



Tech files official report with NCAA

By David Wiechmann/The University Daily

In an official report to the NCAA, the Texas Tech Athletic Department admits to ordering products banned by the organization's bylaws pertaining to nutritional supplements. In the report obtained by *The University Daily*, Tech admits ordering 15 products that do not adhere to NCAA Bylaw 16.5.2 (Housing and Meals - Permissible - Nutritional Supplements).

Tech takes a stance with the NCAA that it believes no violations were incurred because of e-mail messages sent between the organization, Tech, the Big 12 Conference and compliance offices of Big 12 institutions.

Former Director of Sports Nutrition Aaron Shelley ordered the energy drink Jacked with university funds. Jacked contains a high amount of caffeine and an amino acid called taurine.

Supplements with amino acids are non-permissible by the NCAA, and caffeine is banned if its use results in a positive urine test of 15 micrograms/mL.

In a report from Shelley to Tech's Director of Compliance Pat Britz in December 2002, Shelley states the company that manufactured Jacked changed its formula to no longer contain taurine. Shelley told Britz he be-

lieved Jacked to be conforming to NCAA rules because of the changes to the formula and it was safe to provide student athletes.

"With these changes, it is my understanding that the product would be compliant with NCAA Bylaw 16.5.2 and is permissible to give to our student athletes," Shelley wrote. "Lastly, since the NCAA recommends not using, but does not deem caffeine nonpermissible, I would also assume Jacked should be permissible since it contains less caffeine than a similar serving size of coffee. A single or even double serving would not jeopardize a

student athlete's position on a drug test."

Tech writes it believes ordering Jacked was not a violation of NCAA rules.

"Inasmuch as taurine had been removed from Jacked and the fact that the NCAA simply advised/recommended member institutions not to provide the product to student-athletes, Texas Tech does not feel it was a violation of NCAA rules by providing 'Jacked' to its student-athletes," the report states. "It is also important to note that no Texas Tech student-athlete tested positive for an excessive amount of caffeine during this time."

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SOOTHING SOUNDS



LINC ARMES/The University Daily

JORDAN ROBINS, A sophomore music and business major from Lubbock, takes a break and plays his guitar in the Student Union building Monday afternoon.

Council deciding on Tech's tuition, fees

By Meghann Lora/The University Daily

A budget advisory council comprised of administrators, faculty, staff and students is assisting in the process of determining tuition and fees for next year.

Tom Anderes, senior vice president for administration and finance, is a co-chairman of the council with Provost William Marcy. Anderes said the council's first meeting this school year was in September. The council has met five or six times since to discuss Texas Tech's budget, including tuition and fees.

Anderes said the council agrees with President Jon Whitmore that tuition and fees should not increase more than 5 percent.

"We need to get more of a balance between the state and the students' share of the cost."

— TOM ANDERES
Senior Vice President for Administration and Finance

"We do not want to increase beyond 5 percent combined tuition and fees," Anderes said. "It was really important on the president to set that ceiling."

Anderes said the council has discussed student fees and which increases might be necessary.

"We went through the process of what they are and talked about what the projected increases might be," he said.

Anderes said the council would set the fees and base the tuition rate on those in order to keep the

amount under the 5 percent ceiling.

"When we come to an agreement on fees, that then dictates the increase on tuition," he said.

Anderes said administrators, faculty, staff and students have representation on the council.

"Everybody has the opportunity to represent their position," he said. "We will listen to each of those and try to come to some kind of consensus."

Anderes said the council does not make the final decision regarding tuition and fees.

"The council will make a recommendation to the president," he said. "I think he feels pretty strongly about the value of the council's recommendation."

Anderes said tuition and fee increases over the past few years have affected students, and he hopes the state will increase funding to the university.

"Students have been realizing really significant increases," he said. "We need to get more of a balance between the state and the students' share of the cost. The students have taken on a large share of the burden and we need to reduce that going into year 2006."

Brett Hamby, a freshman business major from Paradise, said a 5 percent increase in tuition would be difficult for his family because he

TUITION continued on page 5

Lebanese government resigns amid opposition protests

By Zeina Karam/Associated Press

BEIRUT, Lebanon (AP) — With shouts of "Syria out!" 25,000 protesters massed outside Parliament in a dramatic display of defiance Monday that forced out Lebanon's pro-Syrian prime minister and Cabinet.

Minutes after Prime Minister Omar Karami announced he was stepping down, jubilant demonstrators — shouting, waving flags and handing red roses to soldiers — demanded Syrian-backed President Emile Lahoud bow out, too, and pressed

on with their calls for Syria to withdraw its troops from the country.

Syria remained silent about the rapidly changing atmosphere in Beirut, where Damascus ruled unopposed for years, even deciding on the Lebanon's leaders.

But the dramatic developments — reminiscent of Ukraine's peaceful "orange revolution" and broadcast live across the Arab world — could provoke a strong response from Syria, which keeps 15,000 troops in Lebanon. It also could plunge this nation of 3.5 million back into

a period of uncertainty, political vacuum or worse.

Like their counterparts in Ukraine, the Lebanese demonstrators took their ground and held it — they planned to stay in Martyrs' Square again Monday night. And like Ukraine, their movement had trademark colors: the bright red and white of the Lebanese flag, waved high in the air and worn as a scarf.

The White House welcomed Karami's resignation, saying it opens the door for new elections that

LEBANON continued on page 5

New computer program to blame for SGA election glitch last week

By Brittany Barrientos/The University Daily

The Student Government Association elections, which concluded last Wednesday with the election of new officers, had one flaw. Computer glitches impaired graduate students from electing a new vice president for graduate affairs.

It appears the computer problems during the elections can be attributed to a new computer program.

The computer program is used when downloading student information necessary for grouping Texas Tech students by college, said Ethan Logan, associate director for the Center for Campus Life.

Since the vice president for graduate affairs position has only been an



office since December 2003, and had only been a factor in one other election, a kink was found during this election, Logan said.

"The Vice President for Graduate Affairs is a more recent edition," he said. "In the computer program, it was the only piece added and it was the only one different from the original program."

Logan said votes are counted via computer with the help of the Information Technology division of the Texas Tech University Health Sciences Center. He said in the 2004 elections, the HSC relied on

COMPUTER continued on page 5

COOKIN' WITH GAS



STEVE LEWIS/The University Daily

HIEU NGUYEN, A senior mechanical engineering major from Fort Worth, works during a cookout Monday at the engineering key. The cookout was organized by the Student Engineering Council.

Inside The UD Classifieds 7 Opinions 6 Crossword 3 Rundown 2 Life & Leisure 5 Sports 8		Weather Today MOSTLY SUNNY High 61 / Low 35		Wall Street at a Glance Dow Jones Industrials Close: 10,766.23 Change: -75.37 Standard&Poors 500: 1203.60 -7.77		NYSE: 7321.23 -40.66 Nasdaq Composite: 2051.72 -13.68 American Stock Exchange: 1509.44 -7.04	
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College of Agriculture seeks recognition at Houston rodeo

By Kelly Gooch/
The University Daily

The College of Agricultural Sciences and Natural Resources will recruit students as well as alumni at the Houston Livestock Show and Rodeo March 1-20.

David Willis, assistant professor in the agricultural and applied economics department, said the purpose of recruiting is for Texas Tech and the College of Agriculture to be present at the Houston Livestock Show and Rodeo to make contacts.

"It's a way to increase awareness of our college," he said.

During the Houston Livestock Show and Rodeo, Tech students and faculty will talk to high school students about the university, Willis said.

Studies show the most successful for attracting new students is current students, he said.

Phillip Johnson, associate professor and director of the Thornton Agricultural Finance Institute, said the College of Agriculture recruiting attracts 4-H and Future Farmers of America members.

Johnson said the Houston Livestock Show and Rodeo is the premiere livestock show in Texas, and attendees are most likely interested in agricultural sciences and natural resources.

"You have the opportunity to make a lot of contacts," he said.

Because the Houston Livestock

Show and Rodeo has supported scholarships for the College of Agriculture, Johnson said it is important for the college to be at the livestock show.

Sam Jackson, associate professor of animal and food sciences, said direct scholarships from the Houston Livestock Show and Rodeo are usually \$10,000. Approximately 15 to 20 Tech students receive these scholarships.

Having a booth at the Livestock Show and Rodeo gives Tech

ing brochures.

"Really, we represent the university," he said.

Among the students at the livestock show, Green said, will be Agri-Techsans, an undergraduate recruiting group.

He said the Agri-Techsans are nominated by faculty, interviewed and then trained.

"We don't just choose anyone," Green said.

Mark Miller, professor in animal and food sciences, said about 75 Tech faculty and students are at the livestock show during the three weeks.

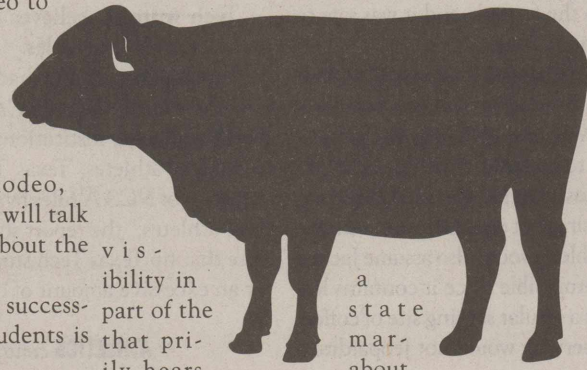
Miller said the booth will be open from 8 a.m. to 6 p.m. seven days a week, recruiting as many people as possible.

"Recruiting is really important because of how large the state of Texas is," he said.

Tech does not often get exposure past Abilene, Miller said.

Angie Burkes, coordinator of student programs in the College of Agricultural Sciences and Natural Resources, said 1.8 million people come to the Houston Livestock Show and Rodeo every year.

Burkes said Tech usually has 300 to 400 new prospective students after the livestock show is over.



visibility in part of the state that primarily hears about Texas A&M, Jackson said.

Cary Green, director of the Agricultural Recruitment and Career Center, said Tech will have one booth at the livestock show and rodeo, with one to three people running the booth.

Green said the center not only visits area high schools, but also community colleges. At the booth, he said, representatives of the center will answer questions regarding Tech or the College of Agriculture and hand out recruit-

ing brochures.

Tech does not often get exposure past Abilene, Miller said.

Burkes said Tech usually has 300 to 400 new prospective students after the livestock show is over.

Mother accidentally shot by 5-year-old son

FORT WORTH (AP) — A woman was hospitalized after her 5-year-old son accidentally shot her in the back, police said.

After finding his parents' 9 mm semi-automatic handgun in their bedroom Sunday night, the boy pulled the trigger,

sending a bullet through the chair in which his mother was sitting, said Fort Worth police Lt. Gene Jones.

The woman's husband was in another room with their other son and called police. The mother, whose name was not available, was flown to a Fort

Worth hospital, where her condition was upgraded from critical to fair about 8 p.m., Jones said.

The gun's recoil caused the boy to hit himself in the forehead, and the child was treated at a hospital, Jones said.

American life expectancy rises to record level

WASHINGTON (AP) — Declines in death rates from most major causes have pushed Americans' life expectancy to a record 77.6 years. Women are still living longer than men, but the gap is narrowing.

Women now have a life expectancy of 80.1 years, 5.3 more than men. That's down from 5.4 years in 2002 and continues a steady decline from a peak difference of 7.8 years in 1979, the National Center for Health Statistics said Monday in its annual mortality report.

Research indicates there also is an increase in active life expectancy, said Mary A. Salmon, a sociology professor at the University of North Carolina.

"It's not that we're having a lot of very old, sick people," she said in a telephone interview.

She added, "There has been lots of speculation on how this will affect Social Security, of course."

A major debate topic in Washington and elsewhere is President Bush's plan to change Social Security, which he says is facing a financial crisis caused by increasing life expectancy, lower birth rates and aging baby boomers.

The total number of deaths

in the United States in 2003 was 2,443,908, an increase of 521 reflecting a growing overall population.

Most age groups saw a decline in mortality rates. Infant mortality, which increased to 7 per 100,000 in 2002 was 6.9 in 2003, a change the agency said was not statistically significant.

While the overall life expectancy increase to 77.6 was good news, Americans still trail many other countries, according to statistics from the World Health Organization.

In 2002 figures, Japan had the longest life expectancy at 81.9 years, followed by Monaco, 81.2, San Marino and Switzerland, 80.6, Australia, 80.4, Andorra, 80.3, and Iceland, 80.1.

Other countries topping the United States include Austria, Belgium, Canada, Finland, France, Germany, Greece, Israel, Italy, Luxembourg, Malta, Netherlands, New Zealand, Norway, Singapore, Spain and the United Kingdom.

In 2003, both of the two largest killers of Americans saw declines.

The death rate from heart disease

2002 to 232.1 in 2003. The cancer death rate declined from 193.5 to 189.3 per 100,000.

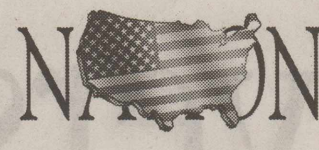
Among other major killers, the death rate for stroke dropped 4.6 percent, the death rate from chronic respiratory diseases 0.7 percent, flu and pneumonia 3.1 percent, accidents 2.2 percent and suicides 3.7 percent.

The death rate for Alzheimer's disease was up 5.9 percent, for hypertension 5.7 percent, Parkinson's 3.4 percent and kidney disease 2.1 percent.

The increase in Parkinson's deaths moved it into the top 15 causes of death in the United States, one of the few surprises in the report, according to Robert N. Anderson, chief of the mortality statistics branch at the center.

Among whites the death rates per 100,000 people declined 2.1 percent for men and 1.2 percent for women; among blacks the rates were down 2.5 percent for men and 2.4 percent for women; Hispanic males had a 4.2 percent drop compared with 1.8 percent for Hispanic women.

The Rundown



Good Samaritan's BTK suspect confesses Suicide car bomber action raises questions to six murder incidents kills more than 100

DALLAS (AP) — When gunfire erupted in an East Texas town square, Mark Alan Wilson didn't hesitate. He grabbed a Colt .45 handgun and charged downstairs to confront the assailant.

David Hernandez Arroyo had murdered his ex-wife on the courthouse steps and was turning on his son when Wilson arrived. Wilson was the first to fire back, and authorities say he saved the young man's life. But Wilson was killed, outmatched by Arroyo's body armor and knockoff AK-47.

Wilson's actions in Thursday's Tyler shootings drew hearty praise from gun advocates who say he probably saved several more lives as well. But gun control groups say his death is further proof that carrying a gun increases a person's chances of getting killed.

Tyler police spokesman Don Martin warned gun owners to carefully weigh the risks before intervening.

"Certainly we don't want citizens to go out there and get involved in situations if they don't have to because they don't have the training that the officers do," Martin said.

Arroyo fired dozens of rounds after ambushing his family over an alleged dispute about unpaid child support. His ex-wife, Maribel Estrada, was killed. His son, 21-year-old David Hernandez Arroyo Jr., was hurt along with two sheriff's officers and a police detective.

Wilson, a Navy veteran with years of weapons training, had a permit to carry a concealed weapon. But it is not clear if he was carrying one when the shooting broke out. Martin said he does not know whether Wilson was in his apartment at the time or if he ran up from the street to get his gun.

Kristen Rand, legislative director for the pro-gun control Violence Policy Center in Washington, D.C., said the Tyler shooting shows that criminals are not deterred by the knowledge that someone nearby could be carrying a concealed weapon.

But state Rep. Suzanna Hupp, a supporter of the state's concealed carry law, said Wilson's actions and his access to a gun improved the odds that Arroyo would be taken down before more people were killed.

WICHITA, Kan. (AP) — Police say they are confident the arrest of a man suspected of being the BTK serial killer will end 30 years of terror, and a source said he confessed to some killings.

Dennis L. Rader, the churchgoing family man and Cub Scout leader arrested Friday, confessed to six killings, the source close to the investigation told The Associated Press on Sunday.

"The guy is telling us about the murders," the source said on condition of anonymity.

Rader was being held in connection with a total of 10 deaths and the source said investigators were looking at three other killings.

On Monday, Police Chief Norman Williams angrily criticized news media reports and repeated the figure of 10 killings.

"These types of assumptions and speculations have and will continue to complicate an already complex investigation," Williams said.

Williams said he would ask prosecutors if they can take legal action against members of the media who report "speculation, inaccurate and irresponsible information." But he did not go into specifics and refused to take any questions.

Rader, 59, was scheduled to appear in court Tuesday via video so prosecutors could recite yet-to-be-filed criminal charges against him and the judge could review bail. It was unclear whether Rader had a lawyer.

Rader was being held in lieu of \$10 million bail in the deaths of 10 people between 1974 and 1991. Police had long linked the BTK killer to eight murders but added two more on Saturday after Rader's arrest and said their investigation was continuing.

Prosecutors had said initially they could not pursue the death penalty against Rader because the 10 murders linked to BTK happened when Kansas did not have the death penalty.

The source said police also were looking into whether Rader was responsible for the deaths of two Wichita State University students as well as a woman who lived down the street from another known victim of BTK, the killer's self-coined nickname that stands for "Bind, Torture, Kill."

HILLAH, Iraq (AP) — A suicide car bomber blasted a crowd of police and national guard recruits Monday as they gathered for physicals outside a medical clinic south of Baghdad, killing at least 115 people and wounding 132.

Torn limbs and other body parts littered the street outside the clinic in Hillah, a predominantly Shiite area about 60 miles south of Baghdad.

Monday's blast outside the clinic was so powerful it nearly vaporized the suicide bomber's car, leaving only its engine partially intact. The injured were piled into pickup trucks and ambulances and taken to nearby hospitals.

Outside the concrete and brick building in Hillah, people gingerly walked around small lakes of blood pooling on the street. Scorch marks infused with blood covered the clinic's walls and dozens of people helped pile body parts, including arms, feet and limbs, into blankets. Piles of shoes and tattered clothes were thrown into a corner.

Angry crowds gathered outside the hospital chanting "Allah akbar!" — Arabic for "God is great!" — and demanded to know the fate of their relatives.

"I was lined up near the medical center, waiting for my turn for the medical exam in order to apply for work in the police," Abdullah Salih, 22, said. "Suddenly I heard a very big explosion. I was thrown several meters away and I had burns in my legs and hands, then I was taken to the hospital."

Babil province police headquarters said "several people" were arrested in connection with the blast, the biggest confirmed death toll in a single attack since the fall of Saddam Hussein.

Iraq's interim Prime Minister Ayad Allawi wrote in The Wall Street Journal on Monday that Iraq still needed international forces on the ground while the effort was under way to rebuild Iraqi security forces.

"But we will continue to need and to seek assistance for some time to come," he wrote.

Maj. Gen. Osman Ali, an Iraqi National Guard commander in Hillah, put the toll at 115 dead and 132 wounded. A health official in Babil province said the death toll could rise.

After years in the courts, is end near for case of brain-damaged woman?

CLEARWATER, Fla. (AP) — It's been 15 years since Terri Schiavo's heart stopped beating for several minutes, causing severe brain damage that put her into what doctors call a persistent vegetative state. For almost seven of those years, her husband Michael has been fighting to stop her feedings, arguing that she didn't want to be kept alive artificially.

Terri Schiavo is now 41 and still in a hospice after myriad twists and turns in a dramatic legal and ideological battle that has pitted her parents against their son-in-law.

Whether there's an end in sight is anybody's guess.

"It seems like the same news over and over," acknowledged Pat Anderson, a former lawyer for Terri Schiavo's parents. "It must be quite incomprehensible (to the public) that she is still alive."

There have been countless lawsuits, court hearings, appeals, news conferences and tears shed by her parents, Bob and Mary Schindler, who promise to keep fighting. The case file at the Pinellas County Courthouse now fills 45 volumes.

"I don't regret a second of what

we've been through," said Terri's brother, Bobby Schindler, 40. "I'll make up for it when we save my sister."

Twice, Terri Schiavo's feeding tube was removed by court order, and both times it was restored. The last time, in 2003, Gov. Jeb Bush pushed through a state law — later ruled unconstitutional — that authorized him to resume the feedings six days after they were stopped.

On Friday, state Circuit Judge George Greer set a new date for removal of the feeding tube for March 18, prompting the Schindlers' attorney to promise yet another flurry of legal filings.

Greer's ruling came on the 15th anniversary of Terri Schiavo's collapse on Feb. 25, 1990, when a chemical imbalance believed to have been brought on by an eating disorder stopped her heart, cutting off oxygen to her brain for five minutes.

Michael Schiavo said his wife never wanted to be kept alive artificially, but she left no written directive. He has said he's fulfilling a promise he made to her, and he has spent most of a \$700,000 medical malpractice award given to his wife for her care to pay

his attorney.

Her parents, with financial backing from the California-based Life Legal Defense Foundation, have vowed to keep litigating the case to keep Terri alive. They dismiss arguments that she is in vegetative state, believing she could get better with therapy, that she laughs, responds to them and tries to talk.

Michael Schiavo's attorney, George Felos, is critical of the courts for allowing the Schindlers to keep delaying her death and of Bush and lawmakers for trying to get involved.

"If Terri Schiavo could for one hour get up and see what's going on, I think she would be absolutely horrified that she has been maintained in this condition against her will for so long, and that she has become the political pawn that she has," Felos said.

He said the Schindlers can keep delaying the case indefinitely unless the court puts an end to it.

"No judge wants to be the last judge whose name is on the order resulting in a patient's death," Felos said. "Sooner or later, some court is going to have to summon the courage and fortitude to say no more delays."

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Tech Web site secure

By Meghann Lora/
The University Daily

Most of the Texas Tech community has been either directly or indirectly affected by the work of a hacker, according to the Information Technology Division's January bulletin.

John Durrett, an assistant professor of information systems and quantitative sciences, said he believes Tech Web sites are secure, but there is always a possibility that someone could breach the system.

"Anything's possible," he said. "Most Web sites could be broken into; it's just a matter of time."

Tech's level of security is very high, and it would be difficult to break into the system, Durrett said.

"For ours, which would take a great deal of time and effort, they would probably go break into an easier one," he said.

Hackers are curious computer enthusiasts, Durrett said. Any person with knowledge of computer programming could be considered a hacker.

Some of these people attempt to break into computer systems to cause a disruption, Durrett said. These people are motivated by a variety of reasons, including revenge, money, the challenge of a large scale disruption or personal gain, according to the Information Technology bulletin.

Durrett said two categories of hackers attempt to disrupt computer systems — those who understand what they are doing and those who try to replicate what others have done.

"There are people who really un-

derstand what they're doing," he said. "There's very few of those people."

Those who imitate the work of knowledgeable hackers are called script kiddies, Durrett said.

"These people don't have the depth of knowledge and still wreak havoc," he said. "The danger is actually much greater from the first group, but they are so rare."

Durrett said he uses his e-Raider account and makes online purchases without anxiety of security.

"If you're conscientious about it, I think you're pretty safe," he said.

Derrick Plunk, a freshman undecided major from Dumas, said he has talked with the information technology department, and he is pleased with the level of security the computer system is under.

"Their system is pretty strict," he said. "There are many programs that watch for suspicious activity. They watch all of the ports pretty closely."

However, Plunk said he would like to be able to control his Internet like he does at home.

"I don't like how I have no control over my Internet other than plugging it into the wall," he said. "They have complete control over what ports are open and closed and what traffic goes in and out. They're

really strict about that."

Plunk said although he is knowledgeable about computers, he would not know how to hack into Tech's system.

"It'd be really hard for me," he said. "I'm not a hacker, and I don't know anything about it."

The closure of ports affects students who want to download games on the Internet, Plunk said.

Julie Furniss, a sophomore nursing major from Plano, said she is concerned about her personal information stored by Tech being secure.

"It would be a problem if someone were able to get my Social Security number and all of my information," she said. "That would be scary if someone could do whatever they wanted to a system that is so vital."

Sam Segran, vice president for information technology and chief information officer, said the Tech network is secure and students should not be concerned.

Segran said he could not speak specifically about how Tech's system is secured.

"We will not tell anyone how we secure our system," he said. "That is the No. 1 thing hackers want."

"Most Web sites could be broken into; it's just a matter of time."

— JOHN DURRETT
Assistant Professor of Information Systems

STICKY SKETCH



KELLY MATHERLY/The University Daily

SARAH LOCKE, A sophomore interior design major from Sugarland, tapes down the edges of her design project Monday afternoon in the Architecture building.

Iran, North Korea focus of meeting of U.N. nuclear monitoring agency

VIENNA, Austria (AP) — Iran received an "extensive" written offer from the nuclear black market in the 1980s, the head of the U.N. atomic watchdog agency said Monday, reacting to reports that the list contained all the know-how required for weapons-related enrichment technology.

Mohamed ElBaradei, head of the International Atomic Energy Agency, was reacting to revelations by diplomats that Tehran had been approached by members of the nuclear black market network in the late 1980s with a written offer to set up the basics of the enrichment program now causing concerns about the Islamic Republic's nuclear aims.

Tehran has said it wants to use uranium enrichment for the peaceful purpose of power generation, but the practice also can be used to make weapons.

A two-year agency investigation already had established that Iran ran a clandestine nuclear program, including uranium enrichment, for nearly two decades.

Revealing details to The Associated Press on the weekend, the diplomats, requesting anonymity, said the new revelations indicated Iran had been offered full enrichment know-how earlier than previously believed. The diplomats said that, in cooperating with an IAEA investigation, Iran had turned over to the agency the initial written information from the network and had claimed to have refused offers of technology that specifically geared toward making nuclear weapons.

"They indicated that they did not take these people up on the entirety of the offer," ElBaradei said, alluding to the Iranian claim, adding, however, that the agency still had to "make sure that ... they only got what they told us they got out of this offer."

In giving the agency the written offer from the network of Pakistani scientist A. Q. Khan, Iran "showed us for the first time the offer they had, and that is good," ElBaradei told reporters.

He suggested in his opening remarks to the board meeting that Iran is providing information too late, saying that "in view of the past undeclared nature of significant aspects of Iran's nuclear program, a confidence deficit has been created."

Despite its focus on Iran and North Korea, the IAEA board meeting is unlikely to take concrete action concerning either country. The main attempt to deal with Iran has moved to another forum, with France, Germany and Britain working to have Tehran commit to scrapping uranium enrichment, while the agency has no leverage at all in the case of North Korea, which quit the IAEA two years ago.

With the two nations considered the greatest nuclear threats, much of the meeting will deal with ways of defusing concerns. North Korea, which last month announced it had nuclear weapons, will be urged to return to six-nation talks meant to defuse the threat, said diplomats accredited to the agency on the eve of Monday's opening session.

The diplomats also told The Associated Press on condition of anonymity that Iran would be the target of oblique criticism in the board's closed-door meetings, with senior agency officials citing some lack of cooperation with IAEA officials.

Among the problems to be discussed are delays by Tehran in informing the

agency that it was building tunnels in the central city of Isfahan to house parts of its now-suspended uranium enrichment program, the diplomats said.

Mention also would be made of maintenance work on centrifuge parts and pipes by Iran that possibly violated the spirit of an agreement with the three European powers to totally freeze its enrichment program while negotiations were still ongoing. The Europeans hope to persuade Iran to scrap enrichment permanently.

In a potential strategy shift, the Bush administration is considering joining Europe in offering Iran economic incentives in exchange for abandoning its nuclear fuel program, the White House said Monday.

In the past, the administration had opposed any rewards for Tehran's cooperation. But President Bush is rethinking the issue after his trip last week to Europe, suggested White House spokesman Scott McClellan. There was evidence that the Americans would attempt to increase pressure on Tehran by the next board meeting in June, should the French, German and British talks fail.

A confidential U.S. position paper for the meeting called for a new written report on Iran by the June meeting. Furthermore, it urged board members meeting in June to "take further action if needed" against Iran.

SECOND OF A TWO-PART SERIES

Sexual harassment on campus warrants action

By Brandi Fleming/
The University Daily

Many students are unaware of what to do if they are harassed on campus.

Kathryn Quilliam, campus ombudsman, said sexual harassment on campus is anything a person in power does to make a student feel uncomfortable.

Another type of harassment is hostile environment, Quilliam said. The harasser will make sexual jokes, invade personal space or make comments about the way a student looks, she said.

"Ideally, the first step is that the student would tell the person in power to stop doing the behavior because it makes them uncomfortable," she said. "The student should document all instances of the harassment and every time they tell the harasser to stop."

If the behavior does not stop, then the student can file a formal or informal complaint, she said.

"A formal complaint would be investigated by the judicial services here on campus," she said. "An informal complaint would be dealt with through the ombudsman and by the student confronting their harasser."

An important point to remember is if a student files a formal complaint he cannot remain anonymous, Quilliam said.

"A student should not just let the behavior continue if they are uncomfortable," she said. "They have rights and the situation should be dealt with."

The ombudsman can help in confronting the harasser if the student does not feel he can do it alone, Quilliam said.

"Inappropriate relationships between students and teaching assistants or professors is a problem that is nationwide," she said. "The problem is not just occurring at Tech."

Section 10.09 of Tech's Operating Policy defines sexual harassment as an unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. The policy does not forbid relationships between student and professors or teaching assistants.

"It is not against university policy for romantic relationships to develop between students and university employees, but it is frowned upon," Quilliam said. "It can become a very complicated situation because of the power differences."

Florence Brewer, a senior economics major from Fort Worth, said she has not encountered an uncomfortable situation with a Tech professor. She believes the policy is a good approach for Tech to take when dealing with romantic relationships between faculty or staff and students.

"A lot of instructors here are younger, and I can see how relationships could start between students and teachers," she said. "If they are not in the same department, I really don't see the harmful effects of it."

Tabitha Bender, a senior French major from Lubbock, said she believes students being away from home and on their own contributes to the number of relationships between faculty and students on college campuses.

"People get away from what they know, and they are making their own decisions," she said. "The age

difference between students and teachers in high school is a lot larger than here at college."

Bender said she believes Tech is right to frown upon these relationships forming because favoritism could be shown in classes where students are dating their professors.

Keith Hayes, a sophomore math major from Lubbock, said he has had instructors who espouse sexual preferences with which he disagrees, but has had no experiences with sexual harassment.

"I think relationships between students and faculty raise more ethical questions than anything else," he said. "There could be favoritism shown to certain students or grade waiving to help students pass the class."

Hayes said he believes the fear of statutory charges and legal repercussions keep teachers from making advances with the high school students, but in college most of the students are over 18 years old and the legal red tape is gone, he said.

"Outside of unwanted advances there are really no legal charges to be brought against someone," he said. "I think it all comes down to ethics."

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THE Daily Crossword Edited by Wayne Robert Williams

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By Diane C. Baldwin
Columbia, MD

3/1/05

Monday's Puzzle Solved

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47	That girl		
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49	Lined up		
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55	State police officer		
56	Vary one's pitch		
57	Garfield, e.g.		
58	Spicy sauce		
59	Unattached		
60	Miss Muffet's surprise		

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Objecting the obvious

Pointing out differences maintains them

Since the sun has set on Black History Month as we know it, I thought it would be appropriate to mark the occasion for my loyal readers. So in recognition of the resumption of European-American History Year, I'd like to remind you all how European-Americans have made a vast contribution to our nation.

Dave Ring



I believe as long as we set aside instances to point out our differences, no matter the intent, there will continue to be unspoken separations in our society which will become engrained in our culture — if they haven't already.

A lot of you see European-Americans as just another majority here in America. But European-American History Year should teach us European-Americans are more than just "white folk," "the man" or "mom." Without European-Americans' hard work and love of this great country, the landscape of the United States would be undoubtedly different than we see today.

Many people don't realize this, but European-American inventions are all around us, making our lives undeniably easier. Did you know a European-American invented the light bulb? You bet. That exact same thing you switch on and off almost mindlessly was a gift from Thomas Edison.

His European-American brethren Alexander Graham Bell was the one who came up with the first working telephone!

It's obvious the European-American potential is limitless, and I'm glad we set aside these 11 months to celebrate the diversity of our great country.

OK, so I'm not really that excited about White History Year, but a newly elected representative recently wrote an opinion piece for a local "paper" in which he reached across racial boundaries to elucidate the fact that blacks actually have contributed to society and therefore deserve recognition.

I'm sure the intentions of the writer were good-natured (if not just political) but his tone and overall message typifies what is wrong with the progress of race relations in this country.

The author wrote as if the audience should be enlightened, if not surprised, that black people actually invented things like the cotton gin (oh, irony) and then goes on to equate the accomplishments of George Washington Carver with Condoleezza Rice — as if they were remotely related in personal backgrounds or situations other than their color.

Which gets to the bigger problem. In many people's eyes, the progress of the black American story is a unit in and of itself, separate and distinguishable from that of these United States.

Even though this may seem useful in keeping alive the tragedies and triumphs of blacks in this country, it also perpetuates the mindset of separation between the races, if only subconsciously.

I find the practice of BHM not offensive, but patronizing. I think it sits in the same arena as the 15th and 19th Amendments barring legal discrimination against races or women in that it is unnecessary. We shouldn't need a special clause telling us we are equal citizens and should be treated as such.

In fact, there shouldn't even be an issue about how the "we" are treated in comparison to "them" because if the last 10,000 years has taught us anything, humans have a lot more in common than we would expect and self-segregating ourselves based on the past doesn't accomplish as much as we hope.

I think there is a need for a paradigm shift in the approach to race relations here in the United

States. Today we have practices in place initially meant to combat the bigotry of half a century ago, but instead perpetuate the sour grapes of racism though programs like affirmative action.

If those in charge of hiring new workers weren't racist before, just wait until they have to fill their positions with unqualified applicants simply to meet quotas set by some corporate lawyers.

There is absolutely no doubt in my mind that prejudices are alive and well in today's supposedly kinder and gentler America. Just last fall I learned from a state trooper that when it comes to being pulled over, my half-black side is more important to have on record than my half-Korean side. Luckily my travel companion was as white as the day is long, so our beatings were kept below the waist.

Back to being serious. I believe as long as we set aside instances to point out our differences, no matter the intent, there will continue to be unspoken separations in our society which will become engrained in our culture — if they haven't already.

The danger in temporary bandages like affirmative action or the designation of a Black History Month only will cause more pain in the long run by teaching us to watch for differences in skin color. Those issues that separate whites from blacks, women from men or heterosexual from homosexual don't lie in our legal system, the pigment of our skin, or 2000 year-old divine musings, but only in our heads.

But that's the beauty of minds — they can change.

With bigotry follows instances to rise above such petty low-brain thinking. With prejudice comes a chance to prove to those who were ignorant that it shouldn't be a surprise when members of this previously trodden-on group of people accomplish great things.

Don't tell me racial minorities and women have struggled against great odds to overcome their historic plight and imply they have reached equivalent status with rich white males.

Just start acting that way.

■ Ring is a graduate student studying international studies from Hobbs, N.M. E-mail him at david.j.ring@ttu.edu.



VIEW FROM ANOTHER UNIVERSITY

FCC regulations impede on individuals' rights

By Chris McElveen/
The Tiger

(U-WIRE) CLEMSON, S.C. — It has been more than a year since Janet Jackson's "wardrobe malfunction," and many Americans still haven't recovered; meanwhile, I struggle to understand why.

But nobody cares that millions had to struggle to stay awake through this year's new, toned-down halftime show and commercials. Recently, the pressure has been on broadcasters and advertisers to keep television clean, tasteful and family friendly.

Following pressure from special interest groups and network officials, several companies pulled offensively offensive commercials created specifically for the Super Bowl.

The only company to buck the trend was GoDaddy.com, airing a sexually-charged commercial in the first quarter, only to have the scheduled rerun in the fourth canceled by Fox.

The ad was designed as a take on the "wardrobe malfunction," the young woman's strap breaks and she is almost exposed. Paul Cappelli, CEO and founder of Ad Store, the

spot's creators, was concerned about the hypocrisy among television officials this year. He noted, "We poked fun at censorship and guess what? We were censored. It's kind of scary."

A recent bill in Congress has drawn much support following the "renewed sense of morality" among many in both houses.

The Broadcast Decency Enforcement Act is designed to allow the FCC to impose fines up to \$500,000 per incident.

Supporters of the bill claim the new fines will make broadcasters respect the FCC and take notice of the new standards. The FCC was designed as an independent agency that enforces regulations and laws over public airwaves.

Its purpose was to guarantee broadcasters served the public interest in return for using the airwaves free of charge. They also claim to be "making it safe for families to come back into the living room." Is this moral crackdown a sign of changing times or an attempt to censor the airwaves?

The government is not fit to determine what is "safe" for me or my family to watch. A few in Congress still feel the same.

Democratic Rep. Jan Schakowsky

believes "we would see self- and actual-censorship rise to new and undesirable heights." Other representatives spoke out as parents against the bill, believing it's the individual's place to determine what is right and wrong for one's own child.

Fortunately, during a recent C-SPAN interview, President Bush spoke up in favor of this view: "As a free speech advocate, I've often told parents who were complaining about content, 'You're the first line of responsibility. They put an off button on the TV for a reason.'"

Unfortunately, on second thought, the president decided not to back up his free speech argument.

The White House released a statement strongly supporting the broadcast decency bill and any legislation that makes "television and radio more suitable for family viewing."

Later in the same C-SPAN interview, however, the president also admitted the government would not hesitate to reign in programming that got "over the line." He continued, "The problem, of course, is the definition of 'over the line.' That's the key."

The FCC and the Bush administration seem all too ready to leave the definition fuzzy. Today's social climate

has made it hard for broadcasters and advertisers to determine what is appropriate. Many advertisers have opted to play it safe from now on for fear of government and interest group scrutiny.

Questions of decency and the new FCC standards have caused many networks and ad executives to censor themselves severely. An excellent example of this was the decision to pull "Saving Private Ryan" from more than 60 ABC stations for fear of indecency fines.

Increased government inquiry will keep network executives from pursuing bold, daring programming; it would be too expensive to err on the side of indecency.

Unclear and inconsistent standards may stifle the broadcast of important, albeit sensitive, material. It appears the FCC is satisfied to leave "indecent" undefined, all while handing out almost \$8 million in fines over the past year.

But I suppose there is too much influence and money to be lost if strict standards are laid out. Until then, FCC officials will approach the issue with an "I'll know it when I see it" attitude.

It's just too bad we won't get to see it.

TECH TALKS BACK

North Korea, among other important issues, should be domain of students' concerns

As I'm sure we've heard by now, North Korea has nuclear weapons. In Friday's UD, students and faculty were interviewed about their opinions on the situation. The overwhelming sense I received from the student responses was that it doesn't affect or concern me. Well guess what, it does.

Sure, North Korea attacking the United States with nuclear weapons is highly unlikely, but need I remind you we do have 25,000 brothers and sisters in arms stationed on the North-South border in Korea. America will not just take it in the tailpipe

if they are attacked.

Korea is a much more difficult situation than Iraq because of two reasons. No. 1, it is a communist country we have fought before and accomplished nothing. No. 2, America can't just go gung ho on Korea because it has a formidable military and I don't think China would like that much — hence the first time we invaded. So yes, while it might not affect us Techsians from the threat of attack, North Korea having nuclear weapons directly affects us. If it can't be solved diplomatically with the current spread of our military, there is this little thing

called a draft we all registered for when we turned 18 all those years ago. That could affect everyone here.

We, as the youth of America, need to wake up and realize everything that happens, foreign or domestic, affects our well-being.

Whether it is for whom you vote, or don't vote period or a foreign country deciding they need nuclear weapons pointed somewhere, it affects us.

Rising tuition costs, Social Security and foreign policy all could be shaped by the youth of America if we did our part because let's face

it, we fight the wars, pay for social security with little hope of benefiting from it ourselves and feel the burden of higher tuition. I don't know many 65-year-olds overseas in battle, or any who are saying, "Let's look at this Social Security problem and deal with it so our kids can have it." There aren't many 65-year-olds who pay tuition. So when are we, as 18- to 24-year-olds in America, going to step up? What will it take? I hope it isn't World War III or the collapse of Social Security.

— Matt Alderson, junior political science major from Kermit

Send letters to the editor and guest columns to opinions@universitydaily.net

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GUEST COLUMNS: The UD accepts submissions of unsolicited guest columns. While we cannot acknowledge receipt of all columns, the authors of those selected for publication will be notified. Guest columns should be no longer than 650 words in length and on a topic of relevance to the university community.

Guest columns are also edited and follow the same guidelines for letters as far as identification and submission.

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Tuition

CONTINUED FROM PAGE 1

a brother who is also attending Tech. He said his parents would not be happy about paying more money.

"They probably wouldn't like it that much 'cause it's quite a bit of money in the first place," he said.

Emerald Burrill, an animal science major from Justin, said she is responsible for paying for her education. She said she has noticed the increases in tuition and fees since she first came to Tech.

"Compared to my freshman year, it's gone up a lot," she said. "I have grants and stuff, but the majority of it I have to pay for."

Burrill said she would have to work more to pay for the increases in tuition and fees.

"I'll have to work extra hard this summer," she said. "I had to work two jobs this summer to keep up with the tuition, and I usually have two jobs during the school year."

However, Burrill said she believes Tech uses students' money in a way that benefits students.

"I can't really complain because we just built a new animal and food sciences building," she said. "It's one of the best facilities in the nation."

Some student fees are unnecessary and increase the cost of education for students, Burrill said.

"I think we get strapped with a lot of fees that not everybody uses," she said. "It's the little things that add up."

Gene Wilde, Faculty Senate president and member of the budget advisory council, said the council has looked at several options to manage tuition. He said one option is differential tuition, in which certain disciplines of the university cost more than others.

"This is analogous to tuition at the medical school being higher than the main campus," he said.

Another option is setting thresholds in which a student would pay the same amount once a certain number of hours are reached, Wilde said. This would mean a student taking 13 hours would pay the same amount as a student taking 16 hours, he said.

"As a group, we have emphasized the threshold," he said. "The incentive is to take a full slate of classes."

Wilde said the advisory committee is still in the process of discussing different options for setting tuition and fees.

"We're evaluating these alternatives and trying to make a decision," he said. "We haven't arrived at any conclusions yet."

Anderes said he expects the committee to make a recommendation to President Whitmore within a few weeks, who will then make a recommendation to the Board of Regents. Anderes said he expects the board to make a decision on tuition and fees by the end of March.

Lebanon

CONTINUED FROM PAGE 1

are "free of all foreign interference" from Syria, but called again on Damascus to pull out its soldiers.

"Syrian military forces and intelligence personnel need to leave the country," said White House spokesman Scott McClellan said. "That will help ensure that elections are free and fair."

In one sign Syria has no intention of just packing up and leaving, Syrian President Bashar Assad said in remarks published Monday that there will be a price for Syrian troop withdrawal: a settlement with Israel.

"Under a technical point of view, the withdrawal can happen by the end of the year," Assad told the Italian newspaper La Repubblica. "But under a strategic point of view, it will only happen if we obtain serious guarantees. In one word: peace."

At first glance, the resignation of Karami and his government was a huge victory for the opposition, united by dislike of the Syrians, the Syrian-backed government and the drive to find those who killed former Prime Minister Rafik Hariri two weeks ago. Many blame Syria for his assassination.

A series of protests have shaken Lebanon since Hariri, the nation's most prominent politician, was killed by a bomb in Beirut Feb. 14. Sixteen others also died.

The government may have stepped down, at least in part, in hopes of quelling the unprecedented anger at Syria and its allies in Lebanon. Despite the resignation, Damascus remains the major player in Lebanon: aside from its troops, it has powerful allies, including the president, the intelligence services and the military.

President Lahoud quickly accepted the resignation of Karami's 4-month-old Cabinet — which replaced Hariri's government — and asked Karami to stay on in a caretaker capacity until a new government is formed.

Athletics

CONTINUED FROM PAGE 1

Athletic Director Gerald Myers will not comment on the issue, and Director of Athletic Media Relations Chris Cook told *The UD* that Tech is letting the report stand as its official statement.

An e-mail dated Nov. 26, 2002, from Mary Wilfert, NCAA assistant director for education outreach, to Lori Ebihara of the Big 12 and compliance directors of its universities, stated Jacked contained a free-formed amino acid called taurine, which is banned by the NCAA.

The NCAA then advised universities to no longer provide the product to student athletes because it would be against the bylaws.

Shelley again wrote Britz explaining his view on the issue and stating his dedication to the

"I did a little research to help you out with the caffeine issue we have been discussing."

— AARON SHELLEY
Excerpt from a Letter to Pat Britz

athletic department and his job. Shelley was fired in February of 2004 after the department discovered he had been ordering banned substances with university funds and laundering money for the near 30 months he was employed.

"I did a little research to help you out with the caffeine issue we have been discussing," he wrote to Britz. "I hope you realize that I know you are doing your job and share my concern about doing what is in the best interest of the student-athletes without compromising the integrity of Texas Tech University. I'm not trying to be abrasive in any way whatsoever. Please know that I am quite passionate about my responsibilities as the Director of Sports Nutrition."

Other supplements listed by Tech in the report as being purchased by the department are various creatine products (not banned by the NCAA but against regulations for schools to provide) are protein powder, drinks and energy bars, Thermo Speed, glucosamine capsules and sulfates and testosterone booster.

In January, Britz told *The UD* the NCAA bans testosterone unless needed for specific, doctor-prescribed reasons. He said he was aware of one men's basketball player for which the testosterone was ordered. Tech ordered testosterone booster twice, according to its report.

Purchase orders for the department obtained by *The UD* through a Freedom of Information Act request show Tech ordered testosterone booster three times in the 2004 fiscal year. Seventy-five bottles were ordered each time. Orders were for bottles containing 112, 60 and 56 capsules per bottle with a recommended dosage of four capsules were made. With this dosage, one bottle with 112 capsules would last 28 servings, and 75 bottles were ordered.

Tech's report states it is aware the banned products were ordered, but "it is unknown as to what products were provided to student-athletes and to how many."

Through interviews with football and men's basketball players Britz found the athletes only recalled being provided with energy bars, protein bars and Nitroquick Recovery Drink (banned by the NCAA). Athletes did admit to purchasing creatine from Shelley, but he never provided it free of charge.

The report notifies the NCAA of Shelley's termination and the following investigation and guilty plea of Shelley to a federal charge of money laundering. Tech states through its investigation it appears the university was paying for "fictitious supplements or products that were never delivered to the University."

Computer

CONTINUED FROM PAGE 1

Tech to download the student information database, while this year, Tech gave the HSC permission to download the information themselves.

In an e-mail written by Robby McCasland, section manager for the IT division of the HSC, he said the problem with the computer system was not revealed during testing and caused the votes to be disregarded by the system.

"The code added to the online election system to accommodate the office of vice president for graduate affairs contained an error that was not identified during testing," McCasland said in his e-mail. "This error caused the ballot recording function for this office to be bypassed."

McCasland also said the error has been corrected and new testing procedures will be in place to help prevent similar problems in the future.

John Hanson, the sole candidate for the office, said he understands problems associated with computers and is looking forward to the election's conclusion.

"I know computer glitches happen and run-offs happen," he said. "It's just another step along the way."

Hanson, a graduate student studying biology from Abilene, said despite speculation surrounding the computer glitch, he knows the people who tabulate the results are trustworthy and responsible.

"It's hard not to wonder (if it was a coincidence), but the people who run it I trust and it is easy for me to believe it was a coincidence," he said.

A run-off is scheduled today for graduate school senators and the vice president position will also be on the ballot. Logan said he expects the system will work this time and a vice president for

DONATING DUDE



LINC ARMES/*The University Daily*
DAVIE BIEL, A sophomore music education major from San Antonio, puts money into one of the cups for the hottest big bro fund raiser for Tau Beta Sigma, as he talks to Kelli Rohlman, a sophomore education major from Allen, in the band hall Monday morning.

graduate affairs will be decided.

Logan said during the download process, students are divided by colleges to determine which ballot they will fill out. He said graduate students are represented as G-space R, but when graduate students were filed into the database, the space was left out.

All votes cast in the election by graduate students were counted, except for the office of vice president for graduate affairs, Logan said.

"The graduate students did get to vote for all the offices," he said. "Everything else was fine besides the vice president for graduate affairs."

The results for that office were

not applicable, but he actually saw graduate students vote so he knows votes were cast, Logan said.

"There was no data (received) for the office; no votes or write-ins," he said.

Election results from the other offices voted on were not affected by the computer glitch.



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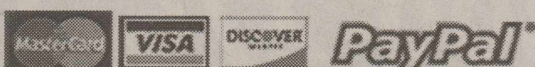
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The many faces of Oscar 2005



For the most part, justice was done Sunday evening at the 77th annual Academy Awards. Those deserving to win won, which leaves film geeks little to complain about — something we love to do.

But this year's Oscar ceremony had many different facets. There are several different ways some can look back on Oscar 2005.

The Oscars of Predictability

It looked like this year could produce some surprises for winners. There was no clear-cut front-runner (a la "The Lord of the Rings" or "The English Patient") as far as the films themselves.

In the end, "The Aviator" took the technical categories (editing, art direction, cinematography, costumes) and one acting category (best supporting actress) and "Million Dollar Baby" took the major awards (best picture, best director, best actress, best supporting actor).

"Baby" is the better film, and the academy rewarded it properly. But director Martin Scorsese ("The Aviator") joins great directors Alfred Hitchcock and Robert Altman with five nominations and no wins.

Unbelievable. Jamie Foxx also was a lock for his dead-on performance as Ray Charles in "Ray," and Hilary Swank was awarded her second Oscar for "Baby," after her 1999 "Boys Don't Cry" win.

I had gone out on a limb and predicted Swank to lose to either Annette Bening ("Being Julia") or Imelda Staunton ("Vera Drake") based on sheer politics. The limb broke out from under me.

The deserving wins for supporting actors Morgan Freeman ("Baby") and Cate Blanchett ("Aviator") also could be seen in the film geeks' crystal ball.

"Sideways" was awarded for its wonderful screenplay, which some considered an upset. Not this critic.

The Oscars of Diversity

This year, Chris Rock hosted an Oscar night in which five of the 20 acting nominations were black. Two of them (Freeman and Foxx) won.

Moreover, the best song category presented five varied (if totally forgettable) songs ranging from French to Spanish to English. Three of the songs were performed by Beyoncé Knowles (who sang in French on one number) and one was performed by Carlos Santana and Antonio Banderas.

Speaking of which, "El otro Lado del Rio," from "The Motorcycle Diaries" won for best song and found the best acceptance speech of the night from Jorge Drexler, who sang his brief speech in Spanish, with a "Ciao" to end it. Beautiful.

The Oscars of Censorship

ABC defined "anal retentive" with this year's broadcast. The post-Janet Jackson FCC may as well be the Gestapo of broadcast. There was a 7-second

delay to guard against any Chris Rock expletives, which I believe was unnecessary — the man is a professional comedian who knows how to tailor material for an audience.

Rock did a fine job of hosting (though he's still no Billy Crystal), and made some great digs at some Hollywood hefties, including Michael Moore, Russell Crowe, Colin Farrell and Jude Law.

But not everyone was laughing. Sean Penn, who looked like he was sporting a nasty hangover, cannot take a joke and shook his finger at Rock and defended Law by saying he is "one of our finest actors." Get a grip, Sean.

Plus, you may have noticed Robin Williams crossing the stage with tape over his mouth before announcing the best animated film award. The New York Times reported Sunday that Williams had written a one-minute song joking about the controversy surrounding SpongeBob Squarepants. You see, SpongeBob appeared in a pro-tolerance video shown in schools, which James Dobson and his Christian cronies at Focus on the Family say means SpongeBob must be gay. (He's not, by the way. It's SquarePants, not hot pants).

Williams wanted to joke about other cartoon characters in his song — Sleeping Beauty is a pill-popper, Olive Oyl is anorexic, Pinocchio had his nose done, Casper is in the Ku Klux Klan and so on. But ABC freaked out and refused to let him do it, hence the tape over the mouth.

If the preceding lines offend you, I deeply apologize.

The Oscars of Speediness

This year's Oscar telecast clocked in at just more than three hours and 15 minutes, quick compared to the four-hour-plus epic Oscars we've seen. It was no longer than an average football game.

Interestingly, many winners avoided checklists of people to thank and kept their speeches short and sweet.

Please, let this be a continuing trend.

But Oscar producer Gil Cates found ways to cut corners. "Minor award nominees" such as sound mixing, art direction and the like were handled two ways: they were either given their Oscars in the audience, where microphones were set up nearby for their speeches, or they were lined up on stage like a police line-up as they were announced.

It went like this: "No. 4, please step forward and accept your Oscar."

As if these awards are somehow less crucial to the making of a film. Because really, does anyone want to see an art director kiss their loved ones and make his or her way to the front stage to address the Academy?

I guess not.

James Eppler



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■ Eppler is The UD's movie critic. E-mail comments and questions to James.D.Eppler@ttu.edu.

FCC rejects indecency complaints over ABC's airing of "Saving Private Ryan"

WASHINGTON (AP) — ABC's broadcast last Veterans Day of the Oscar-winning war movie "Saving Private Ryan," which contains graphic violence and profanity, did not violate indecency guidelines, regulators ruled Monday.

The film contained "numerous expletives and other potentially offensive language generally as part of the soldiers' dialogue," the Federal Communications Commission said.

"In light of the overall context in which this material is presented, the commission determined it was not indecent or profane," the five-member FCC said in a unanimous decision in denying complaints over the movie.

"This film is a critically acclaimed artwork that tells a gritty story — one of bloody battles and supreme heroism," FCC chairman Michael Powell said in a statement. "The horror of war and the enormous personal sacrifice it draws on

cannot be painted in airy pastels."

Some complaints also cited the movie's violence, but the FCC said its indecency and profanity guidelines were not applicable to violent programming.

A spokeswoman for ABC in New York declined comment.

Sixty-six ABC affiliates, covering nearly one-third of the country, ultimately decided not to air Steven Spielberg's movie on Nov. 11 due to skittishness over whether the film would be deemed indecent — even though the FCC in 2002 had already ruled it was not.

ABC broadcast the film uncut in 2001 and 2002. The movie opens with a violent depiction of the D-Day invasion and includes profanity.

The indecency law bars nonsatellite radio and noncable television stations from airing between 6 a.m. and 10 p.m. indecent material such as references to sexual and excretory functions. Those are the hours when children are more likely to be watching television.

But not all sexual and excretory references or scenes are considered indecent. The FCC must consider context and its decisions are subjective interpretations of the law.

Powell said the FCC's ruling Monday showed how the agency considers the context of the material before issuing an indecency ruling.



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