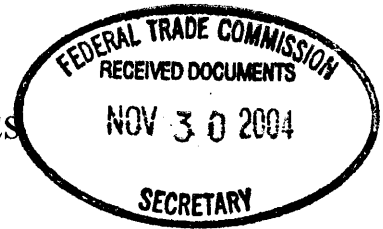


UNITED STATE OF AMERICA
BEFORE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES



In the Matter of

BASIC RESEARCH, L.L.C.,
A.G. WATERHOUSE, L.L.C.,
KLEIN-BECKER USA, L.L.C.,
NUTRASPORT, L.L.C.
SOVAGE DERMALOGIC LABORATORIES, L.L.C.,
 dba BASIC RESEARCH, L.L.C.,
 OLD BASIC RESEARCH, L.L.C.,
 BASIC RESEARCH, A.G. WATERHOUSE,
BAN, L.L.C.,
 dba KLEIN, BECKER, USA, NUTRA SPORT, and
 SOVAGE DERMALOGIC LABORATORIES,
DENNIS GAY,
DANIEL B. MOWREY,
 dba AMERICAN PHYTOTHERAPY RESEARCH
 LABORATORY, and
MITCHELL K. FRIEDLANDER,

Respondents.

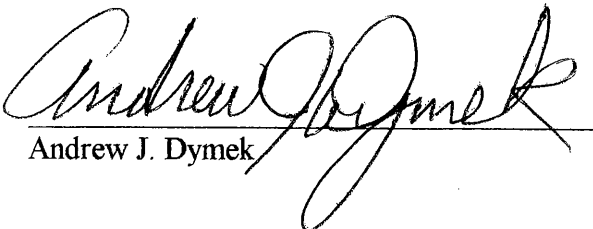
DOCKET NO. 9318

EXPERT REPORT OF LAWRENCE M. SOLAN

Respondents BASIC RESEARCH, L.L.C., A.G. WATERHOUSE, L.L.C., KLEIN-BECKER
USA, L.L.C., NUTRASPORT, L.L.C., SOVAGE DERMALOGIC LABORATORIES, L.L.C.,
BAN, L.L.C., DENNIS GAY, DANIEL B. MOWREY, and MITCHELL K. FRIEDLANDER,
jointly file the attached report of expert Lawrence M. Solan as previously designated.

DATED this 29th day of November, 2004.

BURBIDGE & MITCHELL


Andrew J. Dymek

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of November, 2004, I caused the foregoing Expert Report of Lawrence M. Solan to be filed and served as follows:

- (1) an original and two paper copies filed by Federal Express and one electronic copy in PDF format filed by electronic mail to:

Donald S. Clark, Secretary
Federal Trade Commission
600 Pennsylvania Avenue, NW Room H-159
Washington, DC 20580
Email: secretary@ftc.gov

- (2) one paper copy served by Federal Express to:

The Honorable Stephen J. McGuire
Administrative Law Judge
600 Pennsylvania Avenue, NW, Room H-106
Washington, D.C. 20580

- (3) one paper copy by first class U.S. mail and one electronic copy in PDF format by electronic mail to:

Laureen Kapin
Walter C. Gross
Joshua S. Millard
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Laura Schneider
Federal Trade Commission
600 Pennsylvania Ave, NW, Suite NJ-2122
Washington, D.C. 20580
Email: lkapin@ftc.gov

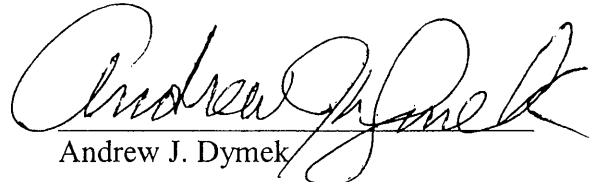
- (4) one paper copy by first class U.S. mail

Elaine D. Kolish
Associate Director, Enforcement
Federal Trade Commission
600 Pennsylvania Ave, NW
Washington, D.C. 20580

Jeffrey D. Feldman
Gregory L. Hillyer
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Salt Lake City, Utah 84116



Andrew J. Dymek

Report of Lawrence M. Solan

Scope

I have been asked by Basic Research to comment on the meanings of *substantial*, *significant* and *considerable* in the contexts of expressions such as *substantial reduction*, *significant reduction* and *considerable reduction*. I have also been asked to comment on the meaning of the word *rapid* in similar contexts.

Summary of Opinion

Based on the analyses presented below, I have concluded:

Absent additional information, expressions such as *significant reduction*, *significant decrease* and *significant increase* are not subject to precise quantification in everyday speech, because their meanings depend upon prior expectations of how much reduction, decrease or increase is enough to be considered significant.

The same holds true for the expressions *substantial reduction*, *substantial decrease* and *substantial increase*, and *considerable reduction*, *considerable decrease* and *considerable increase*.

The same holds true for the expressions *rapid reduction*, *rapid decrease* and *rapid increase*. The meanings of these expressions depend upon prior expectations about how much of a reduction, decrease or increase must occur within a time period for it to be considered rapid. Absent additional information, these expressions are not subject to precise quantification in everyday speech.

My Experience

I am the Don Forchelli Professor of Law, and director of the Center for the Study of Law, Language and Cognition at Brooklyn Law School.

I have a Ph.D. in linguistics from the University of Massachusetts and a law degree from Harvard Law School. Much of my research and writing concerns the relationship between language and law. Using advances from linguistics and psychology, my work explores how legal disputes over meaning reflect ordinary psychological processes that we use in everyday life. I have written many articles about the relationship between legal issues and linguistics, have published a book that deals with those issues, and have co-authored a book that will be published at the beginning of 2005.

Attached to this report as Exhibit A is a copy of my Curriculum Vita, which describes my relevant credentials, including a list of my scholarly publications. I incorporate the CV

into this report. Short pieces that I occasionally publish in the media are not included on my CV.

How Big Must a Reduction be for it to be Significant or Substantial?

As Dr. Nunberg correctly points out, “we cannot provide an absolute percentage threshold that a change in value must cross before it can be described by one of these words.” (Nunberg Report, Paragraph 40).

Both of these words are adjectives. When an adjective modifies a noun, the meaning of the adjective-noun pair is often characterized simply by adding the meanings of the two words.

Yellow wall (a wall that is yellow)
New sweater (a sweater that is new)

However, adjectives that describe size or volume can only be understood in the context of the nouns that they modify. A big ant and a big table are not the same size. A big ant is an ant that is big, given our expectations of how large we would expect an ant to be. Similarly, a big table depends upon our experience and expectation with the size of tables.

Words like *increase*, *decrease* and *reduction* are about changes in size or volume. The Fourth Edition of the *American Heritage Dictionary* defines *reduction* as follows:

1. The act or process of reducing. **2.** The result of reducing: *a reduction in absenteeism*. **3.** The amount by which something is lessened or diminished: *a reduction of 12 percent in violent crime*. **4. Biology** The first meiotic division, in which the chromosome number is reduced. Also called *reduction division*. **5. Chemistry** **a.** A decrease in positive valence or an increase in negative valence by the gaining of electrons. **b.** A reaction in which hydrogen is combined with a compound. **c.** A reaction in which oxygen is removed from a compound. **6. Mathematics** **a.** The canceling of common factors in the numerator and denominator of a fraction. **b.** The converting of a fraction to its decimal equivalent. **c.** The converting of an expression or equation to its simplest form.

The first definition of *reduce*, in turn, is: “To bring down, as in extent, amount, or degree; diminish.” However, how much reduction must occur before it is *substantial*, *significant* or *considerable* depends upon the meanings of these adjectives, the nature of what is being reduced and the expectations of those involved in the communication.

Consider the following examples, all taken from Attachment B of Dr. Nunberg’s report. I have removed the percentage used by the author in each quote and placed it in parentheses after the quote:

We would use planned increases in the budget to make substantial reductions in council tax. (45%) (p. 3)

The experience of Denmark, which has had such a tax for well over a decade with no negative economic impact and a substantial reduction in greenhouse gas emission, supports the contention that if carefully applied, a carbon tax would ultimately benefit the Irish economy rather than harm it. (9%) (p. 6)

The United States and the EU agreed to eliminate agricultural export subsidies and to make a “substantial reduction” in domestic supports. (20%) (p. 7)

Hormones took third place, but IMS said they were the only major class of drugs to have a significant decrease [in Canadian prescriptions] in 2003. (25%) (p. 17)

Maryland’s sewage treatment plants have achieved significant reductions in nutrient emissions. (60%) (p. 20)

The data also found a significant reduction in the area covered by wetlands, including bogs, a trend described as “depressing” by the EEA’s director-general, Dr. Jacqueline McGlade. (7%) (p. 25)

In each of these examples, one cannot infer how much of a decrease or reduction the author had in mind by using the word *significant* or *substantial* without the additional percentage information.

Both words are understood with respect to the expectations of the speaker and/or the hearer. A 9% reduction in greenhouse gases, called “substantial” in the article quoted above, can only be so if that much reduction is considered large enough to be an important achievement. The 7% reduction in wetlands, even though a rather small percentage, is “significant” to an environmentalist who has been working to increase the size of wetlands, and has thus had her expectations disappointed.

The same holds true for *considerable*, which the American Heritage Dictionary uses as a definition of *substantial*. I have conducted a LEXIS search much like that of Dr. Nunberg. The search terms, used in the Major Newspapers library were:

considerable reduction or considerable decrease or considerable increase)
w/10 (per cent or persen!) and PUBLICATION (new york times or los
angeles times or washington post)

The results are attached in Exhibit B, and are similar to those from Dr. Nunberg’s study. Without the quantification contained in the articles themselves, one can only guess the

amplitude of the increase, decrease or reduction that the author had in mind in using the expression. Some examples are presented below:

"But then one day I got a phone call," Mr. Pandina said, "saying that a large chain was interested and could we match a 12-year lease and a considerable increase in rent" (40%) (p. 6)

An Associated Press survey of Florida's 67 counties found that nearly x% of the 6,138,567 ballots cast for presidential candidates were disqualified, a considerable increase over the last two presidential elections. (3%) (p. 8)

The home ownership rate among blacks, for example, has risen to x percent from 42 percent in 1993, a considerable increase. (to 45.8% - increase = 7.6%) (p. 10)

In summary, words like *significant*, *substantial* and *considerable*, when used in the context of words that denote changes in size or amount, are not subject to quantification unless additional information is given, or unless the prior expectations of the speaker and hearer with respect to the subject matter of the reduction, increase or decrease are shared.

How Fast Must an Increase, Decrease, or Reduction be for it to be Rapid?

The *Merriam-Webster Online Dictionary* defines *rapid* as: "marked by a fast rate of motion, activity, succession, or occurrence." The Fourth Edition of *The American Heritage Dictionary* defines *rapid* as: "Moving, acting, or occurring with great speed."

Like adjectives that describe physical amounts, adjectives that describe amounts of time are understood in light of the nouns they modify. Thus we do not understand the following expressions as representing activity at the same speed:

Fast miler
Fast sprinter
Fast computer

Whether a computer is "fast" depends upon whether it operates with greater speed than is typically expected of a computer – whatever that speed may be.

When words like *rapid* (or *slow*, *fast*, *etc.*) modify words like *reduction*, how quick the reduction must be for it to be considered *rapid* depends upon both what is being reduced and the expectations of those involved in the communication.

To see how this perspective works, I conducted a search in the LEXIS Major Newspapers library, of articles published in *The Los Angeles Times*, *The New York Times* and the

Washington Post, for the period from September 2003 through October 2004. The search terms were:

(rapid increase or rapid decrease or rapid reduction) and PUBLICATION
(new york times or Washington post or los angeles times) and date aft
august 31, 2003 and date bef November 1, 2004

The results are attached to this report as Exhibit C. (The printout is in the KWIC format – the expression itself with 25 words on each side).

The search yielded 44 hits. Some examples are presented below:

New federal estimates chart the rapid increase in Howard County's Asian community, which in three years has grown from 7.6 percent to nearly 10 percent of the county's total population. (p. 1)

Employers have also become nervous about rapid increases in health insurance benefits, which have raised employment costs even though wages have been climbing slowly or not at all. (p. 4)

Kathleen Wills, Arlington's director of planning and evaluation, was one of several testing experts who warned this year of a rapid increase in the percentage of students not marking their race on their SAT registration forms.

The portion of "non-disclosers," as they are called, rose to 38 percent in Arlington and 25 percent nationally last year,... (p. 5)

In recent years, the Detroit suburb has experienced a rapid increase in immigration from Yemen, Bangladesh and other nations. (p. 7)

But officials and diplomats here, while welcoming the policy change, warned privately against a rapid reduction of American military forces and said they feared that the United States would dump Iraq into the hands of the United Nations. (p. 38)

In each of these examples, absent the author providing some quantification, it is impossible to tell how much of an increase, decrease or reduction the author has in mind. For example, the first illustration, which speaks of a rapid increase in the Asian population of Howard County, tells the reader of an approximately 30% increase (from 7.6% to about 10%) over a three-year period. Had the article not provided that information, the reader could not possibly guess what numbers – if any – the author was thinking.

In summary, words like *rapid*, when used in the context of words that denote changes in size or amount, are not subject to quantification unless additional information is given, or unless the prior expectations of the speaker and hearer with respect to the subject matter of the reduction, increase or decrease are shared.

Compensation

I am being paid \$400.00 per hour, which is my ordinary consultation rate.

Additional Information

I reserve the right to supplement or amend this report if additional relevant information is presented to me.

Dated: November 29, 2004

Lawrence M. Solan
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EXHIBIT A

LAWRENCE M. SOLAN

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163 Ralston Avenue
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973/378-2436 ph

EDUCATION:

- J.D. Harvard Law School, June, 1982.
- Ph.D. University of Massachusetts, Amherst,
Department of Linguistics, September, 1978.
- B.A. Brandeis University, June, 1974. Summa Cum Laude, Phi Beta Kappa, Honors in English, Honors in Linguistics.

TEACHING EXPERIENCE:

- 1996- Brooklyn Law School, Don Forchelli Professor of Law (2004-) and Director, Center for the Study of Law, Language and Cognition (2002-). Professor (2000-), Associate Professor (1996-2000). Courses include legislation and statutory interpretation, contracts, remedies, language and law, insurance law and property.
- 2003 Princeton University, Visiting Fellow in the Department of Psychology (spring semester)
- 2002 Princeton University, Visiting Professor in the Linguistics Program (spring semester). Undergraduate seminar on language and law.
- 1999- Princeton University, Visiting Associate Professor in the
2000 Linguistics Program (fall semester). Undergraduate seminar on language and law; series of faculty seminars on language and law sponsored by the Council of the Humanities.
- 1980- Harvard Extension School, Instructor. Organized course
1982 on legal aspects of the non-profit organization.
- 1981 Brandeis University, Lecturer in Legal Studies.
- 1974- University of Massachusetts, Graduate Instructor.
1978 Taught course on language acquisition.

LEGAL EXPERIENCE:

1983- Orans, Elsen & Lupert, New York, New York. Partner from
1996 1989, associate from 1983-1989. The firm has nine lawyers and specializes in complex commercial litigation, white collar criminal defense work, and the representation of individuals being investigated by government agencies.

1982- Law Clerk to Justice Stewart Pollock, Supreme Court of 1983
New Jersey, Court House, Morristown, New Jersey 07960.

Admitted to practice law in New York and New Jersey.

PUBLICATIONS:

Books:

Why Laws Work Pretty Well, But Not Great: Statutes and their Interpretation (in preparation).

Speaking of Crime: The Language of Criminal Justice (with Peter Tiersma), University of Chicago Press (forthcoming 2005, University of Chicago Press).

The Language of Judges, University of Chicago Press (1993).

Pronominal Reference: Child Language and the Theory of Grammar, D. Reidel Publishing Company (1983).

Articles:

"Language and Law: Definitions in Law." Elsevier Encyclopedia of Language and Linguistics (forthcoming 2005).

"Private Language, Public Laws: The Central Role of Legislative Intent in Statutory Interpretation," *Georgetown Law Journal* (forthcoming 2005).

"Author Identification in American Courts," (with Peter M. Tiersma) *25 Applied Linguistics* 448 (2004).

"Pernicious Ambiguity in Legal Interpretation," *79 Chicago-Kent Law Review* 859 (2004).

"Cops and Robbers: Selective Literalism in American Courts," (with Peter M. Tiersma), *38 Law & Society Review* 229 (2004).

"Jurors as Statutory Interpreters," *78 Chicago-Kent Law Review* 1281 (2003).

"Statutory Inflation and Institutional Choice," *44 William & Mary Law Review* 2209 (2003).

“Finding Ordinary Meaning in the Dictionary,” in M. Robinson, ed., *Language and Law: Proceedings of a Conference* (2003).

“The Impulse to Blame,” symposium article, 68 *Brooklyn Law Review* 1003 (2003).

“Hearing Voices: Speaker Identification in Court,” (with Peter M. Tiersma), 54 *Hastings Law Review* 373 (2003).

“Should Criminal Statutes be Interpreted Dynamically?” *Issues in Legal Scholarship*, Symposium on Dynamic Statutory Interpretation (2002)(www.bepress.com/ils/iss3/art8).

“The Linguist on the Witness Stand: Forensic Linguistics in American Courts,” (with Peter M. Tiersma), 78 *Language* 221 (2002).

“The Clinton Scandal: Some Legal Lessons from Linguistics,” in J. Cotterill, ed., *Language in the Legal Process*, Palgrave, (2002).

“Ordinary Meaning in Legal Interpretation,” *Pohjois-Suomen Tuomarikoulu - Julkaisuja* 4/2001 (Rovaniemi Finland, 2002).

“The Written Contract as Safe Harbor for Dishonest Conduct,” 77 *Chicago-Kent Law Review* 87 (2001).

“Convicting the Innocent Beyond a Reasonable Doubt: Some Lessons About Jury Instructions from the *Sheppard* Case,” Symposium on the *Sheppard* case, 49 *Cleveland State Law Review* 465 (2001).

“Introduction: Symposium: The Jury in the 21st Century,” (with Susan N. Herman), 66 *Brooklyn Law Review* 971 (2001).

“Causation, Contribution and Legal Liability: An Empirical Study,” (with John M. Darley), 64 *Law & Contemporary Problems* 265 (2001).

“Perjury and Impeachment: The Rule of Law or the Rule of Lawyers?,” in L. Kaplan and B. Moran, eds., *Aftermath: The Clinton Scandal and the Future of the Presidency and the Liberal State*, NYU Press, 199-211 (2001).

“Why Laws Work Pretty Well, But Not Great: Words and Rules in Legal Interpretation,” 26 *Law & Social Inquiry* 243 (2001).

“Un effet du principe C chez l’enfant francophone,” (with Helen Goodluck), 45 *Canadian Journal of Linguistics* 49 (2000).

“Let Us Never Forget Our Humanity: Reflections on Justice Stewart Pollock,” 31 *Rutgers L. J.* (2000).

"Refocusing the Burden of Proof in Criminal Cases: Some Doubt About Reasonable Doubt," 78 *Texas L. Rev.* 105 (1999).

"Can the Legal System Use Experts on Meaning," 66 *Tennessee L. Rev.* 1167 (1999).

"Linguistic Experts as Semantic Tour Guides," 5 *Forensic Linguistics* 87 (1998).

"Law, Language and Lenity," 40 *William & Mary L. Rev.* 57 (1998).

"Fault Lies Not Only in Starr but in Law," *National L.J.* A19 (Apr. 20, 1998).

Review of Bernard Jackson, *Making Sense in Law*, 4 *Forensic Linguistics* 305 (1997).

"Learning Our Limits: The Decline of Textualism in Statutory Cases," 1997 *Wisconsin L. Rev.* 235.

"Judicial Decisions and Linguistic Analysis: Is There a Linguist in the Court?" 73 *Washington Univ. L. Q.* 1069 (1995).

"When All is Lost: Why it is Difficult for Judges to Write About Concepts," 1 *Graven Images* (1994).

"Chomsky and Cardozo: Linguistics and the Law," in Carlos P. Otero, ed., *Noam Chomsky: Critical Assessments*, London: Routledge (1994).

"When Judges Use the Dictionary," 68 *American Speech* 50 (1993).

"Does the Legal System Need Experts in English Syntax?" In W. Stewart and R. Reiber, eds., *The Language Scientist as Expert in the Legal Setting*, New York Academy of Sciences (1990).

"Linguistic Principles as the Rule of Law," in P. Pupier and J. Woehrling, eds., *Langue et droit -- Language and Law*, Wilson & Lafleur Itée (1989).

"Parameter Setting and the Development of Pronouns and Reflexives," in T. Roeper and E. Williams, eds., *Parameter Setting*, D. Reidel Publishing Company (1987).

"The Judge as Linguist: Linguistic Principles as Rule of Law," in Fred Marshall, ed., *Proceedings of the Third Eastern States Conference on Linguistics*, University of Pittsburgh (1986).

"A Comparison of Null and Pronoun Anaphora in First Language Acquisition," (B. Lust, L. Solan, S. Flynn, C. Cross, and E. Schuetz, in B. Lust, ed., *Studies in the Acquisition of Anaphora: Defining the Constraints*, D. Reidel Publishing Company (1986).

"Language Acquisition Data and the Theory of Markedness: Evidence from Spanish," in F. Eckman, E. Moravcsik and J. Wirth, eds., *Markedness*, Plenum (1986).

"Focus and Levels of Representation," 15 *Linguistic Inquiry* 174 (1984).

"A Metrical Analysis of Spanish Stress," in W. Cressey and D. Napoli, eds., *Linguistic Symposium on Romance Languages*: 9, Georgetown University Press (1981). Translated in "Análisis métrico del acento español," in Juana Gil (ed.), *Panorama actual de la fonología del español* (2000).

"Fixing Parameters: Language Acquisition and Language Variation," in J. Pustejovsky and V. Burke, eds., *Markedness and Learnability*, University of Massachusetts Occasional Papers in Linguistics, Volume 6 (1981).

"The Acquisition of Structural Restrictions on Anaphora," in S. Tavakolian, ed., *language Acquisition and Linguistic Theory* 59-73, MIT Press (1981).

"Contrastive Stress and Children's Interpretation of Pronouns," 23 *Journal of Speech and Hearing Research* 688 (1980).

"A Reevaluation of the Basic Operations Hypothesis," (H. Goodluck and L. Solan), 7 *Cognition* 85 (1979).

"The Acquisition of Tough Movement," in F. Eckman and A. Hastings, eds, *Studies in First and Second Language Acquisition*, Newbury House Publishers (1979).

"Children's Use of Syntactic Structure in Interpreting Relative Clauses," (L. Solan and T. Roeper), in 1996 H. Goodluck and L. Solan, eds., *Papers in the Structure and Development of Child Language*, University of Massachusetts Occasional Papers in Linguistics, Volume 4 (1978).

RECENT LECTURES AND PRESENTATIONS

"Legislating a Plain Language Rule," University of Connecticut School of Law, October 2004.

"Legislative Intent in Statutory Interpretation, Case Western Reserve School of Law, October 2004.

"Private Language, Public Laws: the Role of Legislative Intent," Law & Society Association Meeting, Chicago, May 2004.

Course on Statutory Interpretation. Florida Advanced Judicial College, Orlando, May 2004 (3-hour course for state trial and appellate judges).

"Sneaking Emotion into Statutory Interpretation," Association for the Study of Law, Culture and the Humanities, Hartford Connecticut, March 2004.

“Author Identification Experts in the Age of Daubert,” Loyola Law School, faculty workshop, February 2004.

“Speaking of Legislative Intent,” DePaul Law School, faculty workshop, November 2003

“Speaking of Legislative Intent,” Princeton University Cognitive Psychology series, November 2003.

“Pernicious Ambiguity in Legal Interpretation,” University of Wisconsin Institute for Legal Studies, November 2003.

“Pernicious Ambiguity in Contracts and Statutes,” Chicago-Kent symposium, October 2003.

“What’s So Hard about Statutory Interpretation,” St. Thomas Law School, Florida (Distinguished Speakers Series), September 2003.

“Linguistic Issues in Statutory Interpretation,” Faculty of Law, Australian National University, Canberra, July 2003.

“Ethical Issues in Expert Testimony by Linguists,” International Association of Forensic Linguistics, Sydney, July 2003.

“Ordinary Meaning in Legal Interpretation,” Italian-American Summit on Ordinary Meaning, sponsored by the American Society of Comparative Law, Milan, May 2003.

“Forensic Linguistics in American Courts,” Workshop on Forensic Linguistics, Barcelona, April 2003.

A series of three lectures at Cardiff University, April 2003: “Linguistic Issues in Statutory Interpretation” (Law Faculty), “Linguistic Identification in American Courts” (Forensic Linguistics graduate seminar), “Plain and Ordinary Meaning in Legal Interpretation” (Department of Language and Communication).

“Plain and Ordinary Meaning in Legal Interpretation,” Department of Linguistics, University of Rochester, March 2003.

“Statutory Inflation,” Loyola School of Law (Chicago), February 2003.

“Differing Conceptualizations of Causation in Law, Science and Everyday Speech,” (Organizer of Symposium, “Causation in Law, Science and Everyday Speech”), American Association for the Advancement of Science, Denver, February 2003.

“Concepts and Categories in Legal Interpretation, Princeton University Psychology Department, Cognitive Psychology Series, February 2003

“Statistics Jurors Can’t Do Without,” NIJ Conference on Science and the Law, Miami, October

2002.

“The Limited Ability to Testify Accurately About What was Said,” International Academy of Law and Mental Health, Amsterdam, July 2002.

“Judicial Reactions to Developments in Insurance Law,” conference on developments in insurance law in the Northeast, New York, June 2002.

“The Dictionary as Source of Ordinary Meaning,” Law and Society Association, Vancouver, May, 2002.

“Hearing Voices: Speaker Identification in Court,” New York Psychology-Law Research Group, February, 2002 (reporting on work co-authored with Peter Tiersma).

“Ordinary Meaning in Legal Interpretation,” Conference on Language and Law: Retrospect and Prospects, University of Lapland, Finland, December 2001.

“Finding Ordinary Meaning in the Dictionary,” University of Texas Conference on Language and Law, December 2001.

“Juror Understanding of Scientific Evidence,” NIJ Conference on Science and the Law, Miami, October 2001.

“The Linguist as Legislative Consultant,” International Association of Forensic Linguistics, Malta, July 2001.

“A Psycholinguistic Approach to Mental Health Legislation,” International Academy of Law and Mental Health, Montreal, July 2001.

“Convicting the Innocent Beyond a Reasonable Doubt: Some Lessons about Jury Instructions from the *Sheppard* Case, Cleveland-Marshall School of Law, April 2001.

“The Parol Evidence Rule as a Source of Dishonest Conduct,” Chicago-Kent School of Law, Chicago, April 2001.

“Linguistic Identification in the Courtroom: Some Judicial Missteps,” American Association for the Advancement of Science, San Francisco, February 2001.

Other Presentations

Judges and Judicial Officers

Sixth Circuit Judicial Conference, U.S. District Court Judges for the E.D. Michigan, E.D. Pennsylvania, D. Oregon and C.D. California, New Jersey Judicial College

Organizations

Association of American Law Schools (AALS), National Institute of Justice Science and Law Conference, American Association of Applied Linguistics, National Association of Judicial Interpreters and Translators, New York Academy of Sciences, Law and Society Association, International Association of Forensic Linguistics (plenary speaker, 1997), International Congress of Law and Mental Health, International Association of Forensic Phonetics, Various Bar Associations

Universities (partial list)

Harvard University, MIT, University of Pittsburgh, Swarthmore College, University of Massachusetts, University of North Carolina, Seton Hall University School of Law, Widener University School of Law, Princeton University, Rutgers Law School, Rutgers University (Political Science Department), University of Tennessee, Georgetown University, University of Wisconsin Law School, Duke University

PROFESSIONAL AFFILIATIONS

American Bar Association

International Academy of Law and Mental Health (Member, Board of Directors, 1998-)

Linguistic Society of America (Chair, Committee on Social and Political Concerns (2000-01)

Law and Society Association

International Association of Forensic Linguistics (President, 1999-2003)

American Psychology-Law Society, Member-at-Large

OTHER ACTIVITIES

Within Brooklyn Law School

Director, Brooklyn Law School Center for the Study of Law, Language and Cognition. Have organized symposia on various issues involving law, language and psychology. Have received grants from National Institute of Justice and the Alfred P. Sloan Foundation to fund interdisciplinary conferences involving law, language and psychology. See www.brooklaw.edu/academics/centers/cognition.

Brooklyn Law School Center for the Study of International Business Law, Member of Steering Committee, 2001-.

Brooklyn Law School Center for Health, Science and Public Policy Steering Committee
Have served on various committees, including appointments (several years), curriculum, status, long-range planning, placement, public interest fellowship

Additional Activities

New York Uniform Court System, Jury Trial Project, Advisory Committee.

International Journal of Speech, Language and the Law (Editorial Board, 1998-)

Federal Judicial Center: Have lectured to federal judges on issues in language and law, and have consulted on language issues in class action notices

Consultant to U.S. Department of Justice on linguistic issues in perjury prosecution

Consultant to private litigants on linguistic issues in various lawsuits, and to others on issues of language and law

Have reviewed grant proposals for National Science Foundation and for universities

Have served on doctoral committees at Yale University and City University of New York

Have reviewed article submissions for journals, including *Language*, *Journal of Child Language*, *Journal of Legal Education*, *Language in Society*, *Law & Society Review*, *Forensic Linguistics*, *Psychological Science*, *Language*.

Association of the Bar of the City of New York (Federal Legislation Committee, 1997-2003)

American Arbitration Association: Have served as arbitrator

Have reviewed book proposals for various publishers

Have reviewed articles for tenure and promotion at other law schools and universities

EXHIBIT B

1 of 16 DOCUMENTS

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The New York Times

May 30, 2004 Sunday
Late Edition - Final

SECTION: Section 14LI; Column 5; Long Island Weekly Desk; Pg. 1

LENGTH: 2226 words

HEADLINE: The Voters Say Enough, Already

BYLINE: By VIVIAN S. TOY

DATELINE: PLAINEDGE

BODY:

DOUGLAS PASCARELLA said he remembers the heavy pounding of his heart as he stood in the Plainedge High School gym waiting for school board election results on the night of May 18. He admitted that both he and his father, Peter, were pretty surprised when they learned that he had, indeed, won. Then they went home to celebrate with family and friends.

"Bagels, ice cream and soda," he recalled with a smile.

Not exactly typical victory party fare, but then Mr. Pascarella wasn't exactly a typical school board candidate. An 18-year-old high school senior, Mr. Pascarella pulled an election lever for the first time in his life when he voted for himself for the school board. He defeated Dominic DiPrisco, a 48-year-old lawyer and three-year incumbent, by a vote of 1,360 to 998, and will take his seat on the governing body of the Plainedge school district only a few days after graduating from it.

A solid B student headed to Adelphi University in the fall, Mr. Pascarella served three years on the student council but was disqualified this year for putting up campaign posters and handing out Smarties. But for the school board race, he did things by the book.

He campaigned door to door and handed out 2,500 flyers over the course of six weeks, more than double what his opponent managed. He also helped register fellow high school seniors who were eligible to vote, which he thinks gave him an easy 80 votes.

His platform consisted of little more than his firm belief that the board needs a student voice. "I wanted the school district to realize that there should be better representation for young people," he said.

But given his margin of victory, it's safe to assume that he touched a chord beyond the youth contingent of the electorate. He achieved the perfect pitch he needed to win simply by being an alternative to the status quo and the budget and tax increases associated with it.

So although Mr. Pascarella did not campaign with an anti-tax message, he has become a poster child for the voter anger against rising taxes that expressed itself at polling stations across Long Island this month. Nassau and Suffolk voters rejected 46 of 122 proposed school budgets, including Plainedge's \$55.8 million budget, which included an 8.1 percent tax increase. Long Island's failure rate of nearly 40 percent set it apart from the rest of the state, where only about 15 percent of proposed school budgets were defeated.

"We're very concerned that while this year a sense of tax fatigue hit Long Island, next year it could spread to other parts of the state," said Robert Lowry, associate director of the New York State Council of School Superintendents, which represents about 700 school districts across the state. But he asserted that "we were actually pleasantly surprised that things went as well as they did on the whole, given the circumstances that schools and taxpayers have to face."

Those circumstances include several budget factors beyond the control of local school districts, including no significant increase in state aid, hefty increases in pension and health insurance costs, and soaring gas and fuel prices.

The fear that Long Island's voter anger may become contagious is compounded by the uncertainty over how state officials will deal with a court-ordered mandate for increased education aid to New York City. School officials on Long Island and in other relatively well-to-do areas fear that as the state devises a new school aid formula to meet a July 30 deadline, wealthier districts will be robbed of state funding to benefit poorer ones, thus pushing even more of the school funding burden on local taxpayers. "There's definitely some trepidation about what the new formula could mean for school financing," Mr. Lowry said.

Timothy G. Kremer, the executive director of New York State School Boards Association, said that while many factors probably contributed to the high rate of budget defeats on Long Island, concerns about the state aid formula "probably played in the hearts and minds of voters there, because many of them feel that they're already doing their fair share to pay for education and they don't believe that New York City is."

These concerns likely weighed more heavily on Long Island voters because of the Island's proximity to the city and because residents have traditionally voted to tax themselves at relatively high rates to pay for what they consider a superior education, he said.

"People on Long Island, particularly those who commute to New York City, are much more attuned to the way things are funded than in other parts of the state," Mr. Kremer said. "And people were saying, 'How long can we continue to raise our property taxes while we watch the school funding burden shift more and more from the state to the local districts?'"

Mr. Lowry cited several factors that separate Long Island from most other districts upstate. They include rising enrollments that require increased spending, a continued cost-of-living disparity that drives up downstate costs and soaring property values on Long Island that have driven up local tax bills.

On average, budget and tax increases also were higher on Long Island than elsewhere in the state. The average spending increase was 6.9 percent for schools in the state and 7.9 percent for Long Island, Mr. Lowry said. The average school tax increase was 8.7 percent for the state and 9.5 percent for Long Island, he added.

Charles A. Fowler, superintendent of the Hewlett-Woodmere schools and president of the Nassau County Council of School Superintendents, said the sting of last fall's school tax bills, the first ones issued since the county's first comprehensive property revaluation in nearly 65 years, probably was at the heart of many of the budget defeats in the county. Twenty-two of the county's 56 school districts -- 39 percent -- suffered budget defeats.

"I suspect you could see the budget votes on Long Island as a thermometer of how people are feeling about the economy, state taxes, federal taxes and local taxes," Mr. Fowler said. "It was more a generic expression of concern and this is the only place where the voter has the opportunity to express it."

John A. Richman, the Plainedge schools superintendent, said he had no doubt that general voter anger at rising taxes played a large role in his district's budget defeat and in the election of Mr. Pascarella.

"I think people were striking back at the way the system is and maybe it was a condemnation of the world around us," he said. "There are a lot of things I can do, but I can't control \$2-a-gallon gas prices, \$4-a-gallon milk prices and the results of the property tax reassessment in Nassau County."

Mr. Pascarella also said that as he campaigned door to door, the most common complaint he heard from voters was the rate of increased costs and taxes. "A lot of people said they want more for their money," he said.

Other districts faced very local issues that turned voters against them. In Roslyn, voters turned down a budget for the first time in more than 20 years after a former assistant superintendent was accused of embezzling \$1 million in school funds. In the Bellmore-Merrick high school district, voters approved the budget but ousted an incumbent board member. The district has been rocked by the hazing scandal in which four high school football players are accused of abusing younger teammates at a summer football camp.

Suffolk County districts did not have a property reassessment to contend with, but voters defeated school budgets at nearly the same rate as in Nassau -- 24 of the county's 66 budgets went down, a failure rate of 36 percent. Officials said Suffolk school districts were probably hurt by considerable increases in property values across the county.

Jeannette Santos, president of the Nassau-Suffolk School Boards Association and a former Amityville school board trustee, gave her own home as an example. "I bought my house 45 years ago for \$19,500 and now it's worth \$300,000," she said. "That doesn't mean I have that much money in my pocket, but this is what I'm being taxed on."

Gary D. Bixhorn, the superintendent of the Eastern Suffolk Board of Cooperative Educational Services, said that housing prices have risen so significantly in recent years that it's not unusual to find some homes double what they were worth three to four years ago.

Many districts in eastern Suffolk are also different from districts in Nassau County because they are below the state average in terms of wealth and are therefore more dependent on state aid. At the same time, they are in a very high-cost region, he added, so when "state aid doesn't keep up property taxpayers are forced to pick up a bigger share of the expenses than elsewhere in the state."

James H. Hunderfund, the superintendent of Commack public schools and president of the Suffolk County School Superintendents Association, said that his members told him many voters "were almost apologetic about voting no. They would say they loved the schools and the kids, but they were just at the point of no return with paying these increases."

Commack voters narrowly approved a \$116 million budget by a margin of 92 votes out of 5,100 cast. The district learned its lesson last year after suffering a budget defeat and having to put up its budget for a second vote to get voter approval, Dr. Hunderfund said. So this year, the district started public meetings and sending out budget updates to voters about six months ago.

The district ultimately cut 12 teachers, eliminated its elementary summer school program and increased average class size by 2 students, to 26 in the elementary grades and to 29 in secondary schools. "Even with all that, the budget was still an 8.9 percent increase," Dr. Hunderfund said, because of uncontrollable costs like contracted raises and increases in health insurance and pension costs.

"People think that districts are just making threats when they say that an austerity budget means cutting teachers, sacrificing programs and class sizes going through the roof," he said. "But they're not threats. It's just telling people what reality will be."

In Plainedge, the school board voted last week to put up the same \$55.8 million budget for a second vote on June 15. The board has also prepared an austerity budget in case voters reject the budget a second time.

The decisions that had to be made were difficult ones, said Mr. Richman, the Plainedge superintendent. "I think Doug is a nice kid," he said of the new school board member who will take office on July 1. "But he's not prepared to make this level of decisions. He shouldn't be doing this on a lark."

Mr. DiPrisco, the school board member whom Mr. Pascarella unseated, agreed. "I personally don't believe that any 18-year-old is able to face the challenges that face a school board," he said. "Besides all the fiscal situations, there are a lot of sensitive issues regarding staff and students, a lot of things that I don't think an 18-year-old has the life experience to deal with."

Mr. Pascarella, who was voted Class Clown by his fellow seniors for the coming yearbook, said he knows that the administration and his future colleagues think he ran "as a joke." But he insisted that simply wasn't the case. After a stint as an intern for Representative Peter T. King earlier this year, he said he decided that "this is something I want to do in the future because I like to fight for people when something goes wrong and get them out of jams."

To prepare for his campaign, he found two 18-year-old politicians -- a city councilman in Ohio and a school board member in Maryland -- and he called them regularly for advice. He said he knows that his learning curve on the school board will be steep, but he plans to spend the summer studying up on school legislation and regulations.

Mr. Pascarella also reached out to Assemblyman Thomas P. DiNapoli, who was the youngest person to hold public office in the state when he was elected to the Mineola school board in 1972 at age 18. Mr. DiNapoli said they never managed to hook up, though, "because every time I called him back, he was out campaigning."

Mr. DiNapoli served on the Mineola school board for 10 years, eventually becoming the school board president. He said he too was received with less than open arms when he was first elected, particularly since he was rebellious enough to attend board meetings in blue jeans.

"My first year was very tough," he said. "They were very patronizing to me and it was a little tense, but I was determined not to be an obstructionist or to create a revolution. I just wanted to present a different viewpoint."

Mr. DiNapoli said he would advise Mr. Pascarella to bear in mind that "as a consumer of the school system, he has some inside knowledge, but he's got to realize that he can't try to speak for students anymore because he won't be one himself once he takes office and he has to represent a much broader constituency."

And as for Mr. Pascarella's new colleagues, Mr. DiNapoli said, "They should keep in mind that part of the diversity of a community should include our younger citizens and he's got a real insider's point of view that nobody on the board has. They would be wise to respect the voters' wishes and give him an even chance."

URL: <http://www.nytimes.com>

GRAPHIC: Photos: ANYONE BUT THE INCUMBENT -- Douglas Pascarella, a senior at Plainedge High School, was elected to the school board as a wave of anti-tax votes swept the Island. (Photo by Phil Marino for The New York Times)(pg. 1)

Douglas Pascarella, a high school student, says he was elected to the Plainedge school board to represent the concerns of young people. (Photo by Phil Marino for The New York Times)(pg. 8)

LOAD-DATE: May 30, 2004

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Copyright 2004 The New York Times Company
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February 8, 2004 Sunday
Late Edition - Final

SECTION: Section 14; Column 4; The City Weekly Desk; Pg. 5

LENGTH: 645 words

HEADLINE: NEIGHBORHOOD REPORT: BROOKLYN HEIGHTS;
You Can Buy a Cellphone, But What Happened to Quaint?

BYLINE: By TARA BAHRAMPOUR

BODY:

FOR Donald Pandina, the blow came a year ago. It was time to renegotiate the lease on Summa Gallery, an art and framing store he had owned with a partner in Brooklyn Heights for 35 years, the last 27 of them at 152 Montague Street. He thought he had reached an oral agreement with his landlord over the new lease.

"But then one day I got a phone call," Mr. Pandina said, "saying that a large chain was interested and could we match a 12-year lease and a considerable increase in rent" -- 40 percent more than the oral agreement.

The chain was MAC Cosmetics, a subsidiary of Estee Lauder, and after Mr. Pandina declined to match the offer, Summa Gallery departed in August and MAC opened there in December.

Such evolution is a natural part of the city's commercial fabric. But where Montague Street once seemed somewhat immune, a booming adjacent downtown area has spilled increasingly onto its graceful blocks. In the past decade, property values in Brooklyn Heights have shot up 65 to 70 percent, said Bill Ross of William S. Ross Real Estate, a local agency, adding that property taxes were higher than in other areas of Brooklyn.

These changes have made it hard for many independently owned businesses to stay open and have left some residents fearful that their elegant minnow of a main street may be swallowed up by a less dignified commercial whale.

For an estimated 50,000 workers at the MetroTech Center, Borough Hall, the Brooklyn courthouses and the law offices along Court Street, Montague Street is a convenient half-mile strip along which to grab a fast lunch, run to the bank, get a manicure or buy aspirin. To them, the news that a Subway sandwich shop opened last week, replacing a longtime Mexican restaurant, simply means another lunch option.

But such changes do not thrill residents of Brooklyn Heights, many of whom remember when the current Banana Republic was Nettie's, a family-owned department store that sold merchandise in bins.

"We don't need a Subway, we need children's shoes," said Judy Stanton, executive director of the Brooklyn Heights Association. The association recently drew up a list of the kinds of businesses it would like to see on the street (stores selling gifts, clothing and furniture) and the kinds it says are overrepresented there (banks, beauty salons, drug stores and cellphone stores).

While the guidelines are not enforceable, the hope is that they will encourage landlords to think twice when considering tenants.

Because impending vacancies are not always publicized, it is hard for the community to have a say in individual transactions, said Valerie Lynch, executive director of the Montague Street Business Improvement District. "Property

owners tend to negotiate their leases behind closed doors," she said. "If they have an inkling that a business is about to close, we don't hear about it until there's a sign there saying a MAC is coming."

Some businesses have successfully bridged the divide, appealing to both residents and commuters. The Garden of Eden, a high-end grocery store, opened two and a half years ago to acclaim from both groups. And residents hailed the recent arrival of Design Within Reach, a modern furniture store.

Still, many wish that their street could be more like Court Street in Cobble Hill, a homey strip of bookstores, thrift shops, sit-down restaurants and a small movie theater. Many of these would have trouble surviving on Montague Street, where rents are twice as high, around \$100 a square foot per year for a ground-floor space.

Mr. Pandina, who moved the contents of his Montague Street store to the gallery's Upper West Side location, says that as a Brooklyn Heights resident he still sees former customers who lament the closing of his store and others like it. "They say they hate going to Montague Street now," he said. "They think it's becoming cheesy." TARA
BAHRAMPOUR

URL: <http://www.nytimes.com>

GRAPHIC: Photos: Subway is replacing a Mexican restaurant that was a fixture.; MAC Cosmetics, a subsidiary of Estee Lauder, replaced the long-established Summa Gallery on Montague Street. Mr. Miyagi's China Cafe is another recent closing. (Photographs by Lucian Read for The New York Times)

LOAD-DATE: February 8, 2004

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Los Angeles Times

November 17, 2000, Friday, Home Edition

SECTION: Metro; Part B; Page 8; Editorial Writers Desk

LENGTH: 451 words

HEADLINE: PUNCH CARDS HAVE GOT TO GO

BODY:

The presidential race still turns on just a few hundred votes in Florida. That narrow margin adds enormous significance to the exceptionally large number of ballots--more than 180,000--that were thrown out statewide by county election officials because voters chose more than one presidential candidate or none at all, or because the votes they did cast failed to register. This is a problem that not only could have been foreseen but was, in a 1988 report by the National Bureau of Standards.

An Associated Press survey of Florida's 67 counties found that nearly 3% of the 6,138,567 ballots cast for presidential candidates were disqualified, a considerable increase over the last two presidential elections. The percentage of rejected ballots varied markedly from county to county. The reason is obvious. Where voters had to punch a hole in a card, a large number of ballots were disqualified. Where there was an optical scan system, in which voters fill in a space with a pen, the number of invalidated ballots was small.

The now notorious "butterfly" ballot used in Palm Beach County contributed to nearly 30,000 ballots out of 463,000 cast going uncounted--an eyebrow-raising 6.4%. In Jacksonville and surrounding Duval County, nearly 9% of the votes didn't count. Contrast that with Leon County, where only 181 votes--0.2% of the total--were disqualified. Leon, like 14 other Florida counties, uses an optical scan system.

The 12-year-old National Bureau of Standards report, unearthed this week by the Miami Herald, called attention to the problem of "hanging chads" in punch-card ballots and noted that machine recounts of punch cards are prone to give different results each time because the partially punched holes may be read differently each time. The report recommended abandoning the punch cards.

No election, whatever voting method is used, is error-free. But in no other presidential election has confusion over a ballot's makeup or failure to fully punch a hole through a card had such consequences. California won't know until Dec. 5, the deadline for final figures to be reported, how many ballots were disqualified in this state, but it's a good bet that where punch cards were used the percentage will be high.

There are less mistake-prone methods for voting. Touch-screen technology, used in Riverside County among other places, is one. Optical scans are another. There has in the past been little incentive for state and county officials to spend the money to upgrade voting systems. Perhaps Florida's embarrassment will be the stick that starts the process; the new Congress ought to provide the carrot, in the form of block grants to defray part of the cost.

LOAD-DATE: November 17, 2000

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September 26, 1999, Sunday, Late Edition - Final

SECTION: Section 3; Page 4; Column 4; Money and Business/Financial Desk

LENGTH: 876 words

HEADLINE: ECONOMIC VIEW;
In Home Ownership Data, A Hidden Generation Gap

BYLINE: By LOUIS UCHITELLE

BODY:

RISING home ownership is billed as one of the great rewards of America's economic boom. And so it is: The percentage of households that live in their own homes has never been greater. But examine that touted superlative closely, and these gilded years come into more sober focus.

Of the nation's 103 million households, 66.6 percent occupy homes owned by a member of the household. A chief ingredient of the American dream is on track, statistically. The breakthrough came early last year, when persistent home-buying everywhere in the country finally carried the home ownership rate past the old record of 65.8 percent, set in 1980. Households in every age group have gained ground since 1995, when the boom years really got rolling.

Go back only that far, and the economy has indeed lifted all boats, to invoke an overworked metaphor. But go back to the early 1980's and a less sanguine story emerges. Households headed by older Americans, it turns out, have carried the ball. Without them, there would be no record. In every age group under 55, home ownership remains below where it was in the early 1980's. Lifting all boats turns out to be the wrong metaphor; bailing them out is more appropriate.

"That is really the story of the 1990's in general," said Christopher Jencks, a sociologist at Harvard's Kennedy School of Government. Most people "are still getting back to where they once were, and they are not back there yet."

For all who believe they see in the current prosperity a new era of greater well-being, history is a useful antidote -- in this case, the history of home ownership. It became widespread only after World War II, when a booming economy, rising incomes, plentiful jobs and the miracle of low-interest 30-year mortgages set off an explosion of suburban construction and home ownership.

THE people who are over 55 today bought in that era. Their parents had been renters more than owners, so, naturally, as the children have aged and have replaced their parents in the Census Bureau's statistics, the rate of home ownership among older Americans has risen smartly.

"They bought before the affordability crunch, and it is just gravy for them," said William Apgar, Assistant Secretary for housing at the Department of Housing and Urban Development.

Not so for today's under-55 generation. They got into home ownership in a big way starting in the mid-1970's, just as home prices and mortgage interest rates began to rise. Recession, rising unemployment and stagnant wages threw up more obstacles. By the early 1980's, the percentage of American households living in owner-occupied homes had peaked -- and then declined steadily for more than a decade.

Affordability was not the only issue. The proliferation of single-parent households contributed to the trend. So did the tendency toward later marriage. "The predisposition of nonmarried people is to rent," said Nancy McCardle, a research analyst at Harvard's Joint Center on Housing Studies. But affordability is the big issue. Even among married

couples in the under-44 age group -- encompassing the most important home-buying years -- the rate of homeownership is not quite back to its 1982 level of 82 percent.

The trends are similar among minority groups. The home ownership rate among blacks, for example, has risen to 45.8 percent from 42 percent in 1993, a considerable increase. The Clinton Administration calls plenty of attention to this growth, whose time frame coincides with the Clinton Presidency. But black households have recovered only the ground lost since 1983, when the rate was 45.6 percent. Viewed historically, blacks are, like so many others, running in place.

Or behind the curve: Homeowners today are much more highly leveraged than 15 years ago. Then, a down payment equal to 15 percent of a home's price was common; now 5 percent or less is more the norm, even to qualify for Government-backed mortgages. "These are the best of times, but how can you reach out to more people when down-payments are already close to zero and both spouses are working and trying to earn all that they can," said Eric Belsky, executive director of the Harvard Center.

Low mortgage interest rates have contributed mightily to the revival in ownership, keeping homes affordable despite rising prices. Still, owning a home is increasingly a wedge separating low-income Americans from more prosperous households, even those only moderately better off. Among homeowners, the median household income (half earn more, half less) has risen to nearly \$46,000, up 16 percent since 1982, after adjusting for inflation. Home ownership has lately become too expensive for those with less than \$25,000 in annual income, many experts say. More than 30 percent of all households fall into that category.

Therein lies a problem for democracy. Study after study has shown that homeowners are much more active in their communities than renters. "Owning a home gets you rooted in a place," Mr. Jencks said. "You find yourself caring about the community, the politics, the schools, the appearance of your neighborhood. You go to more meetings and what happens at those meetings matters more. By and large, these are good things. They are the American way."

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LOAD-DATE: September 26, 1999

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Copyright 1998 The Washington Post
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April 30, 1998, Thursday, Final Edition

SECTION: OP-ED; Pg. A21

LENGTH: 973 words

HEADLINE: Eyes on the Bottom Line

BYLINE: Andre Schiffrin

BODY:

The Authors Guild's prediction that one in every three trade books published in the future will come from the new Bertelsmann-Random House conglomerate has caused widespread debate. Eight years have passed since the last round of changes at Random House made headlines. Bob Bernstein, the firm's longtime head, was suddenly fired by its corporate owner, S. I. Newhouse. Though no reasons were given publicly, an orchestrated campaign of press leaks hinted that Bernstein was deemed insufficiently committed to maximizing corporate profits.

A new direction was called for, and a different kind of person brought in to lead the firm. Alberto Vitale, whose career started in banking, made it clear that profit was his only concern. He boasted to the press and to his colleagues that he was far too busy ever to read a book. His time would be spent instead examining the (financial) books.

Within a short time, major changes in Random's goals and production became apparent. A firm that had been profitable for years while maintaining a high literary and intellectual standard was transformed. Random House already had sold off its well-established college department in order to buy the more commercial Crown Books. Other structural changes were to follow. Times Books, a Random House division, was redirected from current affairs to publishing business and how-to books. The Pantheon Books imprint was ordered to cut its list by 40 percent. Rather than submit to what seemed to us a misguided and destructive strategy, my colleagues and I left the company.

Random House's "high end" -- the literary translations and books of criticism, cultural history and political analysis that had built the reputation of the Knopf and Pantheon imprints -- was being sacrificed. When Newhouse added Donald Trump to the list, his editors got the hint, and the multibillion-dollar contracts for non-literary authors, for which Random House was to become famous, proliferated: \$ 5 million to Marlon Brando, \$ 2.5 million (only a tenth of which was earned out) to Dick Morris, and so on.

The underlying strategy was to bring Random's profits in line with those of Newhouse's other media holdings, which could be counted on to make 20 percent or more. Through much of this century, most publishing houses have not realized more than a 4 percent to 5 percent return. The solution seemed a simple one: Eliminate the smaller, more demanding books that had formed the core of the firm's reputation and replace them with more bestsellers.

The problem was that every other conglomerate had a similar agenda. Everyone wanted the same handful of books and was prepared to overpay for them. Harry Evans, the publisher of the Random House trade group, called "Little Random," was much criticized after his departure for signing up a great many of these expensive titles. In an unusual move -- but in keeping with the ritualized denigration of the reputations of those they have fired, a Newhouse hallmark -

- the New Yorker published financial figures that showed publicly for the first time that Random had written off some \$ 80 million in 1997.

Some commentators have referred to these high advances as a "plague" that has afflicted publishing in recent years, as if the million-dollar checks descended from the heavens as locusts did of old. But the unearned advances (and a second "plague," the corresponding high numbers of returns when huge numbers of these books were forced out into the market to justify their million-dollar advances) were the predictable results of these corporate policies.

The problems did not affect Random House alone. HarperCollins wrote off some \$ 270 million last year as a consequence of overspending in a frantic search for bestsellers to satisfy its new conglomerate owner, Rupert Murdoch. And throughout the industry, we are faced with the sad spectacle of many of the best editors being forced to transform their firms in search of huge profits.

The irony is that all these sacrifices were in vain. Clearly, Vitale failed to deliver the profits he had promised, and Newhouse decided to bail out. According to a "source close to Newhouse," quoted in the New York Observer, "he didn't get to be worth . . . billions of dollars by indulging his own intellectual interests." Murdoch seems also to be abandoning his intellectual interests for the same reasons: His publishing houses have been reported to be on sale for some time. So too Viacom, which is selling off much of Simon and Schuster, having discovered that its trade publishing profits are a third of those brought in by cable, etc.

Most telling is that Random's sales growth has been far more limited during recent years than it was in the much maligned Bernstein era. During Bernstein's last decade, sales rose from roughly \$ 60 million to \$ 700 million. In Vitale's eight bestseller-obsessed years, they rose far more slowly. The New York Times reported Random's profits to have been a mere million on sales of a billion in 1997 -- i.e., one-tenth of one percent. Even if this report is understated, Newhouse's decision to sell shows that maximizing profits by cutting out literary merit just doesn't work.

Will Random House's experience and that of the other conglomerates cause anyone to rethink these policies? Bertelsmann's own statements make clear that it expects Random to make a 15 percent profit, a considerable increase. To those who remember Vitale's claims when he took over, the numbers have a frightening ring. The Newhouse ownership exacted a heavy toll, undoing much of the achievement and reputation of what had been a great publishing house. Let us hope that the new owners do not compound the damage.

The writer headed Pantheon Books for 28 years. He now is director of the New Press, a not-for-profit publisher.

GRAPHIC: Illustration, margaret scott

LOAD-DATE: April 30, 1998

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Copyright 1995 The Washington Post
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August 01, 1995, Tuesday, Final Edition

SECTION: OP-ED; Pg. A19

LENGTH: 753 words

HEADLINE: No Shame

BYLINE: Richard Cohen

BODY:

One summer when I was in college, I worked in a Los Angeles liquor store. Its owner was named Sam -- a good man in what he thought was a lousy business. Every morning just before opening time, alcoholics would line up outside the door -- women sometimes still in nightgowns visible under their light coats. Sam would look at me, look down and then -- not a minute before he had to -- open the door. If Sam had a single great quality, it was shame.

Conservatives love shame -- and so do I. But they talk about it only as it applies to personal behavior -- out-of-wedlock births or indolence, for example. Yet I have something else in mind -- namely, the testimony last April of those tobacco company executives who swore to a congressional committee that smoking neither caused cancer nor was addictive. A grand jury is now reportedly looking into whether they committed perjury. I don't know about that. I do know they showed no shame.

But having uttered words that no one in America believed, the executives merely went on their way. If, afterward, they were kicked out of their respective country clubs, abandoned by their wives and had to transfer their children to new schools (under assumed names), it did not get reported in the popular press. Instead, in the conservative media it is the government itself that has been taken to task for, would you believe, bullying the tobacco industry.

I am not an anti-smoking zealot. On the contrary, I pity the poor smoker. Maybe no man is an island, but a smoker now comes close. In Washington and some other cities, smoking is even forbidden in private offices. At The Washington Post, a special room is designated for smoking. It is furnished with dilapidated chairs and, I suspect, gaunt actors hired just to sit and cough convulsively. A couple of visits to that room made an ex-smoker out of me.

It is as an ex-smoker that I know -- we all know -- that nicotine is addictive. Whether it is physically or psychologically so, I do not care. All I know is that the craving is real and so powerful that ex-heroin addicts have told me they had an easier time quitting that drug than cigarettes. To deny the addictive quality of cigarettes is just astounding to me. It is even more astounding to deny -- in contradiction of every medical study known to man -- that cigarettes are a health menace. Have these people no shame?

But what they say is not half as shameful as what they do: make a product that is both addictive and lethal. Moreover, they have marketed it in such a way that is tremendously appealing to kids. Two recent surveys, in fact, have shown considerable increases in teenage smoking -- as much as 30 percent in certain age categories (13- and 14-year-olds, according to the University of Michigan Survey Research Center). These are the years when the habit really takes.

Yet, when it comes to cigarettes, where are the country's leading shamemongers? Where's Newt, who would wag a finger at every pregnant single woman? Where's Jesse Helms, who can turn AIDS from a public health crisis to a moral issue? Where's Dan Quayle, who engaged in his version of a Socratic dialogue with a fictional character. Conservatives cared that Murphy Brown was pregnant. They would not have cared, though, if she smoked.

And where, oh where is that lonely watchman of American morality, that man who cannot abide putting profits ahead of common decency, Bob Dole? He did not flinch from laying a two-by-four to Hollywood for poisoning the minds of the young. But what of those who poison their lungs? Battlin' Bob is thus far silent.

This, of course, is the great partisan hypocrisy. Democrats love to tell businesses what to do, but are loath to say anything about individual behavior. Republicans take the opposite tack, which means they have nothing to say about cigarette companies or (perish the thought) the makers of guns or ammo. I could make a case for no gun control. I could not, however, make a case for assault weapons or armor piercing bullets. Once again, have these guys no shame?

The answer, clearly, is no. And they never will until the people they admire and respect, people like themselves, tell them what they are doing is wrong. Gingrich and other conservatives say this is the obligation of political leaders. So far, though, it's those very same people who have remained silent, undoubtedly fearing the loss of political contributions and, here and there, some votes. What they have is gall. What they lack is guts.

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January 5, 1992, Sunday, Late Edition - Final

SECTION: Section 4A; Page 44; Column 3; Education Life Supplement

LENGTH: 1075 words

HEADLINE: Lollipops and Languages

BYLINE: By Michel Marriott

BODY:

IN Yolanda Hall's festively decorated classroom in a public school in Montclair, N.J., every morning begins with an enthusiastic exchange of greetings.

Mrs. Hall: "Buenos dias, ninos."

Class: "Buenos dias, Senora."

Standard stuff for a beginning Spanish class? Yes, but there is a significant difference here at Nishuane Primary School. The students, more than two dozen of them, are 4-year-olds. Each is enrolled in a Spanish immersion class in which not a word of their native English -- a language of which many of them still have a slippery grasp -- is spoken during the 30-minute class.

Yet, one by one, these prekindergarteners come to develop an appreciation and linguistic foundation upon which to learn a language other than their own, said Mrs. Hall, an Ecuadorian who has been teaching the four-day-a-week elective for the last five years.

"Children exposed to this program are completely familiar with the language when they go on to study it in later grades because they have internalized it," Mrs. Hall said. Then she added with a chuckle, "But most of them think my name is Senora."

Language Renaissance

Mounting numbers of students from preschoolers to high schoolers are being exposed to foreign languages in what some educators are calling a renaissance of second-language interest in American classrooms. A widening awareness by educators and parents that the United States is becoming a multicultural nation and that Americans need to improve their ability to communicate with others if they wish to remain globally competitive is driving much of the resurgence, experts say.

At the same time, however, a recession-weakened national economy is discouraging many school districts from expanding curriculums to include foreign language instruction, particularly in elementary schools.

"In elementary schools, foreign languages are seen as special, likened to music and art," said Christine Brown, director of foreign languages for the Glastonbury, Conn., school district. "In difficult economic times it has been among the first to be jettisoned. Obviously, that is tragic."

The New York Times, January 5, 1992

Glastonbury has been teaching elementary school students foreign languages since the late 1950's, when American politicians were startled into improving public education as a result after the Soviet Union launched the Sputnik satellite in 1957.

By contrast, Boston's financially strapped school system cannot hire enough foreign language teachers so that all elementary school students can study a second language. One elementary school turned to volunteers to teach students Japanese this year. "We are looking to expand so we are looking for funding," said Helen Cummings, director of foreign languages for Boston's schools.

Despite the tough times, in 1990 more than 4.2 million students in high schools alone were learning a second language, a 6.1 percent rise over 1985, according to a new survey by the American Council on the Teaching of Foreign Languages, a foreign language advocacy group based in Yonkers, N.Y.

A Telling Trend

But perhaps most telling of the emerging trends the survey describes is its first-time inclusion of foreign language study for elementary school students. Based on information from 22 states that responded to the survey for the 1989-90 school year, the council estimated that 4.2 percent of public elementary school students are learning a second language.

"This is a considerable increase from what it was 10 years ago," said J. David Edwards, executive director of the Joint National Committee on Language, another language advocacy group. That is encouraging, Mr. Edwards said, because foreign languages are more easily learned when students are young and less self-conscious about attempting to pronounce new sounds and new words.

Ms. Brown noted, "It is not only a linguistic gain here when children are exposed to a foreign language; you see that they start to appreciate other people, bringing down racism, prejudice."

A few state boards of education are beginning to realize this, said Myriam Met, foreign language coordinator for the public schools in Montgomery County, Md., near Washington.

Four states -- Arizona, Louisiana, North Carolina and Oklahoma -- require some foreign language instruction in elementary schools. In North Carolina, 22 percent of students from kindergarten to the sixth grade are studying a foreign language, the highest percentage among the four states, according to the council's survey.

Ms. Met says she is encouraged by what she sees. "Most other states likely will require it soon or provide substantial incentives to schools which do," she wrote for *Educational Leadership*, a professional journal, last fall.

In an interview, she said introducing youngsters to foreign languages makes sense, noting studies indicating that students with foreign language skills do better academically than those with no such skills.

Ms. Met said a recent study by the Louisiana Department of Education found that fifth- and sixth-graders who studied a second language scored higher on reading and mathematics tests than their counterparts who did not study a foreign language. In another study by the College Board, she said, students who took foreign languages for at least five years scored better on the Scholastic Aptitude Test for college admissions than those who had little or no second-language instruction.

Mr. Edwards said the relationship between early foreign language study and personal and academic success had long been known among private schools for the young. It has been in public schools, particularly those in the largely poor inner cities, where foreign language studies have badly lagged, he said.

In Orange County, Calif., Dawn Garces-Dochroedon, a working mother of two, is concerned that her 8-year-old twin sons are not offered a foreign language at their elementary school. Ms. Garces-Dochroedon, who is of Puerto Rican and Colombian heritage, says she wants her sons, Christopher and Justin, to become fluent in Spanish for cultural and family reasons -- their Mexican grandparents speak very little English, and she wants to improve their future employment opportunities.

"This is something they should get in school," Ms. Garces-Dochroedon said. "If I could afford it, I would send them somewhere for private lessons." Instead, she says she is shopping for other area public elementary schools that offer Spanish.

The New York Times, January 5, 1992

GRAPHIC: Photo: Alicia Almagro uses plastic food as an aid in a Spanish class in Glastonbury, Conn. (Gale Zucker for The New York Times)

LOAD-DATE: January 13, 1992

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February 25, 1990, Sunday, Late Edition - Final

SECTION: Section 10; Page 17, Column 1; Real Estate Desk

LENGTH: 1377 words

HEADLINE: COMMERCIAL PROPERTY: Columbus Avenue;
'Mom-and-Pops' Are Yielding to a New Makeover

BYLINE: By DAVID W. DUNLAP

BODY:

COLUMBUS AVENUE, which remakes itself every few years, is in the middle of another transformation, marked by a high number of vacancies, lower rents, frequent turnover and the loss of the very stores and restaurants that once epitomized the avenue.

Three neighboring establishments that have done about a century's worth of business among them - the Cherry Restaurant, Grossinger's Home Bakery and Putumayo clothing store - face a shaky future in their present quarters. The Cherry will lose its lease in three days and may be out of business in four months. Grossinger's and Putumayo have other shops, but may disappear from their longtime location at 76th Street.

All three commercial tenants in the Aylsmere apartment house believe they are being squeezed out to accommodate a single business, perhaps a Gap clothing store.

"To eliminate this section of the block is to destroy the backbone of the neighborhood," said Herb Grossinger, who runs the bakery that was founded in 1935 by his parents, Ernest and Isabella. "To make a go of it, I would have to raise prices tremendously. It's difficult to raise prices on cakes. They're not like Gucci shoes."

Richard Nishikawa, who took over the Cherry Restaurant in 1966, said he would probably stay open on a month-to-month basis through June, when summer vacations begin to cut into business anyway. "Maybe that's a good time to quit," he said. "I'm not too well myself. I want to take it easy."

Both Mr. Nishikawa and Mr. Grossinger were around long before the quiche-fueled gentrification of Columbus Avenue that began in the mid-70's. Putumayo, which has apparel and accessories inspired by folk art, arrived 10 years ago. Its president and founder, Dan Storper, said, "The implication is that we're all going to be booted out, one way or other, if the Gap signs a deal."

The issue is not strictly about rent. "My landlord has been very fair with me over the years," Mr. Grossinger said. That sentiment was echoed by Mr. Storper, who added: "The fair market value appears to be \$100 a square foot. We're prepared to pay that." But no such choice exists. "They are not going to renew the lease," Mr. Nishikawa said, "because they are negotiating with people who are going to take over the whole space."

It is hard to find out what is going on behind the scenes. The Aylsmere is managed by Janoff & Olshan. A man at that office, who refused to give his name, said that "at the moment, nothing is happening." He would not elaborate, saying that the person who could was out of town for 10 days. Before he could be asked much else, the man hung up.

A spokesman at Gap headquarters in San Francisco said the company did not discuss store openings until construction started.

Last year, a Gap was being built in the large space on the north side of 76th Street that was once Dobson's restaurant, another neighborhood institution that has vanished. One of the owners of that building, Dennis Shachnow, said he still has a lease with the Gap and that "they've been paying their rent nice and promptly." He said the work was only "temporarily stopped."

Temporary or not, the effect is depressing. The large deserted storefront is covered with plywood boards and a crazy quilt of posters, contributing to the rather forsaken atmosphere that seems to characterize the whole avenue, particularly at night, when darkened shop windows stand out dismally.

Of 239 storefronts in the mile between 66th and 86th Streets, 13 percent - 31 spaces - are vacant, at least for the moment. In a similar count made in July 1987, 18 storefronts stood empty.

The situation is not as simple as what the passer-by sees. Leases have been signed for a number of these empty spots and they may be back in business soon. For example, what was once Miss Grimble's restaurant and cheesecake shop, near 74th Street, now appears vacant but will be a Chase Manhattan Bank annex by mid-year.

The actual vacancy rate may be closer to 5 or 6 percent, said Robert C. Quinlan, a major owner and developer on the avenue who is also president of Walker Malloy, a management and brokerage concern.

ON the other hand, vacancies or potential vacancies may be closer to 18 percent, says Steven B. Greenberg of the Greenberg Group of Hewlett, L.I., which advises retail chains on site selection. He said the citywide rate was less than 10 percent.

"Columbus Avenue has been overrated from the start," Mr. Greenberg said. "It survived through an image. Columbus Avenue, more than any other retailing street in New York, has an enormous rollover of tenants. The volume of business does not support the rents that are being quoted."

The chairman of Community Board 7, Robert Kupferman, said Columbus had once been compared to Madison Avenue, as the commercial thoroughfare closest to Central Park. "A lot of fancy boutiques were being told that Columbus was the hot, new Madison Avenue," he said. "But Broadway, midtown and department stores were more typically where West Siders would shop."

"Broadway has remained more healthy and more fully tenanted," said Alan Victor, director of retail leasing at the Lansco Corporation, a commercial brokerage. "What they tried to create on Columbus was more fashionable and more chic, but it's not Madison Avenue and they couldn't support it."

Borrowing from Mark Twain, however, Mr. Quinlan insisted that any report of Columbus Avenue's death would be greatly exaggerated. "Stores aren't doing so well anywhere in Manhattan," he said. "To single out Columbus Avenue isn't accurate."

"There's a great tendency to get more discouraged than the situation warrants," Mr. Shachnow said.

Nonetheless, Mr. Quinlan said, rents were down to about \$100 a square foot from \$125 two years ago. He said a store that might once have paid \$10,000 a year rent for every foot of frontage on the avenue would now be paying closer to \$5,000. Even if the vacancy rate is only 5 or 6 percent, as Mr. Quinlan said, that would be a considerable increase from the 1 or 2 percent of recent years.

Mr. Quinlan sees the future of Columbus Avenue more in "simple, unflamboyant" clothing stores than in the "trendy, experimental" boutiques of years past. "I think the high-style aspect of Columbus will fade a bit," Mr. Quinlan said, "and there will be more normal, conventional clothes, in a price range where you can spend \$50 to \$100 for something off the rack."

"There are some national retailers coming," Mr. Greenberg said, "and that will be helpful because they have staying power. If the revolving-door syndrome of tenants continues, then the problem is going to heighten and the vacancy factor will increase."

The prospect of big national retailers is not one that cheers Mr. Storper, however. "It's almost becoming mallification," he said. "You can go the Stamford mall and see the same kinds of stores that will appear on Columbus. The Gap and the Limited don't have the soul of community stores that have grown over time."

Grossinger's, for instance, specializes in a praline ice-cream cake that has been served as bombe glace in fine French restaurants. The Cherry, which has been around more than 40 years, offers eclectic and reasonably priced fare, with teriyaki, chow mein, veal cutlet parmigiana or chopped sirloin steak (for \$6.50) on the menu.

And it offers something else. "I'm from a small town in the South and this was the last small-town thing I had to cling to," said the illustrator Mel Odom, who lives nearby. "Columbus Avenue has gotten so art-directed. This was the last holdout against that, the last place where you didn't have to worry that you weren't dressed right."

The Cherry, he said "was like my kitchen," a place so comfortable and accommodating that he could - and did - spend hours there, sketching or reading or joining his college friends for a weekly Thursday-night reunion.

Mr. Odom's decade-long patronage is not unusual. "Most of the weekday evening customers are steady customers who have been coming for years and years," Mr. Nishikawa said. But as his neighbor, Mr. Grossinger said: "It doesn't matter how long you're in business. When they decide they don't want you any more, that's it. The end."

GRAPHIC: Photo: Cherry Restaurant and its neighbors may close on Columbus Avenue (The New York Times/William E. Sauro); graph of storefront usage along Columbus Ave. between 66th and 86th Streets

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February 2, 1988, Tuesday, Late City Final Edition

SECTION: Section C; Page 1, Column 6; Science Desk

LENGTH: 1072 words

HEADLINE: Breast Cancer Continues Gradual Rise

BYLINE: By PHILIP M. BOFFEY, Special to the New York Times

DATELINE: WASHINGTON, Feb. 1

BODY:

New cases of breast cancer among American women are being found at the highest rate ever recorded, the National Cancer Institute said today.

The latest data, for 1985, reflect the continuation of a trend. Health experts, expressing concern but not alarm, said the annual increases since 1980 could be explained at least in part by increased screening for cancer.

Also continuing a trend, new cases of lung cancer among American men were reported to be declining.

These and other trends in cancer mortality, incidence, and survival rates were in the institute's Annual Cancer Statistics Review, made public today. The review covered the 36-year period from 1950 through 1985, the latest year for which figures are available.

The rate of new breast cancer cases had risen by less than 1 percent a year from 1950 to 1975, fell off for a few years and then started rising again at a faster rate in 1978, reaching the highest incidence rates ever recorded in 1985, the report said. These changes in the rate of breast cancer were registered after the data were adjusted to take account of the aging of the population, which would in itself result in a higher incidence of many forms of cancer.

Meanwhile, a puzzling increase in deaths from breast cancer among young and middle-aged white women has continued for a second year, the report said. The last annual report had noted that the death rate from breast cancer in white women under age 50 had declined markedly over more than a decade but then rose sharply in 1984, a reversal that officials were unable to explain. Now, although more accurate census figures have made the 1984 upsurge appear somewhat smaller than originally thought, there has been another small increase in 1985.

Dr. Edward Sondik of the cancer agency said the breast cancer trends were troubling and would need to be explored. Dr. Sondik is chief of the cancer agency's surveillance and operations research branch and supervised preparation of the detailed review of cancer statistics.

"The increase in incidence really concerns me," Dr. Sondik said in a telephone interview. "More people are being found with the disease."

But Dr. Sondik said it was not clear what factors were responsible for the continuing increases and how significant the trends really were.

Cancer of the breast is currently being diagnosed in about 130,000 women a year, and about 40,000 women are dying from the disease annually. Breast cancer is responsible for more new cases of cancer and more cancer deaths among women than any other type.

The statistics show a rising toll from all kinds of cancer since the middle of the century. Over the entire period, the annual rate of new cancer cases among white Americans increased 36.5 percent, while the annual rate of cancer deaths increased just 6.7 percent, reflecting, at least in part, improvements in detection and treatment.

The percentage of cancer patients surviving five years after diagnosis jumped from 39 percent at the start of the period to 50 percent near the end of the period.

Among black Americans, however, the picture was generally bleaker. Data show that, once diagnosed with cancer, blacks survive at a significantly lower rate than whites do. In the period between 1979 and 1984, cancer registries found that only 37 percent of blacks survived five years after diagnosis, compared to 50 percent of whites.

If lung cancer, which is largely related to smoking and is thus largely preventable, is removed from the statistics, the cancer death rate is improved significantly, the report revealed. With lung cancer included, there was a 9.1 percent increase in cancer mortality between 1950 and 1985, even when the data were adjusted to take account of the changing age structure of the population. With lung cancer excluded, there was a 13.3 percent decrease in cancer mortality during the same period.

The incidence of lung cancer among white males fell in 1985 to the lowest level since 1977, while the incidence in black males reached the lowest level since 1981. However, the incidence among females continued to increase.

In general, the report said, the lung cancer rates are consistent with changes in the prevalence of smoking in the United States. National health surveys conducted by the Federal Government showed a sharp drop in the percentage of males who smoke, from 52.4 percent in 1965, to 33.2 percent in 1985.

But early data from 1987 show "a disturbing change in the trend," the report said. The percentage of adult males who smoke was 32.8 percent, down only slightly from the 1985 figure. Similarly, the percentage of adult females who smoke was virtually unchanged, from 27.9 percent in 1985 to 27.8 percent in early 1987.

Other findings included:

- * Colorectal cancer incidence rates increased 19 percent between 1950 and 1985, but death rates dropped 20 percent, reflecting improved diagnosis and more effective treatment.

- * Bladder cancer, primarily a disease of the elderly that is often caused by smoking or occupational exposures, showed "a considerable increase" in the incidence of disease, with rates jumping 51 percent between 1950 and 1985. But this was "greatly tempered" by improved treatments that cut mortality rates by a third, the report said.

- * Non-Hodgkin's lymphoma, a group of related cancers, more than doubled in incidence and doubled in mortality over the 36-year period, but "a definitive reason for these two increases is not known."

- * Malignant melanoma, a skin cancer, more than tripled in incidence, and more than doubled in mortality, "probably due to lifestyle changes resulting in increased exposure to sunlight."

On the brighter side, the report found that:

- * There was "a dramatic decrease in mortality" among children under the age of 15 "due entirely to the major advances made in successfully treating many forms of childhood cancers."

- * The incidence and mortality rates for stomach cancer have been falling, although the rate of decrease has slowed in recent years.

- * New cases of prostate cancer had been rising steadily for years, but now the trend shows signs of stabilizing. Despite the steady rise in new prostate cancer cases, the mortality rate from the disease has increased only slightly over the past 36 years.

- * Testicular cancer now has a cure rate above 90 percent, allowing a cut in mortality rates even though incidence rates are increasing.

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April 28, 1987, Tuesday, Late City Final Edition

SECTION: Section A; Page 1, Column 1; Metropolitan Desk

LENGTH: 2369 words

HEADLINE: SINGLE WOMEN: COPING WITH A VOID

BYLINE: By JANE GROSS

BODY:

There is a single woman in New York, bright and accomplished, who dreads nightfall, when darkness hugs the city and lights go on in warm kitchens.

She knows better than to think that happy families fill all those bright rooms because her married friends tell her otherwise, as do authorities as diverse as Masters and Johnson and Irving Berlin.

And she loves her life of hard work and good friends, of stimulating days that end with cultural events, gymnasium workouts or takeout Chinese and a soak in the tub.

Still, just months from her 40th birthday, she finds that the fantasy tugs at her, as it does at so many among the growing ranks of single women who find they outnumber single men at just the time that their biological clocks are ticking the loudest.

Achievers' Lament

These women are part of a scrutinized subculture in New York City and across the nation, as unmarried women, their numbers increasing, complain bitterly about their love lives and their marriage prospects.

They are the achievers, largely upper middle class and college educated, the first daughters of the feminist movement to move in waves into traditionally male professions. They seem to have it all - glamour and money and a modicum of power - and so their nagging dissatisfaction is a particularly telling statement about the loneliness of women who were raised on dreams of weddings but came of age in far more complicated times.

"We're great women, everybody keeps telling us that," said a Broadway actress. "Maybe that's the problem. There's only so many people out there for us."

Many of these women never intended to be single and childless. They yearn for a family and fear growing old alone. They date rarely and find fewer suitable men now that they have gained professional stature and learned to treasure independence. They no longer organize their lives around the search for Prince Charming. But, in some inchoate way, they assume he is around the next corner.

Looking For Happiness

Typical is a 39-year-old television producer. "I went back to an old shrink recently and he asked me if I was happy enough," she said. "I told him, 'Yes and no,' and that's really the truth. I love what I do. I love my friends. I love my apartment. I have a rich, full life. I never sit home at night. Part of me wonders if I could be married to somebody now, because I have such a nice little world. But I haven't really stopped looking. I'd be lying if I said I'd given up."

The New York Times, April 28, 1987

Two recent studies about the marriage prospects of these women spurred a flurry of attention by news organizations and a strong reaction from feminists who argued that many women are single by choice.

The first study, by Neil G. Bennett, a Yale sociologist, and David E. Bloom, a Harvard economist, pre-dicted that women past 30 have a 20 percent chance of marrying and those over 40 a 2.6 percent chance. The other, by the United States Census Bureau, raises the odds at 30 years to 66 percent and at 40 to 23 percent.

The studies prompted a debate about statistical techniques because Mr. Bennett and Mr. Bloom used an unconventional mathematical model and a far smaller data base. No one disputed that after the age of 35, there are simply more women than men.

According to the 1980 census, there were 167,000 unmarried women between the ages of 35 and 44 in the New York region, compared with 129,000 unmarried men in the same age group. Ten years ago, these women represented 18 percent of their age group and today they represent 29 percent, a "considerable" increase, according to Arlene Saluter, a Census Bureau statistician.

Precise figures on unmarried business and professional women in New York are not readily available. Ms. Saluter said the Census Bureau does not break the statistics down that way, but she assumes their numbers are generally reflected in the larger sample.

The reasons for the increasing ranks of single women, experts say, are demographic, social and psychological, and include these:

- * These women were born in the baby-boom years, and as they seek to marry men older than themselves, as is common, they find fewer around. This problem gets worse as women get older because of their longer life expectancy.

- * While women tend to marry "up" both in age and status, men tend to marry "down," leaving a surplus of successful women, particularly in the older age groups.

- * Men classified as unmarried by the Census Bureau include homosexuals, who various studies show outnumber lesbians by at least 3 to 1.

- * Many women, thanks to the feminist movement, no longer derive their economic or social status from their husbands and therefore do not rush into early marriages as often as their predecessors.

- * Many single women in their 30's and 40's have histories of relationships with unavailable men, frequently married ones.

Confronting Social Stigma

Women with less glamorous jobs seem to suffer far more from their singleness. At a recent singles gathering at the 92d Street Y, for instance, a Brooklyn schoolteacher expressed envy of another woman, who worked as a recruiter for a Wall Street law firm. "You sound like you're terrifically located to meet men," said the teacher.

The recruiter answered with a grim chuckle and the assurance that she, too, had no one to go out with. Later, the recruiter conceded that despite a lack of dates, her work put her in contact with a varied cast of interesting people and her salary allowed such extras as health club memberships, theater tickets and new clothes.

"When you have a boring, day-to-day job, dating becomes more important," said Hollace Beer, a social worker, herself single and 38 years old. "You need someone to bring to you the kind of excitement that you're not creating yourself."

But even professional woman may feel a stigma in being single and are reluctant to talk about their status. More than half of the two dozen women interviewed for this article insisted that they not be identified.

Many women said some dissatisfaction could stem from others' expectations. "There's always a lingering doubt, because of the way we were brought up," said Donna E. Shalala, the 46-year-old president of Hunter College.

Jeanne Golly, 46, said it did not dawn on her until recently that she need not apologize for her life. "Society said I should have a love relationship, and when I didn't, I wondered what was wrong with me," said Ms. Golly, a marketing consultant. "Then toward the age of 40, I woke up and said, 'Hey, I need to shift something here and live this life for me, not somebody else.'"

The New York Times, April 28, 1987

Aging Brings Acceptance

"Living this life for me" is an acquired skill that single women seem to get better at with age. "People who are successful learn to cope with situations as they're presented and make the best of it," said the 39-year-old owner of a public-relations firm, who said she grows increasingly satisfied with her single life.

These somewhat older women, more often than their counterparts in their early to mid-30's, seem to have comfortable domestic lives. They are more likely to own their own apartments or country houses. They say they have learned to socialize more easily with both single people and couples and attend parties alone without feeling like a fifth wheel. They describe close relationships with children, those of their friends or of their siblings.

They also report deep and rich attachments with female friends, who become a surrogate family. As an aside, women speculate that single men, despite their social advantages, suffer more from loneliness since they are less likely to have formed such bonds.

"Intimacy is an integral part of the healthy human condition," said Ellen Fleysler, 41, an assistant news director at WNBC-TV. "If you don't have daily intimate connection with a spouse, what fills that need? Friends fill that need - warm, loving friends."

The younger women interviewed consistently sounded more unhappy. Often, they live in makeshift surroundings. They said they felt abandoned as their friends paired off and entered into the early, sometimes exclusionary, stages of marriage. There are still men to be fixed up with and thus these younger women continue to suffer the tension and disappointment of blind dates.

"I do it, then I hate it and then I stop," said a 32-year-old journalist, describing the cycles of dating. "Then I force myself to do it again."

Very few of the older women reported an active social life, in the traditional sense. "I'm out every night of the week with business-type things, but that's not a quote-unquote social life," said a 39-year-old public-relations executive.

Another woman said she could barely remember her last "real" date. "Putting on a black dress, when it's dusk and you feel those butterflies . . ." she said, her voice trailing off wistfully. "I have to really reach back into my emotional memory for that kind of excitement."

More Barriers To Being Hurt

Many women balked at the frequent charge that they didn't date because they were too fussy. "People say I have to lower my standards," said one. "I'm not saying he has to be six feet tall, blond and captain of the football team. But, our minds have to fit like a jigsaw puzzle."

At a recent singles lecture at the 92d Street Y, one woman chided another for finicky behavior. "This gentleman looks like a nice gentleman," the first woman said. "What are you, Sophia Loren?" Her friend walked off in a huff.

But certain women admitted that they are standoffish in social settings. They speculated that they had cultivated a "don't you dare mess with me" style early in their professional lives, when men dominated the workplace. This style, they feared, now inhibited their social lives.

"One of the things I've heard all my life is that I intimidate people," said a 39-year-old businesswoman. "But that's protective; it helped me professionally."

Some women conceded that their choices are consistently self-destructive. "My fear is that I'm only good with someone who's bad for me," said a 32-year-old writer. "I look across the table sometimes and I think, 'What's wrong with me? He likes me. He laughs at my jokes. He went to college.' But I don't feel a rise. That's a sickness, almost."

That syndrome, experts say, is common and signals a fear of commitment.

"Often, it is rooted in childhood," said Edith Gilson, a vice president at the J. Walter Thompson advertising agency and the author of "Unnecessary Choices: The Hidden Lives of Executive Women." "When you think of your mother as helpless, unable to choose her own life, you become determined never to be vulnerable."

A 44-year-old therapist said she finally concluded she was single because of her own choices and entered intensive analysis. "Women are in this situation because of neurotic conflicts," she said. "I see it in my friends. I see it in myself. And I see it in my patients."

The New York Times, April 28, 1987

Independence Or Intimacy

Many women reported a growing pleasure in their privacy, some relieved by this feeling of self-sufficiency and others fearful they had become too rigid to connect. "What you would gain in companionship," said one woman, "you would lose in control of your own life."

Jim Patterson, an unmarried 40-year-old advertising executive, described a new attitude among his unattached female friends. "They talk about having their apartment the way they like it, and not having to answer to anyone," said Mr. Patterson, a senior vice president at J. Walter Thompson. "They say they went a whole weekend without talking to anyone and it was great. It's like the old bachelor syndrome. Men always wanted their space."

But such independence is a double-edged sword. One woman described a longing "to be bound up in another person's life and have him bound up in mine." Another woman pointed to the day "when you have problems at work or want to sound off about your mother."

"Female friends can fill that void," she said, "but sometimes their lives are blasting off in other directions."

As the time between relationships lengthens, women report that their interest in both love and sex declines. They compared this to giving up cigarettes, when the discomfort eventually disappears, except for unpredictable but sharp cravings.

"When it sneaks back into your life," one woman said, "you think, 'Oh, boy, this is nice.'"

With a handful of exceptions, all the women interviewed grieved over the possibility of living out their lives without children. Many of the ones close to 40 knew someone who had decided to have a baby alone or adopt, or were themselves considering such alternatives as taking foster children. Some have sounded out male friends about fathering a child.

But, the vast majority said they had decided that single parenthood is not the solution for them. And they described making an uneasy peace with their situation.

"Look, we all get dealt a hand," said the 39-year-old television producer. "Some people are dealt disease. It's not as if we got a hand without a husband and baby and everybody else got a full deck."

Women who are content most of the time report bad patches, like holidays or vacations. Many of them say they go to the office on Sunday, complaining about overwork but privately grateful for a way to avoid feeling left out among the brunching couples and families pushing strollers.

"When my married or professional friends are closed out, that's the only time I feel a real void," said one woman.

Several studies over the years have concluded that single women are happier than their married sisters. But, this flies in the face of experience for Nancy Stapleton, a hairdresser, who listens to the stories that women reserve for their psychiatrists and the people who snip or curl their hair.

"They seem to feel they're missing something and they're very distracted by looking for a man," Ms. Stapleton said of her single clients. "You remind them that they're very successful and they say, 'Yeah, but . . .' Married women don't have as many 'Yeah, but's' - or at least they don't verbalize them."

GRAPHIC: Graphs show a gap between the number of single men and single women, in various age groups (Source: Census Bureau)

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Copyright 1986 The Washington Post
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May 5, 1986, Monday, Final Edition

SECTION: Washington Business; Pg. 12

LENGTH: 2449 words

HEADLINE: TOP 100

BODY:

#11. FAIRCHILD INDUSTRIES INC.

300 West Service Rd. P.O. Box 10803 Washington Dulles International Airport Chantilly, Virginia 22021
REVENUE: \$860.8 million LOSS: \$167 million LOSS PER SHARE: \$13.17 DIVIDEND: 35 cents ASSETS: \$702.2 million STOCKHOLDERS' EQUITY: \$45.4 million RETURN ON EQUITY: NA EXCHANGE: NYSE EMPLOYEES: 12,380 TOP EXECUTIVE: Emanuel Fthenakis, chairman, president and chief executive officer. FOUNDED: 1936

DESCRIPTION: Fairchild is a leading aerospace and electronics company, with major positions also in communications and in commercial and industrial activities. Fairchild, which once counted heavily on government contracts for most of its business, is beginning to rely increasingly on commercial and industrial customers.

Fairchild's communications and electronics division includes operations involved in the design, manufacture and marketing of avionics, electronics and telecommunications products and systems for government and commercial customers. Its space operations involve production of hardware, electronics and systems for space applications and aircraft. The aerospace business encompasses the design, production and marketing of commercial turboprop aircraft, subassemblies for military and commercial airplanes and the development and production of the T-46A military jet aircraft trainer. The commercial/industrial division produces aerospace fasteners, tooling for plastics, computer cabinetry, seamless metal doorknobs, and various types of process controls for industry.

DEVELOPMENTS: Fairchild continues to face considerable uncertainty in its aerospace division, having recently received another serious setback in efforts to continue its T-46A jet trainer aircraft program. The Air Force recently announced that it would not seek funding in fiscal 1987 for the T-46A program, the loss of which could place the parent company's Fairchild Republic Co. in jeopardy.

The Reagan administration had called for cancellation of the \$3.5 billion jet trainer program in its proposed fiscal 1987 budget. Fairchild had hoped to reach a compromise with the Air Force by selling it 11 trainers for \$105 million. The program already had been hurt by production delays and cost overruns totaling about \$100 million. All of the costs exceeding the ceiling on the original fixed-price contract have been absorbed by Fairchild.

In a related development, Fairchild's independent auditor, Ernst & Whinney, issued a qualified opinion of the company's 1985 financial statements because of uncertainties related to the T-46A program.

Fairchild itself has expressed uncertainty about the possible effects of federal budget constraints on its government-related businesses. The company noted similar uncertainty about the possible effect delays in the space shuttle program could have on its space programs.

In the meantime, Fairchild is pursuing a strategy of limiting its participation in the aircraft business, choosing to concentrate more of its resources in growth areas such as communications and electronics. As part of that strategy, Fairchild has actively pursued buyers for its Fairchild Republic and Fairchild Aircraft units, or partners that would share the costs of those operations. No agreement has been reached with anyone, however.

Fairchild's other businesses generally performed well in 1985, though the company reported a loss of \$194.5 million from continuing operations and sales of \$856 million, compared with \$819 million in 1984.

In a major personnel change at Fairchild, Emanuel Fthenakis was named chief executive officer in October 1985 and became chairman in January 1986, succeeding Edward G. Uhl, who retired.

#12. WASHINGTON GAS LIGHT CO.

1100 H St. NW Washington, D.C. 20080 REVENUE: \$764 million PROFITS: \$41.8 million EARNINGS PER SHARE: \$2.46 DIVIDEND: \$1.66 ASSETS: \$799.6 million STOCKHOLDERS' EQUITY: \$295.1 million RETURN ON EQUITY: 14 percent EXCHANGE: NYSE EMPLOYEES: 3,282 TOP EXECUTIVE: Donald J. Heim, chairman and president. FOUNDED: 1848

DESCRIPTION: Washington Gas Light Co. distributes natural gas to customers in the District of Columbia and adjacent areas of Maryland and Virginia. In addition, two wholly owned subsidiaries, Frederick Gas Co. and Shenandoah Gas Co., serve customers in Frederick County, Md., and the Shenandoah Valley area of Virginia and West Virginia.

Another subsidiary, Hampshire Gas Co., operates gas storage facilities. Other subsidiaries sell and install insulation and other residential and commercial energy-conservation products and facilities. Together, the latter companies had sales of \$34 million and net income of \$1.5 million last year.

Crab Run Gas Co. is a subsidiary participating in oil and gas exploration and production in several states. It had revenue of about \$2 million in 1985.

DEVELOPMENTS: Washington Gas Light Co.'s operating revenue dropped 4.6 percent in 1985 to \$764 million as a result of declining costs of natural gas it purchased for resale to its customers. Its net income nevertheless rose 3 percent to \$40.1 million, and the number of metered customers 1.9 percent to 593,345.

With the issuance of additional common stock, earnings per share inched up from \$2.45 to \$2.46. The dividend was increased from \$1.52 to \$1.66.

The company continued to emphasize cost control, and between 1982 and last year achieved a 9 percent reduction in utility personnel while the number of customers rose 4 percent.

Capital expenditures rose 25 percent last year to slightly more than \$50 million, with about half spent in connection with new business. Capital spending will rise even more sharply in 1986, to about \$74 million, with most of the increase going for replacement of distribution facilities during street reconstruction in several jurisdictions.

For the second year in a row, Washington Gas generated sufficient internal funds to finance its needs and plans to do so again this year -- other than for common stock issued through dividend reinvestment and employee stock-ownership plans. During the year, Standard & Poor's Corp. increased the company's bond rating from A+ to AA-.

Part of the lower cost for natural gas was achieved by buying directly from independent gas producers rather than exclusively from the two interstate pipelines the company has used in the past. In addition, a contract has been signed with a third pipeline to provide still more diversity of supply beginning next year.

Retail rates for gas were increased by 2 percent last year in the Virginia areas served by the company, and a request for a 9 percent rate increase is pending in the District. However, to meet new competitive problems caused by falling oil prices, Washington Gas is lowering prices to large customers that have the capacity to switch to that fuel.

#13. SMITHFIELD FOODS INC.

1777 N. Kent St. Suite 811 Arlington, Va. 22209 REVENUE: \$669.1 million PROFITS: \$3.5 million EARNINGS PER SHARE: \$1.22 DIVIDEND: None ASSETS: \$119.2 million STOCKHOLDERS' EQUITY: \$20.4 million RETURN ON EQUITY: 17.9 percent EXCHANGE: OTC EMPLOYEES: 4,300 TOP EXECUTIVES: Joseph W. Luter III, chairman, president and chief executive officer; Aaron D. Trub, vice president, secretary and treasurer. FOUNDED: 1962

DESCRIPTION: Smithfield, No. 398 on Fortune magazine's list of the largest 500 U.S. industrial companies, is the biggest East Coast producer of ham, bacon, sausage, luncheon meats and hot dogs. Its products are sold under the brand

names Luter, Smithfield, Gwaltney, Esskay, Williamsburg and Patrick Cudahy. The company has operations in Virginia, Maryland, North Carolina and Wisconsin.

DEVELOPMENTS: Smithfield, which in the past has acquired several of its competitors, last year bought Esskay, the ailing Baltimore meatpacking firm whose corporate name is Schluderberg Kurdle Co. Inc., for \$3.5 million. After Smithfield extracted contract concessions from Esskay workers and initially laid off 100, it began moving production back to the Baltimore plant.

Today, the plant is rehiring and employs more than 400 people. All of its former production lines have been restarted, with one exception: The hot dogs sold at Baltimore Orioles games are now produced at Smithfield's plant in Portsmouth, Va., the world's largest hot dog facility.

The purchase of Esskay enhanced an acquisition program that in 1984 included buying pork processor Patrick Cudahy Inc. of Cudahy, Wis. Last year, Smithfield also ratified a new labor contract at its Smithfield, Va., plant.

Profits soared 42 percent from fiscal 1984 to fiscal 1985, which ended April 28, 1985. Revenue was up 23.5 percent, a considerable increase in an industry facing declining demand and stiff foreign competition. However, a federal court last year fined the company \$1.3 million as a civil penalty for allegedly violating federal water-pollution regulations in its hog-processing operations. The company is appealing the decision.

#14. KAY CORP.

320 King St. Alexandria, Va. 22314 REVENUE: \$666.3 million PROFITS: \$14 million EARNINGS PER SHARE: \$2.76 DIVIDEND: 16 cents ASSETS: \$441 million STOCKHOLDERS' EQUITY: \$50 million RETURN ON EQUITY: 40 percent EXCHANGE: Amex EMPLOYES: 3,855 TOP EXECUTIVE: Anthonie C. van Ekris, president. FOUNDED: 1912

DESCRIPTION: Kay Corp. consists of two entirely different companies in one: an international trading company that contributes most of Kay's revenue, and 80 percent of a retail jewelry firm that in the past has contributed most of its profits. The jewelry operations consist of two chains: Kay Jewelers, the nation's third-largest, and Black, Starr & Frost, which is smaller and more upscale. Kay also runs jewelry operations in major U.S. department stores. The trading company, Balfour, Maclaine International Ltd., imports and exports a variety of commodities and food products and acts as a commodities broker.

DEVELOPMENTS: Concerned that its split personality is hurting investor and financial interest in the jewelry side of the business, Kay is moving to divest completely the jewelry subsidiary, Kay Jewelers Inc. Last year, Kay sold about 20 percent of the stock in the jewelry chain to the public. This year, if the Internal Revenue Service approves the tax implication of its divestiture scheme, Kay plans to distribute the rest of Kay Corp.'s interest in Kay Jewelers, with each Kay Corp. stockholder receiving about one share of the jewelry chain for every Kay share held. When the deal is completed, Kay Corp. probably will move its headquarters to New York, while the jewelry company would remain in Alexandria.

Kay had an exceptionally good year in 1985, with earnings exceeding the previous highs set in 1980 and 1979 -- even though revenue was down 19 percent from 1984 when it totaled \$827.7 million. Profits from the commodity operations were markedly improved, accounting this year for more than half of the company's operating profits. Kay attributes the improved earnings to the company's coffee unit, Van Ekris & Stoett Inc., one of the leading coffee trading houses in the country. The sharp increase in coffee prices, caused by severe drought in Brazil, helped push prices -- and profits -- higher on the commodities market.

While moving to divest the jewelry chain, Kay has, at the same time, been acquiring some commodities operations here and abroad to build up what will be its core, and only, business once the jewelry chain has been spun off. Among other actions in 1985, the company acquired a major livestock futures commission merchant, set up a futures commission merchant firm in London to serve European clients, acquired a corn planting seed company and founded a new metals and minerals trading business.

#15. DYNALECTRON CORP.

1313 Dolley Madison Blvd. McLean, Va. 22101 REVENUE: \$640.3 million PROFITS: \$3.3 million EARNINGS PER SHARE: 34 cents DIVIDEND: 27 cents ASSETS: \$277.3 million STOCKHOLDERS' EQUITY: \$103.9 million

RETURN ON EQUITY: 3.3 percent EXCHANGE: NYSE EMPLOYEES: 13,000 TOP EXECUTIVES: Jorge Carnicero, chairman of the board; Daniel R. Bannister, president and chief executive officer. FOUNDED: 1946

DESCRIPTION: Dynalectron provides a variety of services for both corporate and government customers, including the Defense Department. After a major restructuring in 1985, which saw the discontinuation of some unprofitable lines, the company is now divided into Technical Services and Specialty Contracting segments.

The Technical Services segment includes Dynalectron's government-services businesses, which provide such services as ship repair for the U.S. Navy or radar services for the U.S. Army. This segment also is involved in ground support for commercial airlines and other aviation lines, as well as a recent expansion into computer services.

Specialty Contracting, previously Dynalectron's largest business segment, has been restructured, but it continues to provide electrical and mechanical contracting for industrial and commercial customers.

DEVELOPMENTS: 1985 was a year of transition for Dynalectron. At midyear, its chief executive, Merlon F. Richards, retired after 33 years with the company and was replaced by Daniel R. Bannister. Later in the year, the company announced a major restructuring that substantially reduced its 1985 earnings compared with the previous year.

The thrust of the restructuring is to move the company away from its traditional emphasis on construction, which at one time represented as much as 64 percent of total revenue, in favor of its various service lines.

In February, Dynalectron announced it would shut down HRI Inc. and Dyn Construction Corp., two unprofitable subsidiaries, and take a \$3.2 million write-down. The company also said it would close or consolidate several unprofitable or marginally profitable insulation, electrical and mechanical contracting offices in the United States and Canada.

While the Specialty Contracting segment experienced woes, the company said the Technical Services operations enjoyed a banner year with a substantial upsurge in contracts. The company added \$275 million in new government contracts alone, and its new work includes providing base engineering and maintenance services for the Army at Ft. McClellan in Alabama and the operation of a Pacific Coast anti-submarine-warfare range for the Navy.

A final area of expansion was in the field of service and repair of computer parts, a venture that started in 1984 with the acquisition of two West Coast firms. Two more acquisitions were consummated in 1985, and the company said it plans to expand in the next few years into a nationwide service organization for this market.

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Copyright 1985 The Washington Post
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March 15, 1985, Friday, Final Edition

SECTION: First Section; A1

LENGTH: 947 words

HEADLINE: Split Panel Approves '86 Budget;
\$966 Billion Plan Would Force Hill To Carry Out Cuts

BYLINE: By Helen Dewar, Washington Post Staff Writer

BODY:

A sharply divided Senate Budget Committee last night approved a \$966.1 billion federal budget for next year after Republicans, over Democratic objections, won approval of stringent provisions to force the entire Congress to enact spending cuts aimed at cutting deficits by half over the next three years.

The budget was approved on a party-line vote of 11 to 10 after a quarrelsome debate in which Democrats accused the Republican majority of fudging figures to inflate deficit reductions and short-circuiting usual procedures to assure passage of unpopular spending cuts.

The committee's cuts include a Social Security benefit freeze and broad array of domestic spending reductions. The committee also stalled President Reagan's military buildup late Wednesday as part of a plan to cut \$200 billion-plus deficits to \$100 billion by fiscal 1988.

At issue yesterday was how to enforce the new spending limits.

Over Democratic objections that the enforcement provisions would ride roughshod over Senate procedures, the Republicans prevailed, 11 to 10, in resurrecting a "reconciliation" method of forcing legislative committees to cut programs to meet targets for spending reductions.

In addition to setting specific program-reduction limits for the committees, the budget panel voted to establish appropriations bills "caps" to keep spending for defense as well as domestic programs within targets set by the budget resolution for fiscal 1986.

Reconciliation procedures have been used before under Reagan to force spending cuts, but nearly always with controversial results, including complaints that they make it too easy to ram through program changes that would not pass on their own.

The spending caps would be new if imposed this year by both chambers. Last year the House balked at Senate-proposed spending caps, especially for domestic spending, but this year they are being touted by senators as a way to assure Defense Department spending restraint for the next three years.

The budget resolution now faces a difficult passage through the Senate. The Democratic-controlled House has yet to begin work on its budget, and after both chambers pass their plan it must be implemented through the reconciliation procedure and then the appropriations bills.

The budget would allow defense spending to grow next fiscal year only to cover the cost of inflation, a considerable reduction from Reagan's request for a 6 percent net increase after accounting for inflation.

The Washington Post, March 15, 1985

It also would eliminate cost-of-living increases for Social Security and other retirement benefits next year and freeze most other domestic spending, including the pay of military and civilian employes of the government.

It incorporates some but not all of the program cuts and eliminations that Reagan recommended in his budget request. Programs such as the Economic Development Administration and Appalachian Regional Commission would be killed; revenue sharing would be phased out; programs ranging from Amtrak to Medicare would be cut sharply.

The committee's budget includes no tax increases, largely because of Reagan's opposition to such a move and Democratic skittishness over defying him on it.

Committee Republicans calculate that their budget would produce a deficit of \$172.3 billion next fiscal year, declining to \$101.8 billion after three years, virtually meeting Senate leaders' goal of deficits no higher than \$100 billion by fiscal 1988.

But the committee also approved a proposal offered by Sens. Gary Hart (D-Colo.) and Howard M. Metzenbaum (D-Ohio) calling on the Senate Finance Committee to act on tax-simplification legislation as soon as possible. Hart said committee approval of the proposal sends a signal that "tax reform should not be held hostage to progress on deficit reduction."

But the partisan quarrel over whether Republicans had inflated their deficit-reduction claims continued yesterday. Using different economic assumptions than the Republicans did and calculating defense savings off congressional as opposed to administration benchmarks, the nonpartisan Congressional Budget Office said next year's deficit reductions amounted to \$39.3 billion, compared with the GOP claim of \$55 billion.

Sen. Lawton Chiles (Fla.), ranking Democrat on the committee, said the CBO figures amounted to "truth in budgeting," while Budget Committee Chairman Pete V. Domenici (R-N.M.) said the congressional figures did not take into account economic benefits, such as lower interest rates, that would result from reduced deficits.

The committee's work drew mixed reviews yesterday with most of the key players attempting to put some distance between themselves and the specific details of the budget plan.

Presidential spokesman Larry Speakes said the White House is "disappointed in some elements of the package," including the defense cutbacks and the fact that the committee did not cut more from domestic spending. But he said the administration was pleased that the budget included no tax increases.

Speakes made no mention of the Social Security freeze until asked about it. He noted that Reagan first opposed a freeze and then said he would consider one only if there was a "congressional mandate" for it. Speakes said the 11-to-9 party-line vote Wednesday night for the deficit reductions could not be considered such a mandate.

Senate Majority Leader Robert J. Dole (R-Kan.) endorsed the Social Security freeze but said the overall budget "needs some work," hinting at the possibility of three-way negotiations with the White House and congressional Democrats to assure its passage.

As a whole, he praised the committee's effort as a "good step forward."

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Copyright 1983 The Washington Post
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January 24, 1983, Monday, Final Edition

SECTION: Metro; D1

LENGTH: 1276 words

HEADLINE: Virginia Educators Open Drive Against Cutbacks in Funds

BYLINE: By Celestine Bohlen, Washington Post Staff Writer

DATELINE: RICHMOND

BODY:

The Virginia Education Association put out the word on its legislative hotline last Tuesday: Teachers dialing the toll-free number heard a taped message calling them to arms in the fight against a proposed \$20 million cut in state aid to public schools.

On Wednesday, the battle over cuts in education shifted to another front. Gathering here for a meeting of their state association, Virginia's college and university presidents fanned out through the Capitol, buttonholing legislators and pleading for relief from a 6 percent reduction in state aid to higher education.

Gov. Charles S. Robb's proposal to cut more than \$70 million from education programs next year has galvanized one of the state's most influential lobbies. In an election year legislators find it difficult to turn a deaf ear to teachers, parents, alumni, faculty and other groups assembled under the education umbrella.

This year the lobbyists' message is particularly succinct. Both the schools and the colleges want money restored to their budgets. And that puts the two ends of the educational spectrum in reluctant competition, as each argues its special claim to scarce state dollars.

"It's a sad thing, but we are both going after the same bucks," said education association lobbyist Richard Pulley. "I wish the colleges well. I hope they get all the money they need. I just hope it is not at our expense."

Robb has said that the reduction in state aid to public schools was the most painful in the package of budget cuts he proposed two weeks ago to fend off a projected \$175 million deficit. Judging from the initial reaction in the General Assembly, aid to education will be the first place where money will be restored if new funds are unearthed during the legislative session.

"I am very pleased to see an almost universal desire to restore that funding when and if it becomes available," said Robb at a news conference last Friday. So far, no one has been able to pinpoint where any extra money might be found, but many are counting on the legislature's fiscal experts to come up with something.

"We may be able to find some money," said Senate Majority Leader Hunter B. Andrews (D-Hampton) in a cryptic comment Friday.

Restoring the cuts in public school aid would help Robb to keep promises made a year ago. In his inaugural speech, he touted education as the top priority of his administration and in the course of last year's session, he was able to shift enough money into school aid to help boost classroom teachers' salaries 10 percent for two years in a row.

The Washington Post, January 24, 1983

With his proposed \$20 million cut, Robb has revised the promised salary increase downward from 10 percent to 6.3 percent for next year. That still leaves schools with a considerable increase in state aid, an estimated \$80 million over this year. But it means that Virginia, which moved from 34th to 31st in the nation in average teacher's salaries this year, will not make the gains that Robb and the Virginia Education Association had hoped.

The colleges, meanwhile, have a different argument and a different set of allies. At hearings last week, Education Secretary John Casteen was beset by criticism from a key legislator who charged the administration with wielding a meat ax on higher education.

"Higher education is simply taking the biggest lumps," said Del. L. Cleaves Manning (D-Portsmouth), chairman of the Appropriations subcommittee on higher education. "It is getting hit every which way. I don't know if the institutions can live with it."

Unlike the public schools, Virginia's 39 state-supported colleges had to cut their budgets 5 percent last spring when Robb first learned the state was heading for a deficit. Of the estimated \$50 million saved by state agencies in that first round of cuts, slightly more than half came out of higher education, according to the education department.

Next year's proposed 6 percent would be spread further, extending to various categories of state aid to local governments. In this round, higher education would be cut \$35.4 million, a figure that does not include the \$15.5 million that will be saved with a freeze on faculty salaries.

To make it through the first round of cuts, Northern Virginia Community College dropped 17 faculty positions through attrition and hiked tuition 45 percent. College administrators told the Appropriations Committee last week that the cuts meant some students had to be turned away from popular word-processing and business courses.

At George Mason University, the state's fastest growing four-year university, the initial 5 percent cuts translated into an 8 percent cut in nonpersonnel costs this year, delays in filling nonfaculty positions, and other cost-saving measures.

"Because we've been in a growth position for several years, we are always, therefore, growing out of the clothes that fit us last year and that makes more demands on the Commonwealth," said George Mason president George Johnson. "So when we get cut it hurts a lot, but then it hurts everybody."

At the University of Virginia, the state's flagship institution and alma mater for many legislators, the cry for help has been even more dramatic. Speaking to the Board of Visitors Friday, university president Frank Hereford warned that the proposed budget cuts may "destroy the development of the past 15 years" in the state's higher education.

In those years, UVA has become "a place of excellence," said Hereford. "We could stand to lose all that in the next two years."

The colleges' main argument is that higher education has shouldered an unfair share of the cuts. They point out that Robb has held the proposed cuts at the state prisons next year to only 3 percent. But college officials have been careful not to criticize the relatively small size of the \$20 million cut in public school aid, which amounts to only 3.5 percent of the schools' total program.

"For us to fight the teachers would be to spit in our own soup," said one college president.

Privately, however, some college spokesmen grumble that public school teachers got special treatment. In Northern Virginia, faculty members at the Northern Virginia Community College now are paid less than Fairfax School teachers. If the freeze on faculty salaries remains in effect, the disparity will grow.

Public school teachers do not dispute that they have been spared much of the belt-tightening in state government. But they argue that, compared with higher education, they had more ground to make up.

"We feel we have taken a back seat over the years, while they have done proportionately better," said Pulley, "We don't feel guilty, because we didn't get the same cuts."

While Virginia teachers' salaries were falling in the national rankings, from 24th in 1972 to 34th in 1981, according to National Education Association figures, the colleges were getting better treatment.

In 1981, Virginia ranked 10th in the 50 states in total state appropriations for higher education, 26th in per capita appropriations, and 12th in funding increases over the previous ten years.

The Washington Post, January 24, 1983

There are other concerns in the education community besides the demands of the teachers and the colleges.

Rural school districts, for example, are worried that the proposed 18-month freeze on school construction loans from the state Literary Fund, which will save the state \$53 million, will delay the building of new school houses perhaps indefinitely.

"All of education . . . received a higher percentage of cuts than the rest of the budget," said Andrews. "But the first thing we have to do is identify sources of new money. Then we'll see where we can make any additions."

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Copyright 1980 The New York Times Company
The New York Times

June 17, 1980, Tuesday, Late City Final Edition

SECTION: Section D; Page 2, Column 1; Financial Desk

LENGTH: 177 words

HEADLINE: Japan Reports Trade Deficit

BYLINE: AP

DATELINE: TOKYO, June 16

BODY:

Japan's trade deficit in May was \$1.84 billion, down from \$2 billion the previous month, according to a preliminary report issued today by the Finance Ministry.

The country's trade balance has been in deficit since last July, mainly because of rising oil prices. The figures are computed on a customs clearance basis, which adds the costs of insurance and shipping to imports but not to exports.

The Finance Ministry said Japan's trade surplus with the United States in the month was \$335 million, down from a \$559 million surplus in the previous month. The ministry said exports to the United States totaled \$2.51 billion in the month, down slightly from \$2.59 billion in April.

Imports from the United States amounted to \$2.18 billion, compared with \$2.03 billion in April. As in previous months, exports to the United States of automobiles showed a considerable increase, rising 24.9 percent from a year before to \$832.9 million.

Overall exports totaled \$10.49 billion, up 27.1 percent from last year. Imports totaled \$12.33 billion, up 36.2 percent.

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Copyright 1978 The Washington Post
The Washington Post

June 24, 1978, Saturday, Final Edition

SECTION: First Section; The Capitol; A3

LENGTH: 107 words

BODY:

Two Republican senators up for reelection have seen their Democratic challengers creep upward in recent polls. In Texas, a poll sponsored by the Democratic candidate, Rep. Robert Krueger, shows that Krueger has pulled to within 5 points of incumbent Sen. John Tower. The poll, taken in late May, shows Tower leading, 43 percent to 38 percent. Four months ago Democratic polls shows Tower 20 points ahead.

In Illinois, a Gannett News Service poll shows Republican Charles Percy leading challenger Alex Seith, 42 percent to 30 percent. That's a healthy lead but represents a considerable increase in Seith's support earlier polls.

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Copyright 1977 The Washington Post
The Washington Post

June 25, 1977, Saturday, Final Edition

SECTION: Real Estate; E3

LENGTH: 282 words

HEADLINE: Area Housing Less Crowded But Rents Are Up Sharply;
Over a Decade

BYLINE: Nancy L. Ross

BODY:

Housing in the metropolitan area is far less crowded and unsanitary today than it was 10 years ago, but renters are paying considerably more for their units, a new Washington Metropolitan Council of Governments survey shows. The study of housing in the 1960s and early 1970s was based on census data.

The survey's author, W. Bruce Steele, associate chief of COG's housing programs, calls this a "significant shift" in the Capital area's housing patterns.

For example, through improvements and demolition of old dwellings, the number of units without complete plumbing facilities declined to 8,600 in 1974, compared with 30,300 units in 1960. Now hardly one dwelling in 100 lacks proper sanitation, COG said. The Census Bureau made no attempt, however, to determine the age and condition of the plumbing.

The problem of overcrowding diminished substantially during the early 1970s here. In 1974 only 0.6 per cent of all households packed in more than 1.5 persons per room, a two-thirds drop from the 19,000 severely overcrowded dwellings that existed in 1970.

Moreover, the number of families living more than one person to a room was cut nearly in half, to 33,700 in 1974. The census found only 3.4 per cent of the population living in such cramped quarters. Of these, 61 per cent were black, although only a quarter of all metropolitan households were headed by blacks.

In exchange for this upgrading and as the result of inflation and population increases, renters faced considerable increases during the same period. There was a 9 per cent increase in the number of households paying more than 25 per cent of their income for rent, HUD's generally accepted ceiling.

EXHIBIT C

1 of 44 DOCUMENTS

Copyright 2004 The Washington Post

The Washington Post

October 7, 2004 Thursday
Final Edition

SECTION: Howard Extra; T03

LENGTH: 655 words

HEADLINE: Almost 10 Percent Of County Is Asian

BYLINE: Susan DeFord, Washington Post Staff Writer

BODY:

New federal estimates chart the rapid increase in Howard County's Asian community, which in three years has grown from 7.6 percent to nearly 10 percent of the county's total population.

Overall, the county's population grew from 247,842 in 2000 to 264,265 ...

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Copyright 2004 The New York Times Company
The New York Times

October 1, 2004 Friday
Late Edition - Final

SECTION: Section B; Column 2; Metropolitan Desk; Pg. 1

LENGTH: 1236 words

HEADLINE: Area Codes, Now Divorced From Their Areas

BYLINE: By IAN URBINA

BODY:

...212 remains the area code to get in the country. Only about 1,000 phone numbers with this area code are available at any given moment.

The skyrocketing quantity of phone users has caused a rapid increase in the total number of area codes in existence. When they were adopted, there were 86 area codes in circulation in the United States and Canada. From 1984 to 1994, only nine were added. In the past 10 ...

3 of 44 DOCUMENTS

Copyright 2004 The New York Times Company: Abstracts
Information Bank Abstracts
WALL STREET JOURNAL ABSTRACTS

September 29, 2004, Wednesday

SECTION: Section C; Page 13, Column 6

LENGTH: 56 words

HEADLINE: NEXTCARD INC

ABSTRACT:

SEC accuses former NextCard Inc chairman Jemery Lent and former chief exec John Hashman of using accounting tricks to hide rapid increase in number of customers with delinquent accounts; Lent and Hashman also face insider trading charges and are accused of selling more than \$7 million in company stock while hiding delinquencies (S)

4 of 44 DOCUMENTS

Copyright 2004 The New York Times Company
The New York Times

September 4, 2004 Saturday
Late Edition - Final

SECTION: Section C; Column 4; Business/Financial Desk; Pg. 1

LENGTH: 1379 words

HEADLINE: 144,000 Jobs Were Added in August, a Bit of an Uptick

BYLINE: By EDMUND L. ANDREWS

DATELINE: WASHINGTON, Sept. 3

BODY:

...increases in productivity, the amount of output that companies can squeeze out of each worker, and by intense competition from manufacturers in low-wage countries, especially China.

Employers have also become nervous about rapid increases in health insurance benefits, which have raised employment costs even though wages have been climbing slowly or not at all.

That said, President Bush has opened himself to criticism by insisting that his tax cuts would
...

5 of 44 DOCUMENTS

Copyright 2004 The Washington Post

The Washington Post

September 2, 2004 Thursday
Final Edition

SECTION: Alexandria - Arlington Extra; T03

LENGTH: 690 words

HEADLINE: SAT Scores At Williams Post Decline In 2004

BYLINE: Jay Mathews, Washington Post Staff Writer

BODY:

...unchanged from last year. The Virginia average score was 1024, also unchanged from a year ago.

Kathleen Wills, Arlington's director of planning and evaluation, was one of several testing experts who warned this year of a rapid increase in the percentage of students not marking their race on their SAT registration forms.

The portion of "non-disclosers," as they are called, rose to 38 percent in Arlington and 25 percent nationally last year, and Wills ...

6 of 44 DOCUMENTS

Copyright 2004 The New York Times Company
The New York Times

August 27, 2004 Friday
Late Edition - Final

SECTION: Section C; Column 2; Business/Financial Desk; Pg. 1

LENGTH: 1356 words

HEADLINE: A Windfall From a Student Loan Program

BYLINE: By GREG WINTER

BODY:

...closing the loopholes now, while lenders are hurriedly mounting large portfolios, the department said there was little it could do. "I don't think we would want them to do it," Sally Stroup, an assistant secretary of education, said of the rapid increase in new loans with the old guarantees. "But I don't think we have the legal authority to stop them."

Many experts, including some within the department itself, disagree. "It is the agency's rules that created the loopholes," ...

7 of 44 DOCUMENTS

Copyright 2004 The Washington Post

The Washington Post

July 24, 2004 Saturday
Final Edition

SECTION: Metro; B07

LENGTH: 833 words

HEADLINE: In Brief

BODY:

...five times a day.

The council's unanimous action prompted protests from some longtime residents of this once predominantly Polish city of 23,000 people. In recent years, the Detroit suburb has experienced a rapid increase in immigration from Yemen, Bangladesh and other nations.

The al-Islah mosque began the call to prayer in May. At least one other mosque in the city has begun using loudspeakers.

-- Religion ...

8 of 44 DOCUMENTS

Copyright 2004 The New York Times Company
The New York Times

July 19, 2004 Monday
Late Edition - Final

SECTION: Section C; Column 1; Business/Financial Desk; E-Commerce Report; Pg. 6

LENGTH: 1254 words

HEADLINE: Demand among marketers for advertising next to search results could soon outpace supply, driving prices up.

BYLINE: By Bob Tedeschi

BODY:

...percent of Americans are online -- the average Internet user is searching more. According to NetRatings, online users conducted 1.2 billion searches in May, a year-over-year increase of 30 percent.

The rapid increase in high-speed Internet connections should continue to bolster that growth. NetRatings reported last week that 48 percent of American households have broadband connections, making it much more likely that users will ...

9 of 44 DOCUMENTS

Copyright 2004 The New York Times Company
The New York Times

July 14, 2004 Wednesday
Correction Appended
Late Edition - Final

SECTION: Section C; Column 2; Business/Financial Desk; Pg. 1

LENGTH: 1702 words

HEADLINE: Soaring Oil Prices, but No New Boom in Houston

BYLINE: By SIMON ROMERO

DATELINE: HOUSTON, July 13

BODY:

...office vacancy rates of any large city in the country, climbing to 24 percent from 19.5 percent, according to PricewaterhouseCoopers.

Empty skyscrapers are only part of the listlessness that continues to define parts of the city's economy. The rapid increase in property values on the East and West Coasts has not been mirrored in Houston, where the median home price is \$140,000, or about the national average, after climbing by a modest 3 ...

CORRECTION-DATE: July 16, 2004

CORRECTION:

An article in Business Day on Wednesday about the subdued effect of rising energy prices on Houston misstated the daily oil production of Texas. It is about 1.35 million barrels a day, according to the Oil and Gas Journal, not 360,000.

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Copyright 2004 The Washington Post

The Washington Post

June 1, 2004 Tuesday
Final Edition

SECTION: A Section; A20

LENGTH: 1118 words

HEADLINE: Some Seek Date for U.S. Troops to Exit Iraq

BYLINE: Peter Slevin, Washington Post Staff Writer

BODY:

...forces will remain in Iraq as long as necessary, and he has not set a timetable or explicit preconditions for a pullout. Before the war, the Defense Department hoped for a far more rapid reduction of U.S. strength in Iraq. But a stubborn insurgency that has killed 476 Americans and wounded more than 4,100 forced a change of plans.

In his May 24 speech to the U.S. Army War ...

11 of 44 DOCUMENTS

Copyright 2004 The New York Times Company
The New York Times

May 27, 2004 Thursday
Late Edition - Final

SECTION: Section A; Column 1; National Desk; Pg. 16

LENGTH: 1153 words

HEADLINE: As Fire Season Approaches, Dread Grows in the West

BYLINE: By KIRK JOHNSON

DATELINE: RIFLE, Colo., May 24

BODY:

...Kirk Rowdabaugh, deputy state forester for Arizona. "You're coming in with live fuels and dead fuels and soils so dry -- and you're seeing this phenomenon all over -- a much more rapid increase in fire potential."

At Lower South Fork, the fire burned a northeast-facing slope at an elevation of nearly 8,000 feet and consumed logs on the ground as big around as ...

12 of 44 DOCUMENTS

Copyright 2004 The Washington Post

The Washington Post

May 21, 2004 Friday
Final Edition

SECTION: Financial; E03

LENGTH: 821 words

HEADLINE: Rates Likely to Rise in Small Steps;
Fed Governor Says Inflation Should Stay Low Into '05

BYLINE: Nell Henderson, Washington Post Staff Writer

BODY:

...a change of a quarter or half a percentage point, over periods that ranged from 11 months to more than three years.

Bernanke's remarks implied that financial markets should not worry about a rapid increase rates.

He warned, however, that the Fed would move more swiftly if necessary, particularly if inflation takes off in a sustained way.

The likelihood of a "measured" pace of change is based on the current economic forecast, he ...

13 of 44 DOCUMENTS

Copyright 2004 The New York Times Company
The New York Times

May 15, 2004 Saturday
Late Edition - Final

SECTION: Section C; Column 2; Business/Financial Desk; Pg. 1

LENGTH: 989 words

HEADLINE: Prices in April Rose a Bit; Energy Costs Stir Concern

BYLINE: By LOUIS UCHITELLE

BODY:

...a lot, but we expected them to go up more," said Patrick Jackman, a senior economist at the bureau.

The temporary reprieve will almost certainly disappear in May, however, because of an unusually rapid increase in pump prices in late April and early May, according to the Energy Department. The average price of a gallon of regular unleaded gasoline stood at \$1.93 on May 7, ...

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Los Angeles Times

May 14, 2004 Friday
Home Edition

SECTION: MAIN NEWS; Foreign Desk; Part A; Pg. 3

LENGTH: 702 words

HEADLINE: THE WORLD;
Russia's Bumper Crop of Nouveau Riche;
Forbes magazine lists 36 billionaires, a ninefold increase for the nation since 1997.

BYLINE: David Holley, Times Staff Writer

DATELINE: MOSCOW

BODY:

...two-thirds of those listed became rich from the post-Soviet privatization of state assets in the 1990s, but high oil prices and a soaring stock market played a key role in their rapid increase of wealth, said Paul Khlebnikov, chief editor of the magazine's Russian edition. The 36 billionaires control \$110 billion, equal to about one-quarter of Russia's annual economic output, he said at ...

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Copyright 2004 The New York Times Company
The New York Times

May 14, 2004 Friday
Correction Appended
Late Edition - Final

SECTION: Section F; Column 2; Escapes; Pg. 1; HAVENS

LENGTH: 2909 words

HEADLINE: What Price Summer?

BYLINE: By JULIA LAWLOR

BODY:

This will be the fourth summer of relatively flat prices in many resorts around the country. In part, that's because of the rapid increase in vacation-home sales (according to the National Association of Realtors there were an estimated 445,000 second homes sold in the United States last year, up from 359,000 in 2001), taking many ...

CORRECTION-DATE: May 25, 2004

CORRECTION:

Because of editing errors, an article in Escapes on May 14 about the summer rental market around the country referred incorrectly to the Outer Banks of North Carolina. The area has about five million visitors a year, not seven million or more; it indeed offers fine-dining restaurants and nightclubs.

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Copyright 2004 The New York Times Company
The New York Times

May 12, 2004 Wednesday
Late Edition - Final

SECTION: Section C; Column 4; Business/Financial Desk; Pg. 1; MARKET PLACE

LENGTH: 1184 words

HEADLINE: Makers of Drug-Coated Stents Fight For the Hearts of Cardiologists

BYLINE: By REED ABELSON

BODY:

...Boston Scientific may be at least partly benefiting from sheer novelty. The doctors who use stents -- interventional cardiologists -- tend to be eager to try new devices, according to analysts and others. After a rapid increase in the use of Taxus at the Cleveland Clinic, for example, "what we've seen is a leveling," said Frank Petrovic, an administrator for cardiovascular medicine.

Taxus is "the new toy," he said, and the clinic's ...

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Copyright 2004 The New York Times Company
The New York Times

May 8, 2004 Saturday
Late Edition - Final

SECTION: Section B; Column 6; Metropolitan Desk; Pg. 4

LENGTH: 333 words

HEADLINE: City Claims Drug Maker Overcharged For Painkiller

BYLINE: By SABRINA TAVERNISE

BODY:

...frivolous" grounds in order to keep control of the drug.

Michael A. Cardozo, the city's corporation counsel, said in a statement that the claim was part of an "ongoing effort by the city to attack the rapid increase in the city's expenditures."

18 of 44 DOCUMENTS

Copyright 2004 The Washington Post

The Washington Post

May 7, 2004 Friday
Final Edition

SECTION: Financial; E01

LENGTH: 1031 words

HEADLINE: Greenspan Says High-Debt Economy Won't Last;
Changes Pushing Growth Only Temporary, Fed Chairman Cautions

BYLINE: Nell Henderson, Washington Post Staff Writer

BODY:

...deficits from driving up interest rates and inflation. Yesterday, though, Greenspan sketched a larger framework for understanding some of the unusual characteristics of the economy over the past 10 years, attributing them largely to the rapid increases in globalization and innovation.

The federal government has been able to spend far more than it collects in revenue without pushing up long-term interest rates. The budget deficit is forecast to come in this ...

...inflation -- which implies more upward pressure on interest rates in a growing economy.

Expanding globalization, fueled in part by advances in computer and telecommunications policy, also has resulted in rapid increases in foreign investment, particularly in the United States. This, Greenspan said, has helped finance the large current account deficit. But at some point, international investors will want to diversify, and will ...

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Copyright 2004 Los Angeles Times
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Los Angeles Times

May 5, 2004 Wednesday
Home Edition

SECTION: MAIN NEWS; Metro Desk; Part A; Pg. 1

LENGTH: 2063 words

HEADLINE: COLUMN ONE;
LAPD's Top Gun Is on the Case;
Richard Smith has an eye for firearms analysis that few can match. Detectives compete for help from the 'one-man weapon against crime.'

BYLINE: Jill Leovy, Times Staff Writer

BODY:

...detectives to skirt a formal priority system one day a week for fast answers on any case they want, lab officials hit on a serendipitous fusion. A rapid increase in the number of cold hits has not only helped solve recent crimes, it has yielded surprising revelations about the way crime guns move around, and demonstrated ways of using new digital ...

20 of 44 DOCUMENTS

Copyright 2004 The New York Times Company
The New York Times

April 30, 2004 Friday
Late Edition - Final

SECTION: Section W; Column 3; Business/Financial Desk; Pg. 1

LENGTH: 717 words

HEADLINE: China Cools Lending, and Markets Shiver

BYLINE: By KEITH BRADSHER

DATELINE: HONG KONG, April 29

BODY:

Asian stock markets and currencies dipped on Thursday and prices for oil and other commodities slipped as world markets responded to news that Chinese authorities ordered banks to stop their rapid increase in lending at least until the weeklong May Day holiday begins on Saturday.

The slippage in Asian financial markets represented what some experts contend is the beginning of a new assessment of ...

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Copyright 2004 The Washington Post

The Washington Post

April 22, 2004 Thursday
Final Edition

SECTION: A Section; A01

LENGTH: 6607 words

HEADLINE: U.S. Aimed For Hussein As War Began;
CIA Informants Told of His Suspected Whereabouts

BYLINE: Bob Woodward, Washington Post Staff Writer

BODY:

...petroleum reserve?

Robert McNally, an energy expert on the White House staff, reported that crude oil prices had fallen from \$37 to \$31 a barrel. That was good news. A rapid increase in price would raise costs for businesses and consumers across the board.

The Saudis had pledged to stabilize the crude oil market by increasing output and putting crude into tankers that were pre-positioned in the Caribbean or ...

22 of 44 DOCUMENTS

Copyright 2004 The New York Times Company
The New York Times

April 9, 2004 Friday
Late Edition - Final

SECTION: Section W; Column 3; Business/Financial Desk; Pg. 1

LENGTH: 982 words

HEADLINE: As Prices Rise in China, Signs of Inflation

BYLINE: By KEITH BRADSHER

DATELINE: HONG KONG, April 8

BODY:

...in an important measure of inflation. The year-over-year change was less than 1 percent as recently as June, and the index was actually falling in 2002.

The big mystery now, economists said, is when and whether the latest rapid increases will show up in the prices that consumers pay at their nearest vegetable market or hardware store. According to the National Bureau of Statistics, the consumer price index was only up 2.1 percent in ...

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Information Bank Abstracts
WALL STREET JOURNAL ABSTRACTS

March 24, 2004, Wednesday

SECTION: Section A; Page 8, Column 4

LENGTH: 23 words

HEADLINE: GLOBAL BUSINESS BRIEFS--INDUSTRIAL: LINDSAY MANUFACTURING
CO.

ABSTRACT:

Lindsay Manufacturing Co reports 29% decline in fiscal second-quarter profit to \$3.5 million, due to rapid increases in steel costs (S)

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Copyright 2004 The New York Times Company
The New York Times

March 19, 2004 Friday
Late Edition - Final

SECTION: Section W; Column 3; Business/Financial Desk; Pg. 1

LENGTH: 1261 words

HEADLINE: After an Exodus of Jobs, a Recovery in Taiwan

BYLINE: By KEITH BRADSHER

DATELINE: TAIPEI, Taiwan, March 18

BODY:

...exports to rise as quickly as Taiwan's.

Also, many of Taiwan's industries are also still indirectly tied to manufacturing, even if the final assembly takes place on the mainland. So Taiwan is not as vulnerable as the United States to a rapid increase in more service-oriented industries like computer programming and accounting in countries like India.

Taiwan's economic difficulty in the last several years "is not as serious as what has been happening in the United ...

25 of 44 DOCUMENTS

Copyright 2004 The Washington Post

The Washington Post

March 9, 2004 Tuesday
Final Edition

SECTION: Financial; E01

LENGTH: 889 words

HEADLINE: Halliburton Reports \$85 Million Profit From Iraq Operations

BYLINE: Jackie Spinner and Mary Pat Flaherty, Washington Post Staff Writers

BODY:

...85 million profit on \$3.6 billion in revenue from Iraq work last year.

In its annual report to the Securities and Exchange Commission, the Texas-based oil services company said the rapid increase in its work in Iraq had forced it to take steps to improve internal controls on its billions of dollars of work there. It said it sent a task force to Kuwait at the end of the

...

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Copyright 2004 The New York Times Company
The New York Times

March 6, 2004 Saturday
Late Edition - Final

SECTION: Section C; Column 1; Business/Financial Desk; Pg. 3; THE JOB PICTURE: THE DATA

LENGTH: 674 words

HEADLINE: In the Latest Numbers, Economists See the Cold, Hard Truth About Jobs

BYLINE: By EDMUND L. ANDREWS

DATELINE: WASHINGTON, March 5

BODY:

...data has focused on two issues. The first is the enduring dissonance between evidence of a strong economy and a weak job market. Economists are increasingly becoming convinced that that puzzle can be explained by rapid increases in productivity.

The second issue is more technical. The findings of the two main employment surveys done by the Bureau of Labor Statistics have long shown a large discrepancy.

The payroll survey, which is based on ...

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Copyright 2004 The Washington Post

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March 4, 2004 Thursday
Final Edition

SECTION: Prince William Extra; T01

LENGTH: 457 words

HEADLINE: Group Wants County To Lower Tax More;
Board Asked to Offset Higher Assessments

BYLINE: Eric M. Weiss, Washington Post Staff Writer

BODY:

...residents.

Jim Simpson, the group's vice chairman, said that the county budget has ballooned in recent years and that this year promises more of the same.

Gerhart and some supervisors have said they have reduced the tax rate to offset rapid increases in home values that have boosted property assessments.

Simpson and others said a rate cut that is less than what is needed to offset assessment increases is a tax increase, no matter how one spins ...

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Copyright 2004 The Washington Post

The Washington Post

February 12, 2004 Thursday
Final Edition

SECTION: Financial; E01

LENGTH: 1077 words

HEADLINE: Economy Is Improving, Fed Chairman Says

BYLINE: Nell Henderson, Washington Post Staff Writer

BODY:

...for the rest of the year.

Greenspan said it was a feasible forecast -- if productivity growth slows. He didn't mention that the Fed's Monetary Policy Report to Congress, which he also delivered yesterday, says that Fed policymakers view "rapid increases in productivity [as] likely to be sustained" this year.

The Fed chairman said in his testimony, "in all likelihood, employment will begin to grow more quickly before long as output continues to expand," but he did ...

29 of 44 DOCUMENTS

Copyright 2004 The New York Times Company
The New York Times

February 8, 2004 Sunday
Late Edition - Final

SECTION: Section 14LI; Column 1; Long Island Weekly Desk; Pg. 16

LENGTH: 823 words

HEADLINE: FILM;
A Tale of Hate Hits Close to Home

BYLINE: By JULIA C. MEAD

DATELINE: BRIDGEHAMPTON

BODY:

...a world away from the South Fork. But some residents here say that over the past year they have noticed uncomfortable similarities with that hamlet, the infamous epicenter of Long Island's immigration wars.

Here, as in Farmingville, there has been a rapid increase in undocumented, mostly Latino, workers, and increasing tensions about their presence. In Farmingville, those tensions erupted in violence in 2000. In the South Fork, people wonder: Could that happen here?

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Copyright 2004 Los Angeles Times
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Los Angeles Times

January 13, 2004 Tuesday
Home Edition

SECTION: BUSINESS; Business Desk; Part C; Pg. 7

LENGTH: 272 words

HEADLINE: Study Discounts Fears of Refi Effect

BYLINE: From Bloomberg News

BODY:

...result in a sharp slowing in the growth of consumer spending."

The study also noted that the savings rate in the U.S. stayed "in positive territory" during the busiest period of home equity withdrawal.

"The rapid increase in mortgage debt stemming from the accelerated pace of home equity withdrawal is not leading to deterioration of household net worth," the study said.

"While the refinancing boom will inevitably come to an end when ...

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Copyright 2004 The New York Times Company
The New York Times

January 4, 2004 Sunday
Late Edition - Final

SECTION: Section 1; Column 6; National Desk; Pg. 1

LENGTH: 1148 words

HEADLINE: BUSH '05 BUDGET SEEKS TO REIN IN DOMESTIC COSTS

BYLINE: By ROBERT PEAR

DATELINE: WASHINGTON, Jan. 3

BODY:

...including new incentives for individual saving and tax credits to help uninsured people buy health insurance. The Democratic candidates for president have accused Mr. Bush of doing little to halt the recent rapid increase in the number of uninsured.

Administration officials said the president's budget would call for an overall increase of about 3 percent in appropriations for so-called domestic discretionary spending, which excludes the ...

32 of 44 DOCUMENTS

Copyright 2003 The New York Times Company
The New York Times

December 25, 2003 Thursday
Late Edition - Final

SECTION: Section B; Column 4; Metropolitan Desk; Pg. 6

LENGTH: 629 words

HEADLINE: Police Kill Bear at a Rural New Jersey Home

BYLINE: By LAURA MANSNERUS

BODY:

...state officials approved the hunt because of increasing reports of bears killing pets and livestock and barging into homes. Ms. Cradic said there had been 58 reports of bears entering houses this year.

Opponents of the hunt said that despite the rapid increase in both bear and human populations in rural areas, no one has been killed by bears in New Jersey. They contend that aggressive behavior in bears is caused by human carelessness and ...

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Copyright 2003 The New York Times Company
The New York Times

December 25, 2003 Thursday
Late Edition - Final

SECTION: Section C; Column 1; Business/Financial Desk; Pg. 2

LENGTH: 1085 words

HEADLINE: Economic Scene;

America is paying a significant price for favoring unilateralism over international cooperation. Is the price too high?

BYLINE: By Jeff Madrick; Jeff Madrick is the editor of Challenge Magazine, and he also teaches at Cooper Union and New School University. His new book is "Why Economies Grow," from Basic Books and the Century Foundation. E-mail: challenge@mesharpe.com.

BODY:

...in some quarters, economic research shows that such increases in defense spending bleed economies over time. Probably the best research on the subject was done in the late 1980's, during rapid increases under President Ronald Reagan.

The main argument in favor of defense spending is that it has civilian spinoffs. The Internet is the most spectacular recent example of this.

But Frank R. Lichtenberg, an economist at ...

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December 15, 2003 Monday
Home Edition

SECTION: MAIN NEWS; National Desk; Part A; Pg. 28

LENGTH: 1649 words

HEADLINE: The Nation;
Everglades Cleanup Offers Path for Nation, Scientists Say;
Florida's reduction of mercury levels makes a case for forceful federal action, they say. Today, the EPA will announce emissions proposals.

BYLINE: Elizabeth Shogren, Times Staff Writer

DATELINE: EVERGLADES NATIONAL PARK, Fla.

BODY:

...use a market-based trading system to allow companies that reduced emissions below their cap to trade pollution credits with companies that clean up more slowly.

And the electric generating industry says that requiring rapid reductions in mercury emissions could cause some utilities to switch from coal to natural gas and to increase electricity prices -- without significant gains for public health.

*

Mercury is a naturally occurring substance that can be ...

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Copyright 2003 The Washington Post

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December 12, 2003 Friday
Final Edition

SECTION: Financial; E01

LENGTH: 752 words

HEADLINE: Fed Rate Hike Still Far Off, Minutes Hint

BYLINE: John M. Berry, Washington Post Staff Writer

BODY:

...continued. "Accordingly and given the presumed persistence of strong worldwide competition, significant inflationary pressures were not seen as likely."

Instead, the relatively high level of joblessness -- last month's unemployment rate was 5.9 percent -- and the rapid increase in productivity, the amount of goods and services produced for each hour worked, could result in a modest further decline in inflation next year.

"The growth in productivity could remain higher than had ...

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Copyright 2003 The Washington Post

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December 12, 2003 Friday
Final Edition

SECTION: Financial; E01

LENGTH: 785 words

HEADLINE: Greenspan Casts Doubt on Impact Of China Actions

BYLINE: John M. Berry, Washington Post Staff Writer

BODY:

Federal Reserve Chairman Alan Greenspan yesterday questioned whether the rapid increase in imports from China and the fact that the Chinese government has pegged the value of its currency at a low level compared with the dollar are significant factors in the weak U.S. labor market.

Challenging what he labeled "a ...

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Copyright 2003 The New York Times Company
The New York Times

November 16, 2003 Sunday
Late Edition - Final

SECTION: Section 1; Column 5; Metropolitan Desk; Pg. 2

LENGTH: 583 words

HEADLINE: NEWS SUMMARY

BODY:

...said allied military forces would remain only as invited guests. 17

Officials and diplomats at the United Nations, while welcoming the United States' policy change in Iraq, warned against a rapid reduction of military forces and said they feared the United States would dump Iraq into the hands of the United Nations. 18

Synagogue Bombing in Istanbul

Two truck bombs exploded nearly simultaneously outside two synagogues ...

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Copyright 2003 The New York Times Company
The New York Times

November 16, 2003 Sunday
Late Edition - Final

SECTION: Section 1; Column 1; Foreign Desk; Pg. 18

LENGTH: 599 words

HEADLINE: THE STRUGGLE FOR IRAQ: DIPLOMACY;
United Nations Role in Iraq Waits for New Timetables

BYLINE: By KIRK SEMPLE

DATELINE: UNITED NATIONS, Nov. 14

BODY:

But officials and diplomats here, while welcoming the policy change, warned privately against a rapid reduction of American military forces and said they feared that the United States would dump Iraq into the hands of the United Nations.

"We in the international community are waiting for the tablets to come down from Washington," a foreign diplomat said ...

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Copyright 2003 The Washington Post

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October 31, 2003 Friday
Final Edition

SECTION: A Section; A02

LENGTH: 883 words

HEADLINE: Elective Caesareans Judged Ethical;
Doctors Group Issues Statement on Popular Procedure

BYLINE: Rob Stein, Washington Post Staff Writer

BODY:

...opinions about elective Caesareans, but for years it has been among many medical groups that campaigned to reduce the number of surgical deliveries for any reason.

The new statement could help accelerate a rapid increase in Caesarean sections by making doctors more willing to perform the procedure on an elective basis, some experts said.

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Los Angeles Times

October 14, 2003 Tuesday
Home Edition

SECTION: MAIN NEWS; Business Desk; Part A; Pg. 1

LENGTH: 1685 words

HEADLINE: THE NATION;
Rising Health-Care Costs at Heart of Labor Strife

BYLINE: Nancy Cleeland and Marla Dickerson, Times Staff Writers

BODY:

...in recent years -- 13.9% this year -- far outstripping the overall pace of inflation, which is running at just over 2%, according to the Kaiser foundation survey.

Experts say a host of factors are driving the rapid increase. Consolidation in the health-care industry has reduced competition, giving medical providers more leverage in pricing negotiations with employers and insurers. New drugs to treat everything from depression to impotence have spurred consumer ...

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Copyright 2003 The New York Times Company
The New York Times

October 5, 2003 Sunday
Late Edition - Final

SECTION: Section 14NJ; Column 3; New Jersey Weekly Desk; Pg. 1

LENGTH: 2992 words

HEADLINE: They Shoot Bears, Don't They?

BYLINE: By JEREMY PEARCE

BODY:

...look at the amount of nuisance complaints the state has been receiving, you understand that a hunt should have taken place a long time ago."

Indeed, the state Division of Fish and Wildlife has presented statistics to suggest a rapid increase in bear-related problems. For instance, the number of bears breaking into homes nearly doubled in five years, from 29 annually to 57 so far this year. Police and wildlife officials are euthanizing ...

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Copyright 2003 The Washington Post

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September 12, 2003 Friday
Final Edition

SECTION: METRO; Pg. B01

LENGTH: 883 words

HEADLINE: Officials Say Metro Fares Will Increase;
Board Divides On Cutting Routes

BYLINE: Lyndsey Layton, Washington Post Staff Writer

BODY:

...said the transit system is facing an operating shortfall of \$ 60 million to \$ 80 million in the fiscal year that starts in July.

Factors driving up costs include a rapid increase in the expense of paratransit service for the disabled, wages and salaries and a \$ 10 million shortfall in the pension fund created by losses in the stock market, according to Burt Bouldry, the ...

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Copyright 2003 The Washington Post

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September 12, 2003 Friday
Final Edition

SECTION: METRO; Pg. B01

LENGTH: 883 words

HEADLINE: Officials Say Metro Fares Will Increase;
Board Divides On Cutting Routes

BYLINE: Lyndsey Layton, Washington Post Staff Writer

BODY:

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Factors driving up costs include a rapid increase in the expense of paratransit service for the disabled, wages and salaries and a \$ 10 million shortfall in the pension fund created by losses in the stock market, according to Burt Bouldry, the ...

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September 2, 2003 Tuesday
Late Edition - Final

SECTION: Section A; Column 1; Business/Financial Desk; Pg. 1

LENGTH: 1417 words

HEADLINE: CHINA SEEN READY TO CONCILIATE U.S. ON TRADE AND JOBS

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BODY:

...strength.

Fred Hu, chief China economist for Goldman Sachs, says the currency peg is contributing to an overheating of the domestic economy. The influx of foreign investment and foreign trade earnings have helped fuel rapid increases in the money supply and raised fears of inflation, even as the fixed exchange rate has created tension with trading partners. By freeing the exchange rate, he said, China could solve two problems at once.

"This is ...