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Note to our readers:
The next edition of the Spartan Daily
will be on Tuesday, Aug. 31,
when we begin daily publication
for the semester.

CELEBRATING 70 YEARS 1934-2004

SPARTAN DAILY

VOLUME 123, NUMBER 2

WWW.THESPARTANDAILY.COM

FRIDAY, AUGUST 27, 2004

Raising the past ...



Robert Sparling / Daily Staff

Workers from Northwest Signs install a new 53-foot sign in front of the historical California Theatre on South First Street. The new sign is a replica of the original and is part of a \$75 million renovation project of the theater due to be completed on Sept. 18.

Parking permit fees increase in cost

By Amaya Wiegert
Daily Staff Writer

The line of cars feeding into the Seventh Street garage goes on for blocks the first few days of school at San Jose State University. That goes for most garages here on campus. There just doesn't seem to be enough parking.

"It's going as expected," said Lt. Jim Renelle, manager of SJSU Parking Services. "We're expecting a larger volume of cars than is here. The garages are filling up later (than) typical and are opening up earlier than typical."

He added that the Seventh Street garage in particular has been opening up with more parking spots earlier than usual these past two days.

"A few thousand students extra makes a huge difference," Renelle said.

The cost of parking permits has risen again this semester. Renelle stated that this year's fee increase is the final step of a three-step plan.

Initially, Renelle said the three-step plan was designed to maintain and increase revenue. The plan came to a standstill between the first and second steps due to fees not being raised enough to make a dent in the Parking Services revenue. Renelle said when he came here in the 1980's

parking permits were only \$2.

With the end of this three-step plan, students can finally take a breath of fresh air when it comes to fees.

"There will be no increase next year," Renelle said.

Park and Ride, a parking lot where students can park their cars and take a shuttle bus to school, is free the first two weeks of school. There are two Park and Ride lots: one located about eight blocks south of main campus on Seventh Street between Humboldt St. and Alma St., and another for when this first lot fills up, located on Alma St. just past the Ice Center.

Semester permits are now \$192 while full-school year permits are \$384. Other permits include a two-day permit for \$152, a one-day permit for \$85 or a Park and Ride semester permit for \$96.

Parking permits can be used in the three garages located around campus: the North garage at Tenth Street and San Fernando, the South garage at Seventh Street and San Salvador and the West garage on San Salvador between Fourth and Fifth streets. These permits are also valid at the Park and Ride lots and at street perimeter parking around campus.

Park and Ride permits are good in the Park and Ride lots Monday through Thursday and in campus

see PARKING, page 12

Library given top award

SJSU collaboration with city garners national acclaim

By Elizabeth Nguyen
Daily Production Editor

After only a year since its opening, the Dr. Martin Luther King Jr. Joint Library has been recognized for its collaboration as an academic and public library with the prestigious "2004 Library of the Year Award," given by Thompson Gale/Library Journal.

The award, similar to an "Oscar" in the library world, was given to both San Jose Public Library and the San Jose State University Library.

Patricia Senn Breivik, SJSU Library Dean, said she was ecstatic that the library received the award.

"It is a thrilling but suitable acknowledgment of work in planning and developing the library," she said. "This is only the second time an academic library has ever received this award."

According to "Library Journal," the first academic library to receive the award was Oregon State University's library in 1999.

"I thought (the ceremony) was all

over," Breivik said. "I didn't realize we were getting a super award. We were the only library to get an award, so when they started talking about a library — my heart was beating so fast, I thought I was going to have a heart attack."

The library received the award because the collaboration between the city's library and university library has made resources more readily available to both academic and public communities, she said.

On the university side, students, faculty and administrators checking out materials have gone up more than 100 percent from the previous year

at the former Clark Library, Breivik said.

"More people are using the library for both the scholarly side of life and the leisurely side of life," she said.

Because of the joint venture of the King Library, materials that weren't checked out before are now in circulation, Breivik said.

"The foreign language materials are being used more by scholarly people," she said. "When we were in Clark (Library), no one checked out master's theses. In the first eight months (of King Library opening), 1,523 were checked out. Most were checked out by university people and a good amount

were checked out by the public."

More people are able to take advantage of the university library's resources, Breivik said. "The things we do have are just being used a lot more," she said. "We have a far better library for our students and for the community than if either (university or public libraries) were to do it on our own."

Many students and faculty are able to check out best-selling books, DVDs and video tapes without having to go to a separate public library, Breivik said.

The idea of the joint library is so popular that other libraries are asking how it is done, she said.

"We're having a conference on Nov. 16 for people who are thinking about doing this," Breivik said.

Ned Himmel, assistant library director for the San Jose Public Library and the King Library, said receiving the award is a great honor.

"We're thrilled," he said. "We believe that it was well deserved, too."

see LIBRARY, page 8

Campus Village development progresses

By Maria Villalobos
Daily Staff Writer

In one year, San Jose State University students living in the Campus Village will be able to gaze out their bedroom windows from the 15th floor to overlook downtown and west toward the mountains.

They will also have the luxury of the latest technology has to offer.

"We saw this as an opportunity to have a complete living environment," said Diana Tran, the community relations coordinator for University Housing Services. "We want to enrich their lives. We're in the middle of Silicon Valley — why not?"

Tran said students have a lot to look forward to when the Campus Village opens.

The Village has three buildings. One will house 196 faculty, staff and campus guests. The other, which has three- to four-bedroom apartments, will house 1,484. There is also a building that will house 196 freshmen in suites, Tran said.

"I'm really excited about it," Tran said about the model located in the cafeteria. "I think it looks really nice."

The model is a replica of the furnished, three- to four-bedroom single-occupancy apartments, which will have a shared living and dining area and a full kitchen with a dishwasher, a microwave, refrigerator and stove, Tran said.

Ed Palmer, on-site project manager from Niles Bolton Associates, said he especially likes the landscape.

"What you can't see yet is the outdoor space," Palmer said. "There's

a volleyball court and the faculty has a quiet lounging area and in the middle is a formal courtyard."

Students will have their own high-speed Internet connection, said Tony Valenzuela, associate vice president of Facilities Development and Operations.

"We're giving options and choices," Valenzuela said. "There will be sophisticated video games and video on demand, basic cable with series of packages to upgrade. Whatever the students demand, we're going to provide the services."

The Village will have a convenience store located on the first floor, a computer lab, laundry room, meeting and conference rooms and a Subway, Valenzuela said.

"You will be able to get so much stuff here you'll never have to leave your room," Palmer said.

The Village also has 700 parking spaces located in the garage under the three buildings, Tran said.

Students who live on campus now will have first priority to live in the Campus Village, Tran said.

Ona Johnson, a sophomore communication disorders major, said she is currently in the National Student Exchange program and would like to live in the new complex. "I saw the room and it looks really nice," said Johnson.

New freshmen also look forward to moving into the Village in the fall of 2005.

"I think I'm going to move into those. They look pretty nice," said Manuel Marroquin, an engineering major from Riverside. "It's going



Catherine Burmeister / Daily Staff

Diana Tran, community relations coordinator for University Housing Services, and Wahid Sultani, a resident adviser in Joe West Hall, overlook the construction sites of Campus Village, scheduled to open Fall 2005.

to be exciting to have a whole new apartment with several rooms — I'll get to meet more people and have nice furniture."

Peter Handy, an aerospace engineering major living in Joe West Hall, said the construction wakes him up, but it's a small price to pay for the new residence halls.

"I'm definitely going to move in," said Handy, who moved here from Oakley. "You get to pick your neighbors, so I'm going to get a group of friends to move in."

Tran, the relations coordinator, said in a few weeks students and faculty will be able to take virtual tours on the housing Web site.

Subway eatery replaces Union Deli in campus food court

By Yasuyo Nagata
Daily Staff Writer



Cara Bowyer / Daily Staff

From left, student employees Ukukalisa Afa, Shelby Stillman and Jeffrey Jones make sandwiches Thursday at the new Subway in the Student Union.

Returning students might be surprised to see that half of the comfortable seats are gone in the Student Union.

Instead, they have been replaced by Subway.

The large Subway sign hangs on the wall of the Student Union entrance across from the Market Cafe, while pictures of tasty sandwiches are posted on windows.

On Wednesday and Thursday, many students were spotted waiting patiently in a long line to get sandwiches as Subway employees were seen busily working to prepare the sandwiches.

"It's a good idea (to have Subway on campus)," said Nicole Cooper, a senior music major, who was also

standing in the line.

Sandwiches are easy to eat and healthy in comparison to pizza or hamburgers, Cooper said.

The Subway construction took place during the summer, but the idea to have a branded sandwich shop on campus has been planned since 1997, said Michele Gendreau, a division director of Spartan Dining.

Representatives from Spartan Dining researched other colleges' dining options and planned to bring "name brand" restaurants on campus. Burger King and Jamba Juice were brought first, and Sbarro Italian Eatery was later added.

"The fourth thing asked for was the branded sandwich (shop)," Gendreau said.

This year was the best time to bring Subway, Gendreau said.

see SUBWAY, page 12

EXPLETIVE DELETED

The Olympics: watching the best America can offer

It worries me a little when I sit in a room with four or five other out-of-shape young men screaming at a television screen when the 16-year-old gymnast makes a small mistake during the medal rounds at the Olympics.

"STICK YOUR LANDING, DAMNIT!!!" we all shout. Then, as we get up and stretch because we have been sitting in the same seats for the past three hours straight, we flip the channel over to diving.

There we complain about how the judging is tilted against the Americans because the Chinese diver received three scores at 10.0 and one 9.5, and the American failed to break 9.0.

It couldn't possibly be because the Chinese diver completed the perfect three-and-a-half somersault dive, or the fact that the American diver missed his mark — it has to be because everyone else hates our country.

There it is. The beauty of the Olympics. For two weeks, no matter your culture, whether white, black, Hispanic or Asian, you yell "U-S-A-U-S-A" until your throat bleeds.

And no matter your current health situation, you scream at the greatest athletes this country has to offer because you're sure you know what they need to do.

For those two weeks we are united — united in our need to be the best in the world, as a country, as individual athletes and as slob sitting on bar stools.

With that said, these Olympics have offered much for the American public to celebrate and debate.

The U.S. men's basketball team, which has seemingly been discussed by the country far more than the upcoming election, has not been a disgrace as some would say, but proof that international basketball has fallen quicker than anyone would have imagined.

The one-on-one U.S.-style game is great for the business of the NBA, but is seen as a joke by the rest of the world.

Back in the late '80s and early '90s, the NBA was a "team" game in every essence. The NBA was full of great teams led by one or two stars who could turn three or four average players into great players, such as Magic Johnson with the Los Angeles Lakers or Michael Jordan and Scottie Pippen with the Chicago Bulls.

Now, the idea is for the team owners to find one amazing athlete like Allen Iverson, LeBron James or Carmelo Anthony, market them for every penny they are worth, then celebrate their one-man-show theatrics on "SportsCenter."

Well, the international game learned how to play basketball from those great teams years ago, and is putting on a clinic for these young "street ballers" in Athens.

Proving the '96 Bulls would crush the any team in 2004.

My hope is that the U.S. Olympic Committee will see the error of their ways, change the way they select players for

the national team and allow a great coach like Larry Brown the opportunity to select a team to bring us back to world dominance.

The second most important story coming out of Athens, although it should be first, is "Gymnast-gate 2004," starring Paul Hamm, one unknown South Korean and one unknown international judge. Again, unknown because Americans only care for Americans.

Paul Hamm won the gold in the all-around men's gymnastic competition, even after what some called a "disastrous mistake" early in the competition.

It was another example of the four out-of-shape college students yelling at the greatest American male gymnast we have.

The controversy arose after it was discovered the unknown South Korean would have the gold if not for a "mistake" made by the unknown international judge in reviewing the difficulty of his routine on the parallel bars.

If the unknown international judge had not made the "mistake," Hamm would have had to settle for silver.

Yeah, and if the NFL had realized the "tuck rule" makes no freakin' sense at all, my Oakland Raiders would have gone to the Super Bowl in 2001 and they would have beaten the St.

Louis Rams.

Would've, could've, should've ... humbug. The decision was made at the moment of competition, like all decisions that result in whether a man wins gold or goes home empty handed. That's it. End of story. Period.

But many people won't let it go. They just can't let it go. I actually heard one reporter in Athens say to the effect that Hamm should return the gold medal and receive the silver, all in the "good-natured spirit" of the Olympic games.

Please. Give me a break. The Olympics are, in part, about good sportsmanship, like all sporting events. But, like all sporting events, the spirit of the games is to win.

The kicker was that the reporter said his act of "good faith" would help out America's image since the world, in the reporter's words, "doesn't look to favorably on us these days." Seriously, she said that. As if Hamm handing over the gold will help in any way end the negative image of America in the world.

There has been plenty of good, bad and ugly coming out of Athens, but that will have to be saved for another day.

For now, enjoy the moments of nationality; enjoy celebrating your fellow Americans abroad with your fellow Americans at home.

Mark Cornejo is the Spartan Daily sports editor. "Expletive Deleted" appears every Friday.



MARK CORNEJO

SPARTA GUIDE

Sparta Guide is provided free of charge to students, faculty and staff members. The deadline for entries is noon three working days before the desired publication date. Entry forms are available in the Spartan Daily office in Dwight Bentel Hall, room 209. Entries can also be e-mailed to spartandaily@casajsu.edu titled "Sparta Guide." Space restrictions may require editing of submissions. Entries are printed in the order in which they are received.

TODAY

SJSU Catholic Campus Ministry Mass will take place at 12:10 p.m. at the SJSU Catholic Campus Ministry chapel. For more information, call Father Mike Carson at 938-1610.

SUNDAY

SJSU Catholic Campus Ministry "Faithful Citizenship" will take place at 6 p.m. at the SJSU Catholic Campus Ministry lounge. For more information, call Father Mike Carson at 938-1610.

MONDAY

Jewish Student Union "Chill out with the Jews" will take place under a mist tent from 9 a.m. to 3:30 p.m. at Paseo de Cesar Chavez. For more information, call Aaron at 219-2072.

Panhellenic Sorority A sorority recruitment will take place from 9 a.m. to 3:30 p.m. at Paseo de Cesar Chavez. For more information, call Kary Crumm at 924-5958.

SJSU Catholic Campus Ministry Mass will take place at 12:10 p.m. at the SJSU Catholic Campus Ministry chapel. For more information, call Father Mike Carson at 938-1610.

Phi Gamma Delta "Meet the Brothers BBQ" will take place at 8 p.m. at 567 S. Eighth St. For more information, call 293-3454.

TUESDAY

Panhellenic Sorority A sorority recruitment will take place from 9 a.m. to 3:30 p.m. at Paseo de Cesar Chavez. For more information, call Kary Crumm at 924-5958.

SJSU Catholic Campus Ministry Mass will take place at 12:10 p.m. at the SJSU Catholic Campus Ministry chapel. For more information, call Father Mike Carson at 938-1610.

Jewish Student Union "Tuesday Night Live," an event to meet new people and have free root beer and bagels, will take place at 6 p.m. at the Hillel House. For more information, call Aaron 219-2072.

Phi Gamma Delta A game night of foosball and Halo tournaments will take place at 8 p.m. at 567 S. Eighth St. For more information, call 293-3454.

WEDNESDAY

Panhellenic Sorority A sorority recruitment will take place from 9 a.m. to 3:30 p.m. at Paseo de Cesar Chavez. For more information, call Kary Crumm at 924-5958.

SJSU Catholic Campus Ministry Mass will take place at 12:10 p.m. at the SJSU Catholic Campus Ministry chapel. For more information, call Father Mike Carson at 938-1610.

Hip-Hop Congress A meeting will take place from 2:30 p.m. to 4 p.m. in

the Pacheco room of the Student Union. For more information, call Wes Kuruhara at 859-6479.

Panhellenic Sorority A karaoke night will take place from 6:30 p.m. to 8:30 p.m. outside of the Associated Students House. Come by to sing or just to watch. For more information, call Kary Crumm at 924-5958.

Italian American Student Organization The first meeting of the semester will take place from 6:30 p.m. to 7:30 p.m. in the Almaden room of the Student Union. For more information, call Matthew Olivieri at 568-6529.

Phi Gamma Delta A Casino Night of no limit Texas hold 'em will take place at 8 p.m. at 567 S. Eighth St. For more information, call 293-3454.

THURSDAY

Panhellenic Sorority A sorority recruitment will take place from 9 a.m. to 3:30 p.m. at Paseo de Cesar Chavez. For more information, call Kary Crumm at 924-5958.

SJSU Catholic Campus Ministry Mass will take place at 12:10 p.m. at the SJSU Catholic Campus Ministry chapel. For more information, call Father Mike Carson at 938-1610.

Phi Gamma Delta A barbecue with Lambda Sigma Gamma Sorority will take place at 5 p.m. at Paseo de Cesar Chavez. For more information, call 293-3454.

Asian Baptist Student Koinonia A new student welcome night will take place at 6 p.m. in the Umunhum room of the Student Union. For more information, call Chantra Chao at 472-2465.

FRIDAY, SEPTEMBER 3

Panhellenic Sorority A sorority recruitment will take place from 9 a.m. to 3:30 p.m. at Paseo de Cesar Chavez. For more information, call Kary Crumm at 924-5958.

Phi Gamma Delta A night of hot wings and entertainers will take place at 8 p.m. at 567 S. Eighth St. To RSVP, call 293-3454.

TUESDAY, SEPTEMBER 7

SJSU Catholic Campus Ministry Mass will take place at 12:10 p.m. at the SJSU Catholic Campus Ministry chapel. For more information, call Father Mike Carson at 938-1610.

Associated Students Campus Recreation A three-on-three basketball league meeting will take place at 3 p.m. at the Associated Students House. Anyone interested in joining an intramural basketball team is encouraged to attend. For more information, call Rita Chandler at 924-6266.

Associated Students Campus Recreation A flag football league meeting to form flag football teams will take place at 4 p.m. at the Associated Students House. Anyone interested in joining an intramural flag football team is encouraged to attend. For more information, call Rita Chandler at 924-6266.

WASTED DAYS AND WASTED NIGHTS

Taking on extra work can cost more than anticipated

I'll be the first one to admit it: I haven't even had a week of school yet and I am already in over my head.

So I've made a mistake — I've taken on more responsibilities than I can handle. Sometimes it's just hard to say "no."

It's a new semester, but the same old problem. It always starts off the same way.

"Liz, can you do me a favor?" or "Liz, are you really, really busy?"

And I always give the same answer. "Why? What can I do for you?"

The end result is always the same. "Thanks, you're a lifesaver," followed by that overwhelming feeling of regret.

This time, it'll be different. I'm putting "no" back in my vocabulary.

As much as my parents want, I won't be taking that extra class this semester. I already have more of a workload than I can handle.

Sorry co-workers, I won't be taking another eight-hour shift, and I definitely won't be taking on more story assignments.

Over the next few weeks, hundreds of students will be lining up in the back of full classes, waiting to add on.

Classes are already too big and too few for the number of students who are registered.

Some classes are even holding a lottery for the much-needed spots.

Many students are looking for their fair share of classes without considering that maybe it's more than they can handle.

The first few weeks of every semester, a phenomenon occurs — students show up to classes that they never intend to attend.

They show up, then they give up.

There are many students who are on the brink of graduation but can't because the class they need is full of students who will drop out two weeks later.

Don't leave those who are serious about attending standing in the backs of classrooms waiting for a seat and a spot on the roster.

Those who plan to attend your classes, then do so. If you decide not to, then make room for the others who want to.

For those freshmen that are thinking about taking 18 units a semester, I'm glad you have that much commitment to your goal.

Maybe taking that extra three units will get you that much closer to graduation, but let's consider the cost.

I'm not talking about that extra \$100 it will cost for your textbooks. I'm talking about the stress factor.



ELIZABETH NGUYEN

Don't forget that when midterms come rolling around, that will be approximately six exams, term papers or projects all due at the same time.

And if you're like the rest of us college kids, you will be cracking open the plastic wrap of all your textbooks and reading them for the very first time that week.

Maybe you think you can handle going to school full time and working full time. Some students can, and some have to.

But if you don't have to, maybe you shouldn't.

It's always nice to get that fat paycheck laden with overtime pay, but eight hours of sleep is just as sweet.

Don't forget that there is that whole college experience to consider. College is supposed to be hard, but it's also supposed to be fun.

Fun can be hard work on a full schedule.

I'm not saying to give up on your goal to watch the football game, and I'm not saying that you shouldn't be an overachiever. Find a balance between what you need to do and what you want to do.

Just be careful with whatever choices you make.

If you can handle those extra units and keep up your grade point average, then go for it.

Some students can juggle work, school and family. If that's your cup of tea, then you have more talent than many.

If you have the commitment and the drive, if you can handle it, then by all means, run with it.

Don't enroll just for the units. Enroll because you need it and want it, otherwise you're wasting space and time.

Unfortunately, many classes at San Jose State University are in danger of cancellation because of insufficient enrollment.

So if you are committed to taking a class, enroll early and invite others you think may be interested.

And if you do have your heart set on a certain class, then fight for it.

But make sure that it is your choice.

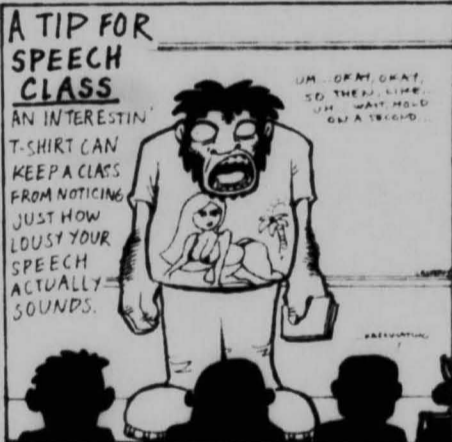
If there's anything I've learned from last semester it's that I need to make my first priority.

So what will I say when the managing editor comes around with his puppy dog eyes and asks me to take on another story? I'm going to say "no."

Well, then again, since you're asking so nicely, I'll do it this one time, but don't always expect me to keep doing you any favors.

Elizabeth Nguyen is the Spartan Daily production editor. "Wasted Days and Wasted Nights" appears every other Friday.

CREEP ON CAMPUS AIDAN CASSERLY



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SPARTAN DAILY (USPS#509-480) is published every school day for (full academic year) \$40 and (semester) \$25. Periodicals postage paid at San Jose. Mail subscriptions accepted on a remainder of semester basis. Spartan Daily, San Jose State University, One Washington Square, San Jose, CA 95192-0149

POSTMASTER: Send address changes to the Spartan Daily, San Jose State University, One Washington Square, San Jose, CA 95192-0149

OPINION PAGE POLICY | Readers are encouraged to express themselves on the Opinion page with a letter to the editor.

A letter to the editor is a response to an issue or a point of view that has appeared in the Spartan Daily.

Only letters between 200 to 400 words will be considered for publication.

Submissions become property of the Spartan Daily and may be edited for clarity, grammar, libel and length. Submissions must contain the author's name, address, phone number, signature and major.

Submissions may be placed in the Letters to the Editor box at the Spartan Daily office in Dwight Bentel Hall, Room 209, sent by fax to (408) 924-3237, e-mail at spartandaily@casajsu.edu or mailed to the Spartan Daily Opinion Editor, School of Journalism and Mass Communications, San Jose State University, One Washington Square, San Jose, CA 95192-0149.

Editorials are written by and are the consensus of the Spartan Daily editors, not the staff.

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Right on cue...



Megan Kung/ Daily Staff

Brian Li, a third-year industrial systems engineering major, watches Jason Lau, a third-year mechanical engineering major line up his shot at a pool table in the Student Union Thursday.

Bush and McCain to battle ads

Associated Press

WASHINGTON — President Bush and Sen. John McCain, R-Ariz., joined forces Thursday to seek legal action to reduce the influence of "527" political organizations, but the two remained in disagreement over whether Bush should condemn a television ad by the group Swift Boat Veterans for Truth attacking John Kerry's Vietnam service.

Bush called McCain en route to a campaign event in New Mexico to say his campaign would go into federal court to force the Federal Election Commission to prevent the independent groups, named for the section of the tax code that governs their activities, from raising and spending money in unlimited amounts.

McCain said he secured Bush's commitment to support legislation to regulate the groups, which have used a loophole in the new campaign finance law to become significant and controversial actors in the campaign in behalf of both the president and the senator from Massachusetts.

Separately, Kerry agreed to take off the air a commercial using footage from a debate during the 2000 GOP primaries in which McCain directly criticized Bush for allowing supporters of his to question McCain's commitment to veterans. McCain had asked Kerry to stop running the ad.

In an interview with Washington Post editors and reporters, McCain said he was grateful for Kerry's action and that he still hoped Bush would condemn the Swift boat veterans' ad attacking Kerry's service, adding that he planned to raise the issue when he campaigns with Bush next week.

But the Arizona senator, who has tried to put bitterness over his defeat at Bush's hands in 2000 behind him while becoming one of the president's most significant allies this year, also said he saw Bush's willingness to go court to rein in the groups as more significant than his failure to single out the ad for criticism.

"I would like for him to specifically condemn that ad," McCain said. "But the most important thing to me is his commitment to bring them all under control and that way we can do that. I can't dictate the president's response. I can only dictate my view, and my view is the ads are wrong and they should be taken down."

Pressed later why he was not willing to use his leverage with the Bush campaign to force a condemnation of the anti-Kerry ad, McCain said, "I'm just not sure that in the grand scheme of things should determine whether I support the president's re-election or not. If I threatened him with some kind of retaliation, that obviously would have some impact on his re-electability."

McCain, a former prisoner of war during Vietnam, was among the first to condemn the veterans' group for challenging Kerry's combat record and spoke out against the ad throughout his 90-minute luncheon interview. But he also said Kerry had invited scrutiny of his record by putting some much emphasis on Vietnam at the Democratic National Convention in Boston last month.

"His critics are saying, look you made it fair game," McCain said. "I mean that's very legitimate and I think there's a risk that he took when he made it such a centerpiece. He may be paying a very heavy price."

McCain said that he had urged

Kerry some time ago not to talk about Vietnam in his campaign. "I did advise John, I said, 'Look, you shouldn't talk about Vietnam because everybody else will. Let everybody else do it.' His advisers figured that was probably not enough, that he had to emphasize that in his campaign. In my campaign as you know, I didn't talk about it because I didn't need to."

McCain also said he drew a distinction between the first anti-Kerry ad by the veterans' group, which focused on Kerry's Vietnam service, and a second ad now airing that criticizes Kerry for his leadership in the anti-war movement after he returned from Vietnam — condemning the first but not the second.

Speaking with emotion, McCain said he was pained that the attacks on Kerry's Vietnam record were "ripping up all the old wounds" from three decades ago that he said he worked for years to heal. He said neither Kerry nor Bush should have their service records challenged.

"I believe President Bush served honorably in the National Guard. I believe Senator Kerry served honorably," he said. "Let's worry about the war that's going on in Iraq. Probably some American is dying today in Iraq. I'd like us to focus our attention on the war at hand and how we can win it, rather than revisiting the one that was over 30 years ago."

Asked whether he was equally passionate in wanting to put Kerry's antiwar activities off limits, he said, "I think his activities after the war open and are subject to any debate and discussion that they want to, but I still say that it has the effect of reopening these wounds. Everybody is accountable for what they do and certainly John Kerry is accountable for what he did after the war and people can make a judgment."

Throughout much of the interview, McCain carefully chose his words as he tried to demonstrate his commitment to Bush's re-election while preserving his reputation for independence and straight talk. He blamed Bush's campaign and allies for attacks leveled against him in the 2000 campaign but said that, while others have charged that the

Swift boat controversy follows a similar pattern, he has seen no proof that Bush or his team is behind the effort.

"I think from what we learned during the campaign, the president's people were behind that (a third-party ad attacking him) and many, many other things that happened in South Carolina," McCain said. "But the most important aspect of this whole thing for me is to not look back in anger... For me to look back in anger at something that happened in the year 2000 is, one, a sore loser, which Americans don't like, and two, would impair my ability to serve the country."

He said his high-profile support for Bush this year is not materially different from the campaigning he did for Bush in 2000 and for GOP candidates in 2002, but said he will continue to speak out when he disagrees with Bush or others in his party. "I said since January, when the Bush campaign asked me to campaign for him in January in New Hampshire, that I was supporting his re-election. Now if that's called being a good soldier, then fine. I will take that indictment. But my M.O. has not changed in the slightest."

McCain, who will speak Monday at the Republican National Convention and campaign with Bush next week, said the president deserves re-election for rallying the country after the attacks of Sept. 11, 2001. He said he supports Bush's decision to invade Iraq, despite the failure to find weapons of mass destruction, saying Saddam Hussein was a threat.

He enumerated disagreements with Kerry on foreign policy, including the Democratic nominee's votes against the resolution authorizing the first Gulf War in 1991 and his vote against the \$87 billion authorization for Iraq and Afghanistan last year. "But I do not mean to say that would make him a bad president," McCain added.

While McCain expressed satisfaction that Bush had joined the legal battle against the 527 groups, he said he believed it is too late to have any impact on the current campaign.

Fraternities give house tours

By Kevin Yuen
Daily Staff Writer

Potential new fraternity members were treated to house tours held by the Inter-Fraternity Council on Wednesday and Thursday.

The tours allowed the nine fraternities in the council to showcase their houses and different characteristics to the potential members. Each house conducted tours of different styles, utilizing a combination of videos, booklets and actual narrated walks around the houses to each room.

"We basically tell them the story of what it's like to be in a fraternity, about the leadership opportunities, the community service projects, the friends we've made," said James Dunn, vice president of membership recruitment for the IFC and member of Pi Kappa Alpha. "Each house gets 10 minutes with the potential members and then they move on."

Although fraternities have held tours in the past, this year is different in that it is more of an organized event, said Rodney Blaco, IFC sports chair and member of Delta Upsilon.

"We've done (house tours) in the past, and it's been hit or miss, depending on what the freshman are doing,"

Blaco said. "This year (the fraternities) are working together more to promote a positive atmosphere. The Greek system won't be strong unless we all work together."

The focus of the IFC house tours is to illustrate an unbiased view of each fraternity, said Robert Umstadter, IFC president and member of Beta Theta Pi. As to avoid favoritism, each individual tour was held to a strict time limit regardless of house size.

"Each fraternity rushes for themselves," Umstadter said, "but (the IFC's) job is to provide information on the fraternities as a whole and make the playing field equal."

Besides giving potential members a chance to see the houses, the tours offer an opportunity for the rushees to meet current members and get a feel of how compatible they might be with the fraternity.

"Basically I wanted to meet the (members of the fraternities) in general, to see where they live, how their houses are," said Torben Jahm, an undeclared freshman.

Matt Machado, a junior majoring in finance, said that the house tours helped him decide on which fraternity he might be interested in joining.

"Don't get me wrong, all the guys are fun," Machado said, "but I just want to find out who I would be friends with, who I have common interests with."

Rebels blamed for Indian bombings

Associated Press

GAUHATI, India — Two bus bombings and a series of other blasts Thursday killed four people and wounded 54 in a surge of violence police blamed on separatist rebels in India's insurgency-wracked Assam state.

Bombs ripped through a passenger bus and another carrying paramilitary soldiers and their families in separate attacks that killed four and wounded 39. The bus bombings came within hours of each other in the neighboring districts of Kokrajhar and Goalpara in western Assam.

In a third attack, suspected ULFA rebels hurled a grenade at a crowded market in Tangla town near the capital Gauhati, wounding seven civilians, two of them seriously, Inspector General of Police Khagen Sharma said.

Two powerful explosions later rocked the capital city of Gauhati.

Police reported no casualties in the first, but eight people including six policemen and a photojournalist were injured in the second blast.

No group claimed responsibility for the string of attacks but Sharma blamed militants of the United Liberation Front of Asom.

Assam's top elected official, Chief Minister Tarun Gogoi, said the rebels, who have been fighting security forces since 1979 for a sovereign Assam, are now "waging a war on civilians."

The first bomb, hidden in luggage, went off when a bus stopped in the town of Gossaigaon to let passengers off, Sharma said.

All the injured were hospitalized and several were in critical condition, he said. Gossaigaon is 155 miles west of Gauhati.

Hours later, another bomb exploded near Satipara village in Goalpara district, blowing up a bus carrying Border Security Force

soldiers and their families. The bomb was planted under a culvert. Two soldiers and a child were killed, Sharma said. The soldiers were traveling with their families on holiday, he said.

Satipara is 125 miles west of Gauhati.

Thursday's violence followed two other attacks this month.

On Wednesday, suspected rebels exploded a grenade outside a movie theater, wounding eight people in another town in Assam. One of them died of injuries in a hospital Thursday, police said.

On Aug. 15, India's Independence Day, a blast ripped through the grounds of a local college in Dhemaji, a remote town in Assam, where a parade was being held, killing 15.

Gogoi said although his earlier offer for peace talks with the rebels remains open, the government will "take firm action against the ULFA if it continues to spur violence."

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Militants kill Italian journalist

Lawmakers rush to pass California bills

Bills include possible driver's licenses for illegal immigrants

Associated Press
BAGHDAD, Iraq — Militants have killed Italian journalist Enzo Baldoni, after kidnapping and threatening to execute him if Italy did not pull troops from Iraq, according to a videotape received Friday by an Arab television station.

Italian Premier Silvio Berlusconi swiftly condemned the killing and reiterated his pledge not to withdraw Italy's 3,000 soldiers, the third-largest foreign contingent here.

The station, Al-Jazeera, declined to broadcast the footage out of sensitivity to its viewers. The Italian ambassador to Qatar, where the news station is based, watched the video, however, and informed Rome, an Italian government official said early Friday. Italy's ANSA and Apcom news agencies said that the Foreign Ministry immediately informed Baldoni's brother. None said how the journalist was killed.

"There are no words to describe this inhuman act that with one blow wipes out centuries of civilization to bring us back to the dark ages of barbarity," Berlusconi said in a statement.

"We will be faithful to the commitments taken with the Iraqi provisional government."

The Italian Foreign Ministry had reported Baldoni missing Friday and said he was believed to have been in Najaf, the holy city south of Baghdad where fighters loyal to a radical cleric were battling U.S. and Iraqi forces.

In a video broadcast on Al-Jazeera on Tuesday, a group calling itself "The Islamic Army in Iraq" said it could not guarantee Baldoni's safety unless Italy announced within 48 hours that it would withdraw troops.

In response, Italy said it would stay in Iraq, and that the government would work to win Baldoni's freedom. The 48 hours expired Thursday.

Berlusconi has been a key ally of President Bush in Iraq in defiance of Italian public opinion. Before the conflict began, 1 million people marched through the streets of Rome against the war — one of Europe's biggest anti-war demonstrations.

Italian troops didn't fight in the war but were sent after the ouster of Saddam Hussein to help rebuild. In April, four Italians working as private security guards in Iraq were kidnapped, and one was executed. Twenty Italians have died in the southern Iraqi city of Nasiriyah, where the troops are based.

Baldoni, 56, a part-time journalist whose main job was as an advertising copy writer, went to Iraq for the news magazine *Diario*. On a Web log he kept while in Iraq, he described himself as a "war tourist," although in other reported comments he insisted he wasn't simply out for cheap thrills.

In an interview broadcast on Al-Jazeera on Wednesday night, Italian Foreign Minister Franco Frattini described Baldoni as a man of peace who was in Iraq "to tell the tale of the suffering of the Iraqi people."

Frattini said Italy would withdraw its troops if requested to do so by the Iraqi government, but would not give in to demands by kidnappers to withdraw the forces.

"We will respect the free will of the Iraqi government. We will do what the Iraqi government asks us," said Frattini, according to a transcript of the interview.

Earlier Thursday, Al-Jazeera had

broadcast an appeal from Baldoni's two children, who said their father was a pacifist who wanted to show solidarity with those suffering in Iraq.

Friends and associates described Baldoni as an optimistic man with much curiosity, a sense of adventure and a keen sense of irony.

Alessandro Marzo, the magazine's international news editor, described him in an interview this week as a "brilliant writer, full of humor and humanity."

Born in Citta di Castello, in the central Italian Umbria region, Baldoni spent most of his life in Milan. In the 1970s, he started working in advertising, becoming the head of a well-known agency in the northern city.

Baldoni also had a penchant for comics, and translated Garry Trudeau's "Doonesbury" into Italian.

His passion for travel had brought him to dangerous places in the past.

In 1996, he went to Chiapas, Mexico. He reportedly met with Zapatista leader Subcomandante Marcos, who two years earlier had started an uprising against the Mexican government. During a 1999 trip to East Timor, Baldoni interviewed then-independence leader Xanana Gusmao, now East Timor's president. In 2000, he published a piece on a trip to Myanmar.

Between 2001 and 2003 he traveled to Colombia. During his second trip, he was kidnapped for a few hours by guerrilla fighters.

In July 2004, Baldoni wrote in his Web log that he felt it was time to visit Iraq. He arrived in Baghdad in the first week of August, writing entries for his Internet diary until his disappearance.

Militants in Iraq have kidnapped more than 100 foreigners in an effort to force foreign countries to withdraw troops and to persuade foreign companies to leave.

The plans would have to include job training and any education needed to enable the inmates to obtain a high school equivalency certificate.

"What this is about is simple recognition that everybody who is sent to state prison who isn't sentenced to life without the possibility of parole (or death) is going to come out someday," said Sen. Ross Johnson, R-Irvine.

"They can come out better crooks, still illiterate, still not having a trade, or they can come out being better members of society."

Nunez's legislation, which goes back to the Assembly for a vote on Senate amendments, would require the state's electricity utilities to develop long-range plans to meet their customers' power needs.

It would allow utilities to once again build their own power plants if they could prove to the Public Utilities Commission that option would be cheaper than contracting out for the electricity.

Sen. Debra Bowen, the chair of the Senate energy committee, said the bill would "bring some stability" to the state's energy market and avoid a return of the price spikes and rolling blackouts that hit a few years ago.

But the measure faces a likely veto by Schwarzenegger, who wants to allow electricity consumers to

shop around for their power source.

The prescription drug bill, by Assemblyman Dario Frommer, D-Los Angeles, would require the Department of Health Services to set up a Web site to help Californians buy lower-cost prescriptions through Canadian pharmacies that meet certain standards.

The bill was approved 21-13, despite strong opposition from U.S. drug companies, and was sent back to the Assembly for a vote on Senate amendments.

Assembly members approved a similar bill by Sen. Debra Ortiz, D-Sacramento, and sent it back to the Senate for a final vote.

The hybrid bill stalled on an initial roll call, but it eventually passed the Assembly and was sent to Schwarzenegger by a bare-majority, 41-31 roll call.

The bill, which was back for a vote on Senate amendments, would add the Japanese-made Toyota Prius and Honda Civic hybrids to a list of electric and natural gas vehicles and motorcycles already using traffic lanes reserved for vehicles with more than one occupant.

Assemblywoman Fran Pavley, an Agoura Hills Democrat who authored the legislation, said it will encourage "those cars that operate at cleanest efficiency with 80 percent less emissions than a similar car in a nearby lane." Pavley, who

carried a 2002 bill to reduce vehicle "greenhouse gas" emissions starting in 2009, said the idea will also help curb some of the nation's worst smog while spurring U.S. carmakers toward greater fuel efficiency.

Hybrid cars combine an internal combustion engine with electrical power.

But opponents of the bill said the move could worsen California's traffic jams, stir resentment among other drivers and undermine the role of high-occupancy vehicle lanes as a reward for multi-occupant cars.

"These HOV lanes were controversial when they were initially adopted," said Assemblywoman Jenny Oropeza, D-Los Angeles. She said HOV lane opponents could use the new presence of hybrids as a "back door" campaign to get rid of the lanes.

Lawmakers also passed bills Thursday to ban smoking and other uses of tobacco inside state prisons and ban the state from contracting with companies unless they certify the work will be done in the United States. Responding to studies showing that mercury can contribute to increasing cases of childhood autism, they also voted to stop vaccinating pregnant women and children under three with medicines that contain traces of mercury.

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Calendar **Late snacks feed students**

Music

Projekt Revolution Tour featuring Korn, Snoop Dogg, The Used, Less Than Jake, Downset and others will take place Sept. 5 at the Shoreline Amphitheatre in Mountain View. Tickets are \$49.50 and are available by calling Ticketmaster at (408) 998-TIXS.

Performing Arts

Laramie Project and **As You Like It** will be holding auditions for cast members from 6 to 9 p.m. on Tuesday and Wednesday in the University Theater. The auditions are open to all majors. Go to www.tvradiofilmtheater.com for more information.

Art

Written Voices..., a photography exhibition, is currently open in the Industrial Studies Building at SJSU and will run until Thursday. The hours are Monday and Wednesday from 3 to 5 p.m. and Tuesday and Thursday from 5 to 7 p.m. Admission is free.

Misc.

San Francisco Finge Festival featuring music, theater, comedy and performance art begins Sept. 8 and runs through Sept. 19. Tickets are \$8 per show and are available by calling (415) 673-3847.

By Jennifer McLain
Daily Executive Editor

Knowing that students will probably be up late at night, here are a few San Jose favorites that offer a break from studying, annoying roommates and simple nighttime boredom.

REVIEW

Iguanas Taqueria

A local favorite attached to coffeehouse Cafecito, which features live music and open microphone nights, Iguanas offers basic Mexican food, including tacos, burritos and nachos.

Location
330 S. 3rd St.

Hours

Depending on business, Iguanas closes some time between 10 p.m. and 3 a.m.

What to get at 1 a.m.

Go for a Meat Lover's burrito (\$5.75). The burrito is high in protein, as it is just meat and salsa with a tortilla around it. This is pure brain food. Another option is the Burritozilla (\$14.95). This is a gigantic burrito filled with meat, beans, cheese, sour cream, guacamole and salsa. While this is not the most practical late night snack, you could get your picture and name on the wall if you eat the burrito in record time.

Price Range
\$1.50 to \$14.95

Garden City Casino

Located inside of the casino, the restaurant Garden City is perfect for those craving surf and turf at 2 a.m. You do not need to be 21 to go to the restaurant, but if you are 21 or older, you could eat while you gamble until your 7 a.m. class starts.

Location
360 Saratoga Ave.

Hours

Open until 3 a.m.
What to get at 1 a.m.
If you are dreaming about the beach, try out the oysters (\$10.50 for six). Usually big and delicious, every time you slurp down an oyster at Garden City you are taken to the sea. Pot stickers and escargot are also popular options. Another option is the prime rib, a succulent steak that is a bit pricey, but well worth it. For \$22.95, you can get 12 ounces of prime rib,



Julia Weeks / Daily Staff

A group of San Jose State University students look out an Iguana's Taqueria window as they wait for their dinner Monday night. Students get a 10 percent discount when they show their SJSU IDs.

and \$36.95 will get you a 23-ounce cut.

Price Range
\$6.95 to \$36.95

Cardinal Coffee Shop and Lounge

This 24-hour South San Jose restaurant, formerly known as Red Gold, has been around for more than 35 years. Cardinal offers large portions and many varieties of dishes.

Location
3197 Meridian Ave.

Hours

Open around the clock

What to get at 1 a.m.

If you plan on cramming for a midterm and know you won't have time for breakfast in the morning, start early. Huevos rancheros, the veggie croissant sandwich and chili verde omelet are each hearty breakfasts that will either put you to sleep or give you plenty of energy.

Price Range
\$8 to \$12

Original Joe's

Established in 1956, this homestyle Italian cooking restaurant offers large portions and more than 100 entrees. Pastas, pork chops, steaks, seafood, salads, omelets and sandwiches can each be found on the menu. This is not the place to go for students on the

Atkins diet.

Location
301 S. First St.

What to get at 1 a.m.

Because Joe's portions are so enormous, you can easily share a meal with a friend while chowing down the free French bread and butter. Joe's Special is an enormous scramble of spinach, eggs, ground chicken and mushrooms for \$13.95. Another great dish is the half spaghetti and half ravioli for \$13.95. The sauce is zesty and you will have leftovers.

Hours

Open until 1:30 a.m.

Price Range

\$4.95 to \$26.95

Drink of the Week

By Elizabeth Nguyen
Daily Production Editor

For those connoisseurs of alcoholic beverages who scoff at the mere mention of a mixed drink, here's a new kind of drink for you.

REVIEW

Those who like the punch of pure alcohol but can't stand the retching taste of turpentine should try some vodka.

Not just any kind of vodka — a berry infusion of Svedka, a Swedish wheat vodka that has no smell or taste.

Dennis Rich, beverage director and bar manager at Mission Ale House, said the vodka infusions, made from organic berries from an organic farmer in Watsonville, are virtually pure vodka.

The berries are soaked until they bleed into the vodka, he said.

The "ollaliberry" vodka infusion, a deep red, syrupy liquid served in a chilled New York-style cosmopolitan glass, is made from a cross between blackberries and boysenberries and vodka, Rich said.

The "ollaliberry" infusion is a smooth concoction of a light berry flavor with a very similar taste to eating a Popsicle without the sugary aftertaste or the drippy red stains.

Best of all, it tastes smoother than punch without the spike.

It can also be served over crushed or cubed ice for those who prefer more of a juicy texture.

"Each drink is 70 proof, while straight vodka is 80 proof," Rich said.



Eliza Gutierrez / Daily Staff

The "ollaliberry" vodka infusion is a new addition to the Mission Ale House drink menu. The \$7 drink is made with ollaliberies soaked in Swedish wheat vodka, or "svedka," for up to six weeks, leaving little trace of a vodka taste.

"Most people say they'd swear that it tastes like it has no alcohol in it."

The infusions, which will become the signature for Mission Ale House, will have their first official product launch in the second week of September.

Located on the corner of Third and Santa Clara streets, Mission Ale will be offering flavors such as black raspberry, golden raspberry, Marionberry, Loganberry, boysenberry and a pepper-infused vodka made from Serrano, jalapeno and habanera peppers for its Bloody Marys, Rich said.

Each three-ounce drink costs \$7 and will guarantee a buzz before you know it.



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Shifty fails as solo vocalist, producer in 'Happy Love Sick'

By Joe Amaral
Daily Staff Writer

With the rap-rock genre being left for dead, ex-Crazytown vocalist Shifty makes his solo debut album, "Happy Love Sick." If Shifty would have released his album around 2000, it would have fared better since rap-rock was at its full peak. With the album being released in 2004, it seems like the effort was four years too late.

REVIEW

Shifty shows a fair outing on the single "Slide Along Slide," which has a cool West Coast groove with the flavor of Sublime added to it. The first vocals that appear on the song are not Shifty's, but of vocalist TC, who makes his musical debut. Shifty only handles the rap-styled verses of the song.

"Ez Cause Your Beautiful" is a downright awful cover of the Minnie Ripperton 1975 smash hit "Loving You." Shifty pays no tribute to Ripperton and instead insults her effort on a once gorgeous song.

On the track "Turning Me On," Shifty uses a Devo/Human League-influenced synthesizer effect to hook the listener in the chorus. This proves to be a failure because mixing new wave with rap does not work.

"Magical" is another '80s new wave rip-off with the synthesizer sounding very similar to the Cars' "Just What I Needed." This just shows the lack of creativity in his production qualities. Instead of coming up with creative beats of his own, his beats sound like accidental samples of other songs.

"Take Away the Pain" is another song that harkens back to the '80s. The lyrics of the chorus sound eerily similar to the Mr. Mister hit "Broken Wings." One can only laugh at the effort even though Shifty intended the song to be serious.

On the Oakenfield/Gray-produced "Starry Eyed Surprise," Shifty shows that he can yet again insult another artist with his not so hard-core rhymes. The song was originally released on the 2002 Paul Oakenfield album "Bunkka." Shifty takes a good beat and does nothing with it.

Shifty is an awful producer and his lyrics are even worse. On "Lolita," he says "Oh Lolita, girl you make it so hot, it's like I got a fever." The rhymes are so bad that it almost seems like Shifty came up with the words right before the recording session.

Shifty thinks that his rhymes make him hard-core, but instead make Justin Timberlake look more hard-core than he is. The rhymes are so bad they sound like they should be on an Adam Sandler comedy album.

Shifty teams up with No Doubt guitarist Mike Dumont on "When We Were Young." The song is a decent effort because Dumont produced it, but it still does not save Shifty from ruining it with his



Photo courtesy of Maverick

Shifty (right) is four years too late with his rap-core solo debut album "Happy Love Sick."

weak rhymes.

Overall, this album is absolutely awful and one's ears could be poisoned after listening to such garbage. New vocalist TC single-handedly saves the album from complete destruction by adding catchy vocals to the songs. TC is featured on almost every song and shows how weak Shifty is as a vocalist.

Anyone who decides to buy this album should be warned that it is a waste of hard-earned money. It was almost like Shifty intended for his album to be a headphones-only listen.

New mediocre Jake album less than 'B' material

By John Paul Arde
Daily Staff Writer

Less Than Jake's newest release "B is for B-Sides" is a compilation of unknown European b-sides and previously unreleased tracks.

REVIEW

This compilation has mixed results. In places, it fails to provide stimulating and original music while being brilliant at other times.

From the opening track onward, the album rarely deviates from the beaten path. Every song essentially has the same sound and mind-numbing lyrics.

Not that there is anything wrong with the sound, it is just very monotonous to hear the same thing for 12 tracks.

In "B is for B-Sides," Less Than Jake departs from its classic punk/pop roots and embraces the emo style of punk music. The lyrics are very whiny and hard to understand. Even when the lyrics are understandable they often invoke feelings of anger and despair. Tracks such as "Portrait of a Cigarette Smoker at 19," "Sleep it Off" and "Bridge and Tunnel Authority" are all odes to the pain of life. Listening to a grown man complain about how bad his life sucks is not exactly an enjoyable listening experience.

The compilation does have strong points. When lead singer Chris Demakes departs from talking about the substandard quality of his life the tracks are rousing. Some songs dispense

valuable life advice and insight. On track 11, "Robots One, Humans Zero," the band stresses the importance of being true to yourself and your convictions.

On track eight, "Showbiz? Science? Who Cares?," Less Than Jake explains the importance of faith and morality in difficult times. The balance of anguish and joy in the songs serves the album well.

Less than Jake also displays its ability to tell a story through music. Track five, "Goodbye in Gasoline," is a very poignant song about suicide. This track makes you feel the pain of someone on the brink of destruction.

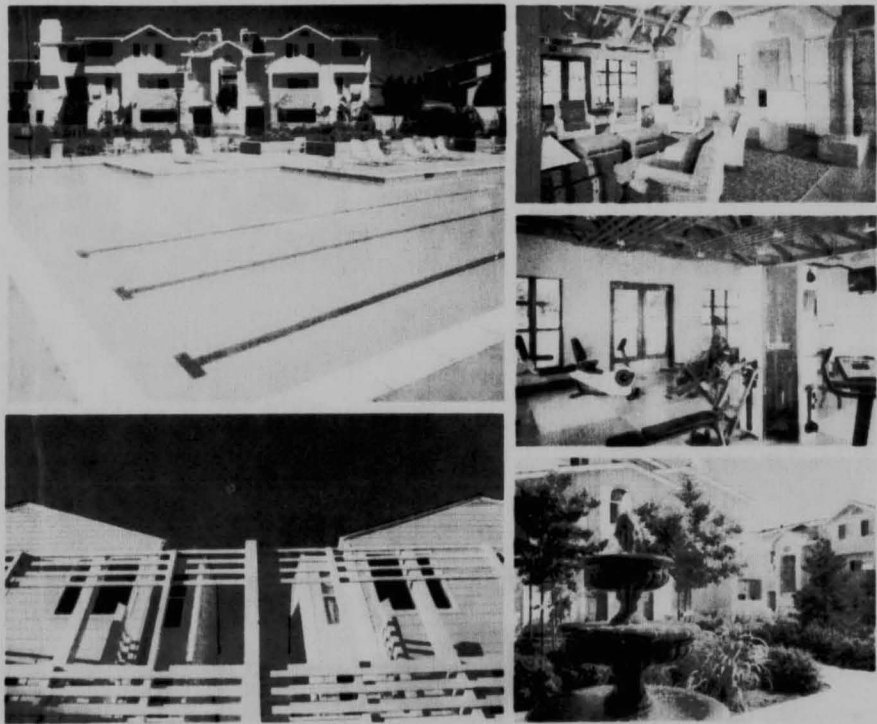
The horn section in all of the songs is very strong and adds flavor to the otherwise almost-identical songs. The drummer also lays down complex beats that further augment the excellent guitar and horn sections.

Another strong point of the album is its brevity. With 12 tracks and none lasting longer than three-and-a-half minutes, the album has very little filler. This allows the band to get its message across quickly and decisively.

The band also seems to have endless amounts of energy. Every song is fast paced and

powerfully delivered. This is apparent in the voice of lead singer Demakes and in the raging guitar riffs and quick drum beats.

"B is for B-Sides" does very little for fans new to the genre. Its lack of variation and catchy lyrics keep the compilation from grabbing any casual listener's attention. Yet the album does just enough for hardcore Less Than Jake fans to embrace it.



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One at a time, please ...



Amanda Brittingham / Daily Staff
Elepas Rosales Flores sells mangos and chips to San Jose State University students Tuesday afternoon in front of the Event Center.

Cubans try to reach Mexico, hit Texas

Associated Press

CORPUS CHRISTI, Texas — Six Cubans trying to reach Mexico spent two months at sea, mostly on a 30-foot-boat, before landing on Mustang Island on the Texas coast, U.S. Customs and Border Protection officials said Thursday.

Five men were treated and released from a Corpus Christi hospital early Thursday, a day after they were found on the beach. The sixth person, a woman, remained hospitalized in stable condition.

"They were somewhat malnourished and dehydrated," Eddie Flores, a spokesman for the agency's McAllen sector, told The Associated Press.

After being processed by the

Border Patrol and having hearing dates set in Harlingen, the five men were released to relatives from Dallas or put on a bus to join relatives in Miami, Border Patrol agent Felix Cantu said in a story in Friday's Corpus Christi Caller-Times.

Cantu said the six left Manzanillo, Cuba, on a raft on June 25. He said they purchased their 30-foot boat, water and fuel in the Cayman Islands five days later.

The trip took them hundreds of miles across the Gulf of Mexico. Cantu said the group's initial destination was Cozumel, Mexico. From there, they had planned to walk through Mexico and across the border into the United States.

Cantu said Hurricane Charley and Tropical Storm Bonnie probably

blew their boat off course.

He said authorities found dried fish, two 55-gallon drums for fuel and fresh water, clothing and hygiene products in the boat. They also found a phone book, an Aug. 14 issue of the Caller-Times and a life raft, which authorities believe the Cubans got from an oil rig.

"They're real nice people," Cantu said. "They're just hungry and tired."

Police Capt. John Mosley told the Caller-Times that the U.S. Border Patrol initially refused to take custody, saying Cubans were handled by U.S. Customs.

Under the so-called wet-foot, dry-foot policy, Cubans who reach U.S. soil are usually allowed to stay, while those who are picked up at sea are sent home.

LIBRARY | Receives award

continued from page 1

This was the first year the award was given to two libraries, based to the merger of the public and academic library and its innovative concept, Himmel said.

"It's national recognition for beginning one of the most innovative, large public library systems in the country," he said. "This helped put the library on the map."

"The library was the result of a lot of planning, a lot of committees and a lot of cooperation," Himmel said.

"It was a lot of new ideas and thinking outside of the box," he said. "We had a great story to tell. This is a unique merger and it can be emulated."

David Vossbrink, communication director for Mayor Ron Gonzales, said the mayor is very proud receiving an award that recognizes the SJSU library and the city library.

Pooling resources of the two libraries together allowed both SJSU and the city to have a better library than if each was to build separate facilities, he said.

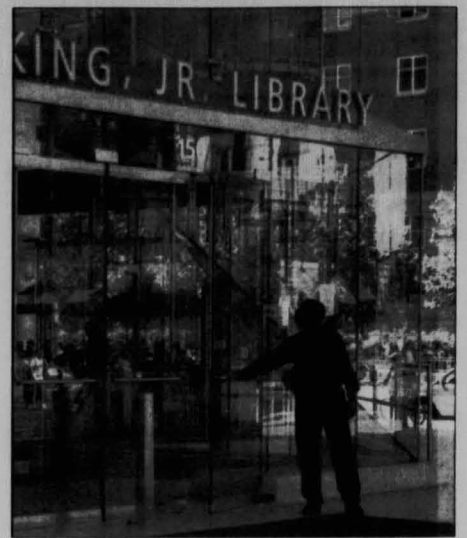
"No one has tried to blend a public library and an academic library before," Vossbrink said. "It's an innovative partnership between the two."

The King Library has been getting great praise from the community, he said.

"It has opened doors for the community and the university," Vossbrink said. "We're proud of the award from 'Library Journal.' It's an award like the Oscars of library (awards)."

Vossbrink said the award shows that the city has a commitment to voters to pass bond issues.

"The King Library averages about 10,000 people a day," Vossbrink said. "Now we're seeing library usage, in terms of patrons, more numbers of people going to the library than to our sporting events."



Ashley Bess / Daily Staff

The Dr. Martin Luther King Jr. Joint Library was awarded the prestigious Library of the Year award by the Thompson Gale/Library Journal in June for its work in integrating the general public with college students. The King Library is the first to embrace this unique partnership.

Schwarzenegger delays urban casino

Associated Press

SACRAMENTO — Gov. Arnold Schwarzenegger backed off Thursday from a demand that lawmakers approve before the end of the week a plan to build the state's first urban Indian casino.

Acknowledging the complications of the proposed agreement with the Lytton Band of Pomo Indians to build a 2,500-slot machine facility in the East Bay community of San Pablo, Schwarzenegger has notified legislative leaders they can delay consideration of the compact until December or January.

But he still expects lawmakers to take up and pass four other, smaller tribal gambling agreements before session concludes Friday night, Schwarzenegger spokesman Vince Sollitto said.

Margie Mejia, tribal chairwoman, said she believes the proposal will get a

better hearing away from the chaos of the final days of the legislature.

"We're confident that when we have an opportunity to explain our compact and project in more detail, particularly the benefits to the community, we will have a much better hearing," she said.

Waiting until December for the Legislature to consider the issue wouldn't delay the project significantly, Mejia said.

Announced a week ago, the Lytton deal initially contemplated up to 5,000 slots housed in a six-to-eight-story casino. In exchange for permission to build, tribal leader agreed to share 25 percent of their profits with the state — estimated to bring in about \$150 million annually.

But Bay Area lawmakers balked at the size of the project, forcing the governor and the tribes to scale back the plan. Although the number of slots has been cut in half, the proposed agreement still calls on the tribe to

share a quarter of its profits with the state, and administration officials hope the casino will make as much money with fewer slots.

Perhaps most critical of the first proposal was Rep. George Miller, D-Martinez, who represents San Pablo in Congress and arranged for the federal law that let the tribe acquire the urban land. Miller, along with Senate President Pro Tem John Burton, D-San Francisco, argued against the bigger project, saying the impacts to the community would be too great.

Burton now supports the smaller casino plan.

Meanwhile, the administration still wants lawmakers to approve gambling agreements with four other tribes: the Coyote Valley Band of Pomo Indians near Ukiah; the Buena Vista Band of Me Wuk Indians in Jone; Fort Mojave Indian Tribe located near Needles; and the Ewiiapaayp band of Kumeyaay Indians of east San Diego County.


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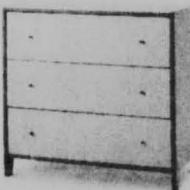
Last name: _____ First name: _____ MI: _____ Age: _____
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 (circle one) 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 Dorm room: _____ sq/ft Window: YES NO

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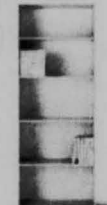


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4 	5 	6 		

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Hamm leads 'Fab Five' to gold with 2-1 win over Brazil

Associated Press

ATHENS, Greece — When the final whistle blew, an exhausted Mia Hamm was quickly swarmed by 17 thrilled teammates.

In a few minutes, the Olympic gold medal would be around her neck, too.

Hamm and the rest of the Fab Five had just enough left in their thirtysomething legs for one more title, beating Brazil 2-1 Thursday in overtime in their final tournament together.

Abby Wambach, the player who might break Hamm's records one day, scored in the 112th minute with a powerful 10-yard header off a corner kick from Kristine Lilly. It was Wambach's fourth goal of the Olympics and 18th in her last 20 games.

The game marked the final competitive appearance together for the remaining players from the first World Cup championship team in 1991.

The five helped bring their sport to national prominence and captured the country's imagination by winning the World Cup in 1999, and together they have played in 1,230 international matches.

Hamm, Julie Foudy and Joy Fawcett are retiring from the national team — although they might play in some farewell exhibitions this fall — leaving Lilly and Brandi Chastain as the last of the old guard.

They'll leave happy with the final result, but they might never want to watch a replay of a game that showed they should perhaps hang it up.

Maybe they were trying too hard, but the Americans were slower, less organized, less creative and lost the chase to most of the loose balls against the young Brazilians, who hit the post twice late in regulation and weren't afraid to shove the U.S. stars around.

Hamm especially was a nonfactor,

unable to find space to make the kind of runs that made her famous. She had no legs left in the overtime of the 266th game of a 17-year career that included 153 goals.

The U.S. team was rescued by Wambach, some great saves from goalkeeper Briana Scurry and a goal from Lindsay Tarpley, one of two college players on the team, in the 39th minute. Pretinha scored for Brazil in the 73rd.

After the game, the team took a victory lap, waving flags to the crowd of 10,416 at Karaiskaki Stadium.

The win helped erase the sting of the loss to Norway in the gold-medal game in Sydney four years ago and a third-place finish at last year's World Cup. In the 1990s, the United States ruled women's soccer, but the other teams have caught up over the last five years.

The victory also offers a measure of vindication for coach April Heinrichs, who took over after the 1999 World Cup triumph and failed to win the top prize in 2000 or 2003.

The team was captained for the last time by Foudy, who played the entire 120 minutes just three days after spraining her right ankle in the semifinal victory over Germany.

Despite the upcoming changes to the team, it looks to be in promising hands with youngsters Tarpley, Wambach, Heather O'Reilly, Cat Reddick and others.

In their final game mixing the older and younger players, the Americans were often out of sorts. They couldn't handle the Brazilian pressure and could barely string two passes together to get their possession game going.

The Brazilians also came out playing very physically, pushing and grabbing whenever they could get away with it. Coach Rene Simoes accused the Americans of trying to hurt his players when the two teams met in a 2-0 U.S. victory in the first round last week, but this time his team was clearly the aggressor.

Scurry, while not announcing her retirement, has also said this will be her last Olympics. Her teammates had her to thank for not trailing by a goal at halftime.

Scurry dived right, stretching her body as far as it could go, to barely get a piece of Elaine's 19-yard shot in the sixth minute. In the 41st, Scurry somehow pushed away a short drive from Cristiane that deflected off Chastain, ending a furious sequence that began with an indirect free kick from 10 yards out.

Given Brazil's control of the first half, Tarpley's goal seemed to come out of nowhere. In a rare attack for the U.S. team, she found space to launch a 24-yard drive that skirted two defenders and curled just inside the left post in the 39th minute. Tarpley got hugs from her teammates and an affectionate rub on the head from Hamm.

But the Brazilians kept pressing. Daniel was wide left with a low 24-yard drive early in the second half, and various crosses were just off target or gathered by Scurry.

In the final minutes of regulation, Brazil was clearly controlling the play, and their goal seemed inevitable.

Cristiane, 19, ran past 36-year-old Fawcett with ease down the left flank, then beat defender Kate Markgraf before sliding a cross toward Pretinha. Scurry could only get a hand on the pass, leaving Pretinha alone for the easy shot to tie the score.

Cristiane was just wide right with a long curling shot two minutes later, then she hit the left post with a 20-yard drive.

In the 88th minute, Pretinha beat Scurry with a 16-yard shot, but it also hit the left post.

The U.S. team, the oldest in the tournament, was playing its sixth game in 16 days — and its second straight 120-minute overtime game. Brazil had to play only five games in the uneven Olympic format.

Marbury's 31 vaults U.S. over Spain

Associated Press

ATHENS, Greece — Written off after their opener and branded failures back home, Stephon Marbury and the Americans are showing signs that they just might be the team to beat after all.

For a change, the face of frustration belonged to someone other than an American after Marbury's performance.

He set a U.S. men's Olympic record with 31 points and broke the team mark with six 3-pointers, leading the suddenly accurate Americans into the semifinals with a 102-94 victory over Spain on Thursday.

In a game that ended with the opposing coaches swearing and pointing at one another, the United States finally started hitting jump shots — just as Larry Brown predicted.

"They were very good on 3s. That was something new in this tournament," Spain's Pau Gasol said. "They looked motivated, and it'll be hard to beat them if they keep playing like that."

After spending 90 minutes practicing jumpers in an empty gym on a day off, Marbury made half of his team's 12 3-pointers and was a big reason why the previously undefeated Spaniards are now out of medal contention.

As the teams left the court, Spanish coach Mario Pesquera and Brown had to be separated by their assistants in an argument over a timeout Brown took with 23 seconds left and his team up by 11 points.

"I had — and I stress the word 'had' — a lot of respect for Larry Brown," said Pesquera, who smirked and shook his head when he heard Brown explain that he tried to rescind the timeout. "Dean Smith would have never done anything like that."

Marbury scored just 21 points in his team's first five games, missing 24 of 30 shots.

The Americans lost two of them, to Puerto Rico and Lithuania.

But those struggles are in the past, and the Americans now have a chance to win the gold medal. Next up is a semifinal Friday against the winner of the Greece-Argentina game. The other semifinal pitted Lithuania, which defeated China 95-75, against Italy or Puerto Rico.

Marbury's six 3s broke the record of five set by Reggie Miller against China in 1996, and his scoring total passed the mark of 30 points shared by Charles Barkley (1992 vs. Brazil) and Adrian Dantley (1976 vs. Yugoslavia). The Olympic record is 55 points by Oscar Schmidt of Brazil against Spain in 1988. The record for any U.S. player is 35 by Lisa Leslie against Japan in 1996.

Allen Iverson added 16 points, making three 3-pointers, and the Americans finally resembled U.S. teams from the past three Olympics. They didn't get rattled

by a large disparity in fouls (27-18), they knocked down their free throws to maintain the lead in the final two minutes, and they topped 100 points for the first time in the tournament.

The Americans finished 12-for-22 on 3-pointers after shooting a tournament-low 24 percent in their first five games.

"We've been playing against so much zone, it doesn't really matter anymore," Marbury said. "We're starting to like playing against zones."

Marbury had struggled the most in the team's first five games, uncomfortable with Brown's insistence that a point guard should run the offense rather than score. Historically a shoot-first, pass-second player, Marbury's mind-set was fundamentally at odds with his coach's.

"Playing under coach Brown is not easy," Marbury said. "It's tough because he demands so much from you — to try to play your game and try to do what he wants, and have that all combine in one has been a challenge to me. But it's been a great challenge."

Gasol led Spain with 29 points but was held to just four in the fourth quarter by a tenacious American defensive effort, which quieted a crowd of 14,500 that included Spain's King Juan Carlos.

"It was said that the public supports the weaker team. I think in this case the public was solidly behind the stronger team because we were the stronger team," said Pesquera, who also complained that the officials allowed the Americans to get away with traveling violations.

"I think this game was played under NBA rules, not FIBA rules," he said.

Several Spanish players threw their hands up and stared at the American bench in disgust when Brown called his late timeout. Pesquera wasn't buying Brown's explanation.

"I tried to apologize, I tried to explain, and he kept saying something about the NBA. I would never try to embarrass anybody," Brown said. "Hopefully I'll learn to handle these situations, which are new to me, a little bit better."

Tim Duncan scored the Americans' first five points and blocked Spain's first shot, but he was on the bench just 4 1/2 minutes into the first quarter and stayed there for the rest of the half after picking up two fouls.

In a seesaw second quarter, the Americans went ahead by eight points, feeding off the defensive energy of Dwyane Wade, before Spain rallied with an 11-0 run.

A 7-0 run by Spain tied the game late in the third quarter, but Carmelo Anthony ended the period with a 3 to put the Americans up 74-67. Marbury's last 3-pointer provided a seven-point cushion with 3:45 left, and Gasol didn't score his first points of the fourth quarter until 2:02 remained.

"I'm not exhausted, I'm hurt because that was a big chance for our team to make a statement," said Gasol, who played all 40 minutes. "We deserved better. We're out, and it hurts to say that."

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Volleyball swings for success in 2004 Williams out of USC

By Emmanuel Lopez
Daily Staff Writer

After a rocky start and a brilliant finish last season, the San Jose State University volleyball team is set to meet — and exceed — expectations in 2004, said head coach Craig Choate.

The Spartans went 10-20 overall and 6-7 in the Western Athletic Conference in 2003, earning the sixth seed in last year's WAC championship tournament, advancing all the way up to the championship round.

It was only the second time in tournament history a sixth seed moved into the final round.

According to a preseason poll by the America Volleyball Coaches Association, the Spartans are projected to finish sixth in the conference, behind favorites University of Hawaii, Fresno State University, Rice University, the University of Nevada-Reno and South Methodist University.

"There's not really so much separation between us and them," Choate said. "We can beat anybody on any given night."

The Spartans lost three players during the offseason. Outside hitter Kimberly Noble and setter Danielle Lewis had used up their final year of eligibility and setter Allison Dillon transferred to the University of California.

Despite these losses, several players are returning this season, including outside hitter Carrie Nash. Nash was second on the team with 311 kills and 296 digs garnering a selection to the All-WAC team last year.

Also returning is sophomore libero, or defensive specialist, Jessie Shull, who was named second team All-WAC.

Shull tallied 473 total digs for the season and averaged 4.3 digs per game, both of which set new school records.

Rounding out the returning veterans are middle blocker Dana Rudd, who led the team in blocks with 83, and setter Dyana Thompson.

"I think we have a good amount of experienced players this year," Nash said.

The Spartan squad is rounded out with five incoming freshmen and four junior college transfers. Of the nine new players, Choate said, freshman Jennifer Senftleben will see significant playing time as the starting middle blocker.

"Every girl brings a different skill to the team," Thompson said. "The team on the whole is more athletic than last year."

For now the only thing left to do before the season is work out the kinks in the starting lineups, Choate said.

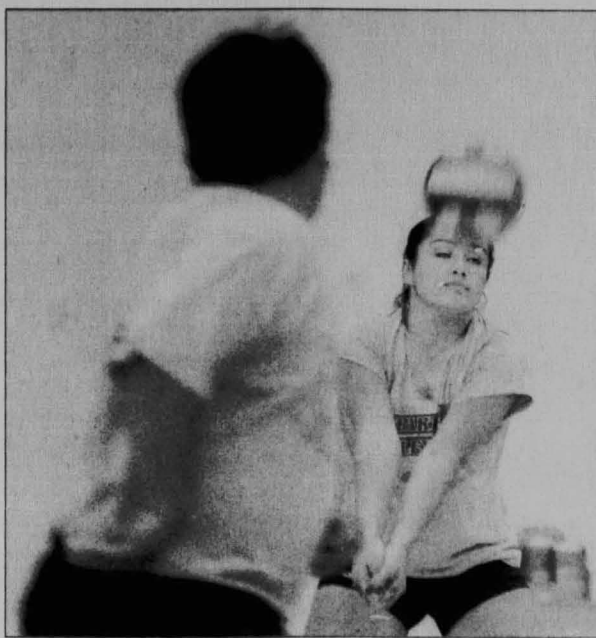
"We'll have a good idea by Friday and we'll spend Monday and Tuesday fine-tuning small things," said Choate, who will have to do without junior setter Michelle O'Riley, who will be out indefinitely with a knee injury, and junior outside hitter Rachel Dahlstedt, who is out with a twisted ankle.

Dahlstedt is expected to be ready to play by the end of next week, Choate said.

The Spartans begin their season on Wednesday, Sept. 1 in a nonconference road match against University of San Francisco.

"I'm looking forward to this game and getting the season started," Nash said. "I haven't played a real game in (nine months)."

The team's true test begins in the second half of the season, Choate said, starting with a Sept. 24 game against



Assistant Coach Gary Mano moves into position as outside hitter Darleah Querubin prepares to return a serve during the Spartan volleyball practice Wednesday. Querubin is a freshman from Sacred Heart in San Francisco.

cross-town rival Santa Clara University, who finished last season ranked 19th in the nation.

Afterward, the Spartans enter conference play with a Sept. 30 road game against Nevada.

"It's going to be tough playing against those five (WAC opponents

ranked ahead of us)," Choate said. "But I know we're going to be competitive."

The season hasn't started yet, but Choate said his Spartans are confident they can improve on last year's second place finish in the WAC championships.

"A match is a match," Choate said. "And you want to win them all."

Associated Press

LOS ANGELES — Mike Williams was shut out again.

Three months after the courts kept him out of the NFL draft, the All-American receiver had his request to rejoin top-ranked Southern California denied by the NCAA on Thursday.

"I'm glad it's over. Now the team can move forward and I can move forward," Williams said in a telephone interview. "I'm disappointed. I did everything asked of me. I don't know yet what I'm going to do. I'll just relax for the weekend and watch the game and root for my team."

The ruling was received shortly before the Trojans boarded an airplane for Baltimore. They open defense of their national championship Saturday night against Virginia Tech at FedEx Field in Landover, Md.

USC vice president and legal counsel Todd Dickey said while the ruling could be appealed, the matter was closed.

"At this point, we don't believe it would be useful to go through those processes," he said. "We think the NCAA has firmly made up its mind."

Williams agreed, saying, "I'm kind of done with it right now."

USC coach Pete Carroll made no attempt to hide his anger concerning the ruling and its timing.

"It's very cold and insensitive for them to deny him this opportunity," the coach said. "I'm not surprised by it, but I'm disappointed for Mike and his family. You'll have to go and ask the NCAA for answers, how they can turn someone down who is otherwise academically eligible."

USC had applied to the NCAA for

a progress-toward-degree waiver and reinstatement of Williams' eligibility.

"I fear that the NCAA may have put Mike and USC through this process to make the NCAA appear fair and thorough in their deliberations," Dickey said. "It appears that they may have decided long ago that Mike would not play college football again."

Williams caught 95 passes for 1,314 yards and a school-record 16 touchdowns as a sophomore last season to help the Trojans (12-1) win the national championship. The 20-year-old Williams, a sure-handed 6-foot-5, 230-pounder, finished eighth in the Heisman Trophy balloting.

After a court ruled that last winter that Ohio State's Maurice Clarett was eligible to play in the NFL, Williams left USC, hired an agent and said he was turning pro. That made him ineligible to play for the Trojans.

Williams was projected as a high first-round draft pick, but on May 24, an appeals court overturned the earlier ruling and upheld the NFL's right to bar players who had been out of high school for less than three years.

Williams has been out of high school less than three years, as has Clarett, who was suspended last season after starring at Ohio State as a freshman.

After the appeals court ruling, Williams severed ties with his agent and began the process of applying to the NCAA for reinstatement.

He returned to USC and took summer classes, seeking to have his academic eligibility also restored.

It was all for naught.

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- 57 Yellow jacket
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- 62 Jiffy
- 63 Ex-Met Tommie
- 64 Ms. Myerson
- 65 Skeins of yarn
- 66 Open wide

DOWN

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- 2 ESPN feature
- 3 Sapporo sash

PARKING | Students see final hike in series of increases

continued from page 1

garages on Fridays and weekends or when the shuttles are not running. Shuttles typically run every 10 to 15 minutes from 6:15 a.m. to 4 p.m., then every 20 minutes from 4 p.m. until 10:40 p.m.

Day permits are available in the Tenth Street and Seventh Street garages. All day permits are available for \$8, and new this semester are two-hour permits for \$4 and one-hour permits for \$2. These all-day or hourly permits can be purchased on the third floors and above in both garages.

"I don't think (parking is) going to be an issue," said Donna McIntyre, a senior psychology major. She added that she used to take the light rail to school last semester but now attends early classes, allowing her to actually park on campus because she arrives at an early time.

Others who are accustomed to the parking situation around campus have found their own routines to make it work, be it riding a bike or taking the light rail to school.

Sandro Alvarado, a junior who recently transferred from Cal State Hayward, decided he would skip the search for a parking space altogether. The nursing major simply drives his car to a friend's house near campus and rides his bike to one of the five enclosures on campus that provide free and safe bicycle parking.

"I haven't been using it (a parking permit) at all," Alvarado said. "The parking permit is just way too much."

New this semester, the City of San Jose redesignated curbside parking along the University perimeter as student parking, making nearly 60 more spaces available for students to park. SJSU is also working with the City of San Jose and others to develop what is known as an "Automated Parking Guidance System" for the downtown area.

Renelle said that the city recently picked a make and model of a type of sign that will inform downtown commuters where to park and which locations are available. The signs will be posted at several different locations



Benjamin Favela / Daily Staff

Students get on a San Jose State University Park and Ride shuttle bus next to Duncan Hall Thursday.

that have yet to be determined. Tuan Nguyen, a junior majoring in finance, realized the gamble of finding parking early on in the game.

"It's expensive and sometimes we can't find (a) parking spot," Nguyen said. In the past, he has received two parking tickets. He now parks alongside the streets near campus. He said it only takes him three to four minutes to find a spot.

In the end, the parking situation can be easy to deal with or difficult to

deal with, depending on your luck and your familiarity with SJSU's parking availability.

Student permits can be purchased online at www.sjsu.edu/parking or by going in person to Parking Services, located on the first floor of the Seventh Street garage.

Employee semester and academic year permits are available on-line as well, but all other permit types must be purchased in person at Parking Services.

SUBWAY | San Carlos outlet vows to keep customers

continued from page 1

"Union Deli is no longer located in the Student Union due to Subway," Gendreau said. Sandwiches are still sold, however, at the Market Cafe.

Currently, snack racks stand in the place where the Union Deli used to be.

However, not all people are pleased to see the new Subway on campus.

Wais Ahmadi, the owner of the Subway at 475 E. San Carlos St., said he worries about his business.

"Customers decreased a lot. Ninety

to 95 percent (of my customers) are students," Ahmadi said.

Ahmadi contracted with Citibank to sign up students for bank cards, and in turn they get free sandwiches from his shop. He hopes to attract students, especially freshmen who may not know about his Subway.

Justin Harding, a freshman graphic design major, said he signed up for the Citibank card and got a free 6-inch sandwich meal for four days, from Aug. 23 through 27.

Harding, however, is also glad to have a Subway on campus.

Subway on San Carlos is close, but Subway on campus is closer and convenient, Harding said.

After the limited free meal at Subway on San Carlos, Harding said that he may not eat at Subway on San Carlos.

Ahmadi is concerned that most students will not come to his shop anymore.

Subway at the Student Union is open Monday through Thursday from 9:30 a.m. to 8 p.m., Friday from 9:30 a.m. to 5:30 p.m. and Saturday from 10:30 a.m. to 1:30 p.m.

Los Angeles hosts 'Operation Web Snare'

Associated Press

LOS ANGELES — A dozen criminal cases targeting everything from bogus eBay sales to illegally blocking customers from conducting Internet transactions were filed in Los Angeles as part of a nationwide crackdown on computer crime, federal authorities announced Thursday.

The Los Angeles cases were part of a U.S. Justice Department crackdown announced Thursday in Washington by Attorney General John Ashcroft. The effort, dubbed "Operation Web Snare," produced 103 arrests and 53 convictions between June 1 and Thursday, authorities said, although

some of the cases overlap and some convictions were included in the total for people arrested before the initiative began.

"This is a series of cases that is designed to signal that we do not believe the Internet to be off-base for law enforcement," Ashcroft told reporters in Washington.

In one of the local cases, Nicholas Tombros, 37, of Marine del Rey was charged with sending unsolicited e-mails advertising pornographic Web sites. Prosecutors say he sent the messages on his laptop computer while driving through Venice.

Tombros was expected to attend a

court hearing on Monday.

Prosecutors also filed charges against 40-year-old Jie Dong, formerly of Diamond Bar, for allegedly cheating eBay customers out of nearly \$800,000 in more than 5,000 phony sales from September 2003 to December 2003. Authorities said Dong collected money for electronic merchandise he never delivered.

He is believed to have fled the country, but authorities said that with the help of officials in Hong Kong and China they were able to freeze more than \$280,000 of his assets.

In another case, six individuals were charged with conspiracy and damaging a protected computer.



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