

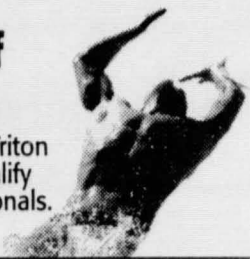
HIATUS Incredible 2004

Writers weigh in on a wild year
in movies and music.
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SPORTS Cream of the crop

Twenty-three Triton swimmers qualify for NCAA nationals.
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THE UCSD GUARDIAN

UC SAN DIEGO

THURSDAY, JANUARY 6, 2005

VOLUME 114, ISSUE 2

Rule update reduces state's Pell Grant awards

Critics charge formula changes violate federal law

By SHANNON ELIOT
Senior Staff Writer

In response to the passage of an omnibus spending bill by Congress in November, the federal Department of Education has announced updated tax tables to be used in determining Pell Grant awards for college students.

Educators believe that the revisions, which will take effect in the 2005-06 academic year, will cause some currently eligible students to have their Pell Grants significantly reduced or lost entirely, despite an approved overall \$400 million increase in funding for the program.

While the Department of Education attempted to update tax tables in recent years, various congressional delays and "rider" provisions attached to legislation have prevented change, mandating the use of outdated 1988 tables in financial aid judgments since 1994.

The implementation of the new system means that 48 states will see a decrease in their current Pell Grant eligibility; New Jersey will see no change in income that parents can exclude from financial-need calculations and Connecticut exclusions will increase by 1 percent. California allowances will decline by 1 percent.

The reduction in eligibility is the result of lower state taxes, which make it appear that a student's family has more dispensable income that can be applied toward higher education than under the old formulas.

The new tables, based on 2002 tax data, have become the subject of intense partisan debate. Both supporters of the change and opponents have claimed that their policies are in the best interest of students.

Chairman of the House Education and Workforce Committee Rep. John Boehner (R-Ohio) defended the use of more recent tax information in financial

aid calculations.

"Updating the tax tables ensures that Pell Grants are going to the neediest students attending college — the very students Pell Grants were created to assist in the first place," Boehner stated in a press release issued by the committee's Republicans. "Keeping the 1988 tables intact means preserving the status quo, including budget shortfalls as far as the eye can see. Low-income students deserve to know that the federal government is doing everything it can to keep the Pell Grant program on stable financial footing."

However, Representative George Miller (D-Calif.), a senior Democrat on the House Education and Workforce Committee, criticized the changes made by the Department of Education in a Dec. 22 statement.

"This holiday season, the Bush administration is leaving lumps of coal in the stockings of hardworking college students and their families," Miller said. "For over a million college students already struggling to afford the skyrocketing cost of tuition, the Bush administration's Grinch-like priorities will put higher education, and the opportunities that come with it, even further out of reach. ... The administration and Congress should do everything they can to make college more affordable. But by making this change, they are raising the price of college."

Approximately 89,000 applicants eligible for a Pell Grant under current tax tables will lose their Pell Grants using the new tables, and an additional 1.3 million students could see a Pell Grant reduction anywhere from \$100 to \$300, according to the American Council on Education. The total number of Pell Grant recipients is expected to increase slightly in the coming year because more students will be eligible for aid.

ACE estimates that the revision

See **GRANT**, Page 3

Bill to mandate visa interviews Provision could delay internationals

By SHANNON ELIOT
Senior Staff Writer

International students wishing to obtain a visa will remain subject to in-person interviews as a result of intelligence reform legislation passed by Congress in December. The bill, while largely focused on security and intelligence policy, contains a small provision that forbids the State Department from granting visas without interviewing individual applicants, with a few exemptions for diplomats and members of international organizations, such as NATO.

The passage of the added visa clause came a month after new studies showed that international student enrollment in U.S. universities had reached historic lows in recent years and is steadily diminishing. According to a November report released by the Council of Graduate Schools, the number of first-time international graduate students in the nation decreased between 6 and 10 percent for three consecutive years.

The study also found that total international graduate student enrollment — including first-time and continuing students — decreased by 3 percent, compared with a 1- to 2-percent



Greg Dale/Guardian

Foreign intervention: Cumbersome visa procedures will be costly for traveling researchers, according to the associate director of International Center.

decrease of domestic graduate students.

The report also noted that many students are dissuaded from studying in the United States because of the stringent visa requirements and a process that is often plagued with delays. In an attempt to reverse the

declining enrollment trend and make the country more appealing to academics from overseas, higher education advocates have been lobbying the State Department to offer certain interview exemptions to students

See **VISAS**, Page 3

IRS drops proposed student taxes Regulations may affect medical residents

By VLADIMIR KOGAN
News Editor

The Internal Revenue Service has abandoned a proposal that universities predicted would have imposed millions of dollars in new taxes on college students working on campus.

In particular, educators said the proposed changes could have subjected graduate students, teaching assistants and residential advisors to extra payroll taxes and made it more costly for universities — many already facing slashed funding from states — to hire them.

However, the agency enacted new rules that more strictly define the nature of part-time jobs qualifying for reduced student tax rates.

"They made some improvements to the earlier regulations, but I think we still have to wait to see how the IRS will apply these regulations before we can render a judgment on them," said Bertrand M. Harding Jr., a lawyer in Alexandria, Va., and an expert on tax issues affecting colleges.

The final tax code changes, approved by the IRS and its parent Treasury Department, adjust provisions that had traditionally



Andrew Mo/Guardian

Tax drive: Revelle College junior and campus CityShuttle driver Fiona Teng will not face a proposed tax increase under final regulations approved by the IRS.

exempted college students employed by universities from paying Social Security and Medicare taxes. Known as payroll taxes, half of the approximately 15-percent levy is paid for by employees and the other half by companies that hire them.

Court rulings prompted changes
Historically, the IRS has ruled

that medical students could not qualify for the tax break, designed by Congress for students who work part-time while at school.

In two recent opinions, however, the Minnesota-based federal Eighth Circuit of Appeals sided with medical schools and teaching hospitals, ruling that medical resi-

See **TAX**, Page 7

WEATHER

Jan. 6	Jan. 7
H 54 L 46	H 55 L 45
Jan. 8	Jan. 9
H 54 L 57	H 54 L 45

SPOKEN

"The IRS kind of went overboard revising the regulations."

— Michael O'Neill,
UC Office of the President

SURF REPORT

1/6
Wind: 10-25 kt.
Height: 2-4 ft.
Water Temp.: 53-58 deg.

1/7
Wind: 25-35 kt.
Height: 3-5 ft.
Water Temp.: 54-57 deg.

BRIEFLY

Regents name Washington dean as UCSC chancellor

The UC Board of Regents voted in December to appoint Denise Dee Denton, dean of the College of Engineering at the University of Washington, as the new chancellor of the university's Santa Cruz campus.

Denton will take over the position left vacant by M.R.C. Greenwood, who became the University of California's senior vice president of academic affairs.

The 45-year-old's nomination had been backed by university President Robert C. Dynes, who picked her as his top choice out of more than 700 prospects produced by a national search committee.

"UC Santa Cruz is a campus on the move, and Denise Denton brings the perfect skills and credentials to build on the momentum created [by her predecessors]," Dynes said.

Denton, who holds four degrees in engineering, has been credited with increasing access to technical education at University of Washington for student populations that traditionally had lagged in entering science-related career fields.

The White House recognized Denton in May 2004 for her role in enhancing diversity in science and engineering by honoring her among nine scholars given a Presidential Award for Excellence in Science, Mathematics and Engineering Mentoring.

"The campus' expanding international reputation for academic excellence is a testament to the work of its outstanding students and faculty," Denton said. "I am eager to begin working with them, as well as with the dedicated staff, alumni, neighbors and friends of UC Santa Cruz, to continue the progress that has been made and to take on the exciting challenges that lie ahead."

She will receive an annual salary of \$275,000, a 2-percent increase over the position's current pay.

Davis professor sues CIA for president's security briefings

A UC Davis professor has filed a lawsuit against the CIA under the Freedom of Information Act, seeking access to the President's Daily Briefings produced by the agency for President Lyndon B. Johnson during the Vietnam War.

The suit by political science professor Larry Berman, who is studying American involvement in the war, argues that the CIA's "blanket policy" of routinely denying FOI requests for the daily security update, even historical docu-

ments that pose no ongoing danger, violates federal law.

The intelligence agency had denied Berman's earlier request for the documents, arguing that they were protected by a "deliberate-process" exclusion to FOI, which allows government officials to keep certain documents used during the decision-making process secret.

However, the lawsuit alleges that the exemption is not available for the CIA, which is forbidden by federal law from providing policy advice to the president.

Berman has pointed to PDBs, one from 1998 and one from 2001, that were published in the 9/11 Commission Report and previous briefs from the Johnson administration released before the CIA imposed its secrecy policy.

"Together, these releases prove that the briefs should be reviewed and declassified like any other records, not set aside in a permanently closed vault," he stated in a press briefing.

Asian earthquake was predicted, researchers say

Scientists at UC Davis' Center for Computational Science and Engineering said that they predicted in as early as 2000 the location of the magnitude 9.0 earthquake that caused a deadly tsunami, killing at least 150,000 people in Southeast Asia.

Using computer models of past quakes, the researchers said they had anticipated that an earthquake with a magnitude of 7 or greater was likely to strike the Indian Ocean in a 10-year period ending in 2010.

Speaking before the American Geophysical Union less than two weeks before the Dec. 26 disaster, geology professor Donald Turcotte presented a map by the school's Quakeism project that identified the waters off the coast of Indonesia as a "hotspot."

The map has identified 30 of the 38 major earthquakes that occurred worldwide since 2000, including an October temblor on a previously unknown fault in Japan.

"The information could allow governments and agencies to make informed decisions about where to locate critical infrastructure and supplies and to set priorities for allocating resources for emergencies or carrying out seismic strengthening and retrofits," stated John Rundle, the center's director. "We can't prevent these devastating events, but we can provide tools so that people can take steps to reduce the potential damage and loss of life."

ETCETERA ...



Julia Kim/Guardian

A.S. COUNCIL AT A GLANCE

A.S. Meeting #15 — Jan. 5, 2004

Public Input

Victor Devore addressed the council on behalf of the California Public Interest Research Group. CALPIRG and many other student organizations have begun planning fundraising events in order to help the victims of the tsunami disaster in East Asia, according to Devore. He asked for the council's help in unifying and organizing events to provide relief to the affected populations. CALPIRG will be meeting on Jan. 10 in the group's office on the second floor of Student Center to discuss and organize relief efforts.

Reports

President Jenn Pae

Pae reported that she met with Student Safety Awareness and Sexual Assault Resource Center Director Nancy Walhig and examined the rape, sexual assault and sexual harassment policies at UCSD, comparing them to policies at other universities. According to Pae, UCSD's policies are inadequate in comparison to the other colleges examined, and should be updated to better serve the students.

Pae also reported that the position of elections manager is still open. Applications for the position can be found at <http://asucsd.ucsd.edu>. Applications are due by Jan. 10.

Revelle College Senior Senator Ted McCombs

McCombs reported that there will be a fireworks show following the Spirit Night games on Jan. 28. The event will feature a professional show choreographed by the company hired for the 2004 Summer Olympics.

John Muir College Junior Senator Neil Spears

Spears reported that the Muir Provost Search Committee will be hearing student input on Jan. 13 at 5 p.m.

Council Caucus

The council discussed the possible planning of events to aid tsunami victims. The fundraisers discussed included meal-point drives and events throughout UCSD Cares Week, scheduled from Feb. 7 to Feb. 11.

President Jenn Pae told the council that the negotiations between the university, student co-ops, Associated Students and the Graduate Student Association have been very productive. According to Pae, a new agreement governing the co-op satellite, which will be in Price Center, is in the final stages. Pae asked councilmembers if they supported a GSA recommendation that the council hire a lawyer to review the document before approving it. Among the issues discussed were the legal nuances of diction in the agreement and the cost of hiring a lawyer. After discussion, 17 members of the council supported hiring a lawyer and seven opposed the action, with 10 members expressing no opinion.

Old Business

Item B2

Councilmembers rejected legislation that would have created a "no confidence" option for elected positions when only one candidate runs for an A.S. office. In order to be elected to office, any candidate running unopposed would have been required to receive more votes than the number of "no confidence" votes cast. The legislation failed by a vote of 2-20-0.

— Compiled by Patrick Allen
Senior Staff Writer

CORRECTIONS

A news briefly printed on Jan. 3 titled "Former student found guilty for A.S. Council disruption" incorrectly stated that former John Muir College student Bryan Barton attended the Revelle College graduation ceremony in spring 2004 after Muir administrators told him he could not attend that college's ceremony. In fact, Barton attended the Earl Warren College graduation.

The Guardian corrects all errors brought to the attention of the editors. Corrections can be sent to editor@ucsdguardian.org.

[HTTP://WWW.UCSDGUARDIAN.ORG](http://www.ucsdguardian.org)

Visas: Provision part of major reform package

continued from page 1
and scholars applying for visas. Though the department had originally said it was unlikely to do so, the new law takes the decision out of its hands.

In a statement, the Association of International Educators said it was disappointed with the visa stipulation in the intelligence overhaul package.

"The provision, which is even more restrictive than the original State Department [practice], constitutes a setback for the efforts of [our group] and colleague associations to ease post-9/11 visa requirements to facilitate the entry of legitimate visitors to the United States," the organization stated.

Assistant Secretary of State for Consular Affairs Maura Harty disagreed that a delay in the issuance of visas poses a major problem for international students. In an editorial appearing in the *Chronicle of Higher Education*, Harty stated that most student applicants receive visa appointments within one week — some receive them the next day if requested. In addition, new reforms in the process used to run applicant security checks have reduced previous problems and provide greater accountability, she stated.

"The loss of even one qualified student to another nation is one too many," Harty stated.

"When a student goes elsewhere ... we have lost the chance for a student to see the wonders of America through his or her own eyes, rather than through the prism of a foreign news media outlet that may be biased. A young person's positive experience in America strengthens and enriches our nation [and] we are informed every day in what we do

by our desire to welcome those students to our shores."

CGS Director of Research and Policy Analysis Heath Brown said he recognized the balance between the need for reforms in the visa process and proper security.

"The problem has been that

“Although we cannot argue that we should be less security-minded, we can argue that thinking in purely security terms is not always the best approach for international education.”

— Michael Hindi, associate director, International Center

the bureaucratic process has been too delayed," Brown said. "We would like to see continued improvement in reducing delays while adhering to other security needs. However, we do need a process that has enough security checks so students who might not have good intentions are caught."

Holding individual interviews with every visa applicant also opens the door to ethnic profiling, which may result in backlogs, as consulates try to keep up with demand, according to Associate Director of UCSD International Center Michael Hindi. Without profiling, it would be impossible for officials to process all of the required applications, he said.

"It seems to me that burying an

issue that is so important to universities in this intelligence reform bill was a way to get this done quietly, without providing universities the opportunity to have their say," Hindi stated in an e-mail. "I think that many voices in the U.S. Department of State, even if they were given adequate resources, would argue that they should be left a bit more discretion to decide when to call visa applicants in for an interview."

UCSD is fourth in the nation among institutions bringing in international professors and researchers, according to Hindi. In 2003-04, its 1,949 international scholars outnumbered the campus' 1,811 international students.

The visa requirements in the bill will likely have negative effects on universities involved in international research, he said.

"Without question, the provision in the intelligence reform bill will continue to plague the researchers who travel frequently, and their families," Hindi stated. "In addition, it will likely continue to cost the university a very large sum of money in the delays that will be imposed on research units."

In addition to security fears, lawmakers must consider the benefits international students offer to the country, he explained.

"Although we cannot argue that we should be less security-minded, we can argue that thinking in purely security terms is not always the best approach for international education," Hindi stated. "People who learn together and learn to respect each other end up doing business together."

Readers can contact Shannon Eliot at news1@ucsdguardian.org.

Grant: Tax group supported changes to state tax tables

continued from page 1
sions will save the government approximately \$300 million. Boehner said the savings were necessary to balance the growing shortfall in Pell Grant funding that exceeds \$3 billion. The deficit has resulted from an unexpectedly higher number of qualified students applying for aid than Congress has budgeted for over the past several years.

Higher education advocates have criticized the cuts to Pell Grant rolls. National Association of Student Financial Aid Administrators President Dallas Martin condemned the decision to update the tables.

"The Education Department's decision to proceed with the outdated and methodologically flawed revisions to their federal need analysis [and to] state and other tax tables means that many needy students will be forced to go deeper into debt to pursue their postsecondary education plans in the next academic year," Martin stated in a Dec. 23 issue of NASFAA's *Today's News* publication.

Martin also questioned the legality of changes made by the Education Department. In a letter to outgoing Education Secretary Rod Paige, he wrote that the government would be violating provisions of federal law by making table adjustments after June 1.

"Not meeting the date in the law, we believe, precludes the issuance of updated tables for academic year 2005-06 and that fact, we believe, would be upheld in a lawsuit," Martin said.

Martin reiterated this point in a statement issued by the organization after the updated tables were

announced, one month after the passage of the omnibus bill.

"Despite objections from NASFAA and many others about how these changes are being made, it appears that there is little likelihood of sufficient congressional support to stop this implementation," Martin said. "The only scenario I can envision to forestall these changes would be for a person or persons with standing — who are negatively impacted by the change — to take legal action against the department for not publishing these [tables] by the required June 1 deadline."

However, a major anti-tax nonprofit interest group expressed support for the changes, saying that keeping outdated tax information would only add to the problem of rising college costs.

"[The National Taxpayer Union] is concerned that the outdated tax tables may be leading to a misallocation of budget resources, which in turn, only puts pressure on the budget for more Pell Grant funding increases from political advocates of the program," NTU Vice President for Communications Peter J. Sepp stated in an e-mail. "Many students and their families who are trying to pay for college are also chipping in federal taxes that help fund Pell Grants and other aid programs. At the very least, they deserve a competently managed program for the money they and the rest of the nation's taxpayers contribute to the treasury."

Readers can contact Shannon Eliot at news1@ucsdguardian.org.

UNIVERSITY CENTERS

Upcoming Events

thursday Jan 6

Sky Captain and the World of Tomorrow

Set in New York City circa 1939, the film centers on a reporter who notices that the world's scientists are disappearing. Teamed with a skilled pilot and an adventurous colleague, it's up to her to thwart the plans of a mad scientist bent on world domination. Starring Jude Law, Gwyneth Paltrow, Giovanni Ribisi, and Angelina Jolie.

PC Theatre
7pm & 10pm • \$3

friday Jan 7

Art Reception

"Death of a Culture"
Kevin Wang
UCSD Price Center Theatre
5pm - 7pm FREE

Art exhibition from
January 3rd - January 23rd

saturday Jan 8

Friday Night Lights

A straight arrow coach leads his team to the 1988 Texas state semifinals in the west Texas city of Odessa, where high school football is king. Expectations of classmates, coaches, family, and community members exact a toll on the athletes central to the story. Economic and racial undertones pervade this adaptation of H.G. Bissinger's book by the same name. Starring Billy Bob Thornton, Tim McGraw, and Lucas Black.

PC Theatre
6pm & 9pm • \$3

DISCOVER THE UNSEEN

Invisible Children

Invisible Children is a film documenting the efforts of a rebel group in Africa's Northern Uganda, which has abducted children from their homes. It chronicles three news journalists as they discover thousands of children sleeping in the streets. Discussion with filmmaker and UCSD Student Loretta Poole following the screening.

FRIDAY, JANUARY 7th
Price Center Theatre
7pm & 9pm • FREE

For more information, call (858) 822-2068 or visit www.ucsdguardian.org.

ART EXHIBITS

For more info call (858) 822-2068 or visit <http://theuniversitycenters.ucsd.edu>

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Campus committees need transparency

In November, the Transportation Policy Committee met behind closed doors to vote in support of a plan to slash student parking. According to chair Daniel Arovass, the hearing was not opened to the public for fear that observers could unduly influence the student and staff representatives who make up most of the voting seats on the committee.

The TPC is not alone in barring public scrutiny; a whole host of advisory boards meet behind closed doors, including the new Closed Circuit TV Governance Committee.

Though college councils and Associated Students are asked to appoint representatives to these boards, such practices keep students from ensuring that their interests are in fact represented. On the contrary, this very fear — that trans-

portation committee members would feel obligated to vote in the interest of their constituents if they could observe the proceedings — results in a process that lacks any semblance of transparency, a cornerstone of democracy.

The university has already ruled that California's strict open meeting laws and public access protections do not cover its advisory boards. However, administrators must take steps to restore the legitimacy of committees that are designed to provide public participation in the making of university policies.

Without full public access, these already purely advisory boards will lose their remaining relevance to students. Considering the impact many of these committees have on student life, that would be quite a shame.

Funding shouldn't be tied to recruiter access

The federal Third Circuit Court of Appeals erred in ruling that guaranteed campus access for military recruiters violates universities' First Amendment rights.

Universities should have the right to ban military recruiters from their campuses, just as they can bar any other employer from soliciting new hires on private property. However, permitting campus recruitment by the armed forces does not, as the court ruled, necessarily mean that a university endorses the military's anti-gay message any more than allowing corporate recruitment implies support of company products or brands.

As an employer, the military should be treated just as any other employer would. Educators, who pride themselves on disseminating new ideas,

should not serve as censors, but should provide students with as many career opportunities as possible. It is the duty of students to decide for themselves which messages are personally acceptable.

Though the court's opinion employed faulty logic, it was correct in recognizing the ineptness of the Solomon Amendment, which withholds all federal funds from campuses that ban recruiters.

These universities should not be stripped of student financial aid money and other government funds administered by federal health and labor departments that are completely unrelated to the Department of Defense. If the government wishes to tap colleges for military recruits, it should offer them incentives, not sanctions.



Riley Salant-Pearce/Guardian

PROPS & FLOPS



Season of giving: Props to the massive relief effort for South Asian tsunami victims.

Passing grade: Props to UCSD for not failing the recent tobacco policies report card, like more than half of local colleges.

Barriers to entry: Flops to Congress for not loosening restrictions on student visas.

Dropping the ball: Flops to the stem cell committee for failing to put out an agenda in time for its first meeting.



Procedural miscues overshadow voter intent

By MARIANNE MADDEN
Associate Opinion Editor

Here we go again — another election that doesn't provide closure, but acts as the starting point for months of legal wrangling. In the ring this time are Donna Frye, the maverick San Diego city councilwoman who launched a surprisingly successful write-in campaign for mayor, and incumbent Republican Dick Murphy.

Especially in the last four years, American elections have become less about the will of the people and more about legal challenges. Uncontested elections are becoming oddities. At the root of the problem are voters who can't seem to muster the attention to detail it takes to cast a ballot that follows all the rules and is impervious to disqualification.

In this mayoral race, more than 5,000 voters — a margin large enough to give Frye a victory over Murphy — wrote in her name for mayor, but failed to fill in the corresponding bubble. Registrar of Voters Sally McPherson refused to count those ballots, saying the bubbling that some voters neglected "is required by state law."

Hopefully those 5,000 voters have learned their lesson and will follow directions more carefully next time. But what's more important, the letter of the law, or voter intent? And can legal challenges to the official election results, which declared Murphy the winner, succeed?

As lawsuits continue to mount, Murphy has made a hobby of championing an untenable position in regards to voter intent. A Dec. 15 *San Diego Union-Tribune* article reports that "[Murphy] is not con-

vinced that voters who wrote Frye's name but did not fill in the bubble intended to vote for her." So voters took the time to go to the polls and write in Donna Frye's name because — they didn't support her for mayor? There are better ways to show your disapproval of a candidate, such as voting for someone else.

Murphy said in the same *Union-Tribune* article, "I'm not sure we'll ever know what the intent of those voters were." For the sake of honesty, he should have said, "I sure hope we never know what the intent of those voters was," because it's obvious the thousands of people who wrote in "Donna Frye" as their choice for mayor supported Frye. Frye herself doesn't mince words: In a Dec. 31 *Union-Tribune* article she said, "If voters actually took the time to write in someone's name, it's real clear what they intended to do."

In any case, this mindless debate over voter intent has been trumped by endless wrangling over the law — the law that was originally used to throw out thousands of Frye ballots, giving Murphy a thin margin over his Democratic challenger. On Dec. 31, two formal challenges to the results of the race were filed, both calling for Frye to be declared the winner. One suit calls upon the City Council to exercise its right to "judge" the election, which is delineated in the city charter; the other suit contends that San Diego's election rules — which do not specifically require bubbling — take precedence over the rules of the State Legislature because San Diego is a charter city.

It's tough to judge whether these legal objec-

exercise its right to "judge" the election, which is delineated in the city charter; the other suit contends that San Diego's election rules — which do not specifically require bubbling — take precedence over the rules of the State Legislature because San Diego is a charter city.

It's tough to judge whether these legal objec-

See FRYE, Page 6

Elections, Facebook help students care

the watts report



Daniel Watts

"Don't vote." Some years ago, a student in John Muir College posted a flyer with that slogan in his dorm room window. For his transgression, he claimed, he was assaulted by one of that year's student government candidates, who feared that the flyer would incite even lower voter turnout. Participation in UCSD's student elections typically ranges from about one-tenth to one-third of the student body, so the candidate's panic had some legitimacy.

After some bad press all around, a few disqualification hearings, and some indignant cries about the First Amendment, the incident was forgotten by all students who have not spent 30 hours poring over Geisel Library's *Guardian* archives.

With help from an electoral gimmick straight out of Russia, this year, could have seen the resurrection of that Muir's quest to promote apathy.

The A.S. Council addressed a proposal — tabling it indefinitely on Jan. 5, but discussing it nonetheless — to add a "no confidence" option to the spring ballot. Were such a measure approved, a candidate running without opposition wouldn't be able to take office unless he or she beat the "no confidence" option.

In the past couple of years, dozens of candidates have faced

no opponents, thanks to the dominance of large political machines, such as Students First!, which has succeeded in dominating most of the competition. Under the proposed change, even a candidate running against nobody could still lose a race.

Voters in Russia have this same choice. The president must win more votes than "none of the above," otherwise the government calls for an electoral do-over and runs the election a second time.

Nothing quite that drastic here: A committee would fill UCSD's empty positions through appointments, not an election rerun.

The 2003-04 Vice President Finance Eric Webster wouldn't have taken office if this "no confidence" option had been in effect. Webster simultaneously lost to Harish Nandagopal by 1,000 votes and suffered defeat at the almighty hands of "abstain" by almost 100 votes. But thanks to the wholesale disqualification of the Students First! party, he took office and is a quite competent vice president.

Conspiracy theorists could see a proposal like this as a scheme to preempt another statewide disqualification. Anticipating their party's elimination, the slate leaders could instead instruct their supporters to vote for "no confidence" in the races that would

otherwise have been filled by another candidate. In the ensuing postelection power vacuum, the disqualified candidates would apply to fill the vacancies. This way, even if others run for every position, the slate still has a chance to take power.

But that's just a conspiracy theory. Others could take advantage of it as well; by no means are electoral plots limited to a single party. It's just that, as with all things political, it's far easier for a political machine to abuse the system than it is for the average man.

Speaking of average men, much of last quarter's campus politics was covered by pundits running UCSD-centric Web logs and online forums. Far too much space has already been dedicated to promoting these egotists, so I won't bother with much here. Suffice it to say that it's great when students start paying attention to their campus. Good for all those anonymous bloggers getting up riled up, even if they'll never approach the quality of <http://calstuff.blogspot.com>, UC Berkeley's most prominent student-run blog.

It's just a shame that there isn't one single, all-inclusive forum where students can mingle online. Viewing the world through political goggles, it's also a shame there

isn't a single meeting place that campus activists can use to incite debate, discussion — and maybe a riot or two.

Facebook, at <http://www.thefacebook.com>, comes close. I'm surprised that few people have taken advantage of the site's \$14 offer to advertise to every UCSD Facebook user. Thousands of UCSD students check their Facebook accounts every day. They're a captive audience for someone selling his computer, recruiting for her sorority, or organizing a mass march to protest UCSD's declining Singaporean-American enrollment.

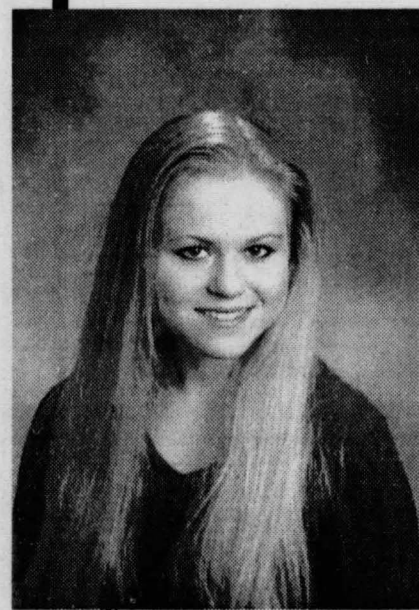
If a Web site can start turning a profit based on advertising, so can UCSD. Captive audiences we have; money, we don't. Imagine the naming rights for a lecture hall, or even a classroom. Selling out? Yeah, but who cares? I'll happily watch a concert at the Nintendo (formerly RIMAC) Arena, if the concert is free because of the venue's name.

It's not so unrealistic. Think of the Jacobs School of Engineering, named after the founders of San Diego-based tech company Qualcomm. They practically own our engineering department for crying out loud. The Preuss School? Named after a rich UC regent. Price Center? Named after some guy named Price who donated a bunch of money. Geisel Library? Named after Theodore Geisel — Dr. Seuss — after his widow donated millions of dollars to the school. Student Center? Named for R.J. Student, a famed tanooki researcher and billionaire philanthropist — OK, not really. The other ones are real though.

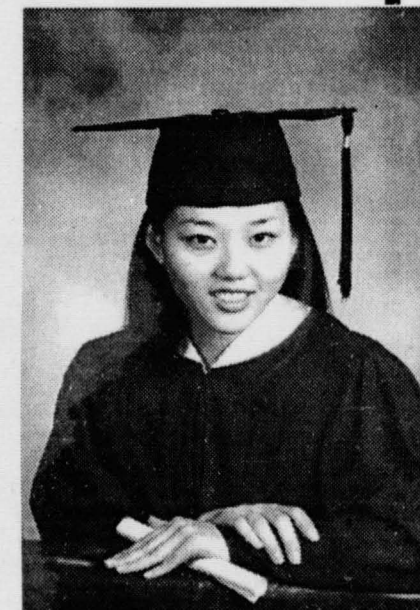
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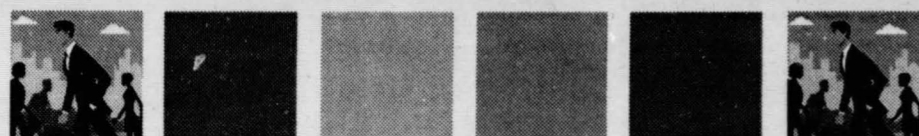
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Frye: Write-in campaign's success a vote for change

continued from page 4
tions will succeed — while Murphy's camp dismisses them, their proponents talk up their chances for success. Frye says she has "no plans" to file her own challenge by the deadline of Jan. 7, so the success or failure of her campaign hinges on the various challenges already filed on her behalf.

Meanwhile, the *Union-Tribune*, which along with other media organizations funded the count of the unubbled ballots, is unequivocal: "More people cast ballots for Frye than for Murphy in the Nov. 2 election." It's a sad day when a procedural technicality negates the intent of voters. Insofar as elections are supposed to express the will of the people, this election has failed.

Further, with Murphy as the certified winner of the election, Frye and her camp are cast as challengers to election results. And if precedence is any indication, overturning election results is nearly impossible, even if voters are clearly on the challenger's side — and what politician wants to be labeled a sore loser when they mount challenges, a la Al Gore in 2000?

Despite all the postelection ugliness, this election isn't without its positive aspects. Frye's can-

didacy was dazzling. As a Democratic environmentalist in the Republican stronghold of San Diego, Frye launched a write-in campaign a mere five weeks before the election — and won more votes than either of her Republican challengers.

Obviously, the Republican vote was split between Ron Roberts and Dick Murphy, who were voted onto the ballot during the primaries. But after championing the core idea of open government during her campaign, Frye's success shows that a significant segment of San Diego's electorate wants an entirely new mode of city politics, radically different from the

same old Republican control that's come to characterize San Diego. Frye sought to change the face of San Diego politics. In a way she already has, as an unconventional city councilwoman known for owning a surf shop and championing the cause of clean water. Regardless of whether the legal challenges filed on her behalf succeed, her candidacy alone helped her, by making her and her ideas better known among voters. Moreover, the relative success of her campaign shows that San Diego voters are fed up with the status quo and want to see some radical changes in city politics. Dick Murphy, take note.

“... [O]verturning election results is nearly impossible ... and what politician wants to be labeled a sore loser when they mount challenges, a la Al Gore in 2000?”

Tax: Medical schools may sue over rules in court

continued from page 1
dent could qualify for the special student exemption. Deciding to drop the appeals in the cases, the Treasury Department and revenue service chose to instead rewrite the tax code last February.

The changes drew criticism from universities, which argued that four new provisions proposed by the government were too broad. In addition to students working more than 40 hours a week, the IRS proposed taking away the tax exemptions from students in jobs requiring a special license and "the consistent exercise of discretion and judgment" and those doing work "that is predominantly intellectual and varied in character."

If interpreted strictly, Harding warned that the rules could have been used to apply to almost any student. "The IRS kind of went overboard in revising the regulations," said Michael O'Neill, manager of tax and payroll services for the UC Office of the President.

In particular, universities worried that the provisions could exclude graduate students and residential advisors, who often receive other benefits in addition to pay — an automatic disqualification under the proposed rules. Such a change would have meant that employing these students would cost schools nearly 8 percent more, since the universities, as employers, would have been required to pay half of the new taxes.

"[The rules] caught a lot of graduate students and made it so they could not take advantage of the exemption," said Ivy S. Baer, director of health care affairs and a regulatory counsel with the American Association of Medical Colleges.

Representing UCSD School of Medicine and four other UC med-

ical schools among its members, the group has long lobbied to expand the student tax benefits to medical residents.

At a June hearing, colleges also expressed worry that the strict new provisions would include student shuttle drivers, who must have special driver's licenses, and other student employees who previously qualified for the lower student taxes.

Revisions protect most students

In response to concerns, the IRS revised many of the rules in final tax code changes released in late December.

Praised by the National Association of College and University Business Officers, the updated regulations promise to use the nature of the work and need for special licensing only as "relevant factors," and not as criteria for automatic disqualification.

"The changes that the IRS made seem to be very favorable to higher education," O'Neill said. "I don't think there will be any impact on graduate student employees or undergraduate employees."

Under the new rules that take effect in April, the UC will not start assessing new taxes on students, according to O'Neill.

"We won't really have to change much of what we're doing," he said. "I don't see any student now having to pay taxes that they haven't before."

However, because the IRS will still be the final arbiter of how the "relevant factors" are considered, the agency may opt for a strict interpretation that may still force additional students to begin paying new payroll taxes, Harding cautioned.

"I'm not terribly thrilled with the final regulations, to tell you the truth," he said. "I think it still leaves open the question of

whether graduate students will be subject to these taxes."

The IRS has not estimated whether the updated tax code will result in additional tax revenue and increased collection, according to Raphael Tulino, the agency's Southern California spokesman.

Medical students to face taxes

Though the government relaxed some of the rules in the original proposal, the final regulations included the firm 40-hour-per-week limit for students who wish to qualify for the exemption. The cap will effectively exclude medical students, who often work as many as 80 hours each week.

"We all know medical students work long hours," Baer said, suggesting that the ceiling was specifically targeted at them.

The changes will not affect students at UC medical schools, according to O'Neill, because the university has always treated them as professional employees and made the necessary deductions from their paychecks.

Medical schools, though, will likely challenge the new regulations in court, charging that they are attempts by the tax agency to nullify medical students' previous court victories, Baer said.

"I think you can make a legitimate argument that a federal court's decision trumps an agency's decision-making," she said.

As required by federal law, the IRS first published the proposed rules in February, soliciting written and in-person comments. The finalized changes, approved in December, took into account some concerns raised during the public-input period.

Readers can contact Vladimir Kogan at news1@ucsdguardian.org.

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Bush, 'Bill' and the biopic rule a wild year in film

By SARAH MAK
Associate Hiatus Editor

What a year: Bush is in his second term and Britney got married a second time. Martha "It's a good thing" Stewart is now doing time for doing something that wasn't so good. In February, Americans were up in arms about Janet's breast, and not so up in arms about watching a breast augmentation on reality TV. A random engineer from Berkeley is now rolling in cash for being, well, shit at singing. Americans gathered together to mourn the loss of six familiar friends and four ladies who loved their Manolo Blahniks. Indeed, if art truly imitates life, I'm still waiting for the film to come out. Sadly, such was not the case with the movies of 2004, but here anyway is the requisite roundup of the year's most important movies.

In "Finding Neverland," Johnny Depp took off the eyeliner to become the author of the much-loved "Peter Pan." It was the commendable performance of young Freddie Highmore that stole the scene in the movie, leaving everyone reaching for a tissue.

Zach Braff, of "Scrubs" fame, took off his scrubs and had his directorial and screenwriting debut in the summer hit "Garden State," a quirky romance that gave everyone a nice, fuzzy, warm feeling inside.

Encroaching upon his teenage years, Harry Potter returned to screens in June in

the third installment of the popular Harry Potter series. In "Harry Potter and the Prisoner of Azkaban," Mexican director Alfonso Cuarón took on the mammoth task of following in the success of the previous Potter films, but he won critics' and fans' approval alike with his darker, edgier style. Both kids and adults were treated to "The Incredibles" in November, where Pixar continued its winning streak with a movie that was, well, incredible.

Gore was a key theme in many of 2004's movies; one need only bring up Mel Gibson's "The Passion of the Christ." The gore factor in Gibson's epic was exceeded only by Trey Parker and Matt Stone's "Team America." Only the makers of South Park could dream up a movie where puppets get political and save the world with a few bumps and humps along the way.

After a long wait, Asian film buffs were treated to the much anticipated "Hero" and "House of Flying Daggers," both by esteemed Chinese director Zhang Yimou. Also from Asia was "Infernal Affairs," the tale of a mole in the Hong Kong police and an undercover cop in a Hong Kong triad. If flying daggers weren't

your weapon of choice, then perhaps a cricket bat ought to do it?

Uma finally kill Bill. And was it worth the

"Shaun of the Dead" showed that not only could one seek comfort in a pint at the pub, but it also makes for a good hiding place if you're running away from zombies.

Epics made a big comeback this year with movies such as "Troy" and "Alexander." Both of which, however, were disappointing to say the least. One might describe "Troy" as an opportunity to see Brad Bronzed and prancing around, but other than the obvious aesthetic value of "Troy," the movie was a Trojan horse in its own right. And if Americans couldn't get enough of the Greeks, there was also "Alexander" — with a different bronzed actor prancing around, this time an Irishman playing a Macedonian ... go figure.

One of 2004's "It" girls, Lindsay Lohan, owes much of her rise to stardom to the witty comedy "Mean Girls." Garnering much praise from critics across the board, Tina Fey of "Saturday Night Live" managed to capture the cattiness of high school. And of course the target of any mean girl is the dork, as was the case in "Napoleon Dynamite." If there's one lesson to be learned from this film, it is to not underestimate that socially awkward kid with the ginger hair, squinty eyes, boots and dance skills — he's up to something.

2004 was also a year of sequels, and surprisingly, they mostly lived up to their predecessors. After much, much, much bloodshed and an unbearably long wait, Tarantino fans returned to theatres in March to watch "Kill Bill, Vol. 1."

So what can I say about 2004? It was an interesting year for movies, to say the least — but it was films such as "Napoleon Dynamite," "The Motorcycle Diaries," "Eternal Sunshine of the Spotless Mind" and "Garden State" that, like the Bride in "Kill Bill," roared and rampaged their way to become my personal favorites of 2004. Here's hoping that 2005 is just as entertaining.

wait? Definitely. Also returning to screens in 2004 were a loveable green ogre with his verbally incontinent donkey sidekick, and the boy who liked to dress in red and blue spandex and swing from buildings.

Taking a step away from fiction, documentaries were suddenly the cool thing to watch. Michael Moore, author of *New York Times* bestseller "Stupid White Men," put together one of the year's most-talked-about docu-films. In typical Moore style, the polemic "Fahrenheit 9/11" lashes out at President George W. Bush and his administration and had audiences across the country booing, jeering, cheering and crying. Who would have thought that the chubby guy from Michigan could win the Palme d'Or? Clearly the approval of the Cannes Film Festival jury was not enough; Moore got his shiny trophy and Bush got his second term in office. Another documentary that had audiences squirming in their seats was "Super Size Me." Who could look at a Big Mac in the same way after watching Morgan Spurlock throw up his dinner?

Award season is fast approaching, and rumors are beginning to surface. The biggies of 2004, such as "Ray," "Kinsey," "The Motorcycle Diaries," "Eternal Sunshine of the Spotless Mind," "The Aviator" and "Sideways" — which was adapted from the novel by UCSD alumnus Rex Pickett — all look to be possible contenders in the race for the big awards.

So what can I say about 2004? It was an interesting year for movies, to say the least — but it was films such as "Napoleon Dynamite," "The Motorcycle Diaries," "Eternal Sunshine of the Spotless Mind" and "Garden State" that, like the Bride in "Kill Bill," roared and rampaged their way to become my personal favorites of 2004. Here's hoping that 2005 is just as entertaining.



Image courtesy of Dreamworks

A LOOK BACK TWO ZERO ZERO FOUR

The year of rock — finally

By IAN S. PORT
Hiatus Editor

Whoa, 2004. It was a year of unending intensity, from the agonizing quagmire in that all-too-familiar Middle Eastern country to the sour taste of disunity left after an appropriately embittering election.

But in 12 months that seemed to leave us all feeling a bit less secure, pop music — led specifically by rock 'n' roll — managed to stand on its own feet for the first time in a long time. If the rest of the world was busy straining further and further from what we hope and expect, rock music in 2004 shifted decisively closer to its potential: powerful, progressive, and most of all, relevant.

They've been talking about the "new rock" revolution for a long time now: MTV started it in the late '90s with Korn and Limp Bizkit, trying to convince a generation of record-buyers, weaned on the incredible mainstream success and godlike status of early-'90s grunge bands like Pearl Jam and Nirvana, that nu-metal represented a serious breakthrough in rock music. Then Spin and the rock press tried again in '02 when the White Stripes, the Strokes

and the Hives hit the big time, proclaiming a new world where "rock is fun again," guitar solos are back, and tattered Chuck Taylors are still in — just like they were in '91.

Catch was, nobody really bought it: The Strokes' *Is This It?* and the White Stripes' *Elephant*, both Albums of the Year in their time, had much lower sales than those grunge hits they so wanted to be. And as for nu-metal, no one ever really thought that it was nearly as revolutionary as early rock, despite Carson Daly's smiling insistence.

But after 2004, the argument that truly good rock music is having mainstream success doesn't seem so implausible. A look at the bands topping critics' year-end lists will reveal that they're the same bands topping sales lists for their categories — as well as in the all-too-important Top 40. They're also the ones earning Grammy nominations — a dead-sure sign that the Establishment has caught on.

That fabulous foursome of Modest Mouse, the Walkmen, Interpol and Franz Ferdinand exuded a ubiquitous presence on plasticity pop radio and gleaming big-box

See **ROCK 2004**, Page 9

Urban sounds disappoint, but sell

By RILEY SALANT-PEARCE
Staff Writer

The year in rap, hip-hop and R&B? Usually I'd complain about lumping Talib Kweli and Destiny's Child into one category, but it wasn't exactly a prolific year for hip-hop, so we'll make do ...

The big story of the year was Usher, but since you're all as sick of Usher as I am, I'll just pretend *Confessions* actually came out in 2003 and that I can't hear "Yeah!" right now blasting out of some distant Applebee's.

The sales season started with a plop as Janet Jackson's over-hyped new album was exposed to the masses only to be found fairly uninteresting under scrutiny. The backlash was harsh; Janet was banned from radio. Oh, and didn't she perform at the Super Bowl?

The world of R&B, or what's left of it, wasn't nearly as pervasive as in previous years. R. Kelly, whose continuing success reminds us that sex with children is OK (as long as they're female) released both a dull double disc and another widely ignored Jay-Z compilation. For his part, Jay-Z did a shitty job of being retired, scoring two more hits off of *The Black Album* before recording and touring with R. Kelly (and

eventually macing Kelly's crew). In October, Beyoncé & Co. released a new album. Listening to the new Destiny's Child album is like diving into a swimming pool of chocolate pudding only to find it's actually carob tapioca: sweet and sticky, but what's the point? The jury's still out on the lead single, though we can all agree the first 10 seconds make the hair on our toes prick up. The video is equally debatable: a dance-off with yourself in an alley, Beyoncé? Didn't Usher already do that? And why aren't Usher and Beyoncé sleeping together? Think of the grainy homemade porn possibilities.

If you happened to say last year that Eminem was so big he could make a hit record out of himself farting, you've been delivered proof this year. Over 4 million Americans have now shelled out the 20 bucks to hear Eminem pretend to take a crap. The worst part is, of all those who called it shitty, half of us still have it in our car CD changer. If Eminem were dead, he'd be laughing in his grave.

Led by its prematurely self-proclaimed "king" Lil' Jon, crunk continued its slow but steady spread toward total media dom-

See **URBAN 2004**, Page 10

Rock 2004: Scots' hit debut and Modest Mouse's single make for memorable year

continued from page 8

store shelves, earning a place right next to sure-sellers U2 and Eminem. And guess what? All those bands put out exceedingly good records, apparently lush with crossover potential while at the same time satisfying their core fan base instead of alienating it (still what usually happens when an indie band earns sudden mainstream success).

Despite the fact that Modest Mouse's "Float On" was the real feel-good hit of the summer, and the Walkmen made it all the way to the most expensive real estate in mainstreamville, Fox's superpopular "The OC," the snob-by and success-hating indie kids for whom those bands started playing didn't tear the buttons off their hooded sweatshirts and scream "sellout" — they welcomed their heroes' music finding mainstream success.

It's a great story: A legendary indie rock band splinters when its original drummer suffers a mental breakdown and quits. The weirdo drunkard frontman brings his mates to Mississippi to record their second major-label album. The album is released to acclaim. Its first single, a swirling, triumphant march that promises "don't you worry, we'll all float on" becomes a huge summer hit, reintroducing rock to the pop radio mainstream. Then, of course, the album goes platinum. That's what happened to Modest Mouse this year, and that's why they are indisputably the biggest band of the year.

Every rock band ever make an album where every song is genuinely a winner, but Franz Ferdinand managed to do it their very first time. The prize for that, as the Scottish quar-

ter spent 2004 discovering, is a kind of across-the-board success that even the wild-eyed British music press couldn't imagine. "Take Me Out," the album's first single, could be heard blasting out of both Urban Outfitters and your local hipster record shop. How did these pasty Scots achieve mainstream success and stay cool? Easy: They made people want to dance.

Franz Ferdinand grooves from beginning to end like a '90s Brit-pop bible translated into Technicolor disco. Vocalist Alex Kapranos waxes an apocalyptically mechanical mix of destructive and sexy over his band's bass-thumping shakedown in a true postmodern rock orgy.

While the Strokes' second album kept the greasy darlings' sound pretty much the same as their debut, New York brethren Interpol took a new direction with *Antics* — and it was the right one. By replacing pale solemnity with heartfelt life, Interpol found real mainstream success. But it wasn't the only New York band to make it big this year. The Walkmen, a blazer-and-slacks kind of rock group from that same great city, turned out a fast, snare-pounding single called "The Rat," and rode it all the way to the top. Who cares if they're the Goldplay of indie rock?

Wait a minute. The Walkmen (and all these bands for that matter) are no longer indie at all. We'll have to just call it rock — and finally that will mean something good. (Except, uh, when we talk about U2. Rolling Stone lazily called them Band of the Year, but didn't say whether they earned that with the ugly iPod or the boring album. Guess what guys: 2004 belonged to a younger generation.)



Courtesy of <http://www.modestmouse.com>
Serious success: Modest Mouse went from indie legends to pop misfits in 2004 with "Float On."

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Urban 2004: Disappointing year saved by West

continued from page 8

ination by owning radio's number-one spot for each of the five weeks Usher wasn't there. Time will tell if all the masses of Southern rappers who scored a crunk hit this year will have any staying power.

Hip-hop fans might have had a hard spring, but some relief did come. Both Mos Def and Talib Kweli released new albums this year — to mixed reviews. Fans were probably a little disappointed on both counts, though most will be slow to admit it. Leave it to the Roots, who have a good six years on the Black Star boys, to release the best hip-hop album of the year, *The Tipping Point*. All might have been bested in the lyrics department by a surprisingly good Nas double album, although it looks too late to truly revive his career; *Street's Disciple* has already plummeted out of the top 50. Nas may be following fiancée Kelis into rapid obscurity. Vaulting into the scene with the same speed came Kanye West, who scored critical acclaim and even commercial success with his debut album. *College Dropout* earned West an impressive 10 Grammy nominations and the coveted role of one of the best hip-hop producers of the year. Ten might seem a tad excessive, but who else was getting them... Lil' Jon?

Nelly's *Sweet/Suit* album pair rocked more junior high dances than clubs this year, thanks to the huge success of the cuddly Tim McGraw duet "Over and Over." Surprised by the success, country and rap artists scrambled to team up and capitalize on the new trend. Look for the 50 Cent/Faith Hill duet "I'm Gonna Fuck You Like a Butterfly," coming soon.

Also look forward to some good music from Dr. Dre, some potentially good music from 50 Cent, some shitty music from Jennifer Lopez, and a big comeback from Jay-Z. For now, put that Eminem CD back on (nobody can hear you) and pray for better things in 2005.

Challenging old traditions at new East Asian art exhibit in SDMA

By MERVE YESILADA
Contributing Writer

The San Diego Museum of Art now has an extensive contemporary East Asian art exhibit: "Past in Reverse: Contemporary Art of East Asia." Curated by Betti-Sue Hertz, the exhibit features a blend of works by 22 different artists from five different countries.

A wide variety of pieces are presented by the exhibit's artists, within the frame of responses to recent economic and social trends in the area. "Past in Reverse" blends the young with the old, the traditional with the hype and the classical with the contemporary in a flawless way, providing a pleasant and colorful walkthrough even before exploring thoroughly.

"Past in Reverse" brings together the more established artists of the region with the up-and-coming artists, under the framework of responses to change. Artists such as Wang Qingsong, who has presented work in the United States a couple of times before, accompany artists who are displaying work for the first time.

Wilson Shieh, an artist from Hong Kong, expresses himself with a language of antiquity: the gongbi tradition, fine brush figurative painting. His unorthodox subjects portray the moving social and political relations in his environment. Shieh's "Musical Instruments Series (1999/2004)" embodies male and female figures that play each other as they are transformed into musical instruments. Homosexual and heterosexual distinctions are eliminated, and emphasis is placed upon the fragility of the communication process and the beauty of the relationship.

Michael Lin works with oversized versions of traditional Taiwanese domestic art figures, installing them into architectural spaces to alter their traditional order. In one work, Lin applies bedspread patterns to the floor with enlarged flower motifs and cushions where people can relax, inverting the artwork-viewer relationship.

"Past in Reverse: Contemporary Art of East Asia" will be displayed at the San Diego Museum of Art until March 6.



A new Asia: Korean artist Kim Young Jin uses two-channel synchronized video production and a pleated screen in her work 'My, Me, 2004.'

The 9 best albums of 2004

iPort on random

Ian S. Port

My nine favorite albums of the year, in no particular order:
Modest Mouse *Good News For People Who Like Bad News*

You've heard enough about "Float On." The best song on the rock album of the year is "Black Cadillacs." Isaac Brock's voice bears an eerie whisper as he pleads the opening lines: "And it's true we named our children/ After towns that we'd never been to/ And it's true that the clouds just hung around/ Like black Cadillacs outside of a funeral." Then Brock and Co. explode in sarcastic reproach, letting the madmen inside seep out, just as they're prone to do. "Black Cadillacs" moves between sarcastic anger and lucid calm: the results of either fighting through a negative view of life or learning to love it despite its absurdity. Brock's optimism is hard-won (his band's driven a hell of a rough road in its long history) and I trust it. America may have chosen the wrong president, but we chose the right rock album.

TV on the Radio *Desperate Youth, Thirsty Babes*

TV on the Radio made the most radical statement in pop music this year. *Desperate Youth* sounds like nothing else: Gigantic, pulsating bass is the most dominant accompaniment to Tunde Adebimpe's soulful wail. Building songs like this, with guitar and drums adding peripheral spice to high vocals and a low, loud rumble, melting into hooks instead of stepping into them, TV on the Radio create a radical new instrumental aesthetic while bringing more traditional, virtuosic vocals back to rock music. It's far from perfect, especially near the end, but TV on the Radio's first full length is the most revolutionary artistic statement in pop music this year.

The Streets *A Grand Don't Come For Free*

Mike Skinner is a freaking weirdo. His whole new album seems to be about his cell phone running out of batteries, some girl playing with her hair in a bar, or some other equally insignificant detail of life. But Skinner's made a fantastic hip-hop concept record with a story that's really about finding out how much the little things in life can set you back if you don't appreciate and hang on to them. Skinner blasts exhaustively detailed, awkwardly British rhymes over his trademark choppy cheese beats, which stagger dry drum sounds around samples of everything from Wagner to cheesy '80s adult-pop. Sort of like Eminem — the pasty Skinner often slant-rhymes over extremely sparse beats — except his stories are about learning to deal with life, instead of lashing out at those who gave it.

Comets on Fire *Blue Cathedral*

Comets on Fire are my kind of geniuses. They smoke a lot of weed, play music because they want to (rather than because they get paid to) and turn out brilliant, psychedelic-rock masterpieces like *Blue Cathedral*. Comets on Fire write songs by turning everything — including a crazy, space-noise-inducing artifact from the '60s called an Echoplex — to the highest volume, and letting that shit wail. The eight almost completely instrumental tracks on their latest album bristle with bulgy stoner-rock powerchording and tease out into moments of transcendent, trippy serenity. Vocalist Ethan Miller commits some frantic (and vague) howling to a few tracks, but Comets on Fire prefer to let their instruments speak, through improvised jams that explore every nuance of the rhythm and chord progression. This is bebop for the Nirvana generation, and, for the record, my favorite album of 2004.

the whole thing falls back into a Stones-y rock moment — all while Eleanor sings crazy lines like "Mocked up with silk strings and taffeta tricked/ With nails out of driftwood already iron sicked/ Now spy out the glass at whatever missteps me/ And the press gang's warrant signed Sir Edward Pepsi." It could have been boring and self-consciously arty, but the psychedelic swashbuckler motif fits perfectly.

A set of nine two-song EPs compiled into a classic post-punk full-length? A riotous band of musical misfits, famously fronted by a fat, bearded and vertically challenged Satan look-alike? Les Savy Fav finally captured the notorious intensity of their live performance on tape, and this incredible collection is the result. Working chronologically backwards, *Inches* begins with Les Savy Fav's more contained recent work and devolves into a violent ruckus from there. They channel old Joy Division, snag the Gang of Four throne and beat the Liars with sharp, minimalist precision. This is our punk.

Interpol *Antics*

Underneath Interpol's vivid atmospheric and intricate instrumental interplay, *Antics* is really the cheesy love song album of the year. It's as if Paul Banks knew his band was good enough instrumentally that he could get away with shoot-me-in-the-face lyrics like, "Let me celebrate the myriad ways in which I love you." But he was right; the fact that his lyrics are so corny only adds to the overall *impression* of the thing. Because the album is so complete a statement, so riveting and musically rich and yet so self-conscious and lyrically intimate, it overcomes you, almost involuntarily. A hundred bands are as musically imposing as Interpol; another hundred as arresting lyrically — but very, very few others are both.

The Arcade Fire *Funeral*

If Modest Mouse proved in 2004 that honest-to-god indie rock could have mainstream success, the Arcade Fire's *Funeral* proved that that genre's best was still far from it. Win Butler and his band give misery a good name on *Funeral*, which somehow both wallows in and transcends the death of three of the bandmember's relatives. Over gritty guitars and a strangely 19th-century atmosphere, Butler wails through stories about maturity, heartbreak and, of course, death. If it sounds overwhelmingly negative (and how could it not), hold your judgment: Butler's band answers sorrow with triumph, balancing his despairingly hopeful lyrics with grand, even dancy, instrumental rock heights, as energetic and inspiring as death is final.

Franz Ferdinand *Franz Ferdinand*

Eleven songs, none of which are disappointing.

The Fiery Furnaces *Blueberry Boat*

The most fun album I heard this year is also the weirdest. Eleanor and David Freidburger take the psycho-journey-blues feel of the group's original album and flesh it out into a full-on s.a. opera, like Richard Henry Dana's "Two Years Before the Mast" if Lou Reed was captain. The Furnaces ramble, both lyrically and musically, but the imposing size of *Blueberry Boat* — 12 tracks of continuous, absurd narrative — is countered by the fact that something new happens every damn second, and you've probably never heard anything like it. A fuzzy wah-wah guitar runs circles around a rolling piano, building to a march that's saturated the next second by a rich organ just before

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PERSONALS

K-Wo: Boo for not having a class together this quarter! I'll ring you soon about a coffee date. Hope your break was splendid! (1/6)

Oklahoma dropped to the no. 3 ranking after the Orange Bowl. The BCS briefly considered 33. (1/6)

Animal rights group PETA doesn't want Jimmy Carter to fish because it's "inconsistent" with his humanitarian efforts. Wait till they see that supermodel Heidi Klum plans to marry a seal. (1/6)

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Tritons: Harlan, Bell, Levy help carry team

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added 0.08 seconds to her morning time while dropping to seventh place. Delurgio's fourth-place, 23.97-second prelims finish did not carry over into the finals heat, despite dropping an additional 0.13 seconds between the two races. In the finals, UC Irvine's Chelsea Nagata and Oregon State's Brie Marhenko, who were seeded fifth and sixth in prelims, respectively, each climbed past Delurgio in the finals to take fourth and fifth place. Only 0.57 seconds divided Delurgio's pace from the event winner, Stanford freshman Brooke Bishop, who finished in 23.27 seconds.

In addition to earning an NCAA "A" qualifying time in the 50 free, Harlan's fourth-place finish in the 100 free in a time of

52.13 seconds was only 0.52 seconds behind Oregon State's first-place Kristin Huston and easily passed for her second "A" qualifying time of the meet. Topping off her performance, she garnered a "B" qualifying time in the 100 backstroke, which she negative split, going out in 30.05 seconds and returning on the back half of the race in 29.71 to combine for a 59.76. She also managed another "B" qualifying time in the 200 free for her 13th-place, 1:55.0 finish.

Sophomore Susan Bell swam one of the most overall dominant meets for the Tritons, combining for NCAA "A" qualifying times in the 100 backstroke, 200 breaststroke, 200 individual medley, 400 individual medley and 500 freestyle, plus NCAA "B" qualifying times in the 100 breaststroke and the 200

backstroke.

Junior Sophie Levy led Triton distance swimmers with three NCAA "A" qualifying times in the 200, 500 and 1,650 free events. In the 200 free, she turned in a time of 1:53.78 to secure a sixth-place finish in the finals heat, dominated by Stanford swimmers who took first, third, fourth and fifth places in the event. In the 500 free, Levy swam a 5:03.41 in the preliminary heat, giving her a 13th seed for finals; however, in a frustrating turn of events, she added time in the afternoon race, turning in a 5:05.26 for a 16th-place finish.

Each of UCSD's relays were successful, hitting NCAA "A" qualifying times with a 1:47.14 in the 200 medley, a 3:52.22 in the 400 medley, a 1:34.80 in the 400 free and a 7:38.45 in the 800 free.

Swimming: Eleven Tritons qualify for NCAA Nationals

continued from page 16
the career top-10 at UCSD, including Spicer's 500 free, senior Michael Baier's 200 individual medley time of 1:52.65 and freshman Derek Pettit's 4:05.63 in the 400 individual medley.

As if the individual successes of the Speedo Cup were not enough, three UCSD relays achieved NCAA "A" qualifying times, including the 200 medley relay, the 400 medley relay, which finished in 3:22.24, and the third-place 800 free relay, in its time of 6:50.33.

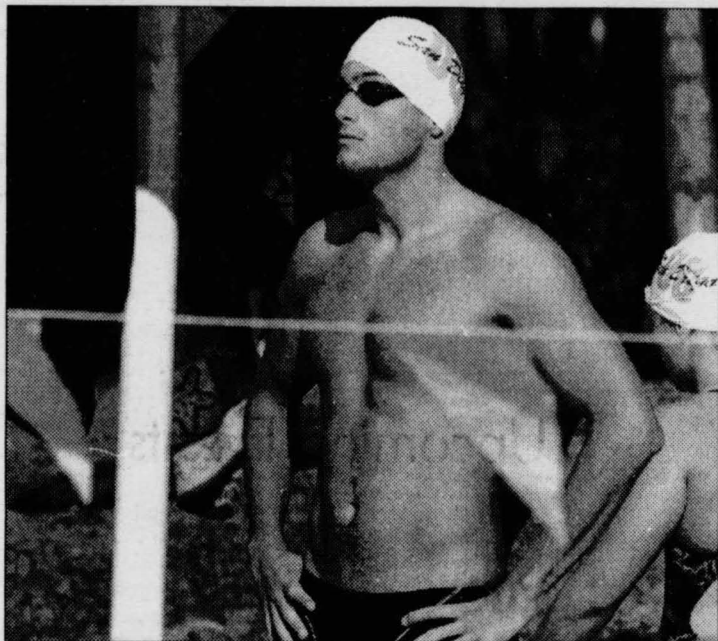
In dual meet action on Jan. 2, the Tritons fell to the Washington Huskies at Canyonview Pool in a 151.50-105.50 decision.

Despite strong showings from UCSD athletes, the Huskies won all but four individual events, submitting to Boehm's dominance in the 200 free, 200 fly and 200 individual medley, then to Going, who captured victory in the 100 breast with a time of 59.09 seconds.

The Tritons took charge in the 200 free relay with a 1:26.04 finish, thanks to fast performances by Harutunian, senior Mark Tate and sophomore Tim Fuller.

Fuller also took second place in the 50 free in a time of 21.78.

The Tritons return to the pool to host their final dual home meet of the 2004-05 season at noon on Jan. 16 against UC Davis.



Courtesy of UCSD Athletics

The Boehm factor: Senior Kurt Boehm carried the Triton men at the Speedo Cup, setting four individual school records and breaking another in a relay.

2004-05 NCAA 'A' National Qualifying Swimmers

Women:

Seniors
Rosanna Delurgio
Katie Miller
Juniors
Sarah Grant
Caitlin Lanson
Sophie Levy
Louisa Salisbury

Sophomores
Monica Becks
Susan Bell
Emily Harlan
Andrea Lippin
Liz Whiteley
Freshmen
Katie Baier

Men:

Seniors
Kurt Boehm
Brett Going
Devin Spicer
Juniors
Michael Baier
Ben Falcioni
Bernabe Sclafani

Sophomore
Tim Fuller
Andy Harutunian
Mike Lahey
Freshmen
Evan Hsiao
Joel Tourtellotte

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MEN'S BASKETBALL			MEN'S SOCCER		
CCAA	conf.	overall	2005 Div. II CCAA/Precept Coaches Poll rank	school	prev.
Cal State San Bernardino	2 0	7 1	1	South Carolina-Aiken	1
Sonoma State	2 0	5 4	2	Hawaii Hilo	2
Cal State Monterey Bay	2 0	4 4	3	Cal State Bakersfield	4
Cal Poly Pomona	1 1	6 3	4	West Florida	5
Cal State Bakersfield	1 1	6 3	5	UC San Diego	8
Chico State	1 1	6 3	6	Western Washington	3
UC San Diego	1 1	4 4	7	Lynn	NR
San Francisco State	1 1	4 4	8	Bary	15
Cal State Stanislaus	0 2	2 7	9	Saint Martin's	12
Cal State Dominguez Hills	0 2	1 8	10	Florida Gulf Coast	9
Cal State Monterey Bay	0 2	1 8	11	Central Oklahoma	13
			12	Rollins	14
			13	Georgia College & State Univ.	16
			14	Cameron	20
			15	Armstrong Atlantic State	7
			16	Cal State Stanislaus	6
			17	Valdosta State	10
			18	Delta State	17
			19	Grand Canyon	18
			20	Chico State	11

through Jan. 4

WOMEN'S BASKETBALL			TRITON NATIONAL RANKINGS		
CCAA	conf.	overall			
Chico State	2 0	8 1	Men's swimming and diving	2nd	
Cal Poly Pomona	2 0	7 2	Women's swimming and diving	3rd	
UC San Diego	2 0	6 3	Men's golf	5th	
Cal State Dominguez Hills	2 0	4 4	Women's volleyball	6th	
Cal State Bakersfield	1 1	7 2	Men's tennis	10th	
Cal State Stanislaus	1 1	2 7	Women's tennis	11th	
Cal State Los Angeles	0 2	3 6	Men's water polo	12th	
San Francisco State	0 2	1 8	Women's cross country	17th	
Sonoma State	0 2	1 8			
Cal State Monterey Bay	0 2	3 6			

through Jan. 4

Upcoming Events

Women's basketball
UCSD looks to maintain its undefeated California Collegiate Athletic Association conference record when it plays back-to-back road games against Cal State Stanislaus on Jan. 7 and Chico State on Jan. 8. The Tritons won last season's series matchup against Cal State Stanislaus and went 1-1 against Chico State.

Men's volleyball
UCSD will host Cal on Jan. 7 for an exhibition game before it kicks off its season opener on Jan. 8 against Cal Baptist, who defeated them in both meetings last season. First serve for both matches is at 7 p.m. at RIMAC Arena.

Fencing
Men's and women's fencing had a strong fall season with the Tritons medaling in sabre, foil and epee at the San Diego Open tournament held on Nov. 22. They will compete again at another San Diego Open tournament held at Mission Bay High School on Jan. 9 with a 9:30 a.m. start time. The Tritons will then travel to Overland Park, Kan. for the North American Cup from Jan. 14 to Jan. 17.

Polo: Harper reaches 20 wins again

continued from page 16
On Oct. 24, Finegold tied the single-game-ejections-drawn record of seven in a loss to Stanford. He tied the mark set by Jason Brown (in 1991 against UCLA) and by current UCSD women's water polo coach Larry Sanders (in a 1986 match against Loyola-Chicago).
"Even though things didn't turn out [as well as they could have], it worked out for the younger guys who got more playing time," Finegold said. "Next year we want to win conference and do as well as we can at [the NCAA tournament]."

Eichholz tied freshman driver Adnan Jerkovic for the most goals scored during the 2004 season with 48, and was named a member of the All-WWPA First Team.

Coming off the bench during his sophomore season, Eichholz was credited with 12 goals.

"The experience has helped a lot," Eichholz said. "I feel a lot more comfortable in the water, and with my whole game awareness."

Prior to playing for UCSD, the Las Vegas native got his start in the pool as a swimmer.

"I swam competitively from when I was about seven till I was 12," Eichholz said. "Then the mom of one of the guys on the team met our club coach. We were the only club water polo team in Vegas."

Before redshirting with the Tritons in his first year at UCSD, Eichholz played a season under head coach Brian Harvey at Grossmont College in San Diego.

Reflecting on the 2004 season, which ended sourly in a devastating quarter-final loss at the WWPA Championships to Redlands, Eichholz's sentiments are predictable.

"It was disappointing," he said. "It was a really good season, and there was more to the season than the end."

SUBWAY
ATHLETE OF THE WEEK
JAN 2 to 8



Leora Juster
Women's Basketball
Sophomore
Math/Secondary Education (Muir College)
Los Angeles, California

Sophomore Leora Juster has helped the UC San Diego women's basketball team to a 6-3 start in 2004-05, including two wins in its last three games. During that time span Juster has had games in which she has scored 25 points, 19 points and 17 points, increasing her team-leading scoring average to 15.2 points per contest.

She and her teammates return to CCAA play this weekend, traveling to Cal State Stanislaus on Friday evening and Chico State on Saturday night. The Tritons are currently 2-0 in league action and Juster is averaging 14.5 points in conference games alone.

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No. 2 UCSD silences D-I and D-II competition in Long Beach

Boehm smashes five school records, including four individual events and a relay

By **MATTHEW GRANT**
Sports Editor

Following overall outstanding performances at the Nov. 13 dual home meet against Cal State San Bernardino and the Nov. 18 to Nov. 20 Speedo Cup at Belmont Plaza in Long Beach, Calif., the Triton men's swim and dive team is ranked No. 2 in the CollegeSwimming.com national coaches poll. Eleven of the team's athletes have secured NCAA "A" qualifying times and an additional seven have achieved NCAA "B" qualifying times.

UCSD senior Kurt Boehm was named National Collegiate Swimmer of the Week on Nov. 29 following his showing at the Speedo Cup, in which he not only notched four NCAA "A" qualifying times, but also set four individual school records, as well as taking part in the UCSD record-breaking, second-place 400-medley relay. The recipient of the honor is nominated by coaches, sports information directors and conference representatives, then finally selected by a panel of collegiate coaches from 10 of the best swimming programs in the country.

The Division II Triton men silenced their competition following a second-place overall finish behind Stanford at the Speedo Cup. The field, composed of virtually all Division I teams, could not keep up with the 11 individual Triton racers who posted NCAA "A" qualifying times.

Leading the charge, Boehm beat second-place Stanford racer Matt McDonald by more than a

quarter of a second in the 100-yard butterfly, with a time of 48.64 seconds, to capture the first of his four "A" qualifying times in a field of 56 swimmers. In the event, Boehm stole Mark Latronica's 2000 school record of 48.78 seconds.

Boehm went on to win the 200-fly by more than two full seconds in a time of 1:49.07, beating BYU's Dougie Broadbent's second-place 1:51.11, and toppling a 38-competitor field. The 19-year-old school record that Boehm surpassed in the event was set in 1986 by Roger Brisbane's time of 1:49.81.

Boehm entered the 200 individual medley final heat following a fourth-place preliminary race in a time of 1:51.82, but he disappointed the field by dropping more than two-and-a-half seconds in the finals heat to a 1:49.24, capturing second place to Stanford's Hongzhe Sun. The finish terminated Travis Miller's 1993 record time of 1:50.93.

In the 400 individual medley, Boehm did not compete in the final heat; his preliminary time would have seeded him in third position for the finals and could have earned a fourth-place finish had he not improved in the second race. Nonetheless, his time of 3:57.95 was strong enough to merit an NCAA "A" qualifying time.

Boehm's superior performance was capped by his leg of the UCSD record-setting, 400 medley "A" relay, in which he and teammates senior Brett Going and sophomores Mike Lahey and Andrew Harutunian took second to the



Andrew Mo/Guardian

Fly by: Senior Michael Baier's time of 1:52.65 in the 200 individual medley was among the top-10 finishes in Triton history.

Stanford "A" relay in a time of 3:22.24, edging the third-place BYU "A" relay by 0.83 seconds.

Triton distance swimmers demonstrated that they will be a challenge for anyone at the NCAA Division II Championships. Senior Devin Spicer and sophomore Joel Tourtellotte took fifth and sixth places in the 1,650 freestyle, a single body-length apart with their respective times of 15:57.01 and 15:58.24. Both times satisfy NCAA "A" requisites.

Spicer also posted an "A" quali-

fying time in his eighth-place, 500 free finish in a time of 4:36.17, coming off of a 4:32.93 preliminary time.

Harutunian presented the Tritons with some of the fastest freestyle sprints and splits of his season, including a spectacular 20.09-second anchor split in the fourth-place, 200 medley relay. In the 50 free, he qualified in 21.32 seconds, then came back for finals in a 12th-place, 23.93-second finish. Although Harutunian did not enter the finals heat of the 100 free

sprint, his qualifying time of 46.46 would have secured an eighth-place finish out of the 86-competitor field. His 14th-place finish in the 100 fly in 51.33 seconds guarantees that he will remain a fierce challenge through the end of the regular season and beyond. All three of Harutunian's finishes met NCAA "B" qualifying times.

Boehm aside, three other athletes on the Triton men's team posted times that landed them into

See **SWIMMING**, Page 14

UCSD women prep for Nationals

Tritons hope to prove overall NCAA dominance

By **MATTHEW GRANT**
Sports Editor

Senior Rosanna Delurgio earned CollegeSwimming.com's National Swimmer of the Week honor for her performance at the Speedo Cup at Belmont Plaza in

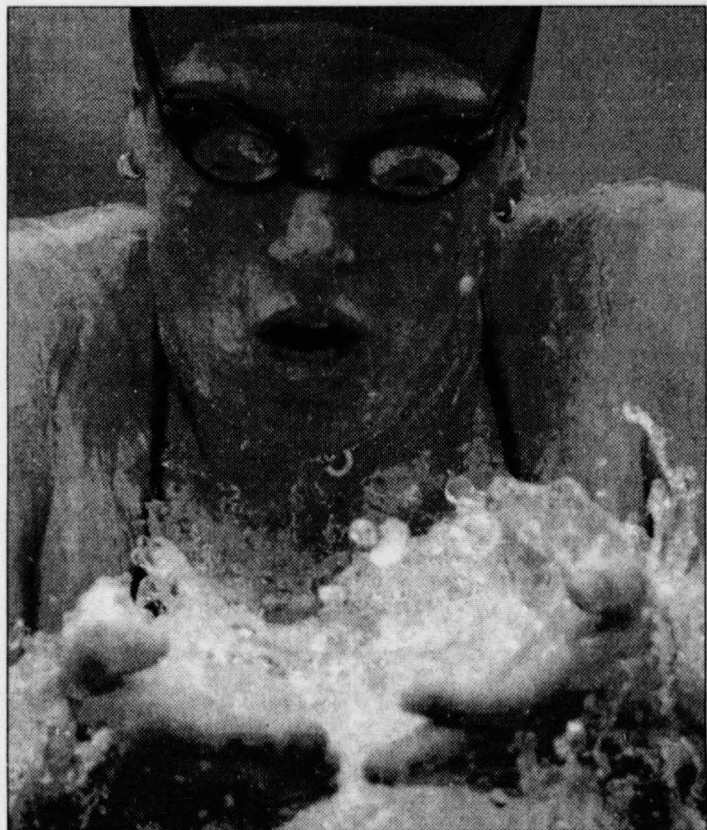
Long Beach, Calif., on Nov. 18 through Nov. 20. Delurgio captured first place in the 200-yard breaststroke, second place in the 100 breast and sixth in the 50 free. The team finished fifth out of 18 teams entered, after working through an intense, three-way bat-

tle for fourth place between the Tritons, UC Irvine and BYU. The Anteaters ultimately won after edging the Tritons by 22 points, 702-680. UCSD pulled together for 12 NCAA "A" qualifying times at the meet.

Delurgio beat her second-place counterpart in the 200 breast event by more than a full second, edging Nevada's Stephanie Gabert in a time of 2 minutes, 16.2 seconds to 2:16.38. Delurgio was seeded third behind first-seed Gabert after coming in more than two-and-a-half seconds back in the preliminary heat, setting herself up for the upset victory.

In the 100 breast event, Delurgio finished second to Stanford's Caroline Bruce, with times of 1:01.75 and 1:03.45, respectively. The two athletes were nearly deadlocked in the preliminary heat of the event, finishing the qualifying round separated by barely 0.3 seconds, 1:03.63 and 1:03.94, as Bruce hung on to earn the top seed. Even though Delurgio dropped almost a half second in the finals, Bruce shaved almost two full seconds from her time for the victory.

Delurgio and sophomore Emily Harlan placed sixth and seventh, respectively, in the 50 free. Harlan charged through the preliminary heat to a second-place finish behind Stanford's Lacey Boutwell in a time of 23.78 seconds. Harlan was unable to return with such intensity for the afternoon finals heat and



Courtesy of UCSD Athletics

In your face: Senior Rosanna Delurgio swam in the finals heats of three individual events, winning the 200 breast at the Speedo Cup in Long Beach, Calif., on Nov. 20.

See **TRITONS**, Page 14

Twelfth-ranked Tritons receive top national honors

Harper named Coach of the Year; Eichholz, Finegold grace First Team

By **MATTHEW GRANT**
Sports Editor

UCSD men's water polo head coach Denny Harper was named 2004 Division II Coach of the Year by the American Water Polo Coaches Association on Dec. 29, while junior driver Chris Eichholz and junior two-meter man Chris Finegold both earned a spot on the Division II All-American first team.

After reaching a record of 20-12 in the fall, Harper successfully navigated the Tritons to 20 wins for the third time in five years.

"[Harper] did a great job," Finegold said. "He always does a great job."

The honor is nothing new to

Harper, who has garnered three, Division III Coach of the Year awards and a Division I and II Coach of the Year honor in his 25-year tenure at UCSD. In that time, he has accumulated a 429-329-4 record — a .566 average.

Finegold, who was also named to the All-Western Water Polo Association First Team at the end of 2004, wrapped up the season with 36 goals — the third most on the team.

"It was a good year," Finegold said. "I got more playing time, and that gave me more confidence. Plus I spent most of last year playing two-meter defense and this year I was playing offense most of the time."

See **POLO**, Page 15

American Water Polo Coaches Association honorees



Head coach
Denny Harper
AWPCA Division II
Coach of the Year



Driver
Chris Eichholz
All-American
First Team



Two-meter
Chris Finegold
All-American
First Team

Photos courtesy of UCSD Athletics