Best Available Copy

PAGE 5 Austin City Council to look at new plan to clean up the air U.S. soldiers fight Iraqi attacks, killing 46 WORLD & NATION

Monday, December 1, 2003

Serving the community of The University of Texas at Austin since 1900

Laboratory classes make viable biatus difficult to approve

By Sarah Kleiner Daily Texan Staff

Sixty-two class days passed between Labor Day and Thanksgiving Day without a break for students, faculty and staff at the University.

FZ FASO TX 79903-3724 SEZT EAST YANDELL DR SOUTHWEST MICROPUBLISHING

... WIXED VOC

While many schools across the nation, including the University of Michigan and the University of California at Berkeley, have fall breaks, few Texas colleges schedule a break during the fall semester. In addition to the University, Texas A&M University, Texas State University-San Marcos and Texas Tech do not have fall breaks.

The UT Faculty Council's calendar committee will discuss introducing a fall break at its next meeting, said Marvin Hackert, Faculty Council chair.

Ted Odell, chair of the calendar committee, said the meeting will be held early next semester.

Jim Vick, vice president for student affairs, said students and faculty revive the discussion about a fall break every couple of years.

The council last discussed introducing a fall break during spring 2001, but the motion failed, because rescheduling laboratory classes would be difficult. Vick said.

"The sense was that it was not worth the disruption of the academic program to create a fall break," Vick said.

The proposal included adding two days at the beginning of the semester, the Monday and

Tuesday before classes normally begin, and taking away the same days in the middle of October. Vick said.

Y 'EXAN

Ruth Shear, a senior lecturer in the department of chemistry and biochemistry who teaches upperdivision laboratory classes, said because classes begin on Wednesday in the fall, the Monday and Tuesday labs are one week behind throughout the semester.

"My labs usually make up this inequity by canceling lab on the Wednesday before Thanksgiving and, of course, not meeting on Thanksgiving Day, so that way Monday and Tuesday [labs] catch up one week and then in the last week of classes, just the Monday students meet," Shear said.

www.dailytexanonline.com

Canceling Monday and Tuesday labs for a break would

See FALL BREAK, page 6

UT group admits to fraternity party flier

Organization headed by SG representative By Angela Grant **Daily Texan Staff**

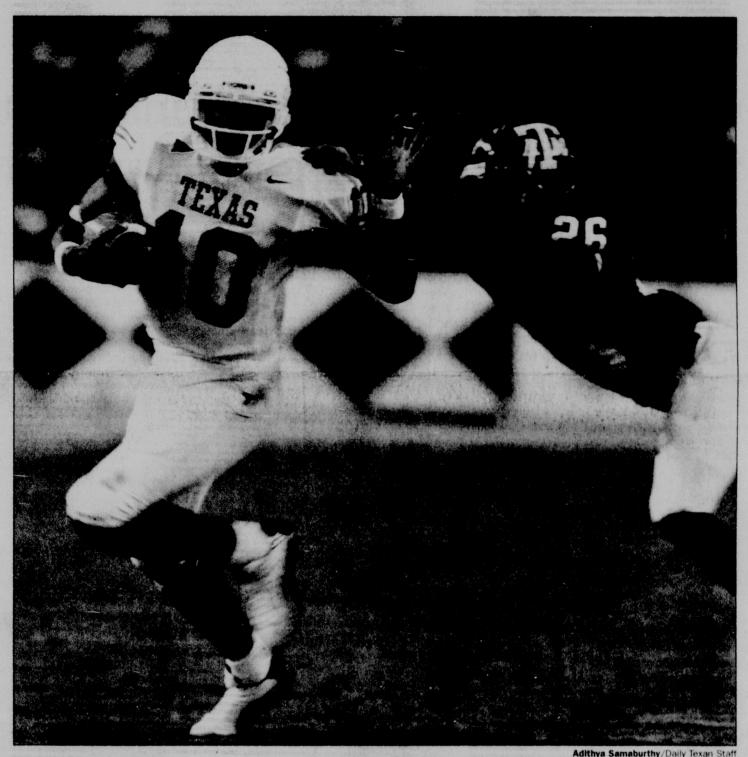
A registered UT student organization has admitted to creating fliers distributed by a student government representative advertising a Zeta Psi party that prompted an on-going investigation of the fraternity.

The Young University Republicans of Texas, "a satirical, flagrant, leftist front group," did not approve of the party's "Bombs Over Baghdad" theme, according to a statement issued by the group.

"Roughly 9,000 innocent dead is not something sane persons center revelry around," the group said in the statement. The group created and distributed the fliers to "expose the despicably themed party.

The fliers showed photographs of a crying child spattered in blood, a man clutching a child's lifeless body and a mutilated dead man. The caption read, "Come party, and celebrate what

RUNAWAY Texas earns 4th straight win over Aggies



SG's list of goals nearly attained

Group credits successes to its initial hard work

By A.J. Bauer Daily Texan Staff

The Students First Party dominated Student Government elections in February, winning nearly every seat in the assembly and both top positions.

The party campaigned on a platform of more than a dozen issues, including modernizing the course registration system, expanding the E-bus service and developing plans for additional student union space.

In August, SG announced it had addressed all of its platform issues and made a list of more. With their term nearing an end, they are nearing the conclusion of their second list as well.

'I don't recall any SG administrations that have publicly stated that they've gone through all of their platform issues," said Jim Vick, UT vice president for stu dent affairs. SG President Brian Haley attributes the Student First ticket's success in office to the landslide victory in the election. "I think that because everyone got to work together during the campaign, there wasn't as much of a transition," Haley said. "We were able to hit the ground running and move forward on a lot of initiatives. One issue addressed last spring was the Students First promise to "fight for student concerns on the Texas legislative agenda." SG led the failed student lobby against tuition deregulation, which passed during the 78th Legislature's regular session. After deregulation passed, SG continued pushing for student involvement in the tuition-setting process by advocating a Tuition Policy Committee. Through discussion with the administration and other officials, SG members also helped extend E-bus routes to Riverside and helped initiate long-term projects

we stand for.

The flier did not mention the Young University Republicans of Texas but listed Zeta Psi's name, address and the fraternity's official seal.

"They're trying to make us out to be a scapegoat of the situation, and I'm sorry that they have to do this sort of manipulative action," said Gabriel De La Garza, former Zeta Psi vice president. "I'm just

See FLIERS, page 2

Protesters counter clinic's adversary

By Robert Inks Daily Texan Staff

Local contractor and pro-life activist Chris Danze was the subject of a 20-person protest outside the gates of his subdivision Saturday afternoon.

The protesters, loosely affiliated with the national organization Anti-Racist Action Network, said their goal was to increase awareness of Danze's campaign to block construction of a new Planned Parenthood clinic in Austin.

"He was integral in spearheading a project to harass and intimidate contractors who were working on the new Planned Parenthood clinic," said protester Caren Panzer, a journalism senior. "This is just a reversal of his own tactics."

They gave passersby pictures of Danze and his wife, along with the Danzes' contact information. Panzer said the protesters were out from 2 p.m. to 3 p.m. Saturday.

Danze began the movement after Planned Parenthood officials broke ground for its new clinic, named The Choice Project. He began a phone campaign that eventually gained nationwide support, calling contractors and subcontractors and urging them

See DANZE, page 5

Longhorn quarterback Vince Young evades an Aggie defender during Friday's victory over Texas A&M. Young ran for 90 yards in

rivalry game, and I wanted to go

out with a bang. I made a state-

Texas made the statement with

its play selection, running the ball

60 times and giving Benson 35

carries. The Longhorns even ran

the same zone read run play

almost every time, but it didn't

matter if Texas A&M knew what

was coming. Benson was con-

stantly running over defenders

and breaking tackles, and his 283

yards were the most rushing

yards ever against the Aggies'

"It's frustrating for them when

ment today."

defense.

See GIGGED page 2

Texas' 46-15 win, but Cedric Benson stole the show - rushing for a UT record 283 yards on 25 carries against the Aggies.

BCS BOWL SCENARIOS

If Oklahoma loses

The Sooners will earn an atlarge BCS berth. Texas is left out of the BCS picture and will likely play in either the Holiday Bowl or Cotton Bowl.

If Oklahoma wins

Texas earns the at-large BCS berth.

After the top two teams are selected by the Sugar Bowl, the Fiesta Bowl has the next choice.

Texas, Ohio State, Florida State and the eventual SEC champion are all being looked at by the Fiesta selection committee. However, the Fiesta Bowl has strong ties to the Big 12 - a Big 12 team has played in the Fiesta Bowl in six of the last nine years. Probable Fiesta Bowl matchup: Texas vs. Florida State.

However, it is still possible the Fiesta Bowl will pick LSU over Texas, and leave the Longhorns playing in the Rose Bowl.

About 20 people demonstrated

near a Lowe's store at Interstate

35 and Stassney Lane, holding

signs and distributing leaflets

The boycotters intend to pres-

and MoPac Boulevard, which

See LOWE'S, page 6

For more information, see SPORTS, page 7 See PLATFORMS, page 6

INSIDE



Puccini's Turandot Austin Lync

Opera's production covers a range of emotions. SEE PAGE 11

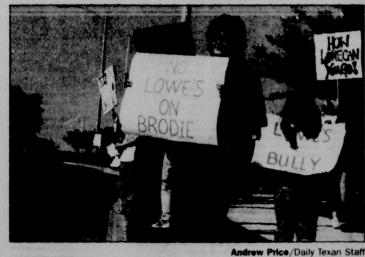
Around Campus			.2
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Comics			
Entertainment			11

Weather



It sucks to be you

Volume 104, Number 63 25 cents



Roanne Draker, an Oakdale resident, and her daughter, Tessa Draker, 7, stand outside of the Lowe's on Stassney Lane on Friday to protest the building of a new Lowe's store on aquifer land.

Environmentalists kick off boycott against Lowe's

Daily Texan Staff

A coalition of environmental groups and neighborhood associations launched a region-wide boycott' Friday against Lowe's Companies Inc. to protest the home improvement giant's plans to build a new store over the

Edwards Aquifer recharge zone.

By Nicolas Brulliard

Demonstrators banded out leaflets encouraging drivers to join mission

that urged passing drivers not to shop at Lowe's during the holiday season. sure the company to abandon its plan to build a 160,000-squarefoot store between Brodie Lane

By Lorne Chan

Daily Texan Staff

COLLEGE STATION - At the

beginning of the Fighting Texas Aggie Band's halftime show, a

band member dropped his saxo-

phone, and the instrument lay at

midfield, trampled by the rest of

the band until someone picked it

defense as well Friday, as Cedric

Benson stepped over the

"Wrecking Crew" for a career-

high 283 yards and four touch-

downs, leading the Longhorns to

"I wasn't going to be denied

today," Benson said. "This was a

a 46-15 win over Texas A&M.

That was the Texas A&M

up when the show was over.



Group, the largest Latino-

mail alphapsilambda

_utexas@yahoo.com.

American Marketing

announced.

University Finance

Officer elections,

Wednesday

weather), free.

circle.

refreshments.

Association meeting,

6:30 p.m., UTC 3.104.

Association officer elec-

tions, 7 p.m. to 8 p.m.,

UTC 2.112A. Details about

the Holly-Daze party will be

Poetry on the Plaza: Home

UT Batucadu, meets every

week, noon to 1 p.m., West

Mall. Drumming/dance

Summer Study Abroad

3.124. Through the

McCombs School of

Edinburgh and Milan.

ness students. Visit

udean/ip/summer.asp

Information Session, UTC

Business: Paris, Barcelona,

Some options for non-busi-

www.mccombs.utexas.edu/

for the Holidays, noon,

Ransom Center Plaza

(inside for inclement

oriented co-ed fraternity. E-

OPERATION SWEET TOOTH

ST. PETER, Minn. - Ernie and Bonnie Brandt are mailing more than a half-ton of candy to troops in Iraq where their son, Don, is serving in Mosul. The candy will arrive around Christmas, thanks to the Brandts and their friends. They have almost raised the \$1,000 that it will cost to mail the candy.



CORRECTIONS POLICY The Texan strives to present all information fairly, accurately and completely. If we have made an error, let us know about it. Call (512) 232-2217 or e-mail man agingeditor@dailytexanonline.com.

.cc.utexas.edu, or call 836-

PALS Coffee Hour, meets

every week, 5 p.m. to 7 p.m.,

Starbucks Coffee in Barnes

and Noble, next to UT Co-

op. Come interact with stu-

meets every Friday, 7 p.m.,

www.chinesebiblestudy.org.

Shabbat at Texas Hillel,

es at 7 p.m., dinner at

8:15 p.m. Do either or

St., 476-0125. Visit

www.texashillel.org.

both. 2105 San Antonio

DanceSport Club Ballroom

meets every week, servic-

dents from around the

Chinese Bible Study.

Welch 1.308. Visit

AROUND CAMPUS

Monday **Graduate Student**

Assembly, first Monday of each month, 4:15 p.m., Texas Union 3.116. Open to all grad students; only GSA members vote. See agenda at http://student orgs.utexas.edu/gsa/web site/meetings/next meetingT.html.

The International Student

Council, meets every week, 6 p.m., third floor couch area, Texas Union. Discuss current issues and social events.

Foreign Policy Council.

meets every week, 7 p.m., UTC 1.116. Discuss. debate and analyze current events and international politics.

Free Yoga Class, meets every week, 5 p.m. to 6:30 p.m., Texas Union Eastwoods Room, Don't eat two hours prior; wear loose clothing. Call Chris at 217-1380 for more info.

Free Capoeira Classes, meets every Monday and Wednesday, noon to 1 p.m., Texas Union Tower Room. Sponsored by

Capoeira Angola Student Group

Pagan Student Alliance, meets every week, 7 p.m., SZB 296. E-mail contact@paganstudentalliance.org.

Women's Resource Center meets every week, 6 p.m., SSB 4.102M.

Natural Sciences Council. meets every week, 5 p.m., WEL 3.502.

Tuesday

Librarian on Location (with laptops), noon to 4 p.m., Texas Union. Get help with your research and information needs.

Student Government meeting. 7 p.m., SSB G1.310. Come voice your concerns.

Art of Living Group's Free Yoga Classes for UT students, faculty and staff. Meets Tuesday, 7 p.m. to 8 p.m., Texas Union Quadrangle Room. Suited for beginners. Call Nisha at 236-9091, or visit http://studentorgs .utexas.edu/aol.

Alpha Psi Lambda Interest

THE WEEK OF DECEMBER 1-7

Students for Barton Springs, meet every week, 7 p.m., Garrison 201.

BSM Lunch Encounter, meets every week, noon to 12:45 p.m., Baptist Student Center.

Catholic Student's Association Catholic Discovery, meets every week, 7 p.m. to 9 p.m., St. Francis Room, University Catholic Center. E-mail frank@utcatholic.org.

Undergraduate Business

Council, meets every week, 6:30 p.m., GSB 2.126. E-mail seanpaul@mail.utexas.edu.

Communication Council, meets every week, 6 p.m. E-mail lesley@mail.utexas.edu.

UT Czech Conversation Club, 5 p.m., Cactus Cafe.

Tibetan Buddhist Reading and Meditation, meets every week, 8 p.m., Texas Union African American Culture room.

UT Solar Vehicles Team. meets every week, 5 p.m., ENS 145.

Victory Campus Ministries, meets every week, 8 p.m., GAR 1. Multicultural Christian group, live band.

Thursday

International Socialist Organization, meets every week, 7 p.m., PAR 105. Call Mike at 494-0667.

Campus Environmental

Center, meets every week, 6 p.m., Texas Union Board of Directors room.

Innervisions Gospel Choir Rehearsal and Bible Study, meets every week,

The Recycling Task Force, meets every week, 8 p.m. to 9 p.m., West Mall outside Union.

The New Millennium, with David Coleman, 7 p.m., Prothro Theater, Ransom Center, free.

Free English Conversation Class, meets every week, 6:30 p.m. to 8:30 p.m.,

To add your event to this calendar, send your information to aroundcampus@dailytexanonline.com or call 471-4591.

2806.

world.

Austin LDS Institute (2020 San Antonio St.); Contact Nate at 331-6620 or nate sharp @phd.mccombs.utexas.edu.

Campus Crusade for Christ, meets every Thursday, FAC 21, 7:30 p.m. Call Garrett at 495-5525.

University Accounting Association, meets every week, 6:30 p.m. to

7:30 p.m., UTC 3.104 Friday

> Fridays in Photography: "The Face of Texas," featuring Michael O'Brien and DJ Stout, 5 p.m., Prothro Theater, Ransom Center, free

Halagas, (discuss various

every week, 8 p.m., Texas

Union Eastwoods Room.

UTMSAINFO@yahoo.com.

Anime Club, meets every

WEL 1.316. We watch

Japanese animation and

have a lending library of

tapes. E-mail anime@uts

week, 7 p.m. to 11:45 p.m.,

topics in Islam), meets

Muslim Students Association Cookie

Dancing Practice, meets every week, 8 p.m. to 11 p.m., Quadrangle or Tower room, Texas Union. Visit https://web space.utexas.edu/rosen ber/utdancesport.html.

Sunday

Palestine Solidarity

Committee, meets every week, 7 p.m., Pearce Hall, Room 2.404, Texas Union.

Group did not identify itself on flier, violated posting rules

FLIERS, FROM 1

shocked and appalled that one student group can't respect another.

Jordan Buckley, a Student Government two-year at-large representative and member of the group, visited the fraternity house and told five fraternity members working in the yard that he had created and distributed the fliers on campus, said Greg Lukin, a Zeta Psi member who was among the five.

"He was trying to antagonize us," Lukin said.

According to a statement from the group, "our operative strategically identified [himself] as Buckley to the fraternity." The statement also indicates that the person identifying himself as Buckley wanted fraternity members to beat him up.

the flier, they doubt that "any reasonable person" could mistake the flier for actual Zeta Psi communication.

While the Young University Republicans of Texas admit to creating the fliers, they deny posting the fliers on kiosks.

But Brian Perry, IFC adviser, received complaints from at least one person who found the flier posted on a kiosk. The complaints prompted the IFC Judicial Board to begin an ongoing investigation of the fraternity to determine whether the war-themed party was an intentional form of harassment and whether the incident will reflect ty did not make the flier will factor into the board's decision, Mazzarella said

Because the Young University Republicans of Texas did not identify itself on the flier, it appears to be in violation of a University rule that states that UT organizations must identify themselves on any literature distributed on campus, said Jeff Graves, associate vice president for Institutional Relations and Legal Affairs.

De La Garza said he expects the IFC Judicial Board to forward a complaint to Campus and Community Involvement if the IFC investigation finds the Young University Republicans of Texas responsible for the fliers. 'If that doesn't happen, we'll take the next step ourselves," De La Garza said. "But I have confidence in the IFC Judicial Board to do that."

Vasher's interception seals victory during 4th quarter

E-mail

GIGGED, FROM 1

they know a team's coming at you, and there's nothing they can do about it," offensive guard Tillman Holloway said. "There was one drive where we literally ran [a] zone read every single play and scored."

Quarterback Vince Young also rushed 16 times for 90 yards and a touchdown, and Texas finished with an unbalanced offense of 393 rush yards to 97 pass yards.

There was a passing game at one point, and Young hit David Thomas with a 60-yard touchdown pass on the second play of the game. He went 5-for-5 to start the game, but a one-yard pass to Roy Williams with more than 11 minutes remaining in the second quarter was his last completion. He threw three incompletions in the final 39 minutes, and that was it for the throwing offense. Young finished 5-for-8, passing for 97 yards and a touchdown.

"We opened it up early with the passing game, then we switched to the run," Young said. "Seeing Cedric was running 15-, 18-yard carries and there was good blocking downfield, we needed to stick to the run.

Texas head coach Mack Brown said he wanted the run-pass ratio to be 60-40 and the yards to be 50-50, but balance was overrated. The Aggies ran an equal number of pass and run plays, with a net result of 31 fewer points than the team with an 88-12 ratio.

Although Texas pulled away with its running game, turnovers kept Texas A&M close through the third quarter. A Young fumble at the Texas 8-yard line and Selvin Young's fumble on a kickoff at the Texas 23-yard line led to two Texas A&M touchdowns and a 20-15 Texas lead After a Longhorn possession was stalled, the Aggies were about to take possession with a

Up Late?

chance to take the lead, but returner Tim Van Zant muffed a punt that was recovered by freshman Michael Griffin. With the ball back and improved field position, Benson scored his third touchdown to put Texas up 28-15.

But the Aggies still would not go away and were driving deep into Texas territory when quarterback Reggie McNeal threw a pass that was intercepted by cornerback Nathan Vasher in the end zone.

The interception was the 17th of Vasher's career, tying him with Noble Doss for the career interceptions record in UT's history, a record Doss set in 1941 Vasher was called for pass interference, and Texas A&M wide receiver Terrence Murphy also caught a 39-yard pass earlier in the drive, but Vasher was undeterred.

6 p.m., University Presbyterian Church, behind the Co-op. E-mail

Modern Photography &

espirit 2000@yahoo.com.

Buckley would not comment on the matter.

The group said because of the unprofessional appearance of

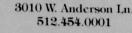
poorly on the UT Greek community

The board will consider the evidence about the case, including testimony from fraternity officials, either Tuesday or Thursday, said Brian Mazzarella, chief justice of the IFC Judicial Board. The fact that the fraterni-

"It was one of those things to where you want to make a play like that to change the whole tide of the game, and I think it did," Vasher said.

After the Vasher interception, Texas A&M, like the saxophone





Beads, Gifts, Jewelry, Classes, Parties

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WORLD BRIEFS

U.S. to move 100 prisoners from Guantanamo Bay

SAN JUAN, Puerto Rico -More than 100 men and boys will be transferred in the next two months from the U.S. jail for terrorism suspects in Cuba. including a teenager who allegedly killed an American special operations soldier, a U.S. military official said.

The first of two new transfers is scheduled for the end of December, and the other in January, the official told The Associated Press on condition of anonymity. The detainees would be released from U.S. custody, but it was unclear if any would face further detention or prosecution in their home countries

The official did not say where the prisoners would be sent and a military spokeswoman declined Sunday to provide details about future transfers from the U.S. base at Guantanamo Bay, Cuba.

Federal inspectors to tour green onion facilities

MEXICALI, Mexico - U.S. federal inspectors were flying to this border city late Sunday to visit facilities controlled by four green onion exporters that were shut down by Mexican authorities in the wake of a hepatitis outbreak in the United States

An FDA spokeswoman said Friday that the inspection team would be in Mexico at least two days, but that their schedule had yet to be determined.

Although it hasn't been proven that Mexico was to blame for the outbreak, sales of green onions across the border region have slumped dramatically since investigators tracked Mexico onions that triggered a hepatitis outbreak that killed three people and sickened 600 more in Pennsvlvania.

Ex-Baghdad bombmakers say they lied to Hussein

Iraqi scientists never revived their long-dead nuclear bomb program, and in fact lied to Saddam Hussein about how much progress they were making before U.S.-led attacks shut the operation down for good in 1991, Iraqi physicists say.

Before that first Gulf War, the chief of the weapons program resorted to "blatant exaggeration" in telling Iraq's president how much bomb material was being produced, key scientist Imad Khadduri writes in his self published book, "Iraq's Nuclear Mirage.'

Other leading physicists, in Baghdad interviews, said the hope for an Iraqi atomic bomb was never realistic. "It was all like building sand castles," said Abdel Mehdi Talib, Baghdad University's dean of sciences

Official says U.S. captured 3 al-Qaida members in Iraq

soldiers and a civilian were wounded, he said, adding that none of the injuries were lifethreatening.

WORLD&NATION

THE DAILY TEXAN

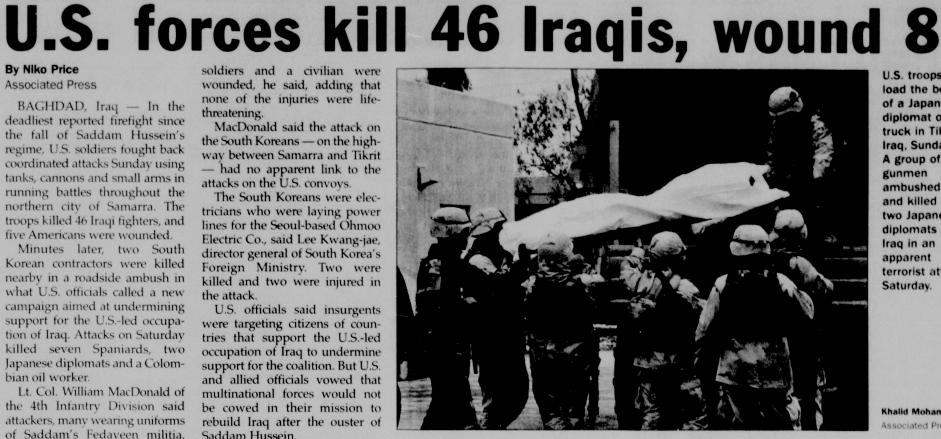
MacDonald said the attack on the South Koreans - on the highway between Samarra and Tikrit — had no apparent link to the attacks on the U.S. convoys.

The South Koreans were electricians who were laying power lines for the Seoul-based Ohmoo Electric Co., said Lee Kwang-jae, director general of South Korea's Foreign Ministry. Two were killed and two were injured in the attack.

U.S. officials said insurgents were targeting citizens of countries that support the U.S.-led occupation of Iraq to undermine support for the coalition. But U.S. and allied officials vowed that multinational forces would not be cowed in their mission to rebuild Iraq after the ouster of Saddam Hussein.

"They clearly are targeting coalition members in an effort to intimidate all allies in Iraq and discourage their participation in the reconstruction of Iraq," said coalition spokesman Dan Senor.

Spanish and Japanese officials



Monday, December 1, 2003

said the deaths wouldn't change their commitments to Iraq, and Senor said the alliance wouldn't be weakened.

'Our freedom is threatened by all terrorists," Spain's Prime Minister Jose Maria Aznar said

Sunday in a speech broadcast in Spain. "We know that a withdrawal would be the worst route we could take.

Two Japanese diplomats also were killed Saturday north of Baghdad when they stopped to U.S. troops load the body of a Japanese diplomat on a truck in Tikrit. Iraq, Sunday. A group of gunmen ambushed and killed two Japanese diplomats in Iraq in an apparent terrorist attack Saturday

NASDAQ

1,960.26

+6.95

STOCK WATCH

Closing Friday, November 28

DOW JONES

9,782.46

+2.89

Khalid Mohammed Associated Press

buy food and drinks at a roadside stand, MacDonald said. The diplomats, on their way to attend a reconstruction conference, were not traveling with a military escort. Their Iraqi driver was also reported killed.

Rumsfeld: U.S. wants NATO to take over in Afghanistan

By Robert Burns Associated Press

By Niko Price

Associated Press

BAGHDAD, Iraq - In the

deadliest reported firefight since

the fall of Saddam Hussein's

regime, U.S. soldiers fought back

coordinated attacks Sunday using

tanks, cannons and small arms in

running battles throughout the

northern city of Samarra. The

troops killed 46 Iraqi fighters, and

Minutes later, two South

Korean contractors were killed

nearby in a roadside ambush in

what U.S. officials called a new

campaign aimed at undermining

support for the U.S.-led occupa-

tion of Iraq. Attacks on Saturday

killed seven Spaniards, two

Japanese diplomats and a Colom-

Lt. Col. William MacDonald of

the 4th Infantry Division said

attackers, many wearing uniforms

of Saddam's Fedayeen militia,

opened fire simultaneously on

two U.S. supply convoys on oppo-

Iragis were dead, 18 were wound-

ed and eight were captured,

MacDonald said. Five American

When the smoke cleared, 46

bian oil worker.

site sides of Samarra.

five Americans were wounded.

BRUSSELS, Belgium - The United States would like NATO eventually to take over the military mission in Afghanistan, where an American-dominated force is still hunting down remnants of the Taliban rule that collapsed two years ago, Defense Secretary Donald H. Rumsfeld said Sunday.

In an interview on the eve of a NATO defense ministers conference, Rumsfeld said he had not proposed such a transition from U.S. control but that it was a goal "we certainly have favored."

Rumsfeld arrived in Brussels on Sunday for NATO talks on a range of defense and security issues, including the situation in Iraq and the outlook for a realignment of U.S. forces in Europe. The latter topic is focused mainly on ways of reducing or shifting U.S. troops in Europe to make the overall American military more suited to fighting terrorism and other nontraditional threats.

Defense ministers were meeting Monday and Tuesday, followed by talks among foreign ministers on Thursday and Friday.

Asked about deadly attacks in

recent days against Spaniards, Japanese and South Koreans in Iraq, Rumsfeld said he did not expect the violence to lead any U.S. allies to abandon the mission.

Commenting on an expanded NATO role in Afghanistan, Rumsfeld praised the alliance for taking a first, limited step assuming control over the International Security Assistance Force that keeps the peace in Kabul, the Afghan capital, and trying to put together even more troops so the peacekeeping mission can be expanded beyond Kabul to as many as six provincial cities.

involved in the American-led combat missions against Taliban holdouts.

In advance of this week's NATO talks, alliance officials expressed confidence that plans will proceed for a German-led NATO security force to move into the northern Afghan city of Kunduz within weeks.

That operation is supposed to be a pilot project for a broader NATO plan to provide protection for "provincial reconstruction teams" in other cities — if it can muster the troops.

'I think it's a good thing,'

the media giant — has resigned from its board of directors, the company said Sunday. He reportedly called on chairman Michael Eisner to resign as well.

The board's governance and nominating committee decided not to recommend 73-year-old Disney, nephew of company co-founder Disney, for another term because he is over the mandated retirement age of 72, said the board's presiding director, former Sen. George Mitchell

That security force has not been Rumsfeld said. "And my guess is it will happen."

> He added that NATO involvement eventually might expand even further.

'At some point the task may mature to the point where NATO would want to take on a still larger responsibility," he said. While the Pentagon chief did not foresee alliance troops replacing U.S. troops entirely, he would not rule out NATO eventually taking primary control of the military mission

"I'm not predicting anything, but we certainly have favored that, over time," Rumsfeld said.

to surgery to lose weight. In 1998, there were 25,800 obesity-related operations, most of them gastric-bypass procedures commonly known as stomach stapling. This year, the American Society for Bariatric Surgery estimates 103,200 operations. Questions about the risks growing use of the procedures surfaced in recent weeks after two patients in New England died during stomach-stapling surgeries. However, obesity specialists say the procedure is safer than it has ever been --- and that is contributing to the growing popularity. And for some patients, the risk of not having the surgery is greater.

Retailers see solid gains over holiday



NATION BRIEFS

Former congressman heads to trial, faces up to 10 years

FLANDREAU, S.D. - Bill Janklow. a former four-term South Dakota governor and the state's only conessman, returns to his boyhood hometown Monday to face a trial that may decide his political future. The 64-year-old is charged with speeding, running a stop sign, reckless driving and manslaughter in an Aug. 16 accident that killed a motorcyclist at a rural intersection in South Dakota.

MOSUL, Irag - American forces have captured three members of Osama bin Laden's terrorist network in northern Irag, a U.S. military commander told The

Associated Press on Sunday. If confirmed, it would be the first disclosed detention of al-Qaida militants in Iraq.

Asked if troops had captured members of al-Qaida, Col. Joe Anderson, commander of the 2nd Brigade of the 101st Airborne Division replied: "Three, two weeks ago.'

Anderson said he believed the captured al-Qaida men were Iraqi nationals, who had been transferred to Baghdad for further interrogation

It was not immediately possible to confirm the captures.

> Compiled from Associated Press reports

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WICHITA, Kan. - Eugene B. Carthen looks for a bargain among the myriad of televisions in the New Market Square Wal-Mart in west Wichita, Kan., Friday, the traditional kickoff of the holiday shopping season.

The Thanksgiving weekend gave the nation's retailers a solid start to the holiday season, but stores that expected shoppers to have less interest in bargain-hunting were disappointed.

Wal-Mart Stores Inc. and other discounters had the strongest sales, attracting crowds with specials on TVs, DVD players and toys. Department stores and mall-based apparel retailers were discounting less than they did last year, and their business was uneven.

Total retail sales Friday were up 4.8 percent to \$7.2 billion from the Friday after Thanksgiving a year ago, according to ShopperTrak, which tallies sales at 30,000 retail outlets. Last year's sales had been 6.8 percent higher than 2001 results.

owers

If convicted of manslaughter, he could face up to 10 years in prison, as well as a House ethics committee investigation.

Under the committee's rules, any representative convicted of a crime that carries two or more years in prison should refrain from voting in the chamber until his or her record is cleared, or until re-elected.

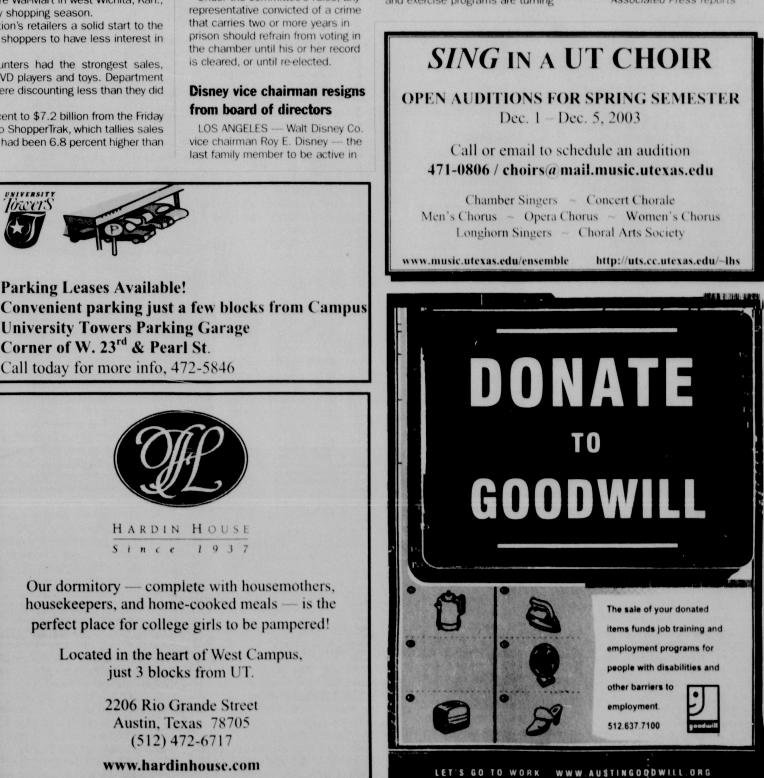
Disney vice chairman resigns from board of directors

LOS ANGELES --- Walt Disney Co. vice chairman Roy E. Disney - the last family member to be active in

Popularity of obesity surgery growing despite risks involved

BOSTON - By the tens of thousands, morbidly obese people who have failed at diets, support groups and exercise programs are turning

Compiled from Associated Press reports



Thinking about MOOOving? Watch for our Housing Guide coming in the Exam Week Extra on December 10th! **Great Specials!** No Bull



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those of the UT administration, the Board of Regents or the Texas

Student Publications Board of Operating Trustees.

VIEWPOINT

Problems with the justification

Last Monday, the University submitted its proposal to include race and ethnicity as factors in admissions decisions for undergraduate, graduate and law schools to the UT System.

As expected, the University does not specify how large a role an individual's race and ethnicity will play in the admissions process. Race and ethnicity are included with other non-academic factors such as extracurricular activities, leadership and awards.

The University claims students "cannot reap the educational benefits of diversity when a high percentage of their classes have little or no minority representation in them." A 2002 study conducted by the University revealed that 79 percent of classes had one or zero black students, 30 percent had one or zero Hispanic students and 33 percent had one or zero Asian-American students.

By including the study in its proposal, the University claims it needs to use race as a factor in admissions to admit more black and Hispanic students so that other students can learn in a "diverse" environment. While the argument is the same one that was used in the Supreme Court's declaring affirmative action legal, it's a troubling. The notion that a certain amount of minorities are required to be present for other students to learn the benefits of diversity is an example of tokenism at its worst and mistakes the group's experience for the individual's.

The University fails to realize that race matters, but not all the time.

There are only a handful of classes where having black or Hispanic students would truly add a different perspective, one no non-Hispanic or non-black student could provide. For example, it would be difficult to argue that a black or Hispanic student provides a unique perspective to a biology or finance course that would enrich the class in a way a white student could

It's difficult to rationalize the use of race as a factor in admissions. Since the most compelling argument to use affirmative action - the use of race in college admissions, hiring practices and other aspects of the United States benefited whites exclusively for almost 200 years and had major effects on minority populations — cannot stand up under the scrutiny of the courts, other avenues had to be explored. The diversity rationale, claiming an educational benefit when there are more black, Hispanic and Native American students enrolled at a university, received the blessing of the courts and has been summarily adopted by college administrators across the country.

While the University has a responsibility to provide an intellectually stimulating and open environment to people of all races and ethnicities, the administration errs in suggesting that the chief reason for the implementation of affirmative action is the slippery notion of achieving "diversity."

Police actions demand new legislation

By Erick Fajardo Daily Texan Columnist

November was a particularly bad month for the Texas criminal justice system

Even after the disastrous mass arrests in August of 2002, the Houston Police Deparment has had another year of negative press, and other Texas police departments have turned in equally abysmal performances as well. The DNA section of the HPD crime lab was the subject of a government investigation in which an oversight committee learned of numerous mishandlings of DNA evidence that may have led to wrongful convictions. Ten months after it had been audited, the department was forced to shut down its toxicology section as well, and, shortly after, 21 cases were reported to have had missing evidence.

On Nov. 3, a Houston family filed a civil lawsuit against the Houston police officer who allegedly shot and killed their 15year-old son, Jose Vargas Jr., in the parking lot of a movie theater three days earlier. About two weeks after the Vargas family filed suit, another teenage Hispanic boy, 14-year-old Eli Escobar, was gunned down by two other HPD officers. HPD representatives contend that the

The events are unfortunately reminiscent of the Luis Torres case of two years ago, in which an unarmed, innocent Hispanic man was beaten to death by police officers in Baytown, Texas.

killings were accidents and that these were not incidents of racial profiling. However, an overwhelming amount of evidence from the police reports suggest that the officers kept their guns drawn even after recognizing that the suspects were unarmed youths. The events are unfortunately reminiscent of the Luis Torres case of two years ago, in which an unarmed, innocent Hispanic man was beaten to death by police officers in Baytown, Texas. The officers were never even tried in court.

On Nov. 25 in Dallas, DPD officer Senior Cpl. Mark Delapaz, who was indicted in April for participating in the "sheetrock scandal," was acquitted. The incident took place in 2001, only a couple of years after the famous Tulia case where 46 suspects, of which an overwhelming majority were black, were sent to prison on trumped-up charges of drug possession. Similarly, in the

Dallas "sheetrock scandal," police officers planted bogus cocaine bricks on 86 Latin American immigrants, who were then falsely convicted and sent to up to two years in prison, where one individual was raped and contracted Hepatitis C.

These kinds of problems, however, are not exclusive to big cities like Houston and Dallas. Legislators like Rick Noriega, D-Houston, have learned that across the state, especially in small towns where good-old-boy practices supercede justice, police departments and prosecutors monopolize power to the point where there is little, if any, police accountability, and citizens are at the mercy of their whims.

During the 78th Legislative session, Noriega proposed HB 414, which would have prevented any conflicts of interest between law enforcement agents and prosecutors by appointing special prosecutors to criminal proceedings where the defendants are police officers. The legislation was originally proposed during the 77th Legislature, but police officers were excluded from the bill, because police officer unions were in opposition on the basis that such a measure was insulting, that it would add further impediments to law enforcement and that the court system was sufficient enough to rectify any police misconduct. With the same argument, the law again failed to pass in the 78th session, and, as of now, Texas law still allows for the existence of potentially harmful narcotics task forces and for suspects to be convicted solely on the testimony of undercover agents.

This means that when a department needs to improve its arrest record so that it receives a pay raise, another Tulia or "sheetrock" scandal can still take place with very slim chances of being uncovered. To effectively enforce the anti-racial profiling law and to thwart the possibility for any conflict of interest among prosecutors and law enforcement agents, the Legislature must implement police accountability laws, and the electorate must vote the supporters of these policies into office.

Fajardo is a government senior.

GUEST COLUMN

A generation defined by cynicism

By Anna Dittmer Indiana Daily Student

Our parents will never escape being called baby boomers. Neither will Generation Xers. But so far our generation has not received one fixed label. Try this on for size: "The Simpsons Generation," coined by Chris Turner in the online magazine Shift last year, honoring the popular television show for the way its cynical humor captures the sensibilities of our time.

Upon reflection, one can't help but think there may be something to Turner's idea. Think of the mouthy kids in sitcom families or the snide tone of popular music. Think of the irony of David Letterman or the

satire of The Onion. Think of

our distrust for the govern-

ment, our distaste for our socie-

ty and our dissatisfaction with

To its credit, cynicism steers

clear of naivete, being mindful

of both the world's problems

and the difficulty of solving

those problems. Moreover, cyn-

ical humor is often quite win-

ourselves.

ning. The cultural commentary of "The Simpsons" is consistently astute and funny, and Onion articles such as "Fairy-Princess Ranks Depleting as Girls Aspire to be Doctors, Lawyers" are hilarious. But one danger of pervasive, reflexive cynicism is that we will be so geared to look for objects of scorn that we won't appreciate pieces of good news when they

In July, a Philadelphia man named Zell Kravinsky, having already given away nearly all of his \$45 million real estate fortune, donated one of his kidneys to a stranger in need. Kravinsky wanted to increase organ donations and felt that, since he could get by on just one kidney, donating the other "was the moral thing to do." The recipient of his kidney called Kravinsky "the most selfless and humble person" she had ever met.

and then only after subjecting him to a battery of psychiatric tests. His parents objected, and his wife threatened divorce.

Some observers questioned the wisdom of Kravinsky's decision, suggesting he should have shown more consideration for the future well-being of his immediate family. Such questions could be legitimate, but the tone of some of the criticism betrays jaded cynicism rather than sincere concern. A writer wonders if he is a "heartless lunatic," and in Internet discussion groups, one finds comments calling Kravinsky an "insane" guy who has only been "guilt-tripped" into giving away a kidney.

Sartelle wrote in the online magazine Bad Subjects that cynicism attempts to compensate for the pain of living in a society that repeatedly betrays its ideals with "the false empowerment of a feeling of superiority. 'Sure, it's all a lie, and I'm being used and sold out, and all efforts to change things will just fail or make new problems, but at least I know

Twisting our faces into sneers is a problem if we let ourselves get stuck that way. Cynicism provides a reaffirmation of apathy and an excuse for defeatism. It mocks the injustice of the world but, by failing to tackle that injustice, remains complicit in it. Don't allow cynicism to blind you to all the good in the world, and don't allow it to cripple you from adding to that stock of good yourself.

The problem with the University's new policy lies not in its goals, but in its justifications.

Editor's note: This is the first in a series of Viewpoints on the University's proposal to use race a factor in the admissions process.

THE FIRING LINE

Islam more than Third World

As the holy month of Ramadan came to an end earlier this week, Muslims around the world celebrat ed Eid-ul-Fitr

As Muslim presence on campus continues to grow, the Texan's continual coverage of Muslim issues provides an invaluable service to the UT community. As students, we strive to gain an understanding of the world around us; Islam is very much an integral part of the national, as well as the international, landscape

In learning or disseminating information about Islam, it is important to remember that religion and culture are two seperate entities, and context changes iden tity. The picture of Bangaladeshis riding a train (Nov. 25) was not an inaccurate portrayal of Muslims in the American context, but was an inappropriate tool to depict Muslims on campus. A picture says a thousand words, and as responsible members of the community, we must make sure these words are accurate.

Here at the University, Muslims of all ethnicities and backgrounds celebrate Eid in many ways often times mixing old culture with newer traditions. The frequent association of Islam with Third World ways and seemingly archaic ways of life is an injustice to the followers of this faith. Going to IHOP for brunch, putting up "Eid lights," going to movies with friends, exchanging Eid presents, and traveling inside a Capital Metro bus to prayer (not hanging from a train) - these are all common customs of Muslims in America that contradict the common misconception that we are a foreign entity with outdated modes of travel and antiquated practices.

Have an open mind as you encounter Muslim roommates, classmates, professors and friends; remember that Islam is not a monolithic force, but rather, a diverse entity. During this festive time of Eid-ul-Fitr, we wish you "Eid Mubarak," and encourage you to

wish the same upon your Muslim friends

> Raafia Lari Plan II sophomore Public relations director of the Muslim Students Association

Exposing the UTPD

Horns down to the UTPD for wasting our money and time --- not to mention the public trust and presumption of innocence - by sending undercover officers to student organization meetings. Imagine referees posing as players in the locker room in order to make better calls on the field! The UTPD should focus on enforcing the law and punishing actual offenders instead of patrolling the "what if's" of the activist community.

By posing as activists, UTPD officers compromise their position as objective community servants, undermining our democracy and possibly endangering students. Recent events in Miami illustrate the dangerous precedent set by allowing undercover officers to "police" social activism.

Police officers dressed as activists at the recent FTAA protests in Miami were witnessed provoking violence - picking fights within the crowds and identifying themselves only with their tasers

Police actions during the FTAA protests have led the the national steelworkers union to call for a congressional investigation and the removal of Miami Police Chief John Timoney. We clearly do not need repeats of "Miami Vice" at UT. The UTPD should change its policy - and apologize to the student groups it has infiltrated over the years. And no, you can't

borrow my "Democracy NOW" Tshirt, or my pink one. And you should definitely wear socks. Thank you for protecting and

serving - and remaining a visible part of our community Mark Tirpak Community and regional planning grad student

Socialism not the answer

Mr. Howard states that low tuition "excuses" wealthy students from subsidizing the educations of poor students ("The Tuition Solution," Nov. 26 Firing Line). However, that argument is based upon the presumption that wealthy individuals have a binding duty to redistribute their wealth for the benefit of those who are not as affluent. Thankfully, that kind of nonsense is confined to countries unfortunate enough to be living under a socialist regime.

If a wealthy student with a guilty conscience personally chooses to subsidize a poor student's tuition increase, then so be it. But the key word is "choose." The majority of students who are able to afford the increase should not be forced to bear the burden of the small minority who cannot. We don't force wealthy individuals to pay \$40,000 for a Toyota Camry so poor individuals can buy one for \$10,000, do we?

Let's not forget that higher education is a privilege, not a right. There are grants, scholarships, student loans - and yes, part-time jobs - available to help subsidize the tuition of those who cannot afford to pay the full price, but who still choose to obtain an undergraduate or post-graduate education. It is unfair to force even higher tuition rates on wealthier students, simply because they have a greater ability to pay.

> Jon Apgar UT law student

Return tuition to Legislature

I agree with Forrest Wilder's column, "UT's elitist policies threaten students," (Nov. 25) in his assessment that tuition increases are going to make for an even wealthier student body. This will inherently limit the outcry over further increases and already has. But he needs to have more faith in current students - rich and poor - to do what is right. They should ask for increased funding for all Texas

But not everyone approved of his decision. He was rejected by two hospitals before a third agreed to perform the surgery

state schools in the next legislative session - including the University of Texas at Austin. They should also fight to return the power to set tuition to the Legislature. Tuition deregulation is in a trial phase. The administration and the regents already shocked everybody with the 35 percent increase over the next year. In 2005, tell your legislators to return tuition-setting to someone sane: themselves.

David Peterson UT law student

Massachusetts Supreme Court was whether to strike down state legislation that restricts marriage to one man and one woman on state constitutional grounds. For the court to override the will of the people, the court must find there was no rational basis for the state Legislature to refuse homosexual unions the legal, financial and social benefits of marriage. "Rational" in this sense does not mean that the court is persuaded by the reasoning, only that it is feasible for a legislature to conclude that the disadvantages of redefining marriage outweigh the advantages

One need only ask whether it is possible for a legislature to find that restricting marriage to heterosexual partners is in the interest of society. At the very least, a legislature might find uncertainty about the social implications of expanding the definition of marriage, and such uncertainty is a rational basis for waiting to expand the definition of marriage until we know more about how homosexual marriage will impact our society. At this point in the debate, it is incredibly brash to take the view that there is no possible rationale for a society to restrict marriage to one man and one woman - and this is exactly what the Supreme Court of Massachusetts has done.

All Americans with an interest in democracy should be concerned

hopes Kravinsky's One motives were as sane and altruistic as possible and that the tension in his relationships eases. But at least his act granted someone health and life. The cynicism directed toward his act contributes nothing con-

structive to anyone. For cynicism, at its heart, is rooted in powerlessness. Joe

that a "bevy of Platonic guardians" can overturn legislation with nothing more than their personal faith that the benefits of expanding the definition of marriage so outweigh the risks that there is no rational basis for a legislature to conclude otherwise. The Supreme Court of Massachusetts is out of order.

Joshua Smith UT law student

Not my brother

I congratulate the Texas team on an impressive win over the Aggies and a likely BCS berth. I chide our commander in chief, however, over a pregame comment.

Before the annual rivalry last Friday, coach Mack Brown told an ABC reporter, "Playing A&M is like playing your brother."

If playing the Aggies is like playing our brother, then playing the Sooners must be like meeting our drunken stepfather out behind the woodshed. From my four years on the Forty Acres, one thing became apparent - my long-lost brother is not roaming the streets of College Station. To suggest that Reveille and Bevo emerged from the same womb is biologically impossible and just plain soft. A little more grit from our general could go a long way

> **Daron Roberts** UT alum

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Please e-mail your Firing Line letters to firingline@dailytexanonline.com

Letters must be fewer than 250 words and should include your major and classification. The Texan reserves the right to edit all letters for brevity, clarity and liability.

Dittmer writes for the Indiana Daily Student, the student newspaper of Indiana University.

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Court oversteps bounds The issue before the

BRIEFS A&M health center runs out

of flu vaccines for students

COLLEGE STATION - The Texas A&M University Health Center has run out of flu vaccines just as the Centers for Disease Control and Prevention announced two weeks ago that an early outbreak of the disease could be the precursor to a severe influenza season.

The health center had to make several cutbacks in services this semester because of budget constraints, said Judith Perry, a physician and director of the center's International Travel Clinic.

The center ordered fewer than 1,800 doses of the vaccine this semester. Perry will order additional vaccines for those on a waiting list. - U-Wire

Congress to consider act for alien youths to become legal

Her parents rarely talk about how they sold everything and slipped across the U.S. border one cold October years ago, and Yesenia Sanchez remembers little of the journey that started with a long bus ride from Mexico when she was 8.

Now 20, attending a community college and hoping to earn a degree in international studies, Sanchez worries she won't find a job when she graduates because she doesn't have a Social Security number.

Like other young people across the country, she's pinned her hopes on the Development, Relief and Education for Alien Minors Act, also called the DREAM Act. The proposal is before Congress and would give undocumented youth an opportunity to become legal U.S. residents.

Critics of the proposal call it "an illegal alien amnesty." - Associated Press

UC grad instructors plan

to strike before finals

BERKELEY, Calif. - In a final push for a contract, the union representing 11,000 University of California graduate student instructors, tutors and readers plans to go on strike this week, putting a potential halt to grading, office hours and section meetings just days before finals.

Along with picketing, union members at all UC campuses plan to go on a grading strike. Participants have been instructed not to score final exams or papers, hold office hours or attend lectures.

Unlike the one-day October walkout, the planned strike is expected to last until a settlement is reached between the union and UC. - U-Wire

Wide-ranging car inspections may be a part of changes By Robert Inks

The Austin City Council will

Travis, Williamson, Caldwell, Hays and Bastrop County governments, as well as several cities - including Austin - all signed a document, known as the Early Action Compact, in December 2002 after it was apparent that the five-county area was in violation of state and federal air quality standards.

"If we had not begun taking steps toward cleaner air at this point and had allowed the Texas Commission on Environmental Quality or the Environmental Protection Agency to step in, we would have been severely limited in our options," said Mayor Will Wynn. "This way, we have a little more flexibility.'

county governments created long-term plans to reduce the amount of ozone in the atmosphere. The Austin City Council will receive public comment

City Council to view new clean air plan

Daily Texan Staff

consider a plan of action Thursday to clean up Austin's air before state and federal agencies step in to do it for them.

Under the compact, city and



Drivers sit through midday traffic on MoPac on Wednesday. Austin has been found to be violating air quality standards and solutions for cutting down pollution in the city, such as increased bus riding and lowered speed limits, have been proposed.

Thursday on a plan presented in October.

The plan includes several ways to reduce emissions of gasoline-powered vehicles, said Fred Blood, city of Austin sustainability officer. He said the one raising the most evebrows is a plan to inspect every vehicle,

from two to 24 years old, for dangerous levels of exhaust emissions. If passed, the regulations will be implemented in Travis, Hays and Williamson Counties and will cost a government-mandated total of \$29.50 per vehicle.

Other measures include requir-

ing any employer with 100 or more employees to implement a carpool or vanpool plan for their office, and a state law limiting the time large diesel trucks could idle with their engines on to five minutes

Despite possible impacts on Austinites, Blood said he has received very few complaints from citizens so far.

"We're anticipating this will be more widely accepted than in other parts of the state," Blood said. "A large part of the population seems to understand what the problem is and sees what the solutions need to be."

When governments in the area signed the contract, there were five of 19 counties in violation of air quality standards in Texas. According to new data, however, Austin is barely under the line

"We just barely made it this year, but historically the data show that we'll very likely be back in non-attainment next year," said Deanna Altenhoff, executive director of the Clean Air Force, an organization that helped draft the emissions reduction measures.

But in San Antonio, Environmental Services Manager David Newman said city officials are running into more public opposition as they try to reduce emissions.

"We've had various public meetings and people getting up and saying that this is somebody else's fault and that it's wrong," Newman said. "I just say we've got regulating authorities telling me that we have to comply with federal laws. It's pretty cut and dry.

Planned Parenthood wasn't a part of the protest, advised against it

DANZE, FROM 1

to stop working at the site. Some contractors claim they were called more than a thousand times a week and were threatened with blacklisting if they did not leave the project.

San Antonio-based contractor Browning Construction pulled out of the project Nov. 11, bringing construction to a halt.

Planned Parenthood came back less than a week later and announced it would act as its own general contractor. Construction of the project has not yet restarted.

Panzer said the Network's reason for protesting Danze ran deeper than just the clinic.

'People don't realize that the Danzes are contractors," Panzer said. "There's a moral facade being put up here with the abortion issue, but there's an economic gain for him, too."

Central Texas Planned Parenthood Executive Director Glenda Parks said her organization was not involved in the protest, and she exchanged emails with protest leaders urging them not to go through with it.

"We don't endorse boycotts, especially at anybody's home,' Parks said.

Danze, who was out of town during the protest, said he did not mind the opposition.

"It's a free country, and people should exercise their freedom of speech at every opportunity," Danze said. "If I'd been around, I would have invited them into the house."

available to respond to comments made by Panzer on Sunday night.

Senator: Tinkering could lead to overcrowded prisons

By The Associated Press

HOUSTON - Lawmakers who tinker with the state's penal code unintentionally could cause future prison overcrowding, a state senator and some legal

State Sen. John Whitmire, D-Houston, who served as the chairman of the Criminal Justice Committee and rewrote the code in 1993, said lawmakers' good intentions could have unintended consequences. He said each time the code is altered, interpretation becomes more difficult.

"The idea of a penal code is to

have broad categories and leave it to prosecutors," Williamson County District Attorney John Bradley said. "You can't come up with a list of all the dumb things people do.

The code was rewritten in 1993 based on an American Law Institute model. When the rewrite occurred the state's guidelines had been amended so many times they were unmanageable. Since that time, the amendments have begun once again, Whitmire said

"There are literally hundreds of bills passed that reach into the penal code of 1993," he said.

Danze was not immediately

experts worry.

SEMESTE

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NEWS

If it passes, resolution will be advisory

FALL BREAK, FROM 1

result in fewer possible experiments, Shear said.

"As it is, Monday-students are already at a disadvantage, getting only five days to write up their final report, instead of the usual week," Shear said.

The spring semester is one week longer than the fall semester, allowing labs to meet for all of their experiments even though students have a week off for spring break.

Gisela Kramer, also a lecturer in the department of chemistry and biochemistry who teaches upperdivision laboratory classes, said she does not favor a fall break.

"It would infringe on the number of labs carried out and the number of lectures to go with it," Kramer said.

Shauna Kimmel, a junior education major, said she would enjoy a break in the middle of October.

"I'm usually pretty burned out and ready for a break and tired of school," Kimmel said. "That's when I start feeling unmotivated to do anything."

If passed by the council, a resolution would be advisory in nature and sent to UT President While many schools across the nation, including the University of Michigan and the University of California

at Berkeley, have fall breaks, few Texas colleges schedule a break during the fall semester. In addition

to the University, Texas A&M University, Texas State University-San Marcos and Texas Tech do not have fall breaks.

Larry Faulkner's office for consideration. Vick said any action on the issue at the University would likely begin with the Faculty Council.

"I wouldn't rule it out," Vick said. "It just has to find the right time."

STATUE SURPRISE



Rize Falk/Daily Texan Staff

Rosangela Briceno, 2, gets a surprise as living statue performance artist Owl Morrison says hello Saturday at the Victorian Christmas on Sixth Street.

Austin considering settlement to suit

LOWE'S, FROM 1

would pose a threat to the quality of the aquifer, activists said.

"Lowe's is not going to be able to do business without the community knowing the price they're asking the community to pay," said Sunset Valley Mayor Terry Cowan.

Environmental groups said Lowe's new store would violate a city ordinance that allows only 15 percent of a parcel in the aquifer's recharge zone to be covered by buildings, parking lots and other impermeable cover. The planned store would cover 40 percent of the plot, which is in compliance with the rules of the city of Sunset Valley, where the land was originally located before Sunset Valley gave it to Austin.

Lowe's spokeswoman Jennifer Stanbery said the company is complying with all federal, state and local regulations to protect the aquifer.

"Lowe's is committed to maintaining the integrity of this environmentally sensitive area," she said.

Armed with a bill authored by Sen. Jeff Wentworth of San Antonio that would put the controversial store within the jurisdiction of Travis County, Lowe's Wa sued the city of Austin, which is now considering a settlement. A in public hearing about the proposed settlement is scheduled for Dec. 11. the

Mike Blizzard, lobbyist and spokesman for the coalition, said the boycott will continue even if the City Council agrees to let Lowe's build the store.

"We're going to continue to pressure Lowe's to do the right thing and to move off the aquifer," Blizzard said. Energized by the recent campaign that succeeded in forcing Wal-Mart Stores Inc. to abandon its project to build a supercenter in Southwest Austin, protesters now believe they have the support of the entire community in their fight against Lowe's.

"Every environmental group has come out against this," Cowan said. "Every neighborhood association is against this. Everybody has come out against this."

SG tries to erase student apathy

PLATFORMS, FROM 1

such as the building of a new student activity center and the Gregory Gym outdoor pool project.

Despite SG's success, its attempts to fight student apathy have been largely unsuccessful. Although last year's 19 percent voter turnout was the highest in UT history, a gap between SG members and their constituents remains.

"I always read about them in the paper, but I never see any effects," said Josue Gallegos, a geology junior who did not vote in last year's election.

Jonathan Reynolds, a business marketing and English freshman, said the problem is that SG "doesn't get the message out." He said this was visible in the confusion surrounding the diversity curriculum resolution in October.

"There was a lot of talk about [the resolution] within Student Government, and of course the Texan covered it like every day, but that's about it," Reynolds said. "Everyone said that everyone was arguing about it. I didn't hear anybody arguing. I didn't even hear anybody talking about it."

Haley said SG has tried to address student apathy by holding public forums, meeting in different places and talking with other student groups, but nothing seems to work.

"I think student apathy is to be expected on a campus this large," Haley said. "I don't think it's acceptable, but it's expected."

STATE & LOCAL BRIEFS

Airlines expected to increase seating, set lower fares

FORT WORTH — After two dismal years, the nation's six largest carriers are expected to increase seating capacity by as much as 4 percent next year, analysts said.

Fort Worth-based American Airlines will experience some of the most aggressive growth. The airline expects to increase its capacity by 7 percent in 2004, despite removing 57 aircraft from its fleet.

Economic improvements, competition against low-fare rivals and increased international traffic are creating the new growth, the Fort Worth Star-Telegram reported.

The expansion could spark more competition, which analysts say could put fares at the lowest in decades.

Dry cleaner works for funds to pay for cleanup

Gerald Stavely of Irving has been in the dry cleaning business since 1966, but a few years ago, contamination from one of the cleaning solvents he used nearly cost him his livelihood.

An environmental study of the shopping center where one of his stores is located found contamination from percholoroethylene, or perc, a popular dry cleaning solvent that the Environmental Protection Agency classifies as a carcinogen. Cleanup has cost him

\$700,000 and motivated him to press for legislation to help other dry cleaners with cleanup costs.

The Texas Legislature responded this year by passing a bill that Stavely and other dry cleaners say will help them in the future by establishing a fund that will help them pay for future cleanup costs.

Redistricting splits small town, costs thousands

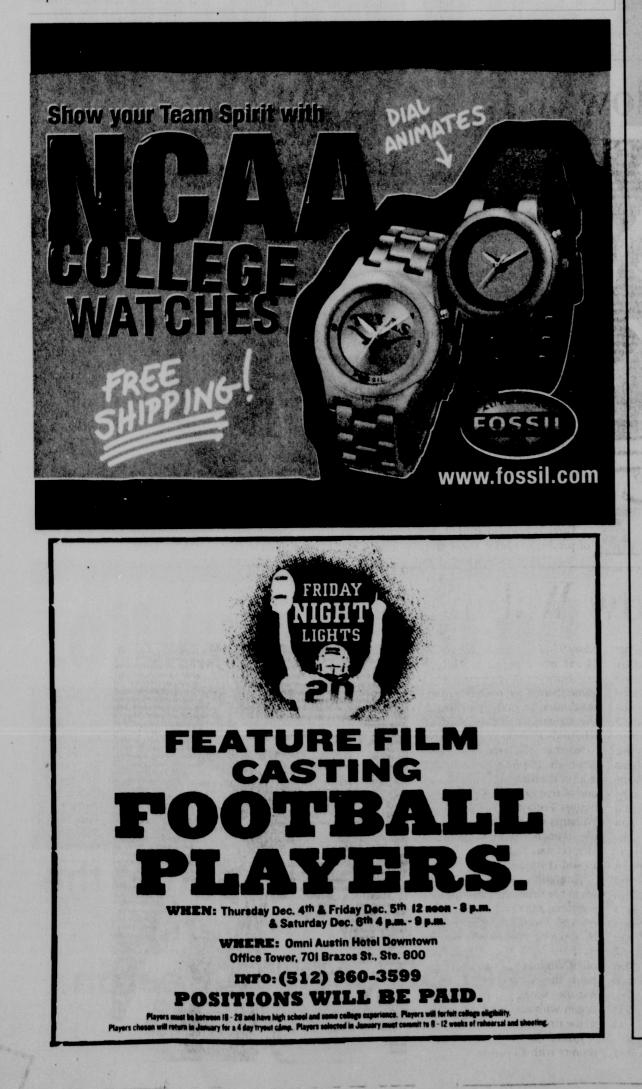
SONORA — To folks in this hamlet on the western edge of the Texas Hill Country, redistricting seemed an issue for the big cities.

That was until state lawmakers divided Sutton County between two U.S. congressmen, splitting a place where natural gas fuels the economy and where hunters fill the main drag each autumn.

"With just 3,000 people here, it's just absurd," said John Tedford, the county's Republican party chairman. Tedford says he's now considering leaving his party post after 40 years rather than take on the working in two districts.

> Compiled from Associated Press reports

THE TEXAS STUDENT PUBLICATIONS Board of Operating Trustees



Board of Operating Trustees

TSP is seeking applicants to fill one unexpired term on the Board.

Term of office: January 23, 2004-May 31, 2004

Position Available College of Communication–Place 3

The TSP Board of Operating Trustees will interview candidates and appoint a student to serve as a member of the Board at 3:00 p.m. on Friday, January 23, 2004. Location of meeting TBA.

Qualifications:

Applicant must be a registered student during the semester in which application is made.

Applicant must have completed at least one semester in residence in the long term at The University of Texas at Austin.

Applicant must be in good standing and not on scholastic probation.

Applicant must be enrolled in the College of Communication and must have completed or will have completed by the end of the current semester 12 hours of College of Communication courses.

Applicant cannot be an employee of Texas Student Publications.

The Dean of the College of Communication must certify the candidate's eligibility as listed above before the candidate's application can be considered complete.

Application forms and a list of qualifications may be picked up from the Office of the Director, Texas Student Publications, Room 3.304.

DEADLINE: Noon, Wednesday, January 14, 2004





CARR, VICK RETURN

Houston defeated the Atlanta Falcons 17-13 in a game that saw the return of both teams' star quarterbacks. Page 8

VOLLEYBALL WINS

Texas defeated No. 5 Kansas State in Austin on Saturday. The team finished its season with a 15-14 overall record. Page 8



Senior Sports Writer

Fiesta Bowl impressed with Texas

COLLEGE STATION - Despite his career day, Cedric Benson was far back in second place when it came to popularity with Texas fans at Kyle Field.

He lost out to a 5-foot-8-inch, middle-aged man who kept getting mauled by fans pleading for his attention.

The man of the night was Leon Levitt.

Levitt, the chairman of the board of the Tostitos Fiesta Bowl, was wearing a yellow blazer that looked the color of a tortilla chip as he stood in the south end zone for much of the fourth quarter of Texas' 46-15 win, right by the Texas cheering section.

As soon as fans noticed the Fiesta Bowl logo on his jacket, Levitt became the subject of numerous BCS and Fiesta Bowl chants, including one fan who promised Levitt that Texas fans would bring 60,000 people and the city of Austin to Sun Devil Stadium and Tempe, Ariz., the site of the Fiesta Bowl.

"We'd settle for [20,000] or 25,000, but I want to invoice him for the 60,000 now if I can," Levitt said

Levitt flashed the Hook 'em sign to the crowd and posed for a picture with two blonde women in cowboy hats with a broad smile on his face.

He said he was very impressed with the Longhorns contingent at Kyle Field, as at least 10,000-15,000 in burnt orange made it to the game, even though Texas A&M allotted 4,000 tickets to Texas fans.

It was Texas A&M's Maroon Out game, which made the large number of Texas fans throughout the stands even more noticeable. When Texas A&M sang the Aggie War Hymn and swayed to "saw

By Phillip Orchard Daily Texan Staff

COLLEGE STATION - When Cedric Benson scampered up the sideline for 35 of his 283 rushing yards and his fourth touchdown Friday, it capped not only the best day of his career, but also a remarkable turnaround for a team and a running back many had considered finished just two months ago.

Following the Longhorns' loss to Oklahoma in October, when Benson was held to 21 yards on the ground, the running game had nearly disappeared as had hopes of securing a BCS bowl bid in January.

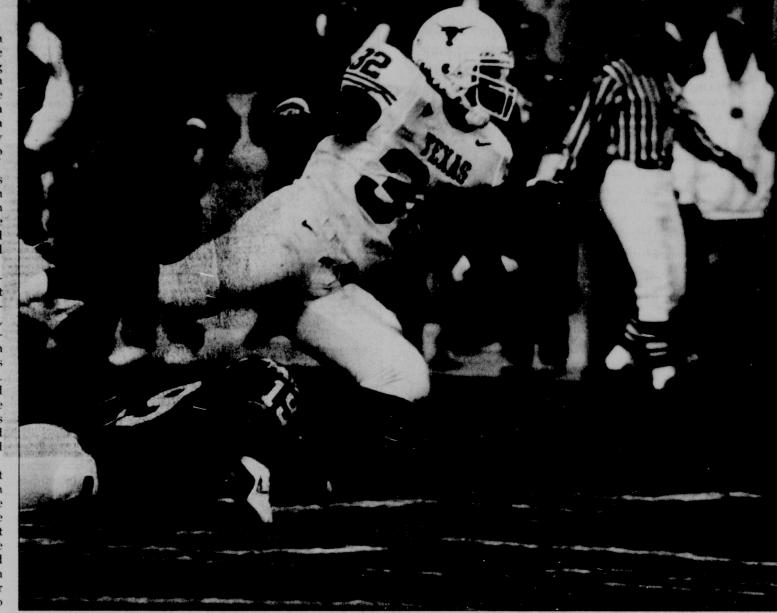
Benson had topped the 100vard mark only once in the past 10 games. Dreams of a third consecutive 1,000-yard season faded, as did hopes of an improved running game following offseason coaching changes and Benson's rededication to the weight room. And when things finally seemed to be getting back on track the following week with 140 yards against Iowa State, he was forced to sit out the following weekend at Baylor due to legal troubles.

"I think that's really what touched him, that the whole team rallied behind him and said, 'We're in this together," said offensive lineman Tillman Holloway about Benson's change following the Baylor game. "I think that fueled his fire and made him say 'I'm a part of something that's bigger than myself, so we're going to go out there and get it done.

So the following week against the vaunted Nebraska defense, things finally began to click. The presence of offensive line coach Mac McWhorter and new running backs coach Michael Haywood began to be felt and the offensive line came together. Benson started an extraordinary stretch where he averaged nearly 6.8 yards per carry, culminating in Friday's record performance - the best day of any running back against Texas A&M in history.

On Benson's first carry, he broke the 1,000-yard barrier, mak-

Benson tramples Aggies TEXAS 46, TEXAS A&M 15



Texas running back Cedric Benson scores one of his four touchdowns in Friday's 46-15 victory over Texas A&M. Benson rushed for a careerhigh 283 yards in the game.

ing him only the third back in Texas history to accomplish the feat. And from there he kept hitting milestones as often as he hit the defensive secondary.

With 283 rushing yards, Benson recorded the fourth-highest singlegame rushing total in Longhorn history.

With his first touchdown in the first quarter, he passed former Heisman winner Earl Campbell with 41 career touchdowns -

second in Longhorn history.

His four touchdowns on the day gave him 20 on the season, again passing Campbell for second all-time in Texas history.

And it was the first four-touchdown game for a Longhorn and first 200-yard performance against the Aggies since former Heisman winner Ricky Williams achieved both during his time in burnt orange.

"This is the kind of game any

running back would dream about," Benson said. "I haven't had a chance to think about it yet. It does feel good to get the victory, that's for sure, and still be in the race for a BCS game."

Benson looked like Williams Friday in more ways than just his trademark dreadlocks, and it is his string of Ricky-esque performances that has his team on the verge of its first BCS berth.

"I know we're running the ball

as well as we did then right now, and we're running it better than anytime since then," Brown said, comparing his current run game to the Williams era. "And I think that's the biggest reason why our football team is here.

Adithya Sambamurthy/Daily Texan Staf

But despite all the milestones and comparisons to former Longhorn greats, Benson insisted that they were not the focus on

See BENSON, page 8

arsity's horns off," immovable burnt-orange spots rendered the saws rusty and broken.

"There is a lot of excitement around this football team," Levitt said. "They showed me what a great football team and what great fans they have today."

After the Sugar Bowl takes the top two teams for the national championship, the Fiesta Bowl gets the first pick for the BCS. Levitt said Texas is one of three or four teams the Fiesta Bowl is watching, including Ohio State, ACC champion Florida State and the SEC champion. Texas-Florida State may be the most likely Fiesta Bowl matchup.

Fiesta is also the BCS' Big 12 tiein bowl this year, and a Big 12 team has played in the game six of the past nine years, including Texas in 1997 when they were Big 12 champions, and the bowl game was part of the then-Bowl Alliance.

"We value our relationship with the Big 12, but there are a lot of intangibles that go picking our teams," Levitt said.

The intangibles have kept the BCS picture murky even entering the final week of the season, but one certainty is that Oklahoma needs to win the Big 12 Championship against Kansas State Saturday for Texas to make it to the BCS. If Oklahoma loses, the Wildcats get the automatic Big 12 spot and Oklahoma would get an at-large bid, knocking Texas out.

The best scenario for Texas and the Fiesta Bowl may be if both Oklahoma and LSU win on Saturday, and LSU passes USC as the No. 2 team in the BCS. USC would most likely play Michigan in a classic Rose Bowl game, Miami may play Ohio State in a rematch of last year's national championship, and Texas and Florida State could play in the Fiesta Bowl.

There is still the possibility for the Rose Bowl, but it would only be if Levitt and the Fiesta committee passed up Texas for LSU.

Either way, Pasadena or Tempe would be Texas head coach Mack Brown's first BCS bowl and a huge accomplishment considering that two months ago, bowl talk was geared toward the Alamo Bowl.

The guys have done what they could, and it's out of our control," Brown said. "But I'm really proud of what they've been able to do."

Texas shrugs off slow start, blows out Centenary

Texas freshman P.J. Tucker dribbles around a Centenary defender. Tucker scored 15 points in the Longhorns' 94-59 win

over Centenary.



Staff

By Melanle Boehm **Daily Texan Staff**

After outscoring their first two opponents 211 to 122 and outrebounding them 120 to 62, the first half of Texas' game against Centenary was uncharacteristic.

"Our first half was not typical of Texas basketball," senior guard Brandon Mouton said. "We got out of the way we do things.

At the end of the first half, the Longhorns only held a 22-20 advantage in points in the paint and trailed 11-10 in secondchance points despite holding a noticeable height advantage in the post position. Ahead nine points and seven rebounds from sophomore forward Brad Buckman, the Longhorns led 42-33 at the half.

"In the first half, we didn't play to our potential," senior James Thomas said. "Our motivation wasn't there. So in the second half, we had to turn it up." Thomas responded to the lack of production from Texas' frontcourt in the first half, grabbing all of his defensive rebounds and scoring 11 of his 13 total points behind 5-of-7 shooting from the free throw line in the second period. Thomas is currently three points shy of hitting the 1,000point mark for his career.

"I wasn't playing to my full potential [in the first half],' Thomas said. "I'm better than that.'

Thomas' production, combined with 15 from freshman P.J. Tucker and 10 apiece from Royal Ivey and Mouton, propelled the Longhorns to a 94-59 win over the Gentleman Saturday night. The win is the 18th straight home victory dating back to the final game of the 2001-02 season.

Six quick points by Thomas started the second half for the Longhorns and showed signs of good things to come. With a little less than 16 minutes left in the game, Centenary guard Ricky Evans, who led all scorers with 17

points, converted a three-pointer with Mouton in his face. That basket was the last the Gentlemen would score in over six minutes as the Longhorns went on a 12-0 run, which was ended by Evans' fast-break lay-up.

'A great team shrugs [playing bad] off and continues to play the game," Mouton said. "That is what we did. We executed in the second half.

Junior Jason Klotz, who did not play the entire first half, contributed in the second period with two blocks to go along with nine points, which included a clutch three-pointer with the shot clock winding down to begin Texas' second-half run.

Texas ended the game with a 48-36 advantage in points scored in the paint and a 44-34 rebounding advantage.

"They're the best rebounding team I've ever seen," Centenary head coach Kevin Johnson said

See WIN, page 8

Texas wins Rainbow Wahine Classic in Hawaii

By Elizabeth McGarr Daily Texan Staff

Junior Heather Schreiber Sunday's Wahine entered Classic Championship Game against Montana needing only three points to become the 29th player in Texas history to score 1,000 points.

It didn't take her long to score two buckets and to earn the distinction, and it didn't take the Longhorns long to walk away with their second tournament trophy in three appearances, beating Montana 85-46. Texas won the tournament in 1987 and took second to host school Hawaii in 1999.

The No. 2 Longhorns (6-0) defeated Navy and Virginia en route to the title game and outrebounded each opponent. For the first time this season, Texas faced teams that ran a zone defense, and head coach Jody Conradt was pleased with how the team responded. Both Virginia and Montana challenged Texas to hit the outside shot, but the Longhorns reacted against Montana by hitting three-of-six from three-point range during the first half. Texas out-rebounded the Lady Grizzlies 19-7 during the first half and edged out to a 49-25 lead. Schreiber and freshman Tiffany Jackson led the Longhorns in first-half scoring with 11 points apiece. Senior Stacy Stephens wasn't far behind with nine points. Jackson's rebounding efforts during the second half would give her a double-double, her second of the year.

With her performance Sunday, Schreiber became the second player on this year's squad to score 1,000 points while in a Longhorn uniform. Stephens joined the list last season and now needs fewer than 50 rebounds to become the third player in Texas history to reach the milestone in both categories. Schreiber also made it to No. 5 in career three-pointers made at Texas with a shot against Navy.

The Longhorns defeated

Navy 97-46 before notching a 74-54 win over Virginia to advance to Sunday's championship game. Schreiber posted a double-double in both matches, as she scored 14 and grabbed 10 rebounds in each.

Norman led Texas with a season-high 18-point performance against the Midshipmen and was one of five Longhorns in double figures Friday. Junior Mercedes Williams offered 11 points from the bench, while freshmen Jackson and Kalee Carey posted 13 and 11 respectively.

Though the margin of victory wasn't as dramatic in Saturday's semifinal match, the Longhorns cracked Virginia's zone defense by shooting just over 44 percent from the field. Texas capitalized off of Virginia's 27 turnovers and held the Cavaliers to a 10minute scoring drought that began with seven minutes to go in the first half.

Junior Jamie Carey led all scorers with 20 points.



Texas' Nina Norman takes it to the net over Virginia's Deidra Chatman during second period play of the Hawaiian Airlines Rainbow Wahine **Classic at the Stan Sheriff** Center in Honolulu on Saturday.

arco Garcia

Solich gets victory in final game as Nebraska's head coach

By Connor Higgins **Daily Texan Staff**

It's fitting that in Frank Solich's final victory as the head coach of Nebraska, his players, after 11 games of sullied expectations, finally looked the Cornhuskers of old

Against a Colorado defense that was up against two walls - the first existing in the form of a twoton weight on the shoulders of a program battling for bowl contention, and the second in the form of 1,570 pound Husker offensive line — Nebraska collected 223 rushing yards, 103 courtesy of sophomore running back Cory Ross

Fitting also that Ross, a Denver native, played a pivotal role for the Huskers in ending the Buffaloes' desperate heave for three-straight wins plus a late-December postseason bid.

"In reality, 6-6 teams, they're lucky to get a bowl game," Colorado coach Gary Barnett told the Denver Post. "But I thought we had so much momentum and such a positive thing going in our locker room, I wished our team would've finished that way to realize that you can fight your

way out of things. Barnett didn't have to look too far to find another who couldn't fight his way out of a precarious situation. Despite the 31-22 road win and 9-3 season record, Solich fell victim to the past successes of Nebraska and was relieved of his duties Saturday evening.

Many felt Friday's game in Boulder would be an audition of sorts, a final plea from an embattled coach - who had heard rumors of his departure days before the game - wishing to stave off the impending doom awaiting him in the athletic director's office.

Others, like Nebraska linebacker T.J. Hollowell whose fourth quarter interception led to Nebraska's game-sealing touchdown, also figured judgment day was at hand.

"When I walked into the locker room, I told Frank Solich I loved him," Hollowell told the Omaha World-Herald, as if he knew Solich had coached his last game in his trademark Husker 'N' baseball cap. "He's been there for us, and I'm happy to get a win for him.

"A lot of people were talking this and that about him, but he's a great coach. I don't think he needs to go anywhere.

At the very least, Solich's former players gave him a performance to remember. In addition to Ross' big afternoon, quarterback Jammal Lord packed on 68 yards, a touchdown on the ground and found a wide open Matt Herian

for a 58-yard touchdown pass to give the Huskers a 7-0 lead. Colorado's heavy focus on the run allowed Herian to slip undetected behind the coverage, leaving mismatched linebacker Sean Tufts scurrying to catch up.

The play had to be a welcome sight for Solich, who, since Heisman Trophy winner Eric Crouch departed two years ago, has presided over a sluggish, onedimensional running offense.

"They hadn't thrown that much all year, and we suffered the consequences," Colorado defensive coordinator Vince Okruch told the Denver Post.

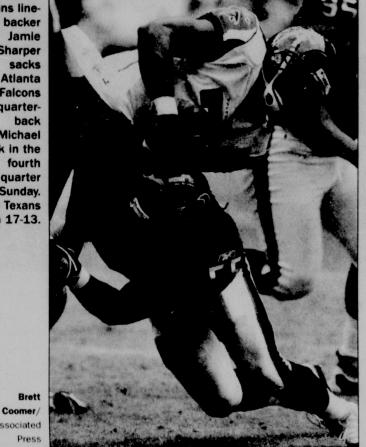
Nebraska, sans Solich, is bowl bound. Depending on the outcome of next weekend's Big 12 championship game and the final BCS standings, the Huskers should expect an invitation from either the Holiday Bowl in San Diego or the Alamo Bowl in San Antonio.

Nebraska head coach Frank Solich reacts as players led by Brandon Teamer, left, douse him with water after Nebraska's 31-22 win over Colorado in Boulder, Colo., on Friday.

Texans win despite the return of Falcons quarterback Vick

Texans linebacker Jamie Sharper sacks Atlanta Falcons guarterback Michael Vick in the fourth quarter Sunday. The Texans won 17-13.

Houston



By Mark Babineck Associated Press

HOUSTON -- Michael Vick's return was less than triumphant. Domanick Davis ran for two quick touchdowns early in the third quarter and David Carr made his own unplanned appearance Sunday, rallying the Texans to a 17-13 victory Sunday over the Falcons.

It was Vick's first game since fracturing his right leg in the second week of preseason.

"I think I've got my elusiveness back," Vick said. "I have to take my hat off to their defense. They gave me some looks I hadn't seen in a long time. They did their homework, and it was just their day."

Vick, the top overall draft choice in 2001, who set an NFL rushing mark for quarterbacks with 1,066 yards over his first two seasons, made his debut with 2:14 remaining in the third quarter. He completed a 9-yard pass to Justin Griffith on his first play, though the drive ended with a punt.

Vick relieved Doug Johnson, who started eight times in Vick's absence. Johnson was 12-of-27 for

116 yards and an interception that cost the Falcons (2-10), who have lost three straight and 10 of 11.

Texans linebacker Jay Foreman was miffed the Falcons didn't start their best quarterback.

"At the start we thought he was hurt, then we could see he was throwing on the sidelines and wasn't hurt," Foreman said. "They took the Texans like it was a warmup game, and we took it personal.

Cornerback Marcus Coleman had a slightly different take.

'Apparently he could have started. We're just glad he didn't,' Coleman said.

Vick was 8-of-11 for 60 yards and ran three times for 16 yards in more than a quarter of action.

Before Vick came back, it was last year's top draft pick making the first unscheduled appearance. Carr was supposed to miss the game after spraining his right shoulder two weeks ago. But he was pressed into action when Tony Banks broke his right hand on another player's helmet near the end of the first half.

Carr, playing in obvious pain, led a 63-yard drive on the Texans'

first possession of the second half, getting 36 yards himself with a Vick-like run to the Atlanta 22. Davis ran untouched for a 7-yard touchdown and a 10-7 lead for the Texans (5-7).

Johnson's next play was an interception thrown right to Coleman, who ran it back 22 yards to the Atlanta 13. Davis took it from there, punching it in from 2 yards for his second score in less than three minutes.

Davis, the Texans' standout rookie, ran for 101 yards on 24 carries. It was his fourth 100-yard performance.

Carr, who slumped in discomfort after some of his five pass attempts, completed two for 25st yards and an interception. Vick also showed he wasn't himself when linebacker Shantee Orr caught him and forced an intentional grounding penalty that led to Jay Feely's 42-yard field goal with 1:24 left.

Coleman covered the ensuing onside kickoff, and the Texans exhausted the clock.

"We knew we had to raise the level of our play, because we know what type of player he is,"

said Orr, promoted from the practice squad three games ago. "When he rolled out on the second or third play, you could see he was ready to play. It was an awesome accomplishment to stop him.'

Carr downplayed his injury, which appeared worse when he was tackled after the long run.

"I don't think I reinjured it, just aggravated it, so it made it a little difficult to throw," Carr said.

Texans offensive coordinator Chris Palmer said the Texans considered substituting rookie Dave Ragone, who has not played yet, had the situation called for more passing.

T.J. Duckett, getting the start after Warrick Dunn suffered a season-ending left foot injury last week, had a 1-yard TD run in the second quarter. He finished with just 31 yards on 12 carries against a notoriously soft Houston run defense.

Kris Brown hit a 40-yard field goal later in the quarter for Houston. The Falcons, who led 7-3 at halftime, fell to 0-6 when leading at the break.

Texas beats No. 5 Kansas State

By Phillip Orchard

and they were good." The

as though this one might get

O-Line Florida AD upset

Daily Texan Staff

With their backs against the wall, the Longhorns gave their best effort to find a spot in the NCAA tournament, leaving the fate of their post-season chances in the hands of the NCAA selection committee.

But this time, their best just wasn't good enough, as the Longhorns were left out of this year's tournament.

The Longhorns have endured a roller coaster season, plagued with injuries and inconsistency, that left the team with a 15-14 record and hope for grace from the committee.

"When it comes down to the bubble teams, we have a few bad losses," head coach Jerritt Elliott said after Saturday's match. "But nobody has the significant wins we do either.'

Elliott was hoping that the strength of three quality wins would sway the committee in their favor, and the biggest of those wins came Saturday night.

It was billed as a "win and might be in" situation for the Longhorns, and it was time for a little resiliency. Kansas State was coming off a conference title-clinching victory in their last game and had reached their highest ranking in school history. But the Longhorns knew what was at stake and proved that they belong with a 3-1 victory over the No. 5 Wildcats.

"We had a lot of confidence and we match up well with them," Elliott said. "Our backs were against the wall. Win and we have a chance to get in, lose and we don't. So they were very focused,

difference primary between this match and so many others was the resiliency and grit displayed by the Longhorns. Despite seeing comfortable leads disappear in nearly every game, Texas fought back and won when they needed to. Despite a stellar Wildcat defense that featured a plethora of diving and one-handed digs, the powerful hitting Longhorns were too much for the powerhouse that seemed almost overmatched.

The first game turned into a magnificent one. Texas grabbed an early 17-13 lead, but Kansas State crawled their way back into it and had Texas on its heals at 26-23. After the Wildcats took a threepoint lead of their own, it seemed away. But the two teams battled back and forth until junior Bethany Howden used two of her 25 kills to put the Wildcats away, 35-33.

The Longhorns took game two in similar fashion, 30-28, showing similar grit in another see-saw battle. But Texas dropped game three and seemed in danger of letting this one slip away as so many had before.

Texas started fast in game four and never let up. Three more Longhorn kills sealed the match.

"Everybody played great," said senior Kathryn Wilson, who along with Whitney Garvens played her last game as a Longhorn. "A lot of people really came through for us.

Riza Falk/Daily Texan Staff

Outside hitter Bethany Howden spikes a ball during Texas' 3-1 victory over No. 5 Kansas State on Saturday. Texas failed to receive an atlarge bid to the NCAA Tournament when the announcement was made Sunday.

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Location of Meeting: TBA

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and management:

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with officials' calls

By Eddie Pells Associated Press

GAINESVILLE, Fla. When he renews the contract with Florida State, Florida athletic director Jeremy Foley will look into changing a longstanding agreement that calls for officiating crews from the conference of the road team to work the game.

Foley said he called Southeastern Conference commissioner Mike Slive shortly after Florida's 38-34 loss to Florida State to vent about several calls that went against the Gators. Slive told Foley there was nothing he could do, because the crew was from the Atlantic Coast Conference.

"I have no recourse," Foley told The Associated Press on Sunday. "I will be interested to see their evaluation."

The end of the game was marred by a melee at midfield that started when Florida players took offense at Florida State players who came to midfield to jump on their logo. Foley and coach Ron Zook said they would look at the tape and take appropriate action later in the week.

"I saw what was happening," said Foley, who was in the middle trying to break it up. "I have no idea how it began. Obviously, emotions run high. But it's not what our program wants to be about."

Florida State coach Bobby Bowden said Sunday he was still trying to sort through what happened.

You got 160 guys dressed out there, and it didn't get any worse than it did. I guess there was some good to it, too," he said.

Bowden said he'd take disciplinary action if he determined any of his players were out of line in the fracas.

Bowden said neutral officials could be an option, and he understood why the home crowd was in such an uproar over so many controversial calls. Meanwhile, Tommy Hunt,

the director of ACC officials, told the AP he hadn't watched the tape as of Sunday morning, so he couldn't comment specifically on the game.

When I see the game, if our

officials make mistakes, they're held accountable for them," Hunt said. "We've got the best officials in the country, or some of the best, and I stand by that."

Normally, tough calls even out over the course of a game. In this case, however, there were no fewer than six key calls, ranging from questionable to downright awful, all of which went against the Gators (8-4).

"I can't say a thing," Zook said. "The only thing I'm going to say is there were enough plays in the game that if we'd have made them, we still would have been all right."

Among the worst of the calls came on the opening kickoff, when Florida State's Antonio Cromartie fumbled, and the Gators recovered. Officials ruled the play over before the fumble, even though Cromartie's knee clearly hadn't touched the ground.

In the third quarter, Florida State's Pat Watkins scooped up a fumble and returned it for a score, even though Florida tailback Ciatrick Fason appeared to be flat on the ground before the ball popped out.

In the fourth quarter, Chris Rix ran for a touchdown and a 31-27 lead four plays after officials awarded the ball to the Seminoles, even though Gators linebacker Channing Crowder came out of the pile with the ball.

Hunt defended the crew, led by referee Jack Childress.

"People sit in the stands, they watch the replay four or five times, in slow motion, backward, forward, then they make the call," Hunt said. "We're not in that business. We're in the instantaneousdecision business."

It is common for crews from the visiting team's conference to work interconference games, but there's no steadfast rule calling for it, Foley said.

The Florida-Florida State contract is up for renewal after next year, and Foley said he will look into bringing in a crew from a neutral conference.

credited for big day

BENSON, FROM 7

his mind Friday.

'Stats are cool, and it feels good to do that kind of thing for myself, personally," Benson said. "But I don't really know much about the UT history books, but it feels good to be in it."

Benson was first to give his line, and the rest of the team credit following his big game, and said that he was proud of how the team had rebounded as a whole from early season losses. But it has been Benson who has carried his team over the past month, and despite its stellar play, his line refuses to allow him to share the credit.

"The offensive line played great," Holloway said. "But even if the offensive line had a perfect day, you can't argue with 280something yards. He broke three or four tackles on several runs for 50 yards. So when a guy does that, he's destined to be among Texas' greats."

Shooting percentage a difference in final half

WIN, FROM 7

about Texas. "They did what they're supposed to do. They kept their composure throughout."

One of the biggest changes in Texas' play in the second half was their effort on the defensive end. Centenary shot 45.2 percent from the field half, but due to an increase in the Longhorns' defensive pressure, the Gentlemen only shot 34.4 percent compared to Texas' 65.5 percent in the second half.

"We're three games into the season," head coach Rick Barnes. "I don't expect us to be perfect right now."

The Longhorns end their fourgame home stand Thursday against Wofford at 7 p.m.





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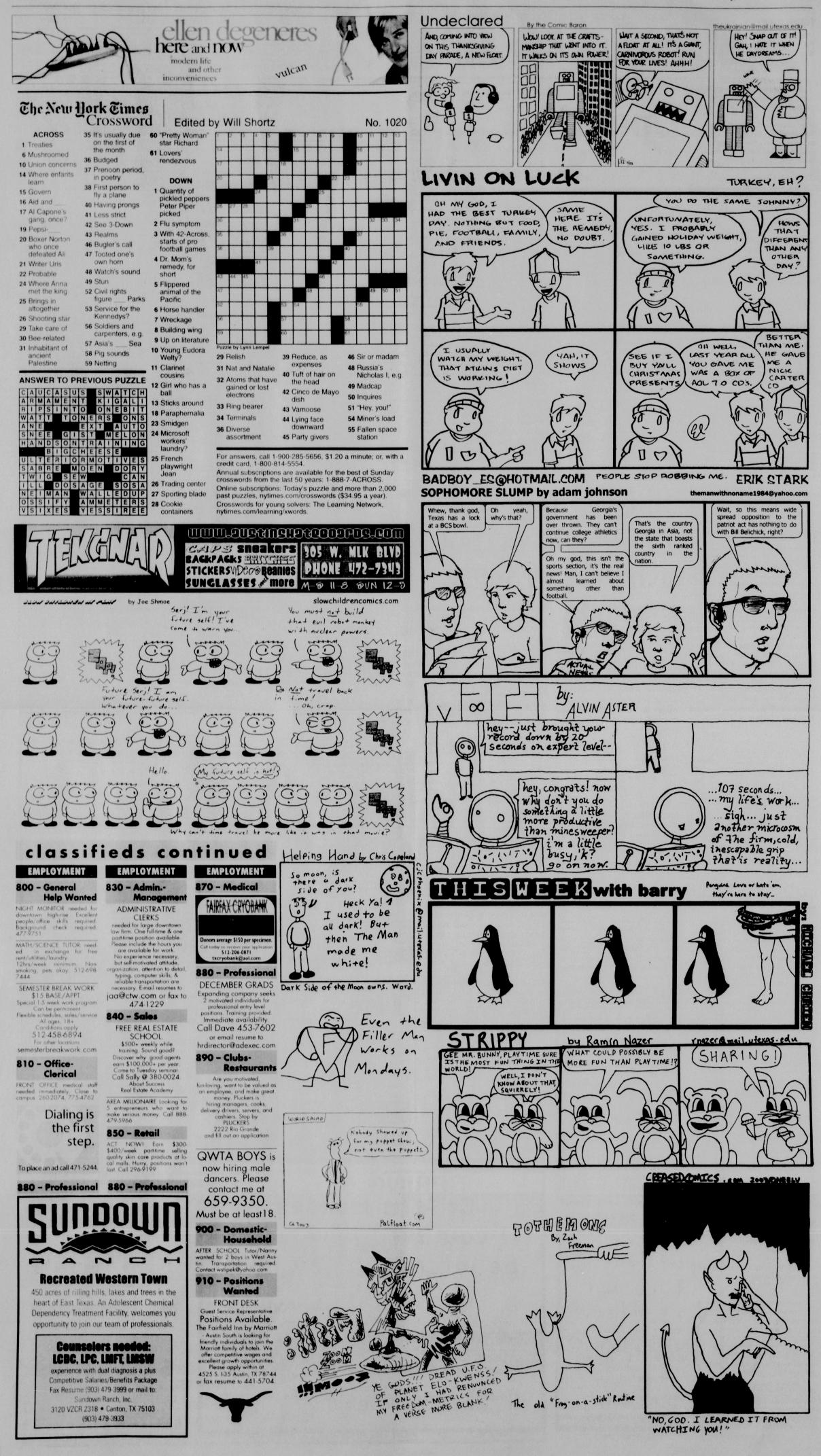
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DVD SPOTLIGHT

TOKYO STORY

Criterion's recent reissuing of Yasujiro Ozu's classic "Tokyo Story," is the sort of high-quality and appreciative reissue of which Ozu himself probably never dreamed. A timeless tale of disillusionment, modernity and the generation gap (a central theme to many of Ozu's films), "Tokyo Story" follows an elderly couple as they travel from their rural village to a bustling postwar Tokyo to visit their growing children. Needless to say, the parents' arrival is not overly welcomed and from here Ozu's heartening tale unravels.

This special edition doubledisc isn't exactly packed with material - instead, Criterion has chosen to go with quality over quantity.

Disc one contains a newly restored, high-definition digital transfer of the film that brings newfound life to Ozu's original black and white film. Ozu-film scholar David Desser contributes to the audio commentary track. Desser, editor of "Ozu's Tokyo Story." the definitive compilation of writings and reviews about the film, basically reads from a well-rehearsed script, analyzing the minute details of every scene of the film and emphasizing the overall importance of "Tokyo Story" within the pantheon of cinema history — yeah, it is as boring as it sounds.

But, with the second disc to this set, Criterion really hits the jackpot. "Talking with Ozu," a 40-minute tribute to the filmmaker from his followers around the world, and "I Lived But ... " a two-hour documentary, originally released in 1983, about the life and career of Ozu show the importance of the film.

Seven filmmakers from seven different countries discuss how important "Tokyo Story" and Ozu's other films were in giving their art and life direction. Seeing how a film that is quintessentially about life in modernizing Tokyo has impacted so many directors from around the world makes clear the point that "Tokyo Story" is really a timeless, universally understood classic.

In "I Lived But ..." many people close to Ozu, including former assistants, actors from his movies and film critics intimately familiar with Ozu's work, discuss the importance of Ozu as a filmmaker and take you on a journey through his career.

With the second-disc material on Criterion's special edition reissue of "Tokyo Story," the point is clearly made that this film is one of the best and most important movies ever. "Talking with Ozu" and "I Lived But . really make you appreciate the importance of this film and Ozu's impact on the art of film. -James Tavlor





CELEBRITY QUOTE OF THE DAY

"It's really weird I've been doing this since I was 16 ... You could never get used to this [adulation]. The best part is the fans --- the fans, like, loving you. And the free clothes."

Britney Spears

Operatic PUCCINI

Austin Lyric Opera's 'Turandot' emotionally fantastic

By Tyler Carson Daily Texan Staff

The Austin Lyric Opera's 2003 production of "Turandot" opened Friday night with a pre-opera spectacle of acrobats and dragon dances, and the audience was excited even before the show began.

For those unfamiliar with Giacomo Puccini's oriental masterpiece, "Turandot" is set in a fantastical Peking ruled by the Emperor Altoum and his beautiful daughter Turandot. Turandot has issued a challenge to all potential suitors: Anyone who wishes may ring a gong and attempt to answer a trio of riddles. If they succeed, they win the princess' hand in marriage. If they fail, they will be beheaded. As the action opens, the prince of Persia has just failed, and the protagonist, Calàf, has been enchanted by Turandot's beauty.

Overall, the Austin Lyric Opera does a magnificent job with this difficult piece. The orchestra handles the difficult and complex score beautifully under director Peter Bay; the rich melodies form the perfect background to the lyrics of Puccini without overwhelming the audience. The sets, especially the pillared interior of Altoum's palace, are rich with color and atmosphere, and the remarkably large cast of extras (including a chorus of robed children) are managed exceptionally well. Costumes and makeup are also well above par

This is one of Puccini's most demanding operas on the cast and calls several times for Calàf to belt out a song with his back to the audience. Thankfully, the vocalists are uniformly excellent, and they pull the entire thing off without a hitch. The opera's most famous aria, "Nessun Dorma," is especially well-handled, as is the number of the tragic maid, Liù. The court ministers, Ping, Pang and Pong threaten several times to steal the show, and their songs are brilliantly done. While not as vocally

demanding as the parts of Calàf, Liù or Turandot, a large portion of the opera's exposition and comedy has been given over to their care, and they make the production what it is. Some of the cast members rotate evenings, but Ping Yu, Joseph Evans and Daniel Weeks will still delight as the ministers.

The supertitles are a distraction at times but are well-managed and paced. For those of us who are not fluent in Italian, they are certainly necessary to follow the opera, even if this means glancing repeatedly at the small screen above the stage. The translation seems to come across clearly - the English version is concise and the plot is easy to follow. The genius of the work is its rather ambiguous moral and ethical overtones. The characters are shaded and somewhat tarnished, and even the cruel Turandot has good reason for her strange convictions.

Puccini's unfinished, final masterpiece should win over even novice operagoers.



Photo courtesy of Austin Lyric Oper

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DAILY

TEXAN

"Turandot's" Nov. 21 performance at Bass Concert Hall brought holiday opera audiences a spectacular range of emotion.

'Singing Detective' a noble effort, but searches wrongly

By Cameron Pirzadeh Daily Texan Staff

Once Dennis Potter committed his legendary six-episode miniseries "The Singing Detective" to paper and then to the small screen on the BBC Network in 1986, one has to wonder whether or not his future adaptation of the same work to the cinema was doomed right then and there.

THE SINGING ***** DETECTIVE STARRING: Robert Downey Jr., Katie Holmes, Mel Gibson DIRECTED By: Keith Gordon

from becoming confusing, muddled and jumpy. Even the random musical scenes, ones that seemed felicitous in the original, appear gimmicky and silly.

In spite of much of Potter's handcuffing original material, director Gordon, besides injecting a shot of style in the movie's arm, has the good sense to let the titular character and his conflicts dominate every meaningful scene.

Fortunately, Robert Downey Jr. is versatile enough to keep us riveted. He holds the broken narrative pieces together with his acerbic, smart diatribes in the sickbay. Potter



Photo courtesy of Paramount Classics



MAN ON THE TRAIN

In a time of overloaded DVDs with extras ranging from alternate endings to useless interactive games, the release of Patrice Leconte's "Man on the Train" looks quite shabby However, the stripped-down disc has one feature that helps it rise above the onslaught of "two disc super ultra limited collector's editions" — a film more engaging, visually stunning and emotionally fulfilling than any other movie this year.

In it, Leconte examines a coincidental meeting between a bank robber planning a final heist and a retired poetry teacher awaiting an operation. As the two interact with one another, tidbits about their regrets and past come to light, and it eventually becomes clear that each man feels he would have been happier with the other's life.

The film presents this idea expertly thanks to elegant cinematography and uncommonly charming, human performances by Jean Rochefort and Johnny Hallyday that keep the viewer immersed, even when the plot slows down. Leconte never cheats either, allowing the characters to channel the film's emotion without overpowering music or calculated scenes of enlightenment.

Forget Hollywood's manipulative attempts at human drama. here is a film that speaks passionately about the human condition, allowing the viewer to feel every emotion at once rather than shoving a different one down their throat with each contrived plot development.

Though the DVD contains no supplementary material, the release's sharp, digital transfer compliments the film's gorgeous photography and offbeat Western score, providing a perfect opportunity for everyone who missed the short theatrical run to experience one of the year's best films.

- Brian Clark

Once the miniseries was released to a joyous reception from critics, Potter, the late and celebrated British writer who also penned the dark musical "Pennies from Heaven," wrote the screenplay for "Detective." After a decade on the shelf in Hollywood it was finally filmed by director Keith Gordon and producer Mel Gibson.

Looking at the original miniseries, called by more than a few critics one of the top achievements in television history, it's questionable whether the attempt to improve the sublime original was necessary at all. Yet here we are, and 17 years later we have Robert Downey Jr. replacing Michael Gambon in the title role of "The Singing Detective."

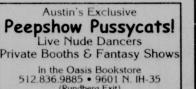
While it's tricky to explain the appeal of the story in a simple plot summary, it contains a few basic nuclei. At the very center is Dan Dark (Downey), a down-and-out pulp novelist who is currently hospitalized with a severe case of psoriasis, leaving him immobile and fragile. While he spends the countless days in bed, he conjures up images from his first novel, also called "The Singing Detective," and he imagines himself in the title role. He also reflects on scenes from his rough childhood. The hospital staff eventually refers the embittered Dark to a psychologist (a nearly unrecognizable Gibson) to try to get Dark to deal with his unstable mental state.

The first hurdle to clear to make the movie work is the necessary blending of both varied filmmaking styles and polarized tones of action, comedy, musicality and drama. The film treads diverse terrain as it flips back and forth between sequences of deep introspection and character development to sex scenes and highly stylized film noir sequences (the ones imagined from Dark's book).

The miniseries had nearly seven hours to tell this story, allowing room to develop its quirky setup and breathe, and there simply isn't enough time here (a 106-minute running time) to keep the narrative with characteristic literary aplomb, but Downey delivers his witticisms with a sniveling fury that keeps Dan Dark's disaffected cynicism at the surface while his demons lay not so deep within.

This is Downey's film just as the miniseries belonged to Michael Gambon, and it's tough to say which performance is better - both hit just the right notes of reined-in cool and bitterness, even as their approaches differ. The supporting cast is good, if low-key, as Robin Wright-Penn (as Dark's exwife), Mel Gibson and Katie Holmes, as a nurse, seem content to let Downey steal almost every scene.

Unfortunately, the crippling problems with "The Singing Detective," besides its tonal uncertainties, come right back to the existential question of whether we really need it to begin with. Downey is commanding, and it would have





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