



Court to hear Gore's appeal

BY JACKIE HALLIFAX
ASSOCIATED PRESS

TALLAHASSEE, Fla. — The Florida Supreme Court agreed Tuesday to hear Al Gore's appeal of a ruling that upheld George W. Bush's statewide victory in the contested presidential race.

Court spokesman Craig Waters said the justices wanted written papers submitted by noon Wednesday, and would hear arguments Thursday morning in the case that could ultimately settle the race for the White House.

The unusually condensed schedule reflected the national urgency of the case.

Gore is appealing a ruling by Circuit Judge N. Sanders Sauls that rejected Gore's request for a manual recount in two counties and to overturn Bush's certified victory in the state that stands to pick the next president.

Waters said the justices had allotted an hour for oral arguments, 30 minutes for each side. On a technical point of what issues would be argued, he said the lawyers would be "dealing with whether the court should hear the case and the issues of the case as well."

Joseph Lieberman, Gore's vice presidential candidate, stood Tuesday in Washington with supportive Democratic lawmakers as he said the Florida Supreme Court would be "the final arbiter" of the election dispute.

Gore's appeal was one of two election-related cases at Florida's highest court. The other, returned on Monday from the U.S. Supreme Court, requested clarification of the reasoning behind a state Supreme Court ruling last month that approved partial manual recounts beyond a deadline fixed in state law for the end of vote counting in the presidential election.

The Bush and Gore legal teams already were operating under a 3 p.m. Tuesday deadline for submitting written arguments in that case. No timetable for oral arguments has yet been set in that case.

Waters told reporters he had no information on whether the two cases would be combined.

The developments came the day after Circuit Judge N. Sanders Sauls rejected Gore's request to reverse Bush's certified 537-vote victory and also refused his request to order a partial manual recount.

Gore lawyer Ron Klain said Tuesday the proceeding before the Florida Supreme Court is "the most important step in this process" — and probably the last one.

Another Gore attorney, W. Dexter Douglass, said the vice president was prepared to appeal Sauls' decision on virtually every point, including his ruling that recounts cannot be conducted in select-

ed counties. To win an appeal, Gore needed to show a reasonable probability that recounts would tip the election to him and that county boards abused their discretion.

"It was a totally appealable order on every point," Douglass said.

The Gore team would be ready to file its legal arguments within hours of the Florida Supreme Court setting a schedule for the submission of arguments in the case, he added.

Congress' two Democratic leaders, Senate Minority Leader Tom Daschle and House Minority Leader Dick Gephardt, released a statement saying they believe the appeal was in keeping with Florida law and American democracy.

In the Florida Legislature, Senate President John McKay and House Speaker Tom Feeney, both Republicans, said in a joint statement that they had filed a motion to participate in the appeal before the Supreme Court.

They said they wanted to tell the justices that the Legislature's authority to pick electors stems from the U.S. Constitution and cannot be overridden by the state Supreme Court.

Handing Bush a key legal victory, Sauls said he concluded Gore had not shown there was a "reasonable probability" that the results of the election would have been changed.

Reading aloud to a packed courtroom and nationwide television audience, Sauls came down on Bush's side of the case on point after point. He refused to sweep aside Bush's 537-vote certified victory and begin courthouse counts of what Gore said were missed votes that had been rejected by machines in heavily Democratic counties.

"The evidence does not establish any illegality, dishonesty, gross negligence, improper influence, coercion or fraud in the balloting and counting processes" in the Florida counties where Gore sought hand recounts, Sauls said.

Furthermore, county canvassing boards in Palm Beach, Miami-Dade and Nassau counties all had acted within their discretion in tabulating votes, Sauls said, and there was "no authority under Florida law" for certifying an incomplete manual recount or for submitting returns after a deadline fixed by the state Supreme Court. That was a vindication of the actions of Secretary of State Katherine Harris, a GOP partisan who certified Bush the winner.

And Sauls said that while the record shows "voter error and/or less than total accuracy in regard" to the results in Palm Beach and Miami counties, these problems "cannot support or affect any recounting."

Gore asked for a ruling overturning Bush's slim lead and a manual recount

of about 14,000 ballots in Palm Beach and Miami-Dade counties. The vice president also sought to change the official vote certification in Nassau County, although only 51 votes were involved there.

The Bush team argued there was no reason for the recount and said the Texas governor had been certified properly on the basis of tallies submitted by the canvassing boards in all 67 Florida counties.

On other legal fronts:

— Florida Gov. Jeb Bush filed court papers Monday to move to Tallahassee federal court a voters' challenge to 1,500 overseas military ballots that were counted. Government lawyers took action after Leon County Circuit Judge L. Ralph Smith on Monday ordered local officials in 10 counties to provide absentee ballot records and told state officials to answer questions about the ballot deadlines.

— A federal judge in Pensacola will hear arguments in a GOP effort to increase Bush's vote margin by counting overseas ballots that were rejected for lack of a postmark and other problems, mostly those from military voters.

— The federal appeals court in Atlanta heard oral arguments Tuesday in a pair of related cases from Bush supporters who want the court to throw out any election results that included hand recounts.

NEWS BRIEFS

■ Clinton creates nature preserve to protect coral reefs

WASHINGTON (AP) — President Clinton created the largest U.S. nature preserve Monday — 84 million acres underwater around the northwestern Hawaiian Islands — to help save the coral reefs and wildlife that inhabit the area.

The Pacific Ocean reserve, at 99,500 square nautical miles as large as Florida and Georgia combined, contains nearly 70 percent of the United States' coral reefs, as well as pristine remote islands, atolls and submerged lagoons. It was described by Clinton as "a special place where the sea is a living rainbow."

■ Netanyahu returns to Israel as possible challenger to Barak

JERUSALEM (AP) — Former Prime Minister Benjamin Netanyahu returned to Israeli politics with typical timing and flair, saying he will decide soon about challenging the nation's current leader, Ehud Barak, who trounced him in elections only a year and a half ago.

In that period, the fortunes of the two rivals have reversed, with polls showing that if elections were held today, Netanyahu would be the big winner.

Barak has reluctantly agreed to early elections under pressure from his rebellious parliament. No date has been set, but party leaders are aiming for May.

■ Endeavour crew unfurls solar wing on space station

SPACE CENTER, HOUSTON (AP) — NASA officials breathed a collective sigh of relief after feverishly working to create a plan that successfully unfurled the second of the international space station's giant solar wings.

Energies were then turned to Tuesday's planned spacewalk, during which astronauts Joe Tanner and Carlos Noriega were to continue installing space station Alpha's electricity-producing solar panels.

Tanner and Noriega will make electrical connections so that power from the newly installed solar wings can be distributed to the rest of the station.

■ Peace gestures emerge in Kashmir amid violence

SRINAGAR, INDIA (AP) — The first week of India's unilateral cease-fire started and ended with lethal bombings and left a total of 25 people dead.

In blood-laced Kashmir, that's called a lull in violence. Add in a series of peace gestures, and some see a faint chance of ending an 11-year-old insurgency in the Himalayan valley.

"The situation is easing up. I see a ray of hope," Abdul Gani Bhat, the chairman of Kashmir's main separatist alliance, the All Parties Hurriyat Conference, told The Associated Press. "I think this process is becoming a comprehensive one."

■ Russian nuclear power plant reports radiation leak

MOSCOW (AP) — Workers at a Russian nuclear power plant detected higher than normal radiation levels Tuesday in soil on the plant's territory, a spokesman for Russia's state nuclear power company said.

The radiation appeared to have come from a leaking water pipe attached to the cooling system of two reactors at the Novovoronezh plant, about 300 miles south of Moscow. The reactors have been out of service for a decade.

Rosenergoatom spokesman Konstantin Romburger couldn't say how high the radiation level was, but he said it didn't pose a danger to surrounding areas.

Still, authorities sealed off the area with barbed wire and posted signs about the radiation risk while a commission studied the cause of the leak, he said.

Greenspan indicates interest rates might have to be lowered

BY MARTIN CRUTSINGER
ASSOCIATED PRESS

WASHINGTON — Federal Reserve Chairman Alan Greenspan, expressing concerns about potential threats to the slowing U.S. economy, sent a strong signal Tuesday that the central bank stands ready to cut interest rates if necessary to ward off a recession.

Greenspan's comments triggered a huge rally on Wall Street as investors took comfort that the central bank was growing concerned about the threats to the overall economy from a sharp sell-off in stock prices.

The Dow Jones industrial average, which had been up about 180 points before Greenspan started speaking, shot higher and was up more than 300 points at midday.

Greenspan's concerns about the slowing economy followed remarks in recent days by George W. Bush and his running mate, Dick Cheney, that recent signs of economic weakness pointed up the need for the Republicans' \$1.3 trillion tax cut.

In his speech on economic dangers, Greenspan specifically mentioned the sharp plunge in stock prices and the possibility that this could cause a cutback in

consumer and business spending. He also said rising tensions in the Middle East could cause oil prices to surge unexpectedly.

Greenspan's remarks, delivered to a banking conference in New York, were the firmest signal yet that the central bank is switching its chief concern from fighting inflation by raising interest rates to worrying that its credit tightening has gone too far and could prompt an outright recession.

"In periods of transition from unsustainable to more modest rates of growth, an economy is obviously at increased risk of untoward events that would be readily absorbed in a period of boom," Greenspan said.

The Fed has raised interest rates six times, beginning in June 1999, in an effort to slow the booming economy to a more sustainable pace in order to keep inflation in check.

Responding to those rate increases, economic growth slowed abruptly to an annual rate of just 2.4 percent in the summer, less than half the sizzling 5.6 percent pace of the spring.

That slowdown dampened corporate

GREENSPAN SEE PAGE 5

American students still lagging behind Asians, Europeans

BY ANJETTA MCQUEEN
ASSOCIATED PRESS

WASHINGTON — America's eighth-graders still are largely outperformed by children in industrialized Asian and European nations, scoring only at average levels on the latest round of international math and science tests.

Despite more than four years of efforts to improve American student performance in science and math, a report released Tuesday shows little improvement for the middle-schoolers from the first set of uniform tests in 1995.

U.S. educators generally blamed a lack of follow-through on improvement plans developed after the 1995 tests, which also included fourth- and 12th-graders. The earlier tests showed not only that U.S. students made average scores but seemed to do worse as they grew older. The latest tests, conducted in 1999, covered only eighth-graders.

"It's not surprising that in four years we haven't seen real changes," said

Christopher Cross of the Council on Basic Education, a nonprofit advocacy group in Washington. "We've gotten the message. We just haven't taken it to the classroom level.

"What would be really upsetting is that in another four years we would see things looking exactly the same," Cross said.

The 1999 test of eighth-graders did show U.S. students scored a few points above the average score of all nations.

Education Secretary Richard Riley credited U.S. educators with efforts to boost learning. "There is a new mood about education in America ... everything I've seen tells me the American people are rising to the challenge."

The testing, organized by the International Association for the Evaluation of Education Achievement and conducted by individual education authorities, showed that in 1999 math and science testing, a dozen nations out of 38 participating in the study outper-

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World economy booms, but poor countries suffer

BY HARRY DUNPHY
ASSOCIATED PRESS

WASHINGTON — Global economic activity is accelerating at record levels, but many of the world's poorest countries are hurt by trade barriers the United States and other wealthy nations impose on their exports, the World Bank said Tuesday.

While the outlook for continued economic growth is good, the report said, sharp changes in oil prices remain a major uncertainty as does whether the U.S. economy continues to expand or crashes to a hard landing. Fragility of financial systems in East Asia also is a concern, the bank said.

Global Economic Prospects and the Developing Countries 2001, the bank's annual update on these nations, said their economic growth is expected to register 5.3 percent in 2000, 5 percent in 2001 and ease to 4.8 percent in 2002.

The report warns that many of the world's poorest nations, especially those torn by conflict in Africa, are not keeping pace.

"What this report emphasizes convincingly is that prospects for growth are better than they have been in around 30 years," said Nick Stern, the World Bank's chief econ-

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Nick Stern

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omist.

He said many developing countries have improved their economic policies over the past 10 years, tamed inflation, opened up to trade, emphasized internal reforms and improved education of their workers.

"We all have to work to try to create the environment where poor people participate more fully in economic growth," Stern said.

The 158-page report said that "world economic activity during 2000 is proceeding at the fastest pace in over a decade with developing country output expected to exceed 5 percent."

"World trade volumes are expected to rise by a record 12.5 percent this year," the report said, the highest rate of growth since before the 1970s oil shocks.

"We think this is a cyclical high and expect a moderate slowdown over

the next two years to single digit levels," said Hans Timmer, one of the report's authors.

He said some tensions were building up that posed a risk to the favorable economic outlook, among them whether the price of oil would go up or down, the potential for future volatility in financial markets and the huge U.S. trade deficit.

Both Stern and Timmer said high trade barriers the industrialized countries imposed on farm and food products, along with the agricultural subsidies, contribute to the poor performance of developing countries' exports of these commodities.

"There is a certain hypocrisy about lectures from advanced countries to developing countries on the importance of (trade) liberalization and joining the global economy while at the same time they erect barriers against their goods," Stern said.

Panel tells Congress biotech corn is likely to cause allergic reactions

BY PHILIP BRASHER
ASSOCIATED PRESS

WASHINGTON — A panel of scientists told the government Tuesday that there is a "medium likelihood" an unapproved variety of biotech corn will cause allergic reactions in people and urged further study of the crop.

The panel advising the Environmental Protection Agency said so little of the corn is in the food supply that there is a "low probability" that consumers could have developed allergies to it.

The corn, known as StarLink, was withdrawn from the market after it was disclosed this fall that it had been used in making taco shells and possibly other products. EPA had approved the corn only for animal feed and industrial uses because of unresolved questions about whether it can cause allergic reactions.

The corn's developer, Aventis

CropScience, has asked the EPA to temporarily approve the corn for food use to avoid further disruptions in food processing and grain handling.

"Both the panel's recommendations and the public comments that were submitted will be used to guide the EPA during the scientific evaluation of StarLink," said Stephen Johnson, EPA's deputy assistant administrator.

The panel urged the government to investigate complaints of people who have reported illnesses they think are related to the corn. About three dozen such complaints have been received by the government. Seven to 14 merit further study because they appear to involve allergic reactions of some kind and "represent a real opportunity" to determine whether StarLink is an allergen, the panel said.

An Aventis spokeswoman had no immediate comment on the report. EPA regulates use of the biotech

corn because it was genetically modified to produce its own pesticide.

A pesticidal protein, known as Cry9C, in the corn breaks down relatively slowly in the human digestive system, raising concerns that it could cause allergic reactions in people who have been sensitized to it.

Critics of the biotech industry have urged the EPA to deny the food-use approval, saying it would unfairly relieve Aventis of financial and legal responsibility for the corn.

"It looks like science is going to win out over expediency," said Rebecca Goldberg, a scientist with Environmental Defense, an advocacy group.

"It would be inappropriate to leap to retroactively approve StarLink corn for the convenience of Aventis. Clearly, a much better course is to develop the proper methodology and information in order to make a real determination about the safety of StarLink."