

**PHOTOCOPY
PRESERVATION**

would declare a school vacation day. When it adopted a new school calendar last year, it accepted the lower threshold of 15 percent to justify three new school vacation days: Rosh Hashana, Yom Kippur and Dec. 23, the day before the traditional start of the school's winter break when many students get an early start on the Christmas holiday.

On all three days, the school's absentee rate topped 15 percent.

Armstrong contended that the school board did not relax its criterion for vacation days because two of the new days off are Jewish holidays sought by many Jewish parents. He called the earlier 21 percent threshold for calling days off "an arbitrary figure that just seemed reasonable to the board at the time ... It was a starting place."

"I think the board reserved the right to change its resolution if it saw the best interests of the students and it had an obligation to do so," he added.

But some Sycamore parents and the ACLU perceived a different reason for the change in policy: the election to the school board of Renee Roth, a Jewish parent who had long been a vocal proponent of establishing the High Holidays as school vacation days. Once Roth was elected, Felson pointed out, a proposal that had failed to pass muster with the Sycamore school board suddenly won its blessing on a 3-2 vote.

"We've reached the point where, regardless of the court's decision, there will be a group of parents and citizens who are angry," said Michael Rapp, director of the Jewish Community Relations Council of Cincinnati. "If there is no change in policy, there will be Muslim and Hindu families who will feel put upon. If they do change the policy, there will be Jewish families who will feel put upon. It's a no-win situation for the community."

Rapp noted that many Jewish families opposed adoption of school holidays for the High Holy Days and that many non-Jews supported the policy "because they thought it was a sensitive and right thing to do in an era of diversity."

"I don't think anyone started down this path with malevolent intentions," Rapp said. But now, "the hard feelings come out in spurts. It comes out when these issues are discussed in board meetings. It comes out when suits are filed, when stories are aired."

Feds Find Net Loss In Cyberplan to Improve Rural Health Care

By Jube Shiver Jr.
Los Angeles Times

WASHINGTON After mounting major efforts to foster electronic commerce and connect schools and libraries to the Internet, the federal government is falling short on another ambitious cyberspace goal: using the Net to improve rural medical care.

A 2-year-old, \$400 million federal program aimed at helping the United States' 22,000 rural medical facilities get high-speed Internet access did not award any money last year because of bureaucratic delays. And as of July 6, just \$289,424 had been distributed to 68 of 452 applicants less than one-fifth of the annual \$1.4 million cost of administering the program.

Likewise, the federal Health Care Financing Administration, which runs the government's giant Medicare insurance program, has thwarted high-tech medicine on the Internet by "severely limiting the services that are covered," said Sen. Kent Conrad, D-N.D.

And laws restricting the practice of medicine across state lines have prevented many physicians from offering their services via the Internet to the sick and infirm in other regions.

Internet-based health care, or telemedicine along with electronic commerce, entertainment and education once was touted as one of the Internet's most compelling applications.

Proponents envisioned medical facilities in remote areas transmitting live video of patients over high-speed Internet lines to big-city hospitals, where medical specialists could treat patients. Neither doctor nor patient would have to travel long distances.

The government's top booster of the technology, Vice President Al Gore, told an audience at Louisiana State University in 1997 that various government initiatives would help medical providers "harness these new technologies" to break down "the walls of isolation for the one in four Americans who live in rural areas."

A telemedicine program at LSU now serves about 2,000 patients annually throughout the state. Rural Louisiana facilities with high-speed Internet access can transmit X-ray film to LSU for evaluation by its radiology experts or conduct a real-time video examination of injured patients online. But the progress has mostly come through state and private support.

By contrast, federal policy missteps and red tape created significant obstacles to telemedicine's exploiting the stunning growth and influence of the Internet, according to the Congressional General Accounting Office, some members of Congress and industry critics.

While more than a dozen federal agencies, from the National Aeronautics and Space Administration to the Agriculture Department, have programs aimed at fostering the development of telemedicine, "no governmentwide strategy exists to ensure that the maximum benefits are gained from numerous federal telemedicine efforts," the GAO said in a 2-year-old report that the agency said still applies.

"The expansion of telemedicine," the agency added, "is hampered by legal and regulatory, financial, technical and cultural barriers facing health care providers."

"Physicians really gain a lot using video over the Internet. The technology is there and the hardware costs keep coming down," said Richard Ferrans, chief of telemedicine for LSU's health sciences centers and an expert in the field. "What's really needed now is some federal support."

Robert Waters, head of the Washington-based Center for Telemedicine Law, said state legislatures are redrawing a patchwork of laws restricting the practice of medicine across state lines. The California Legislature, he said, recently extended the state's Medicaid program to cover more telemedicine procedures.

The wheels of the federal bureaucracy are grinding more slowly. The rural health care program provides a case study of how well-intentioned federal efforts can go awry.

Congress authorized the program in 1996 as part of landmark legislation deregulating the telecommunications industry. The nonprofit Universal Service Administrative Co. was charged with administering the program under the supervision of the Federal Communications Commission.

The awarding of money to beneficiaries, however, never accelerated beyond a crawl.

About 3,000 of 22,000 rural health care facilities initially contacted by the government expressed interest in the program, which covers the additional costs of Internet hookups in remote areas. The funds actually go to telephone carriers offering high-speed Internet access, not to rural health care facilities.

About 600 rural medical facilities filed formal applications. Good Samaritan Health System, based in Kearney, Neb., sent its form to Universal Service in May 1998 in hopes of securing Internet lines for 10 hospitals in rural Nebraska.

Instead, in March 1999, said Donna Hammack, director of grants and special projects for Good Samaritan, "we got a letter saying we qualified for zero amount." She said that Good Samaritan was disqualified because it chose AT&T Corp.'s high-speed Internet access service.

The reason: FCC regulations limit health care facilities to carriers authorized by state utility officials, which generally means regional and local phone companies.

"I guess we had bad luck," Hammack said. "We didn't know anything about that."

The FCC initially set up three quasi-private corporations to administer the health project as well as a companion Internet wiring effort for schools and libraries. But the commission had to scrap that arrangement after the GAO ruled in 1997 that it lacked the authority to create the corporations.

A reconstituted Universal Service Administrative Co. was deemed legally acceptable, but it quickly attracted criticism for its massive spending. Mel Blackwood, its vice president for external affairs, defended the company's high administrative costs as an inevitable part of setting up a new enterprise.

"You are always going to see a spike in the beginning when you have to hire people, incur Web site design (costs) and other expenses," Blackwood said.

But in a report to the FCC in March, Universal Service officials acknowledged that their administrative costs were too large for a program that was serving only a few hundred medical facilities. "Reductions in administrative costs are necessary to bring program costs in line with program demand," the report said.

Lee Bailey, the \$143,000-a-year president of Universal's rural health care division, was forced to resign, according to sources close to the company. Bailey, a former Commerce Department official, could not be reached for comment.

Consumer Reports Under Fire From Auto Makers
By John O'Dell
Los Angeles Times

DARWIN, Australia An Australian-led international peacekeeping force arrived by ship and plane in East Timor Sunday to end weeks of militia violence that has laid waste to the territory and uprooted virtually its entire population.

Although conceding that the mission is fraught with potential danger, Maj. Gen. Peter Cosgrove said before leaving the forward staging area here that he was hopeful of receiving full cooperation from the Indonesian military—a step that dramatically would reduce the risks facing the peacekeepers, both in the initial deployment and in the weeks ahead.

The violence was unleashed after East Timor—a former Portuguese colony annexed by Indonesia in 1976—voted Aug. 30 to seek independence. The anti-independence militiamen who proceeded to kill and burn were aided and abetted by soldiers who for myriad reasons, ranging from nationalism to the accumulation of personal wealth, did not want to surrender the territory.

Cosgrove told reporters Sunday that he plans to have 3,200 troops on the ground within a week and that the U.N.-sanctioned force will grow to 7,500. It is backed by light tanks, helicopters, five patrol boats and a squadron of F-18 Hornets.

The forces' arrival in Dili, the East Timorese capital, comes amid a massive evacuation of Indonesian soldiers and their surrogate militias, which have executed the most vicious and thorough scorched-earth exercise that Southeast Asia has seen since World War II.

"East Timor," said Toni Pfanner, an Indonesia-based representative of the International Committee of the Red Cross, "has basically been destroyed."

Eighty percent of Dili has been burned. All warehouses have been looted, all vehicles belonging to international agencies stolen. Out of an original population of 200,000, perhaps only 10,000 remain. Most, too afraid to return to their homes, camped out Sunday night near the harbor to await the peacekeepers' arrival.

No government and no infrastructure exist in East Timor anymore. Most towns have been burned, many razed. The death toll is believed to reach into the thousands. The province's population was 850,000 two months ago; of that total, the Red Cross says, 600,000 have been displaced internally and 200,000 are refugees in West Timor, the Indonesian province that occupies the other half of Timor island.

Once the peacekeepers secure Dili, international aid agencies are preparing for 100,000 or more people to stream back into the capital within days. They are stockpiling tons of emergency food and medical supplies in Darwin and hope to begin a major relief effort by Tuesday.

"The situation is desperate for the refugees," said Jim Wackett of World Vision, an international aid agency based in Monrovia, Calif. "But it's a difficult mission because there are so many question marks. How many people are in need? Where are they? What's the security situation? Where do we get the trucks to deliver emergency supplies? No one knows the answers at this point."

After days of dithering and saying it could restore security in East Timor without foreign intervention, Indonesia relented last week and invited in multinational peacekeepers. After meeting with Cosgrove in Dili on Sunday, East Timor commander Gen. Kiki Syahnakri said he would cooperate with the mission and hand over command to it by the end of the week.

Under terms of the U.N. mandate, Cosgrove's forces have what he called "robust" rules of engagement: They will be permitted to fire at any time in self-defense and do whatever is necessary to prevent agitators from interfering with the mission or carrying arms.

Most of the militia leaders and hundreds, perhaps thousands, of their men have withdrawn to West Timor. But the gunmen still in East Timor, even though battle-tested mostly against unarmed women and children, could pose a threat to peacekeepers, particularly as the arriving troops secure the mountainous countryside and the rugged terrain along the border with West Timor.

The United States is supplying about 200 noncombat men and women, half of whom will remain offshore. Their contribution will be in intelligence, logistics and communications. At least 15 other nations have joined the force, whose deputy commander is a Thai, Maj. Gen. Shongkitti Chakrabhat. Thailand's contribution to the operation—1,500 personnel—is exceeded only by that of Australia, which will supply about 4,500 troops.

Like Cosgrove, the Clinton administration acknowledged Sunday that the peacekeepers will face risks.

"Any mission where you put forces into a situation where there has been conflict has dangers and risks," National Security Adviser Samuel R. "Sandy" Berger said on NBC-TV's "Meet the Press."

The multinational force is supposed to be a short-term mission that will be replaced by a different U.N. force to help East Timor make the transition to independence and build a new government, Berger noted. The United States has not yet decided whether it will participate in the second force.

School Holiday Issue Has ACLU, Jews at Odds

By Melissa Healy

Los Angeles Times

WASHINGTON On Monday, as the nation's Jews converge on synagogues to reflect on their sins, the children of Sycamore Community School District in southwest Ohio will get a day off from school—no thanks to the American Civil Liberties Union of Ohio.

The ACLU, an organization long devoted to defending the rights of religious and ethnic minorities, has sued the Sycamore district and its elected school board over their decision to declare two High Holy Days school vacation days, including Yom Kippur on Monday.

The decision came last year, when a newly elected school board, prodded by a vocal group of Jewish parents and a supportive superintendent, narrowly voted to make the change. Muslim and Hindu parents responded by asking the school board to designate their religious holidays as vacation days as well.

So far, those pleas have gone unheeded by district officials, who have insisted that the school calendar was changed not in deference to the Jewish religion but because absenteeism had become a significant problem on those days.

Across the country, Christian holidays, such as Christmas and sometimes Good Friday, are routinely observed as school vacation days. In addition, officials in the Los Angeles Unified School District and school districts in New York City and parts of Connecticut and New Jersey routinely close schools on Judaism's holiest days.

The courts, until now, have held that if those days-off policies are based on tradition or on pragmatic concerns about high levels of absenteeism, they do not violate the constitutional doctrine of the separation of church and state.

For years, the ACLU and other groups have struggled against the adoption of the Christian holiday of Good Friday as a school day off—with mixed results. But the Sycamore case marks one of the first times that a minority religious group's bid to have its holiday recognized has drawn the ire of civil libertarians.

The controversy has strained relations among different religious groups in this corner of Ohio. But few have been willing to raise their voices in the legal wrangle. The ACLU suit, which was brought in the U.S. district court for the southern district of Ohio in late August and is expected to go to trial within the next few weeks, only bears the names of ACLU members from the district. When it came time to file legal papers, no representatives of the religious minorities who first brought the complaint to the civil rights organization stepped forward to sign on.

That does not bother Stephen R. Felson, the volunteer ACLU attorney from Cincinnati who is handling the case. Felson is Jewish and lived in Israel for 14 years. But to him, Sycamore's move is a classic effort by one religious group—in this case, Jews—to get a governmental preference just because its members have enough political power to do so.

When members of majority religions do that, Felson observed, it is unconstitutional. When minority religions do it, he adds, it's bound to backfire.

"That's a situation you don't want to be in—that you shouldn't be in: that our minority is bigger and more powerful than your minority," added Felson. "There are a lot of places to fight out your views in the marketplace of ideas. The last place you want to do that is someplace where citizens are voting as to which religion is going to prevail. That's an establishment of religion and a promotion of one over the other right there."

Sycamore Superintendent Bruce Armstrong contended that the school board voted to cancel classes on Jewish holidays strictly because the absentee levels on those days—about 15 percent of students stayed home—were preventing the school from providing "quality school day" to those students who came in.

"It was done with the best of intentions to be sure we had quality school days," Armstrong said. "We don't promote any religion. We make decisions based on the quality of education."

But there is little question that, in voting to establish the new school holidays, the school board relaxed an earlier policy linking absenteeism and days off. Before last year's vote, the school board had set a threshold of 21 percent absenteeism as the level at which