is with you. Creatively you will be in a high cycle today, and your unusual way of looking at things should help to make whatever you do unique and trendy.

SAGITTARIUS (Nov. 22-Dec. 21): Be prepared for the possibility that things won't run smoothly today. Opposition will arise. Don't shirk your responsibilities at home; it will be up to you to do what's best for everyone involved.

CAPRICORN (Dec. 22-Jan. 19): Use your imagination, and pick a very unusual event or location to travel to today. You need to get away. Friends will lead you in a new direction. Change will be good.

AQUARIUS (Jan. 20-Feb. 18): If you don't like what you are doing, it may be time to reinvent yourself and your vocation. If you have been working for someone who doesn't appreciate you, now is the time to take flight. Exploit your talents.

PISCES (Feb. 19-March 20): You'll have trouble keeping your feet on the ground today. You will be emotional and sensitive. This is a great day for socializing and romantic encounters.

DILBERT

by Scott Adams

'NON SEQUITUR

BY WIEV

Doonesbury

BY GARRY TRUDEAU

The New York Times Crossword

Edited by Will Shortz No. 0827

Note: 18- & 22-Across and 53- & 57-Across have a hidden connection to 36-Across.

ACROSS

- 1 ___ whisker
- 4 Jazz (up)
- 9 City across the Missouri from Council Bluffs
- 14 Balderdash
- 15 Bean seen on TV
- 16 Wizardry
- 17 XXX counterpart
- 18 Pay for, with "of"
- 20 Electrical units
- 22 Sweet wine
- 23 Having some success
- 25 Crown ___
- 29 Church party
- 30 Keep ___ (persevere)
- 32 Jeans name
- 33 Woven strands
- 35 "Oh, sure!"
- 36 Bodies making their closest approach in more than 50,000 years on August 27, 2003
- 41 Users of electrolocation
- 42 Shredded
- 43 G.P. grp.
- 44 Reasons
- 46 Takes off
- 50 Surroundings
- 52 Waldenbooks competitor
- 53 Parade chief's rank
- 56 With 63-Across, where the Kings play in Sacramento
- 57 Remove uncertainty
- 61 Fair-hiring ints.
- 62 Fab Four member
- 63 See 56-Across
- 64 Hill dweller
- 65 Bygone
- 66 Fence alternative
- 67 Opener

DOWN

- 1 Worries
- 2 "Anyone home?" call
- 3 Kind of number or weight
- 4 Crying out loud?
- 5 Canine neighbor
- 6 "Forever Blue" singer Chris
- 7 Field reporter: Abbr.
- 8 Tolkien's ___ of Fangorn
- 9 Breakfast order
- 10 Big parrot
- 11 Back, in time
- 12 The guy's
- 13 Pretense
- 19 Muslim pilgrim
- 21 Shoots from cover
- 24 Celebration
- 26 Italian island
- 27 Look like a creep
- 28 Places for props
- 30 A Musketeer
- 31 Leader before Lenin
- 34 ___-bitty
- 35 Old family Chevy
- 36 Lions or Tigers
- 37 Half in front?
- 38 Israeli airline
- 39 Teasing
- 40 ___ mater (brain membrane)
- 44 Irritate
- 45 Smart
- 47 When it's blue, it's fast
- 48 Epoch when mammals arose
- 49 Nose-in-the-air
- 51 Picture
- 52 Bleated
- 54 Onetime throne occupier
- 55 This spot
- 57 ___-Magnon
- 58 "Abner"
- 59 Swan song
- 60 "Norma ___"

ANSWER TO PREVIOUS PUZZLE

SHE'S RASP BLAZE
CAPT IRAE EAGER
ALSO NINE EXERT
BLOWAGASKET DOE
SEMELE SALS

OREM RECESS
ASTRO YART ODIE
FLYOFFTHEHANDLE
RAPT RARE BEALS
OTOOLE ELSA
REDO ICEAGE
PTA GOBALLISTIC
OILER ERIK TALL
STARE SOME ELLA
TORRE EDEN REST

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MLB
Marlins 9, Cubs 8

SPORTS



BYE-ING TIME
Football Press Conference, Page 2B.

WEDNESDAY, OCTOBER 8, 2003



See Iowa Volleyball, Page 4B

JERSEY BOY

Cattouse plans to commit to Iowa

The Iowa football program looks like it may be receiving its 10th 2004 prospect very soon. New Jersey running back/defensive back Kenny Cattouse told the *Asbury Park Press* he plans on committing to Kirk Ferentz's Hawkeyes as early as this week.

The 5-11, 195-pound Keypoint native rushed for 2,200 yards and 27 touchdowns last season as a junior. He said out of all the schools that came after him, Iowa was the most persistent.

"I have just been waiting for the right time to announce it," Cattouse told the *Press*. "Since my sophomore year, they have been interested. They sent me my first letter and kept sticking with me. They're the team that wants me most."

— by Jason Brummond

KNIGHT

Judge sides with IU in Knight lawsuit

INDIANAPOLIS (AP) — A judge on Monday sided with Indiana University in Bob Knight's breach-of-contract lawsuit over his firing as the school's basketball coach three years ago.

Monroe Circuit Court Judge Kenneth Todd granted the university's motion for summary judgment, effectively dismissing Knight's lawsuit without a trial.

"The university from the start has said that it followed the provisions of the contract and fulfilled its obligations, and the court has agreed," school spokeswoman Jane Jankowski said.

Messages seeking comment from Knight's attorney, Russell Yates, were left at his office and home in Denver.

LIONS

Lions WR Rogers breaks collarbone

DETROIT (AP) — Detroit Lions rookie wide receiver Charles Rogers broke his right collarbone in practice Tuesday and is expected to miss at least a month.

Rogers, the No. 2 overall pick in the draft, got tangled up with cornerback Dre' Bly and was taken to a local hospital.

"It looks like it is going to be a matter of weeks before he is going to be able to return," coach Steve Mariucci said.

Rogers leads the Lions with 22 receptions for 243 yards and three touchdowns in five games.

D.Y.K.

Did you know?

The 1998 Florida Marlins were the first World Series champion team to post the worst record in baseball. What was their regular season record?

SEE THE ANSWER, PAGE 2B

THE D/SPORTS DEPARTMENT WELCOMES QUESTIONS, COMMENTS, & SUGGESTIONS.

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READ, THEN RECYCLE

UI CLUB SPORTS PART 1 OF A 7-PART SERIES



Instructor Diana Harris demonstrates an aikido move on Daniel Crawford at the Field House on Wednesday.

Nicholas Wynia/The Daily Iowan

Unique UI sport teaches harmony

BY FRANK KLIPSCH
THE DAILY IOWAN

There's a fierce transition from 6:28-6:32 p.m. on Mondays and Wednesdays in S511 Field House.

In approximately 240 seconds, the matted, multipurpose room transforms from a shrill echo box for high-pitched, pre-adolescent "hi-yas" into a calm, quiet, contemplative dojo. By 6:35, only the air being circulated through the room's ventilation system can be heard as the members of the University Aikido Club begin their session.

Aikido is a martial art that differs from nearly every other sport practiced and played in American culture. Instead of pitting two adversaries against one another in an attempt at victory, aikido seeks to develop harmony and connection between opponents. Therefore, although aikido builds confidence and self-defense ability in its practitioners, its goal is to do so without causing harm to others.

The evidence of teaching a martial art with intentions for harmony can be overheard as head instructor Diana Harris works with a younger student. The red-headed Harris, who works in computer services and support in the College of Engineering, has a small smattering of gray hairs to indicate her 17 years of experience. She started at the UI in 1989.



"Enlightenment or delusion? who is to say which person has which. Like the evening moon they appear and fade. Not one knows exactly when."

—from "An Auspicious Day" by O Sensei



"And now," says Harris, demonstrating a maneuver while straddling her prone student, "I'm going to push her elbow into her face." Then Harris smiles while looking at the rest of her eight kneeling students, "which isn't a very *ki* thing to do."

The *ki* Harris refers to is the second of three characters that compose the name aikido. The first, *ai*, means harmony. *Ki* refers to spirit or energy. The final character, *do*, means the path, the system, or the way.

Aikido was born in 1925 out of a discussion between Morihei Ueshiba and a Japanese naval officer who taught fencing. In the well-documented story, Ueshiba, known by his followers as O-Sensei (The

Great Teacher), was challenged by the officer to a match and promptly attacked with a wooden sword. O-Sensei was not only an expert at jujitsu (unarmed combat), kenjutsu (sword fighting), and sojitsu (spear fighting), he was also deeply immersed in religious and philosophical studies. O-Sensei reacted to his weapon-wielding adversary without violence: He won the match by evading the officer's onslaught until the attacker dropped to the ground from exhaustion.

In the study of aikido, learning to fall is just as important as learning to throw.

"Ryan learned how to roll real fast," said participant Lisa Martincik about a relative newcom-

er to the group, Ryan Dux.

Dux, a sophomore from Roselle, Ill., is in his second semester of learning aikido. As Dux and his partner, Martincik's husband, Dan Crawford, work through ushiro tekubitori — a two-hand grab from behind — Dux's face becomes a colorful contrast of yin and yang. His bright-red face offsets his blond hair while he gauges the end of the move being done to him. Just before the pain of having his hand and wrist twisted behind him like an origami pretzel becomes too great, he lightly taps the mat, letting his partner know the move is complete.

"There's no routine or kata in aikido," said third-year student Reginald Williams. "Because of this, every situation is new and provides a growing or cleansing experience." Williams, who described his background before aikido as strictly aggressive, said he no longer is driven toward confrontation.

When two participants come face to face in the standing position, known as tachi waza, a flurry of moves usually ends with one person being thrown to the side. More experienced students tuck and roll to the mat smoothly, not making a sound, but younger student's body will make a loud whap as it smacks



FRANK KLIPSCH
Sportswriter

Play on Iowa playas

Hey, playas. Unfortunately, I get the feeling that not quite everyone out there answers to "playa." Or, for that matter, the more dictionary-esque (read: boring) "player." And that, sports fans, is a tragedy.

Fortunately, the UI Recreation Services provides a more-than-ample opportunity to be players and not just in the game of life. Through the Sports Club Program, students, faculty, alumni,

SEE AIKIDO, PAGE 3B

SEE KLIPSCH, PAGE 3B

Cubs off to rough start

BY BEN WALKER
ASSOCIATED PRESS

CHICAGO — Mike Lowell sure wrecked this Wrigley Field party in a hurry.

With the old ballpark still shaking after Sammy Sosa's tremendous, tying homer with two outs in the ninth inning, Lowell led off the 11th with a pinch-hit home run that sent the Florida Marlins over the Chicago Cubs, 9-8, Tuesday night in the NL championship series opener.

In a game featuring seven

homers, four triples, and six doubles, Sosa's two-run shot was clearly the most dramatic. He finally delivered a big post-season hit, and when the ball landed beyond the left-field wall, it turned Waveland Avenue into Bedlam Boulevard.

Too bad for the Cubs, Lowell's drive won it. He had help, too — playoff star Ivan Rodriguez homered and drove in five runs for Florida.

An All-Star third baseman, Lowell missed almost all of the final four weeks because of a broken left

hand, and he has played sparingly in the postseason. He was ready for his first pinch-hitting appearance this year, batting for winning pitcher Ugueth Urbina and launching a drive over the center-field wall off Mark Guthrie.

The sellout crowd of 39,567 started rocking early as Moises Alou homered in a four-run first. But the Marlins, who posted three comeback wins over San Francisco in the opening round,



Paul Sancya/Associated Press

Cubs' Sammy Sosa follows through on a two-run homer in the bottom of the ninth inning against the Marlins on Tuesday.

SEE CUBS, PAGE 3B

The wide world of UI club Sports

KLIPSCH

Continued from Page 1B

and townies can all dance on both sides of the game-field line, rooters and root-ers, teammates and fans, vicarious winners and the aforementioned playas.

There are currently 26 club sports at the UI, said coordinator Ray Beemer. These range from the men's volleyball and rowing teams to table tennis, synchronized swimming, taekwon do, and chess. Check out the whole list of club sports offered on the Internet at recserv.uiowa.edu/sports-clubs, where you can also find student representatives for each one. Some teams are more recreational than fiercely competitive.

"First and foremost, we're a student organization," Beemer said. "So the neat thing is that the clubs are self-administered, self-motivated, and self-supported." Although non-students are encouraged to compete, 51 percent of the team — and the team representative — must be students. So feel free to recruit as many Frank-the-Tanks and Blues as possible.

Just make sure there are still more people who actually go to class or at least pay to be on a list that allows them to go to class.

The \$24,000 Recreational Services budget that funds club sports derives from a portion of the student-activities fund. Individual sports receive anywhere from \$1,600 to \$300. Students contribute to this in the form of a \$4 activity fee on their U-bills. (The University of Michigan, by contrast, charges a whopping \$18.)

Although there's a lot of variety among the club sports offered this year, ranging from those that hold tryouts to gauge experience and ability to those that encourage newcomers, the beauty of it all might be in the ability to start brand-new sports.

Say you and some friend are masters at throwing javelins while hopping on pogo sticks.

Or maybe you have a passion for unicycles, bowling, and ice-fishing. Well, combine them with some rules, objectives, and some kind of point system, and you may have yourself a club sport. Maybe even the next hot college trend. Is it really that much crazier than tossing a leather ball into a peach basket?

Well, actually it is, but you get my point.

Every club sport starts by gaining recognition as a student organization by the Student Activities Board. This process involves submitting an application with an organizational constitution. Although there is a little work involved, it's not nearly as much as finding out what happened on one particular wild and crazy night at the Lodge and Spa at Cordillera in Edwards, Colo., or establishing a democracy in a violently overturned Mideast country. All the forms you need are at the Rec Services Web site.

So get out there, sports fans. Play on.

E-mail/DI reporter Frank Klipsch at Randysjullie@aol.com

Merry Pranksters vs. Evil Empire

BY LAURA VECSEY
BALTIMORE SUN

NEW YORK — Their first goal should be to take this American League Championship Series all the way to a seventh game, for the sheer drama and to reverse that abrupt 1999 ALCS loss to the Yankees.

Five games and out isn't going to cut it this time for a Red Sox team that narrowly lost the season series to the "hated" Yankees, 10-9.

Their second goal should be to win it.

Otherwise, when will it ever end for Red Sox Nation? Oh, the light and lively Red Sox of 2003 will make you seriously doubt they feel the slightest burden of history, the "Curse" and all the bad karma directed their way from George Steinbrenner's Evil Empire.

"I'm evil sometimes," Derek Jeter said with a smile Tuesday as the Yankees greeted their greatest rival at the, uh, hum, House That Ruth Built.

On the eve of this anticipated showdown, the cool Jeter could not help but admit he does not play scared in October. Like Reggie Jackson before him, Jeter said you hear enough people talking about what a winner you are in the post-season, you tend to believe it.

The Sox and October? Please, must we bring that subject up again?

Some pundits and historians and keepers of the Red Sox crypt of heartbreak like to go all the way back to Babe Ruth, that Red Sox pitcher who won the last World Series for Boston in 1918 before being traded away to the Yankees for Broadway production money.

Some still harp on poor Billy Buckner, as if he should have been out there against Ray Knight and Mookie Wilson and those 1986 Amazin' Mets.



George Nikitin/Associated Press
Boston Red Sox's Kevin Millar celebrates the 4-3 victory over the Oakland Athletics in game 5 to clinch the American League Division playoffs on Monday.

There's really no need for that kind of stretch. Remember, it was only back in '99 that the Sox fell victim to Yankees second baseman Chuck Knoblauch's phantom tag on Jose Offerman. It was a crushing out that killed a Red Sox rally and was later admitted to be a blown call by umpire Tim Tschida.

Who needs the curse of the Bambino when you've got the curse of Knoblauch to more immediately exorcise?

Maybe it is the cumulative effect of all those barren World Series years and all those cold, rocky miles of New England self-doubt that have given rise to this year's goofy version of the BoSox.

They are the anti-cursed — or at least they are acting the part. I mean, look at them! They're buzzed or bald, including junior general manager Theo Epstein and manager Grady Little. Grown men wielding razors inducted the top

brass into their Ugly Army, shaving down the GM and field general after clinching their ALCS berth.

"Hence the cap," said Epstein, who decided he hasn't been this bald since in utero. "I had more hair when I was born."

That's the point, apparently. "We're the ugliest team going to take the field. We're idiots. It's a good thing I'm married, otherwise I don't know where I'd go from here," said major-league instigator Kevin Millar.

When they're not shaving each other — except for Johnny Damon and Nomar Garciaparra, who has to stay pretty for his wedding next month to soccer star Mia Hamm — the Red Sox are bouncing at home plate like a gelatinous mass after every David Ortiz or Todd Walker homer.

"We're a team. No offense to our wives or kids, but we don't want to go home. These guys really like hanging out together," Derek Lowe said.

They're gesturing so wildly in Little League-like euphoria that the Oakland "Who's Jinxed Now" Athletics accused the Sox of showboating and obscenity. But tell us, Miguel Tejada, who vowed that Lowe will pay for those alleged obscene antics: How else was Lowe and the anti-cursed Sox supposed to celebrate that stunning pair of freeze-frame sliders that Chris Singleton and Terence Long stared at, sealing the Red Sox's Game 5 win and sending them off to prove they can finally beat the Yankees?

"It was a fist pump. It wasn't a flip-off. I hope it was just their frustration coming out, but that's all they were talking about after a game like that? I apologized. It wasn't directed at anyone," Lowe said. Of course, despite a cross-country plane ride that Epstein called "the best red-eye" ever flown, Lowe was more than happy to stand at his locker in the bowels of Yankee Stadium for an hour.

"This is what you work so hard for in the off-season. We're going on adrenaline," said Lowe, who had every right to enjoy the spoils of his sterling relief performance in the Red Sox ALDS victory. But how long will they feel like the anti-cursed? The A's were hampered after ace Mark Mulder went down and then Tim Hudson had to leave Game 4 after one inning. The Red Sox were able to call on Lowe to do what the suspect Boston bullpen couldn't do: close out the clinching victory.

Even this crew of Boston Merry Pranksters knows what they're up against with the Yankees, who have four aces in Mike Mussina, Andy Pettitte, Roger Clemens, and David Wells, not to mention Jose Contreras and Mariano Rivera in the bullpen.

Florida pull past Chicago

CUBS

Continued from Page 1B

stormed back when Rodriguez, rookie Miguel Cabrera, and Juan Encarnacion homered in a five-run third.

Braden Looper pitched the 11th for a save, giving the Marlins a win and a nice omen. The last 10 teams to win the NLCS opener have reached the World Series.

And it was a good decision — up until Slamm'n Sammy took his final swing. Sosa tied it with a no-doubt drive, taking a signature hop after he connected off Urbina.

Game 2 of the best-of-seven series is Wednesday night with Brad Penny pitching for Florida and Mark Prior going for the Cubs.

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The art of movement

AIKIDO

Continued from Page 1B

against the cushioned ground.

"I'm learning a lot about teaching the body to do new things," said 29-year-old Brandon Porter, who has been studying aikido since February. "I can really tell how purposeful movement has come into my life."

Calvin Bryant is the most recent addition to the 30-member group. The 12-year-old has already felt an increase in flexibility in just a couple of weeks. He also described the cathartic mental state of the practice sessions.

"You don't have to worry about your homework," he said.

The Aikido Club encourages anyone who is interested to attend a beginner session at the Field House. Basic classes are held on Mondays and Wednesdays from 6:30-7:30 p.m. or on Friday from 4:30-6 p.m. Rotating classes are held on Saturday and Sunday. After a free introductory period, students pay a fee of \$60 a semester; non-students pay \$80. For more information, contact student representative Ivar Christopher through Recreational Services by calling 335-9293.

E-mail/DI reporter Frank Klipsch at Randysjullie@aol.com

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ANYTHING ELSE (R)
Mon-Thurs 4:30, 7:20, 9:40
Fri-Sun 1:45, 4:30, 7:20, 9:40

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Mon-Thurs 4:00, 7:00, 9:45
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12:30, 4:00, 7:00, 9:40

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12:00, 2:25, 4:50, 7:15, 9:40

COLD CREEK MANOR (R)
12:30, 3:30, 6:45, 9:30

UNDERWORLD (R)
12:00, 3:15, 6:30, 9:15

THE FIGHTING TEMPTATIONS (PG-13)
12:15, 3:30, 6:45, 9:30

ONCE UPON A TIME IN MEXICO (R)
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OUT OF TIME (PG-13)
1:10, 4:10, 6:50, 9:20

UNDER THE TUCSAN SUN (PG-13)
12:45, 3:45, 6:45, 9:40

LUTHER (PG-13)
12:50, 3:50, 6:50, 9:20

DUPLEX (PG-13)
12:15, 2:30, 4:45, 7:00, 9:15

SECONDHAND LIONS (PG)
1:00, 4:00, 6:50, 9:30

MATCHSTICK MEN (R)
1:10, 3:50, 6:45, 9:30

DICKIE ROBERTS (PG-13)
12:00, 2:20, 4:40, 7:00, 9:20

S.W.A.T. (PG-13)
1:20 & 4:00

AMERICAN WEDDING (R)
7:00 & 9:15

SEABISCUIT (PG-13)
12:45, 3:45, 6:45, 9:30

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SPORTS



Douglas C. Pizac/Associated Press

The Lakers' Kobe Bryant sits by himself talking on his cell phone during camp on Monday.

Cyclones to take on Texas Tech record-setting offense

BY CHUCK SCHOFFNER
ASSOCIATED PRESS

AMES — Forget the opposition. Iowa State has lost three-straight games and, to the Cyclones, that's all that matters.

That those winning opponents — Iowa, Northern Illinois, and Oklahoma — all are in the Top 25 and have a combined record of 15-1 is little consolation.

"A loss is a loss," punter Tony Yelk said. "Nobody at the end of the year is going to care whom we lost to. When you're playing a competitive sport at any level, a loss feels just as bad as any other loss, no matter what team you're playing."

Iowa State (2-3, 0-1 Big 12) does not face a nationally ranked team this week, but playing at Texas Tech on Saturday night hardly is a break. The Red Raiders (4-1, 1-0) lead in the nation in passing, scoring, and total offense.

Still, given a choice between playing top-ranked Oklahoma, which beat Iowa State, 53-7, on Oct. 4, and Texas Tech, the Cyclones will take Tech anytime. "This is a big game for us," Yelk said. "Obviously, we need one bad. That's no secret."

A loss is a loss. Nobody at the end of the year is going to care whom we lost to. When you're playing a competitive sport at any level, a loss feels just as bad as any other loss, no matter what team you're playing.
Tony Yelk, ISU punter

Iowa State began the season by beating Division I-AA Northern Iowa, which hasn't lost since, and Ohio University. Kicking game blowups hurt the Cyclones in a 40-21 loss to Iowa, now ranked 14th, and they led No. 16 Northern Illinois with 10 minutes left before losing, 24-16.

Then came the Oklahoma blowout, but even in that one, Iowa State was competitive for a while. Late in the first half, the Sooners led only 9-0.

"We still have a good team around here," wide receiver Lane

Danielsen said. "We haven't lost to any slouches. We've got to give credit to the teams that beat us. They did a good job. We've got to keep going out there and playing hard, and hopefully, things will start going our way."

The feeling this year is vastly different from last year, when the Cyclones were 5-1 and ranked 11th nationally at this point. But coach Dan McCarney said the attitude is still good.

"I don't sense finger-pointing, moaning, complaining. I sense let's do whatever we've got to do," he said. "Their eyes are on me. They're at attention. They're wide-eyed. They want to learn and they want to get better."

"Nobody in this program's gone in the tank. If they have, they sure haven't been around me. I haven't seen it."

The Cyclones would get a lift this week if defensive tackle Jordan Carstens could play. He missed the Oklahoma game because of a knee injury. Starting defensive end Jason Berryman left after the first series of that game with a knee injury, but McCarney said he's OK and definitely will play this week.

No word if Bryant will waive hearing

BY TIM DAHLBERG
ASSOCIATED PRESS

EAGLE, Colo. — Attorneys in the Kobe Bryant case huddled with the judge Tuesday but didn't answer the biggest question: Will the NBA star waive his preliminary hearing to keep potentially damaging evidence from being heard publicly?

That decision might not be made until minutes before Thursday's hearing, where prosecutors will present evidence they say proves Bryant raped a young hotel worker in his room at a mountain lodge on June 30.

Though everyone involved in the case has been silenced by a gag order, many legal analysts expect the defense to waive the preliminary hearing and acknowledge there is enough evidence for a judge to order a trial.

"If they have the hearing the public is going to hear basically all the details of what happened that night and it's going to be

told from the prosecution's perspective," said Karen Steinhauser, a former prosecutor and law professor at the University of Denver.

"There's a lot of unfavorable evidence going to be brought out in public."

Another reason for waiving the hearing is that the defense has little to gain, said Denver defense attorney Dan Recht.

"There's no way the defense will win a preliminary hearing. No way. None," Recht said.

Even if the hearing is waived, Bryant must appear Thursday in front of Judge Frederick Gannett for a bail hearing. Bryant, free on \$25,000 bail, would also at some point have to appear in another court to enter a plea to the sexual assault charge.

Bryant was in Hawaii this week, where the Los Angeles Lakers were training and playing their first exhibition games.

The basketball star's attor-

neys met earlier in the day with prosecutors and Gannett for more than an hour, discussing what a court spokeswoman called logistical issues. Exiting the courtroom, Gannett wouldn't comment, other than saying the issue of waiving the preliminary hearing was not discussed.

Attorneys were to meet with the judge once more Thursday, just 45 minutes before the hearing, to resolve other issues. At that point, defense attorneys could move to waive the hearing and take their chances at trial.

Prosecutors planned to bring a sheriff's detective to the stand at the preliminary hearing to discuss the investigation and the conclusions reached by a nurse who examined Bryant's accuser.

"The vast majority of the time defense attorneys waive the hearing," Steinhauser said. "They don't stand to gain a whole lot by having it."

ISU receivers take trip to see Wallace

AMES, Iowa (AP) — Iowa State had just lost to Oklahoma 53-7 and the team's losing streak had grown to three. There was only one thing to do — hit the road.

Wide receivers Lane Danielsen and Jack Whitver and a friend hopped in the car about 2 a.m. Sunday and drove to Green Bay to watch the Packers against the Seattle Seahawks, where former ISU quarterback Seneca Wallace is

playing. "I talked to him Monday before the Oklahoma game," Danielsen said Tuesday.

"I just asked where they were playing, and he said Green Bay. I said I'd never been there, and he said, 'I'll get you tickets.' So we decided to go up there."

The three watched Wallace warm up and talked to him after the game, which the Packers won 35-13. Wallace, Seattle's No. 3 quarterback, did not play.

"It looks like he put a little weight

on," said Danielsen, who was Wallace's favorite target last season. "It looks like he's a little stronger."

Danielsen said it was the first NFL game he had attended. He also said Wallace gave them some advice.

"He told us to keep after it, that we're a good team, we've lost to some good teams and we don't have anything to be ashamed of," Danielsen said.

"He said we can get some wins yet."

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