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Discrimination lawsuit against Tech on appeal

COURT CONFUSION: Lawsuit has been appealed, briefed by U.S. Department of Justice.

By Michael Castellon/*The University Daily*

A lawsuit alleging Texas Tech discriminated against two former School of Pharmacy professors remains on appeal at the U.S. 5th Circuit Court of Appeals in New Orleans.

A panel of federal judges is rehearing the case, which was filed by former School of Pharmacy professors Elaine King-Miller and Lucinda Miller, who are not related.

The appeal follows a lengthy court battle in which Amarillo federal Judge Mary Lou Robinson ruled the women could sue the university based on their allegations. But following Robinson's decision, university officials maintained Tech was immune from a federal disability lawsuit and appealed Robinson's ruling.

Last May, the U.S. 5th Circuit Court of Appeals agreed with Tech and overruled Robinson's decision.

However, the U.S. Department of Justice contended the university is not subject to immunity. The USDOJ filed a brief in support of the plaintiffs and argued state institutions that accept federal funding are not immune from recognizing the Americans with Disabilities Act.

According to the brief, "... The defendant knew as a matter of law that it was waiving its immunity for Section 504 claims when it applied for and took federal financial assistance. Defendant's attempts to create ambiguity where none exists should be rejected."

Section 504 of the Act Rehabilitation Act of 1973 prohibits acts of discrimination by institutions that accept federal funds.

Following the court's ruling in favor of Tech, Miller and King-Miller filed a petition for rehearing arguing that overruling contradicts established U.S. Supreme Court decisions, including a ruling by the 5th Circuit.

Tech officials maintain they are immune from the lawsuit. "The university's defense is the same that it has always been," said Tech

General Counsel Pat Campbell. "We've alleged the state is immune, and they're saying that's not the case."

According to court records, King-Miller alleges the university failed to provide reasonable accommodations for her after she was declared legally blind in 1999 and was subsequently demoted, denied tenure and terminated from her position.

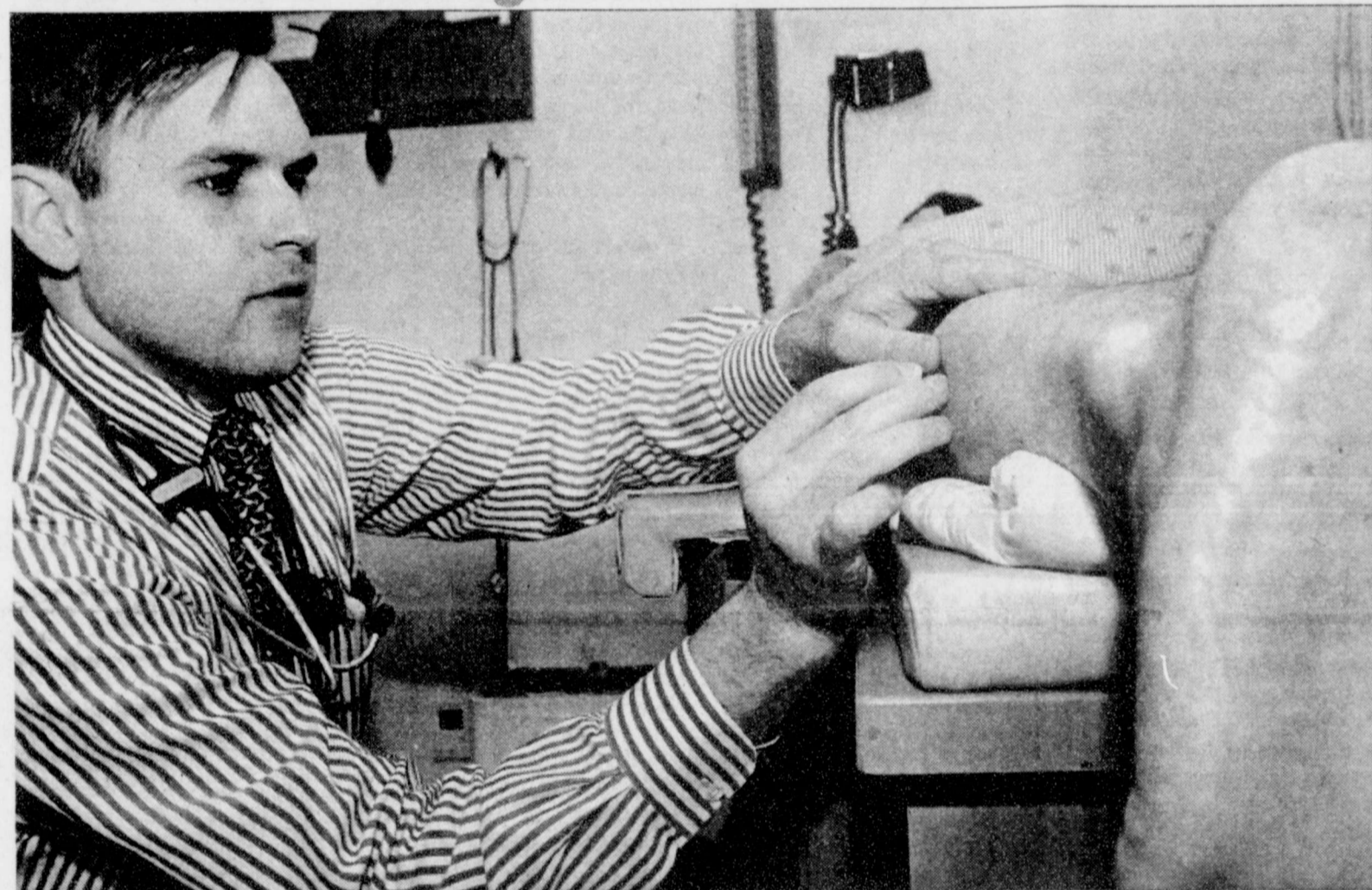
Miller, a former full professor and vice chairwoman of the pharmacy practice department, was denied tenure and alleges her salary did not match those of male coworkers. She resigned from the university in 1999 after receiving continual harassment from Tech administrators, according to court records.

Mary Jean Corbet, a member of the Amarillo branch of the American Association of University Women, which advocates on behalf of Miller and King-Miller, said she remains confident the court will rule in the former professors' favor.

"We'll have to wait and see how it works out, but I just don't see how they can help but to rule in our favor," she said.

Miller and King-Miller could not immediately be reached for comment.

Piercing out PAIN



HEATHER DOUGHERTY/*The University Daily*

ASSISTANT PROFESSOR OF the Texas Tech medical school and clerkship director, Dr. Tommie Farrell performs a meridian based acupuncture treatment on his patient David Miller in his office at the Texas Tech Health Sciences Center.

Acupuncture has become trusted pain remedy for many

By Megan LaVoie/*The University Daily*

Sticks and stones may break your bones, but will acupuncture heal you?

In today's world when western forms of medicine don't work, people are turning to the old Chinese art of acupuncture to heal their ailing points.

Lindsey Duke, a sophomore exercise and sports science major from Lubbock, said she first had acupuncture done to cure shin splints caused by playing for the Texas Tech women's soccer team.

"I had shin splints for two years; we couldn't figure out what was wrong, and I tried everything - acupuncture was the last resort," she said.

Duke had cortisone shots and MRIs before her father recommended visiting an acupuncturist.

"I was definitely a skeptic - I didn't think it would work, and I am totally a needle phobic," she said.

After her first visit, Duke was cured of the shin splint pain.

Since receiving her first treatment in October 2003, Duke has visited Dr. Tommie Farrell at the Texas Tech Health Sciences Center about every two months to ensure the throbbing pain in her shins won't return.

Farrell, who is the clerkship director for the family practice department at the Texas Tech Health Sciences Center, said most people are apprehensive about receiving acupuncture treatments because they are afraid of pain.

"Acupuncture is not totally pain free, but it doesn't hurt like people think it is going to hurt. It is more like a quick sting, like a mosquito bite - patients tend to feel aching and numbness," he said.

Duke said she feels pain during her acupuncture treatments since the needles are strategically placed from her toes to her shins, but the end result is worth the pain.

"The pain only lasts for a little while; once the needles are in, they don't hurt as much, and once they are removed and the treatment is over, you are pain free," she said.

Farrell said he first became interested in acupuncture after his brother had sprained his ankle playing basketball in Taiwan.

"My brother visited an acupuncturist in Taiwan, and the acupuncture took down the swelling and pain in his ankle immediately; I was very impressed with the results he was getting," he said.

Farrell's intrigue in acupuncture got the best of him, and he has been practicing acupuncture since July 2003 after receiving 300 hours of training from the University of California at Los Angeles.

The American Academy of Acupuncture describes acupuncture as a method of encouraging the body to promote natural healing and to improve functioning, done by inserting needles and applying heat or electrical stimulation at very precise acupuncture points.

Farrell said within the human body, there are channels of energy that have healing properties that can be manipulated or activated to help someone heal their own body.

"The points that will trigger those channels of energy are strictly defined - acupuncture will not work if the right point is not pricked," he said.

ACUPUNCTURE continued on page 2

Public Affairs

LPD, Tech students meet to discuss incident

PROFILING ISSUE: Students who claim LPD racially profiled them unsure of future.

By Sally Gunter/*The University Daily*

Two Texas Tech students claiming racial profiling against the Lubbock Police Department met Friday afternoon with Lt. Victor Quintana of the LPD internal affairs department.

Quintana said that to "encourage a valid complaint" and to protect the "reputation of any officers wrongfully accused of racial profiling" he would ensure confidentiality of both the officers and complainants by declining to comment.

"We can't discuss if there is a complaint and who made a complaint on any and all internal investigations," he said. "We will handle all complaints in a timely and confidential manner."

The confidentiality policy of the LPD does not allow the results of internal investigations to be released to the public, Quintana said.

"Any wrongdoing on the officer's part we will deal with internally," he said.

It is a policy Quintana said he will uphold.

Seth Freo, a black Tech student, and his roommate Blake Rader, a white Tech student, said their statements to the LPD on Friday were recorded.

The students were told LPD officials would look into the incident and

PROFILING continued on page 2

Student Affairs

New plan outlines parking future at Tech

By Andrew Bell/*The University Daily*

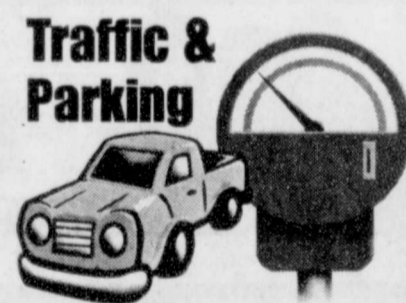
As more students enroll at Texas Tech each year, the Traffic and Parking department have completed its five-year plan to tackle issues involving parking in the future and possible increases to buy parking permits.

"It's 54 pages of intense stuff," Col. Buddy Knox, managing director of Traffic and Parking, said.

"We do have some pictures - some you can color in." The plan outlines how the department will address the impact of building more parking on campus. Although the parking plan has suggestions for areas that would be available for more parking construction, the document is not intended to plan for parking improvements. Knox said it is a decision making tool to give more input to the administration in the event of a decision.

The five-year plan is broken up into sections that encompass many different aspects of traffic and parking at Tech. While looking into im-

PARKING continued on page 2



Public Affairs

Stenholm stirs support at campaign office opening

By Sally Gunter/*The University Daily*

As the sounds of western swing filled the room, U.S. Rep. Charles Stenholm tapped his foot and nodded his head to the rhythm.

More than 40 supporters were present Monday morning for the opening of Stenholm's Lubbock campaign office.

Mark Green is active in the bulk livestock feed industry in Lubbock. He said the 19th District needs a strong agricultural man like Stenholm.

"I'm in the agriculture industry,"

Green said. "And I believe he's going to be the best candidate for the job."

It will be a difficult race because the current representative for the 19th District, Randy Neugebauer, is from Lubbock, Green said.

"(Stenholm) is going to need a lot of help in Lubbock based on our past history," Green said.

Farmer Randy Wade said he believes Stenholm has more than a 50 percent chance of winning the 19th District.

"I think he's done a lot of good for farm people in his area," Wade said. "They think a lot of him there when it comes to ag."

Stenholm was in Lubbock last week to announce his candidacy.

"Today we're here opening our campaign office," Stenholm said. "As hard as I know some of you have worked and as hard as some of you will work, I promise you won't work as hard as I will."

With the election in November, Stenholm said he is prepared for the task of campaigning.

"We've got a game plan to win this race," Stenholm said. "It's a marathon, not a sprint."

A large number of people in the 17th District can no longer vote for Stenholm because of redistricting.

Stenholm said to the crowd they will see those people coming to Lubbock to muster support for Stenholm.

"I'm asking for a two-year contract to serve the people of the 19th District," he said.

Stenholm said he is setting up initial communication with 400,000 people within the revised redistricting lines and will visit each of the 27 counties this week.

"The main thing I want the people of Lubbock to understand is my 25 year record. What we have done is what we want people to look

STENHOLM continued on page 2



JAIME TOMAS AGUILAR/*The University Daily*

U.S. REP. CHARLES STENHOLM greets a country music band at the opening of his Lubbock campaign office on Monday morning. Stenholm is campaigning for the 19th District representative spot.

The Rundown



Woman on trial for abandoning newborn

HOUSTON (AP) — A Beaumont woman accused of smothering and abandoning her newborn son almost six years ago and then leaving a second baby in a ditch over the summer has a lot to overcome when she faces trial Tuesday on a capital murder charge, a legal expert said.

Kenisha Berry, 26, is charged with capital murder for the smothering and abandonment of her son shortly after his birth in 1998. She also faces an abandonment charge for leaving her newborn daughter in a ditch over the summer. The little girl survived, but was covered with hundreds of ant bites when a passer-by spotted her in June.

The baby boy's body was found years earlier in a black plastic bag tossed in a trash bin in the parking lot of a Beaumont apartment building. Duct tape was stretched across his mouth and belted his tiny arms to his body. Authorities later learned he still had milk in his stomach.

"She doesn't look sympathetic at all," South Texas College of Law professor, Shelby A.D. Moore, said Monday in Berry.

The former prison guard and daycare worker has said she is innocent. Berry's attorney, Ronnie Cohee, has said she doesn't believe the state's case against her client is as strong as implied.

Prosecutors plan to seek the death penalty against Berry if she is found guilty of capital murder. Moore said she doesn't believe a jury would give Berry death.

Same-sex marriages flood San Francisco

SAN FRANCISCO (AP) — Hundreds of same-sex marriages kept City Hall offices open and buzzing through the weekend, with gay and lesbian couples waiting hours to exchange vows and conservative activists promising a relentless legal challenge.

By Sunday night, dozens of gay and lesbian couples were lined up outside City Hall, insisting they would camp there all night to be at the front of the line when offices reopened Monday morning so they could get marriage licenses.

Since San Francisco officials began issuing marriage licenses to same-sex couples last week, hundreds of gays and lesbians have wed, many rushing to California from around the country.

City Hall was kept open through the weekend, and on Sunday the line of would-be spouses grew so overwhelming that city authorities turned away hundreds of couples who were waiting.

Despite the President's Day holiday, the controversy was expected to continue — along with the weddings.

The Arizona-based Alliance Defense Fund sued to block the same-sex unions, and San Francisco Superior Court Judge James L. Warren has scheduled a hearing Tuesday in the case.

A second legal challenge filed by a California group is also scheduled for a court hearing Tuesday. Briefs were due Monday.

Soldier killed in Iraqi roadside bombing

BAGHDAD, Iraq (AP) — A roadside bomb killed a U.S. soldier Monday in central Baghdad and gunmen ambushed a car carrying American civilians south of the capital, killing one and wounding three others, the military said.

Another American soldier was wounded in the Baghdad attack, which occurred about 9:20 a.m. The victims were part of a three-vehicle military police patrol from the 1st Armored Division, which is due to leave Iraq in the coming weeks and be replaced by the 1st Cavalry Division.

The latest death brings to 539 the number of U.S. service members who died since the United States launched the Iraq war in March. Most have died since President Bush declared an end to active combat May 1.

On Saturday, gunmen in a white sedan opened fire on a taxi that was taking Americans from a religious group from the site of the ancient city of Babylon back to Baghdad. The three wounded were taken to a hospital in Mahmudiyah, about 15 miles south of Baghdad, the U.S. military said Monday.

U.S. paratroopers from the 82nd Airborne Division learned of the attack while patrolling in Mahmudiyah.

Insurgents have been waging a campaign of attacks on U.S. troops and their Iraqi allies and have occasionally targeted aid workers. Robbers also prowl highways outside the capital.

Profiling

CONTINUED FROM PAGE 1

determine why the officers did not ask the residents of the other houses in the block with red doors as to a possible hostage situation.

Whether the LPD will follow through with its promises to the students to investigate the matter is yet to be determined, Freo said.

"I've never dealt with the police department here," he said. "I'm not sure personally."

The officials told the students racial profiling is taken very seriously, Rader said.

It was mentioned the officers involved could sit down and discuss with Freo and Rader what happened, Freo said.

Quintana told Rader and Freo he would contact them later this week, Rader said.

The incident in question occurred early Wednesday morning.

Freo, a senior management major from Grand Prairie, said he was standing outside his home at the 3000 block of 27th Street with six black friends when a police officer pulled up.

The officer began to issue tickets to the cars in front of house because they were parked in the wrong direction.

The officer approached the group gathered on the front porch and informed them that recent parties at the house had been too loud.

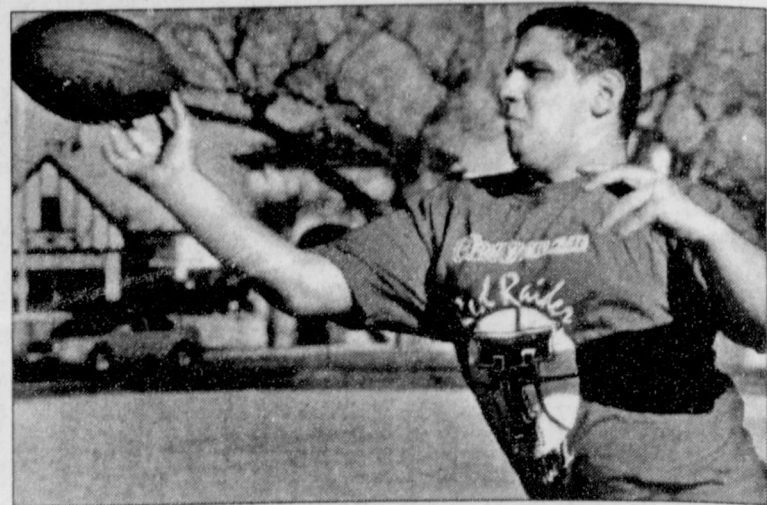
He then left and circled the block in his patrol car four or five times, Freo said.

The officer stopped a second time and told the group a black man driving a black two-door car fled the scene of a wreck down the street.

"He said, 'there is a high probability he's coming here,'" Freo said Wednesday. "I truly believe race was a factor."

The officer left the house, but returned thirty minutes later with two additional police officers.

TOSSING PIGSKIN



DAVID JOHNSON/The University Daily

MOHAMAD ELMASRI, A sophomore biochemistry major from Arlington, passes the football to friends from the Bledsoe/Gordon/Sneed residence halls, in the median of Broadway Avenue by University Avenue.

Freo and his friends were inside the house when the officers knocked and asked if the group was holding Kevin Gomez against his will.

The officers told the group there was a report Gomez was being held hostage at a house on 27th Street with a red door, Freo said.

"Ours is not the only house with a red door," he said. "There are five or six more houses down the street with red doors."

The officers did not have a search warrant, but Rader allowed two of the officers to enter the house. They searched it while the third officer was looking inside the parked cars outside.

One of the officers inside the house made a joke about Gomez being in the basement, and Rader, a junior accounting major from Houston, told him there was not a basement. The officer said it was just a joke.

After not finding Gomez in the house, the officers went outside and joined the third man. The officers returned to their cars and remained watching the house for more than 45 minutes, Freo said.

It was 1:30 a.m. when the officers left the area, he said.

The only documentation the LPD had available was a call received from Officer Don Billingsley at 11:16 p.m. Tuesday reporting suspicious suspects.

No other calls or reports were issued for the area during the time frame, according to the sergeant's desk.

Rader said he went to the LPD on Wednesday and left his name and number on a note card, so the officer involved could call him.

He said he did not mention racial profiling to the sergeant's desk.

"I didn't get really any information from the LPD," he said. "They weren't too much help."

The lack of reports leads Rader to believe the officers involved in the incident made up the reasons for being suspicious of the house, he said.

The officers were white, and Rader said the fact that he was the only white person at the house during the incident causes him to believe the officers committed racial profiling.

"In my eyes I think that had something to do with it," he said.

Freo agreed.

"I think this is totally because of race," he said. "These police officers acted totally inappropriate."

TUESDAY FEBRUARY 17

STAT. CHAN. AFFIL. CITY	KTXB Lubbock	KCBD NBC Lubbock	KLBK CBS Lubbock	KUPT 7 UPN Lubbock	KAMC ABC Lubbock	KJTV FOX Lubbock
7:00	Body Elec. Callou	Today Show	News	K. Copeland Paid Program	Good Morning	Paid Program Spin City
8:00	Berenstain Barney		Early Show	Paid Program	America	Grace/Fire Roseanne
9:00	Dragon Tales	Today Show	Paid Program	Judge Mathis	Regis & Kelly	Family Feud Family Feud
10:00	Sesame Street	Martha Stewart	Price is Right	Hatchett	View	Dharma/Greg Dharma/Greg
11:00	Mr. Rogers Television	Hynd Square Jeopardy	Young & the Restless	Paid Program	Home Impr. Paid Program	Access Extra
12:00	Motorweek One Stroke	News Days of Our	News Beautiful	Jerry Springer	All My Children	Good Day Live
1:00	Body Elec. Dragon Tales	Lives Passions	As the World Turns	Paid Program	One Life To Live	People's Court
2:00	Zoom Betw./Lions	inEdition	Guiding Light	Street Smart Street Smart	General Hospital	Divorce Court
3:00	R. Rainbow Arthur	Oprah Winfrey	Maury Povich	Ryan Seacrest	Wayne Brady	Joe Brown Joe Brown
4:00	Clifford	Dr. Phil	Judge Judy Judge Judy	Subrina That '70s	Montel Williams	News & More
5:00	Liberty Nightly Bus	News NBC News	News CBS News	Pyramid	News ABC News	That '70s Simpsons
6:00	NewsHour	News W/Fortune	News Millionaire	Access Extra	News E.T.	Friends Raymond
7:00	NOVA	Fear Factor PG	Navy NCS	All of Us	8 Rules PG I'm With	American Idol
8:00	Innovation	Scrubs TV14	Guardian PG	America's Next Top Model	Acco'gullim Less/Perfect	24 TV14
9:00	Secrets of the Nightly Bus	Law & Order: SVU	Judging Amy PG	King/Hit King/Hit	NYPD Blue	News
10:00	Nightly Bus Destinos	News Tonight Show	News David	Friends Magnum P.I.	News Nightline	Stairfield Fraser
11:00	Conan	Letterman	Craig	Blind Date	MASH E.T.	Raymond Shoot Me
12:00	O'Brien Last Call	Kilborn	Ext. Dating	Ext. Dating	Jimmy Kimmel	Becker Paid Program

Acupuncture

CONTINUED FROM PAGE 1

Acupuncture roots are much deeper than the needles used in the Chinese art.

Farrell said that acupuncture was introduced to the United States when *New York Times* reporter James Restin received a treatment after coming down with appendicitis while he was covering the 1971 Ping Pong Games in China.

President Nixon then sent his personal physician to China to study the art of acupuncture and it has been practiced in America since 1972, Farrell said.

Acupuncture can be used to heal many forms of ailments including, back pain, chronic headaches, depression, insomnia, weight loss, and infertility.

An average acupuncture session at the Texas Tech Health Sciences Center costs between \$40 and \$60.

Parking

CONTINUED FROM PAGE 1

provements and expansion alternatives in the parking system, Knox said the study has reinforced what the average student at Tech knows.

One important aspect of parking, Knox said, is to analyze the parking supply and requirements of the campus. The supply and demand analysis in the plan attempts to answer the questions of the future of parking at the university, he said.

Rachel Simmons, a senior interior design major from Canyon, said she would like to see more parking spaces available in the future, and she believes she knows the right spot.

"Tech has a bunch of land there by the Indiana parking lot," she said. "With all that dirt over there, we could put more in and make the parking lot bigger."

Combining each commuter parking lot on campus in 2003, Tech has 15,764 parking spots. Knox said the future demand is for 17,935 parking spots. However, spots are not immediately needed for students.

"We luck out because not everyone goes to class at the same time," he said. "If they did, we wouldn't be able to handle it."

Students may find it difficult to handle the parking situation in the next two years. The C-7, C-8 and C-9 parking lots will disappear this summer when construction begins on the Tech Expressway. The lots west of the Texas Tech School of Law would lose more than 900 parking spots when the construction begins, Knox said.

However, Traffic and Parking will use the opportunity to open the first satellite parking lot in the next year. The parking lot will give students close to 1,000 parking spots, and Knox said he believes the parking permits are cheaper than the commuter permits.

The new parking lot would use the services of Citibus, but the permit price would be less expensive because of the lot's distance from classrooms. Also, Knox said, cheaper prices would encourage students to take advantage of the parking spots.

Finding a space to park could not be the only problem students would have to deal with in the future.

Knox said another proposal for next year would be a 7 percent increase in the cost of parking permits. A student who purchased a nine-

month commuter-parking pass in August paid \$110. With the increase, a student would pay \$118 for a parking space.

Vice President for Operations Max Hinojosa said the administration did not increase the costs of permits last year. The decision lost the university \$273,000 in revenue, he said.

Because of the tuition and fee increases implemented last year, the administration did not want to add a burden of costs to the students at Tech, Hinojosa said.

Although the university receives revenue citations and the parking garage, the increase help to cover some expenditures and raise the revenue loss to \$72,000. Hinojosa said the loss would be acceptable because fund balances would help with the projected deficits.

In coming years, increased costs in parking permits could be used help with the annual costs of the parking lots on campus and help with the contemplation of new parking structures, Hinojosa said.

More detailed information can be found at www.parking.ttu.edu.

After clicking on the general information link, Knox said students could look through the entire five-year plan created by the department.

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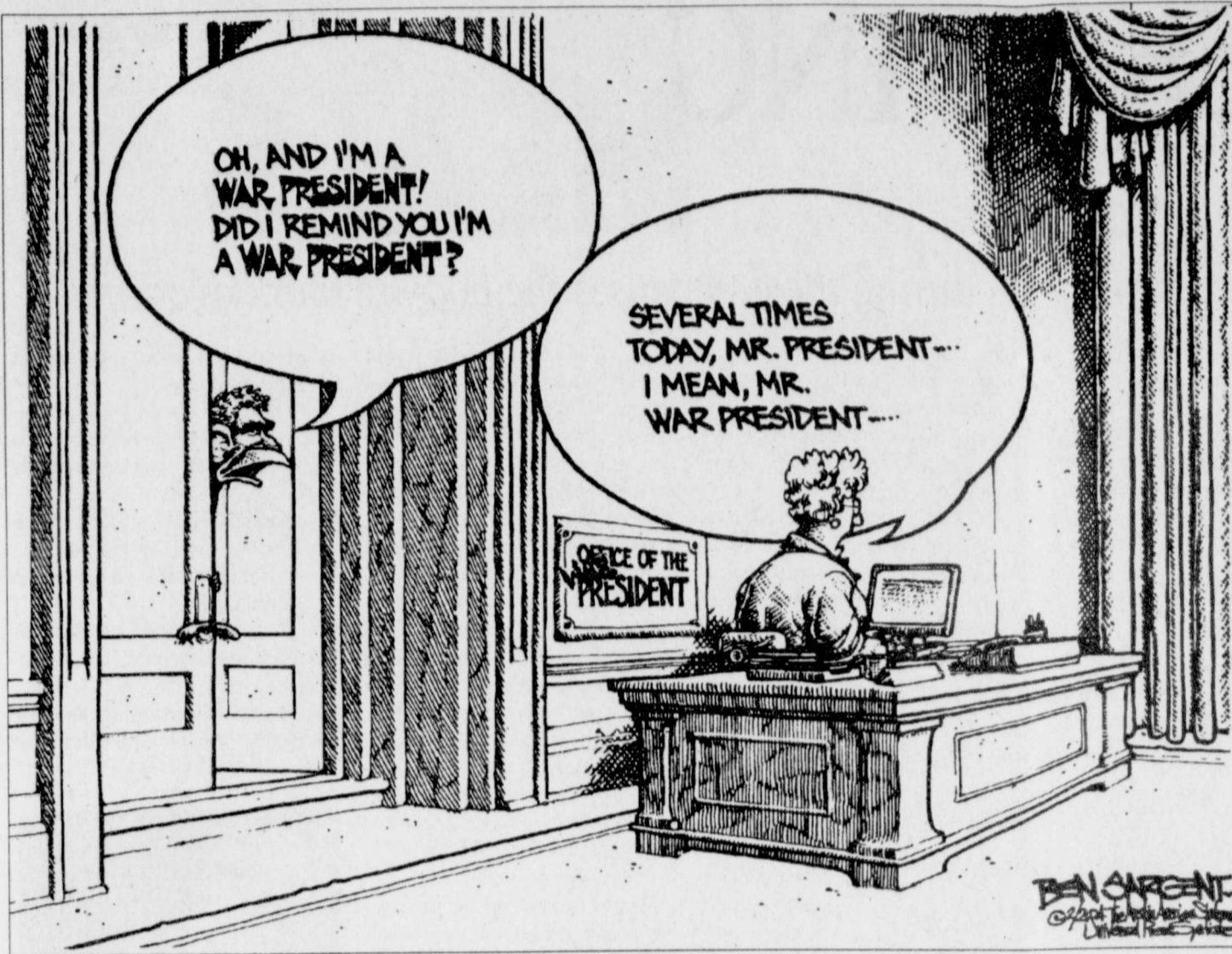
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Everyone is superstitious every day, not just on notorious Friday the 13th

Friday had the potential of possibly being a day of pain and misfortune for many people. And no I'm not talking about Valentine's Day — it was Saturday.

I'm talking about Friday the 13th. As the day came and went I wondered what all the fuss has been about for centuries.

Why all day when things went wrong, from a computer dying to a car crash, did people say, "Oh it must be because it is Friday the 13th!" like it all suddenly made sense?

Don't be afraid to admit you are one of many people who walked on egg shells on freaky Friday.

But, honestly, why are we all so knock-on-wood superstitious and then, at the same time so life-is-in-God's-hands religious?

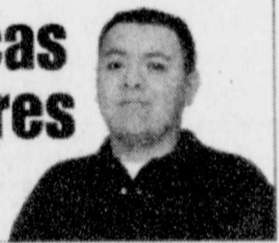
Despite what some believe, a practice in both faith and fortune is a part of our culture and sometimes, they collide.

Really, everyone is a little superstitious whether it is Friday the 13th or Tuesday the 17th. Everyone has one thing they do when they feel the need for a little extra luck or when they want their team to win a big game.

Even I have one — every time I'm watching a Lady Raider or Red Raider basketball game and Tech is losing, I turn the channel and somehow, Tech goes on a run and they're winning when I turn it back.

Everybody does it. Every time you cross your fingers for good luck or hold your

Lucas Flores



breath when you drive past the cemetery. That is all superstition.

Superstitions are learned through culture. In Hispanic culture, there are many seemingly-silly superstitions I have learned from my parents, grandparents, aunts and uncles, and my brothers and sisters. They have been passed on from generation to generation.

One passed down from my grandma is when your palm gets itchy, you will be receiving money. If it itches for a few minutes, you should put your hand in your pocket and soon you will get money. What one person may see as a belief

may seem to another as a superstition.

Sometimes, the question of what is superstition and what is religion may even pop into minds.

Superstition is defined as a belief or practice generally regarded as irrational and as resulting from ignorance or from fear of the unknown.

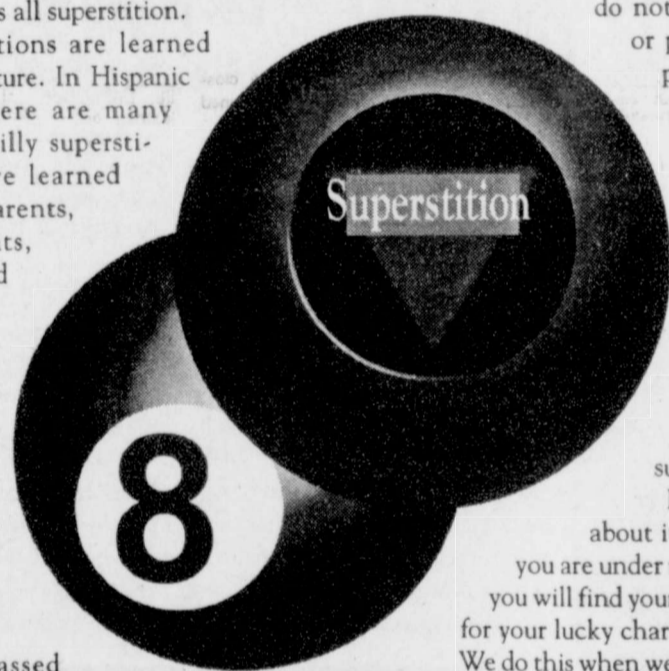
You may think you do not believe in or practice superstitions, but every one does.

It has even been said that, "There is superstition in avoiding superstition."

If you think about it, whenever you are under much stress, you will find yourself looking for your lucky charm.

We do this when we play sports, when we gamble and even when we wish on stars.

■ Flores is a senior journalism major from Anton. E-mail him at Lucas.b.Flores@ttu.edu.



Using sex to sell a shameless tactic

So I watched "The Apprentice" last week. I've been boycotting it because I hate reality TV, and this show seemed even more over the top than usual, but finally I gave in so I could see those "first five minutes" the commercials keep telling me I can't miss.

Actually, my boss wanted to watch it so it was on in the newsroom; we were waiting on a meeting, and it was Thursday night so all motivation to study was gone. So I watched it.

I had quite a few doubts about this show because of all I had heard about it, but thanks to a few things I got cleared up during my viewing experience, the doubts are gone.

Now instead of doubts I feel like I'm having mini-heart attacks whenever I think about the show.

This show is about sex. Did you know that? I was kind of under the impression that it was about demonstrating good business skills, intuition and creativity. It's not. It's about using sex as a business tool.

For those of you who don't watch the show regularly, which may just include me, Donald Trump is looking for someone to run one of his companies. He has eight men and eight women from all over the country, all with very diverse and impressive business backgrounds. When I heard the promos I thought it would be kind of interesting to see what happened.

Well, it wasn't particularly interesting. It was actually a little depressing. I just started grad school in business, and knowing apparently the new way for women to get ahead in the business world is to flaunt their breasts in front of bosses/clients/the entire American public is a little disconcerting. I mean, what about all those women who don't have the D-cups we see on "The Apprentice?"

Seriously, though, the fact that two years of business training and an MBA does not seem to be as good of an investment in the business world as a low-cut blouse and high-cut skirt doesn't make me all excited to get out there. And the fact that these women on the show are proud of their antics is even sadder.

I realize that historically business is a man's world, and women have to work harder just to keep up. Is that fair? No. But it's life. I don't think the solution to this problem is to offer customers a lap dance so they'll buy a shot, thus giving the women the honor of beating the men. Is that really something to be proud of?

I wonder what Abigail Adams, Susan B. Anthony and Elizabeth Cady Stanton would think of how many women today are using the equality they fought for years ago. Anthony used her courage, commitment and intelligence to fight against male domination and vote. Adams stood up to her husband, the second president of the United States, and told him to remember the women when the Constitution was written. It hardly seems fair that

Heidi Toth



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today many of these qualities and methods that worked just fine 200 years ago, and accomplished a lot more, now go out the window because we've found this easier way.

Unfortunately, this "easier" way can hurt women. I don't want anything overshadowing or undermining my accomplishments — not that I'm a woman, not that I used my "womanly wiles" to get something done. I want to earn it using my skills and my abilities, and I want people to know I earned it using said skills and abilities.

The problem with using sex as a selling point is sex becomes the product being sold. When the commercials flashing half-naked women come on TV, they may be advertising shampoo or beer but they're selling sex. And sometimes the sexiest shampoo may not be the best choice.

Yes, sex sells. The women on "The Apprentice" have reaffirmed that for us. But then again, we all knew that. Prostitution dates back far beyond biblical times. They just didn't showcase it on prime-time TV then.

■ Toth is a graduate student from Roswell, N.M., studying business and the news editor of The UD. E-mail her at news@universitydaily.net.

View from another university

Starving U.S. citizens deserve some kind of federal help

By Jackie May/Badgre Herald

(U-WIRE) BATON ROUGE, La. — I had a revelation as I stared at the oversized appetizer tray, pasta bowl and decadent cheesecake I had at a local restaurant this weekend.

One thought crossed my mind as my eyes quickly became bigger than my stomach: I can't possibly eat all of this!

What is surprising is in American culture, we eat like that regularly and there are families with multiple children in this country who will never feel the nauseating bloot of overeating.

Why? Because they're starving.

The U.S. Department of Agriculture released a report Aug. 4, 2001, naming Oregon the "hungeriest state in the nation." The report found that parents of one in four children in Oregon have so much financial trouble they struggle to put food on the table. In half of those households, at least one person, usually an adult, goes hungry. Oregon's hunger rate is 5.9 percent where the average in the other 49 states is 3.3 percent, according to the report. Still, even the 3.3 per-

I know politics is complicated and things will never be perfect in this country. But when did allowing people to starve to death become less important than some political reason?

cent is too many hungry people in a country that thrives on excess and lavish lifestyles.

Most people would say, "Why don't they get a good job to feed their family?"

The report, "Hunger in Oregon" showed working does not always guarantee enough money to buy food. Twelve percent of the working families in Oregon continually struggle to put food on the table.

There are many reasons hunger still

exists in this country. Since 1997, the minimum wage has remained stagnant at \$5.15 an hour. Once again in 2003 Congress failed to take action on a proposal to raise the minimum wage by \$1.50 over three years.

An estimated 3 percent of the work force would be affected by an increase in the minimum wage, which even for a full-time, full-year worker produces an income below the poverty line.

Still there are groups representing some employers who are opposed to an increase, arguing that raising wages would force them to reduce the number of workers they hire.

So I guess the question now is: how much should the government help starving people in its own country? Will raising the minimum wage help hunger cease in the country where bigger is better?

Looking even further, people argue that Americans are \$321 billion in foreign aid since World War II to third world countries. American farmers usually back giving food away to other countries because the programs help eliminate politi-

cally embarrassing food surpluses caused by agricultural subsidies.

These food surpluses could be feeding Americans, but are maintained to keep the demand high and prices up for food. Economic reasons, of course.

But what some have found is giving humanitarian assistance to third world countries sometimes increases hunger abroad by depressing prices for local farmers, resulting in less domestic production. The countries become more dependent on the United States for help, perpetuating the cycle and allowing humanitarian aid to remain a political tool.

I know politics is complicated and things will never be perfect in this country. But when did allowing people to starve to death become less important than some political reason? Politicians are still human, so why does this problem still exist in this country?

The United States is the wealthiest nation in the world, helps out other countries in need, but still has an embarrassing rate of homelessness and hunger.

I understand that humans can't turn their backs to other humans being tortured by an evil dictator. But, not to sound like too much of an isolationist, since when did the rest of the world become the responsibility of the United States?

Ultimately, there are two questions that I would really like to have answers for: How can a country that can't even feed its own people rebuild and run another? And in a country that thrives on excess, why can't people learn the childhood lessons of sharing and give a little to each other; maybe even enough to prevent starvation in the wealthiest, most powerful and influential country in the world.

LETTERS: The UD welcomes letters from readers. Letters must be no longer than 200 words and must include the author's name, signature, phone number, social security number and a description of university affiliation. Letters selected for publication have the right to be edited. Anonymous letters will not be accepted for publication. All letters are subject to verification. Letters can be e-mailed to opinions@universitydaily.net or brought to 211 Student Media.

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Athletes could be next target in steroid case

SAN FRANCISCO (AP) — Though no athlete has been indicted in the alleged steroid distribution case, some sports stars who testified before the grand jury could face sanctions from their sport — or perjury charges from the federal government.

Dozens of athletes from five sports, including the NFL and Major League Baseball, testified last fall before the panel that issued the indictments. They were offered limited immunity in exchange for testimony, but could be charged with perjury if prosecutors believe they lied about their drug use.

Those who told the truth could

be in trouble, too. Olympic athletes who admitted to grand jurors that they took steroids and other banned drugs would not be prosecuted in court, but they could be suspended from competition — even if they never failed a drug test.

Section 9 of the U.S. Anti-Doping Agency's protocol gives that agency the authority to bring a drug case against an athlete in lieu of a positive drug test "when USADA has other reason to believe that a potential doping violation has occurred, such as admitted doping."

In such cases, the protocol document says the USADA would initiate the case and send it to a three-

member USADA review board for consideration.

The USADA covers anti-doping issues for U.S. Olympic athletes, including those in sports such as track and field. NFL and baseball players wouldn't face USADA sanctions, except in the case of baseball players who also participate in international tournaments. But such sanctions would not extend to major league games.

On Monday, the U.S. Olympic Committee announced that shot putter Kevin Toth tested positive for the steroid THG and the stimulant modafinil at the U.S. championships last June at Stanford, where he won

his first national title. He could be suspended for two years.

Toth, who testified before the grand jury, is the most recent of nine U.S. track and field athletes who flunked tests for THG or modafinil at those championships.

Terry Madden, the USADA's chief executive officer, said last week's indictment of four men for allegedly participating in a steroid-distribution ring could lead to sanctions against other athletes.

"We fully expect that developments in the U.S. attorney's proceedings and our ongoing investigation will lead to the initiation of more doping cases against athletes and oth-

ers," he said last Thursday after the indictments were handed up.

A search warrant affidavit released by federal prosecutors last week detailed interactions between athletes and the Bay Area Laboratory Co-Operative, which allegedly is at the heart of the steroid case.

Though the names of the athletes were erased from the affidavit, they were identified by such labels as a "current NFL player" or an "Olympic gold medal track and field athlete."

The affidavit for the warrant used to search the home of Greg Anderson, the personal trainer for baseball slugger Barry Bonds, has

not yet been released. It could be released at a Tuesday news conference called by prosecutors in San Francisco.

Attorney General John Ashcroft said last week that the steroids were supplied to dozens of athletes in the NFL, baseball and track and field, and that "we have not limited prosecution in this setting to those who are being prosecuted today."

Troy Ellerman, an attorney for two of those indicted, wondered why no athletes have been indicted.

"The athlete is the one that sends the message to the little kid on the street, who looks at it and just sees the athlete got a free pass," he said.

Softball breaks into win column

The Texas Tech softball team started the weekend off well, but its success at the Fiesta Bowl Tournament in Tempe, Ariz., was ended abruptly, and the bad luck continued after that.

Tech (1-9) won its first game of the season Friday against Dayton in dramatic fashion as outfielder Natalie Enderlin sent a shot into the stands in the bottom of the seventh inning to end the game 9-8 and put the Raiders in the win column for the first time this season.

But the winning would not continue, as Tech dropped its next four games of the tournament.

In their second game on Friday the

Raiders lost to the No. 20 Arizona State Sun Devils 3-0. Tech pitcher Erin Crawford pitched a complete game, her first of the season, in the loss.

As the Raiders began play on Saturday against Western Michigan they hoped to bounce back from their shutout defeat.

They were not shut out but did lose the game 2-1 in a complete game by pitcher Julie Hauck. Catcher Lisa Lawler went 2-for-3 from the plate and had the team's lone RBI.

On Saturday evening Tech played the No. 5 Washington Huskies, in a game in which the Huskies proved

why they are No. 5 in the nation.

Washington handed Tech its second shutout loss of the tournament beating the Raiders 6-0 and led by second baseman Dominique Lastrapes, who went 2-for-3 from the plate with 3 RBIs and a run scored.

Tech wrapped up the tournament on Sunday with a 4-1 loss to Nevada. Outfielder Kelly Rhyne led Tech with a 3-for-3 performance.

The team comes home for its first home games of the season on Wednesday in a doubleheader against Texas-El Paso. The games are slated for 2 p.m. and 4 p.m.

Daly gets first win since '95

SAN DIEGO (AP) — John Daly might have been the only person who saw this coming.

Nine years removed from his last PGA Tour victory, there wasn't much to indicate he was capable of winning, much less against Tiger Woods and a strong field assembled at the Buick Invitational.

Off the course, life was even worse.

His wife faces drug and gambling charges from a federal indictment handed down in July, just five days after she gave birth to his first son. He had to withdraw from one tournament because he was hyperventilating. There were rumors, which Daly denied, that the tour had banned him until he sought treatment for drinking.

That's what made his victory Sunday so sweet to Daly — and such a

shock to everyone else.

"I never doubted," Daly said, choking back tears. "I knew I could win again."

Even more impressive was the way he won at Torrey Pines.

Despite closing with a 75, the highest final round by a winner in 13 years, Daly hit a 100-foot bunker shot that trickled 4 inches from the cup for a tap-in birdie to prevail in a three-man playoff.

It wasn't over until Luke Donald missed a 6-foot birdie putt, and Chris Riley's 5-foot birdie putt made a horseshoe around the cup and popped out.

Daly covered his face with his hands and cried.

"It's the greatest," he said. "I've had a lot of ups and downs. Geez, this is sweet."

Tech pitcher out with blood clot

Texas Tech pitcher Randy Gattis will miss the remainder of the season because of a recurring blood clot in his throwing arm, school officials said Monday.

He returned to the team this season after red shirting last year as a result of the blood clot. Gattis rehabbed the arm for six months to return to the team this year.

In the Red Raiders' season opener, he threw six shutout innings. He was expected to pitch in Houston during last weekend's Minute Maid College Classic, but swelling prevented him from doing so. The blood clot will be treated, and he will prepare for a possible return next season.

Contact the sports desk via e-mail at sports@universitydaily.net.

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Sports

Sports Editor:
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Close games prepare Tech for road again

By David Wiechmann/
The University Daily

The road has been a challenging place to play for the Lady Raiders during conference play with every road game being decided by an average of three points.

Coming off a one-point victory at Texas A&M on Sunday, Texas Tech will travel to Missouri to face the Tigers—a challenge the team is prepared to face.

"As far as the road games go, I think last game we did well, and Baylor we did really well," said forward Casey Jackson. "You have to steal a few on the road, but we're definitely looking to go into Missouri and win."

Tech opened Big 12 Conference play 0-3 on the road but has won its last two. Its most recent was a one-point win at Texas A&M on Saturday.

Tech found itself in a hole and had to put the Aggies at the free-throw line down by two with seconds remaining. The Aggies' Toccara Williams missed the first end of a one-

and-one, and Tech's LaToya Davis pulled down the rebound. She got the ball back in the paint on the ensuing possession and took the ball to the hoop with four seconds left for the win. It was the second road game in a row Davis closed the game. At Baylor she made two free throws with 10 seconds remaining.

The nail-biting win may not have been the prettiest win for the Lady Raiders, but it gives them some confidence heading to Missouri, knowing they can make a big play at the end when they have to.

"It's good for us because we knew we were down, and sometimes people would give up in a situation like that," Jackson said. "We never did; we kept playing hard, and we pulled it out in the end. That's all that counts."

The close win was another opportunity for Tech to learn from its mistakes and to learn more about the character of the team. The team knows what it is like to come from behind in the last minutes of a game and make a play when it is necessary

to get the win. Guard Chesley Dabbs said she believes the team will utilize the experience as an advantage for the rest of the season.

"I think it helps us again learning how to play on those last seconds and minutes when we're down and up," she said. "It's gonna be crucial in the Big 12 Tournament and a lot of the games we have left. I just think it's helped our confidence in knowing we can pull out a win being down."

The team credited some of the reason for having to fight back to its inability to put the game out of reach for the Aggies.

Tech often held leads of six to eight points in the second half. But a lack of offensive execution kept Tech from putting A&M away and allowed the Aggies to get back in the game often.

A&M held Tech to five points in the last 10 minutes of the game, and the Lady Raiders had an uncharacteristic 25 turnovers.

Head coach Marsha Sharp said her

team has been able to play well, but her players have not been steady enough to close out some of their games.

"I think we've been able to play well enough to get a lead, but we haven't played consistently enough to maintain that," she said.

Jackson said taking better care of the ball against Missouri will be a priority or Tech will find itself in another tightly contested game.

"You can't waste possessions, especially going down the stretch in the second half," she said. "You got to make something happen each possession, and the last game we had a stretch where we didn't do that and it almost cost us the game."

Dabbs said the team should not have put itself in a position to have to come from behind at Texas A&M and was thankful for the win. She would like to not be quite so thankful in the future for a win.

"We shouldn't have let go of our eight-point lead, but it's something you let go of and can't take back, and thank God we won," she said.



DAVID JOHNSON/The University Daily

GUARD BROOKE BAUGHMAN takes the ball through the lane during Tech's 67-44 win over Kansas last week. The Lady Raiders travel to Missouri at at 7 p.m. today.

Knick, Bucks, Hawks make five-player trade

LOS ANGELES (AP) — In a performance that came quite close to scene-stealing, Isiah Thomas took the podium in the official All-Star news conference room and faced media members from across the globe.

"We made a trade," Thomas began, then spelled out the reasons behind his third deal in less than two months as president of the New York Knicks.

Thomas dealt Keith Van Horn to Milwaukee and acquired Tim Thomas and Naz Mohammed in a three-team trade. The Atlanta Hawks acquired Michael Doleac and a 2005 second-round draft pick from the Knicks, along with Joel Przybilla from Milwaukee.

The NBA trading deadline is Thursday, and nobody should rule out another deal by the Knicks.

Big 12 coaches disagree with NCAA head

KANSAS CITY, Mo. (AP) — NCAA president Myles Brand's recent assertion that "college sports is not a business" drew just the kind of response one would expect from Texas Tech coach Bob Knight.

"If it isn't a business, then General Motors is a charity," Knight said Monday.

Speaking on the Big 12 coaches' weekly teleconference with reporters, Knight and several other Big 12 coaches countered Brand's comment by pointing out the multibillion-dollar contract the NCAA has with CBS to broadcast its men's basketball tournament, as well as pressures that

coaches face year after year to win.

"College sports has turned into one of the biggest businesses in the whole sports industry," Knight said.

"I use the word industry because that's what sport is. Sports just doesn't provide entertainment. It provides thousands and thousands of jobs. Those salaries have to be paid for. It takes people who are extremely good business people to run a college athletic program."

Brand made the comment last week at an ethics conference after calling for a task force to re-examine NCAA recruiting rules.

"College sports is not a business,"

Brand said. "It's about educating young men and women in the field and in the classroom."

Kansas' Bill Self wondered why so many coaches get fired for losing "if it's not a business."

"It is big business," Self said. "Certainly, I think the NCAA has done a lot of things that have been driven by money and sponsors and things like that."

Texas A&M's Melvin Watkins said the demands placed on the young athletes remind him of something that would be considered businesslike.

"I don't know the context of how he said it. But it's definitely a business, and it's big business from my point of

view," Watkins said. "The demands we put on these kids, their time, things they have to do on and off the court. It is a business, and it's run that way by the athletic departments."

Oklahoma State's Eddie Sutton said college sports should be considered at least "a small business."

"It's the front porch of any university," he said. "When teams have success, enrollment goes up. Every day, athletic teams get more publicity than anything that happens in academic areas. I would think that anyone who understands intercollegiate athletics would have to think it's certainly at least a small business."

THE Daily Crossword Edited by Wayne Robert Williams

ACROSS
1 Dunes
6 Leaf
10 Cut away
14 In the dark
15 Fanatical notion
16 Old World continent
17 Up the dream
20 Be master of
21 Tarzan's friends
22 Pluck
23 Course of physical training
25 Composer Stravinsky
26 Open container
27 -la-la
28 Trade
32 Downhill racer
35 Damp
37 Rock producer Brian
38 Up the enthusiasm
41 FDR opponent Landon
42 V-shaped cut
43 Creepy
44 "Around the world" toy
46 ... culpa (Sorry 'bout that)
47 Hole in one
48 Shakespearian king
50 Kind of strike
54 Casual top
57 Vial
58 Slugger's stat
59 Up the mind-set
62 Mill
63 Old-fashioned oath
64 Bamboo lover
65 Little rascals
66 Fishing poles
67 Iron alloy

DOWN
1 Frenzy
2 Dumbfounded
3 Supporting loop
4 ... the season
5 Pressing need
6 Common shower gift

7 Poetic tributes
8 Paul of guitars
9 Point of death
10 Beepers
11 U.S. tennis stadium
12 Nabisco cracker
13 Let up
18 Frank
19 "Sands of ... Jima"
24 Skeptic's retort
25 Type of whiskey
27 Puccini opera
29 "The Truman Show" director Peter
30 Freeze procedure?
31 Sit for a shot
32 Do in
33 Metric meas.
34 Maybe, maybe not
35 Poetic measure
36 Windsor stays
39 Regardless of
40 Marsh grass

45 Martini garnishes
47 Assistant
49 Time of note
50 Magic staffs
51 Old battle-ax
52 Dwelling
53 Kind of pool or wave

54 Garr or Hatcher
55 Meager
56 "Hard Day's Night" follow-up
57 Warty amphibian
60 Self-regard
61 Wrestling surface

Monday's Puzzle Solved

AWASH TASSO FOE
CELLO TICIER LAM
TRAILBLAZER ARC
ENDER DEN SMEE
EDUCES SUEDE
ELM TAM BUMP
LEAPS MENATARMS
LENTILE AIRCOOL
VICTROLAS ASONE
HIES STP FAD
RESREW SKYLAB
ORTS RICA ALICIA
URTI BURNINGBUSH
SOLO ABACK ELENA
ELK TERFE RESTIS

By James E. Suell
Edgewater, FL 2/17/04

Selig approves deal, A-Rod Bronx Bomber

NEW YORK (AP) — It's a done deal: Alex Rodriguez is a Yankee.

MLB Commissioner Bud Selig approved the record-setting swap Monday, allowing the reigning American League MVP to be traded to New York by the Texas Rangers.

"I'm pretty excited. This is a big, big one," Yankee owner George Steinbrenner said.

"It ranks with when we signed Reggie," he said, a reference to when slugger Reggie Jackson joined the Yankees before the 1977 season.

Texas will pay \$67 million of the \$179 million left on Rodriguez's \$252

million, 10-year contract, the most cash included in a trade in major league history. The Rangers get All-Star second baseman Alfonso Soriano and a player to be named — but they also will pay Rodriguez through 2025.

"I am very concerned about the large amount of cash consideration involved in the transaction, and the length of time over which the cash is being paid," Selig said.

"I want to make it abundantly clear to all clubs that I will not allow cash transfers of this magnitude to become the norm. However, given the unique circumstances, including the size, length and complexity of Mr. Rodriguez's contract and the quality of the talent moving in both directions, I have decided to approve the transaction."

Rodriguez will move from short-

stop, a position at which he's been an All-Star seven times, to third base, where he will replace injured Aaron Boone. The Yankees will keep Derek Jeter at shortstop.

"Jeter is the captain. He is the leader," Steinbrenner said at the team's minor league complex in Tampa, Fla. Jeter didn't comment on the deal after his workout, with the team saying Steinbrenner would be the only one to speak to reporters in Tampa.

Both Jeter and Yankees manager Joe Torre were expected to attend Tuesday's news conference at Yankee Stadium to introduce Rodriguez. Torre will miss the first day of spring training.

Steinbrenner praised Rodriguez's decision to move to third.

"I was very impressed. He's an outstanding young fellow. He'll be very big in New York," Steinbrenner said.

Rodriguez, who waived his no-trade clause, was desperate to play for a winner.

"I don't think he ever thought about playing another position until the concept came up," Rodriguez's agent, Scott Boras, said Sunday. "He decided it didn't make a difference — shortstop, third base, center field. He wanted the opportunity to play on a competitive team."

The Rangers will wind up paying \$140 million for three seasons with Rodriguez, an average of \$46.7 million annually for three last-place finishes in the AL West. The Yankees will owe him \$112 million over seven years.

"Since the end of last season we said we would not trade Alex unless it made sense for our organization,"

Texas Rangers general manager John Hart said.

"This deal is a win-win-win situation for the Rangers, the Yankees and Alex Rodriguez. This trade is about flexibility. We've traded the best player in the game, and we're getting tremendous financial flexibility."

Baseball's biggest spenders will raise their payroll to about \$190 million.

"The disparity is not healthy for the sport," Arizona Diamondbacks owner Jerry Colangelo said Sunday. "But everyone runs their team the way they see fit, and they did it by the rules."

Boras said the possibility of a trade first came up last Monday while he was talking to the Yankees about another player. Boras then called Rodriguez.

"I said, 'There may be an opportunity. We have to talk about your goals, about winning,'" Boras recalled telling his client.

"He called me back Tuesday and discussed it further and said, 'Why don't you call (Texas owner) Tom Hicks and let him know we're ready to do that,'" Boras said.

Trade talks began the following day, and the sides reached the agreement Sunday.

The Yankees will pay Rodriguez \$15 million in each of the next three seasons, \$16 million each in 2007 and 2008, \$17 million in 2009 and \$18 million in 2010, according to contract information obtained by the AP from player and management sources.

In each of the first four years, \$1 million would be deferred without interest, to be paid in 2011.

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