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Midnight in New York

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Senate Vote Imperils Immigration Bill

WASHINGTON — The sweeping immigration overhaul endorsed by President Bush crumbled in the Senate on Thursday night, leaving the future of one of the administration's chief domestic priorities in serious doubt.

After a day of tension and fruitless maneuvering, senators rejected a Democratic call to move toward a final vote on the compromise legislation after Republicans complained they were not given sufficient opportunity to reshape the bill. Supporters of cutting off the debate got only 45 of the 60 votes they needed; 50 senators opposed the cutoff.

"We are finished with this for the time being," said Sen. Harry Reid, Democrat of Nevada and the majority leader, though he left the door open to returning to the issue later this year. "We all have to work, the president included, to find a way to get this bill passed."

The outcome, which followed an outpouring of criticism of the measure from core Republican voters and from liberal Democrats as well, was a significant setback for the president. It came mainly at

the hands of members of his own party after he championed the measure in the hope of claiming it as a major achievement on domestic policy in the last months of his administration.

It was also a disappointment for a bipartisan group of about a dozen senators who met privately for three months to broker a compromise that tried to balance a call for stricter border enforcement with a way for many of the 12 million people who are illegally in the country to qualify for citizenship eventually.

Senate conservatives fought the legislation from the start, saying that it rewarded those who broke the law by their illegal entry into the country. After winning a few important changes in the measure, Republican critics demanded more time and colleagues supported their calls for more opportunity to fight it out on the Senate floor.

Reid said the critics of the bill were simply stalling and would never be satisfied. He attributed the failure of the bill to Republican recalcitrance.

"We've done more than our share," Reid said. "We've sent all the signals we can to get the president to help. It's his bill."

Reid did leave the door open to returning to the bill later this year.

The vote was the second attempt of the day to cut off a debate that had gone on for nearly two weeks, interrupted by the Memorial Day recess. On the initial showdown in the morning, the Senate fell 27 votes short of the 60 required; every Republican and 15 Democrats opposed the move.

"The majority is simply not going to get anywhere trying to stuff the minority," said Sen. Mitch McConnell of Kentucky, the Republican leader.

The morning vote sent Senate leaders and backers of the legislation scrambling, trying to reach an agreement. As late as 6:30 p.m., Sen. Edward M. Kennedy, Democrat of Massachusetts and a chief architect of the legislation, was asked if he had the votes to force an end to the debate. "It's touch and go," he said.

CARL HULSE
and ROBERT PEAR

PUTIN SURPRISES BUSH WITH PLAN ON MISSILE SHIELD

ROSTOCK, Germany — After months of angrily rejecting a White House plan for missile defense in Europe, President Vladimir V. Putin of Russia surprised President Bush on Thursday with an offer to build a joint system in the former Soviet Republic of Azerbaijan.

The proposed system, designed to guard against a missile attack from Iran, poses serious diplomatic and technical challenges, experts said. But the fact that it was suggested by Putin, and not rejected by Bush, indicated a desire on both sides to cool the hostile exchanges that in recent months had driven relations to a low point in the post-cold-war era.

The offer came during a much-anticipated private meeting between the presidents at a gathering of leaders of wealthy democracies. Bush said that Putin had put forth "some interesting suggestions," and that the two agreed to form a working group of military and diplomatic experts to examine how they could cooperate on missile defense, an issue that has long divided Russia and the United States.

"This will be a serious set of strategic discussions," Bush said, standing by Putin's side outside the Kempinski Grand Hotel, the luxury resort in the Baltic Sea town of Heiligendamm where the leaders gathered for the Group of 8 meeting. "This is a serious issue and we want to make sure that we all understand each other's positions very clearly."

For Putin, the offer seemed to accomplish two purposes: giving the appearance of willingness to compromise on missile defense while calming jitters over his recent threat to again aim missiles at Europe. "This will make it impossible — unnecessary — for us to place our offensive complexes along the borders with Europe," he said, speaking through an interpreter.

For 'Don't Ask, Don't Tell,' Split on Party Lines

WASHINGTON — The presidential candidates are dividing starkly along party lines on one of the signature fights of the 1990s: whether the 14-year-old policy of "don't ask, don't tell" should be repealed and gay men and lesbians be allowed to serve openly in the military.

In back-to-back debates in New Hampshire this week, every Democratic candidate raised his or her hand in support of repealing that policy, while not a single Republican embraced the idea. Democrats argued with striking unanimity that it was time to end the uneasy compromise that President Bill Clinton reached in 1993, after his attempt to lift the ban on gays in the military provoked one of the most wrenching fights of his young administration.

Republicans countered that the policy should not be changed, certainly not in time of war.

It is a dispute that underscores the continuing power of social issues — like gay rights and abortion — in each party's nominating contest, even as the larger debate revolves around a divisive war. And it shows the Democrats returning to yet another issue that confounded them in the past — like universal health care — with the conviction that the public is more ready for change this time.

Democratic leaders have been moving away from "don't ask, don't tell" for some time now; Sen. Hillary Rodham Clinton renounced the policy in 1999, when she was first running for the Senate. In the 2000 primary campaign, the two leading Democrats, Vice President Al Gore and Sen. Bill Bradley, also called for the repeal.

The issue flared anew because it came up in this week's debates, not because of any big new campaign initiative on either side. But

aside from policy considerations, there is a political rationale for the Democrats' stance: Gay men and lesbians make up an important part of the Democratic Party's political and fund-raising base, and voters in general are increasingly tolerant on gay issues related to employment and discrimination, analysts say. While gay marriage remains deeply divisive, allowing openly gay men and lesbians to serve in time of war has a far more centrist appeal, advocates and analysts say.

On the other hand, there are political risks, which Republican candidates hinted at this week. If the Democrats emphasized the issue, even in their primaries, it could seem a distraction from issues that are more important to most Americans, including the war, gasoline prices and health care, said David Winston, a Republican pollster.

(NYT)

U.S. and Europe Reach Accord on Climate

HEILIGENDAMM, Germany — The United States agreed Thursday to “consider seriously” a European plan to combat global warming by cutting in half worldwide greenhouse gas emissions by 2050, averting a trans-Atlantic deadlock at a meeting here of the world’s richest industrial nations.

The compromise, worked out in tough negotiations between the United States and Germany, also endorses President Bush’s recent proposal to bring together the world’s largest emitting countries, including China and India, to set their own national goals for reducing emissions.

The agreement reached Thursday does not include a mandatory 50 percent reduction in global emissions by 2050, a key provision sought by Chancellor Angela Merkel, nor does it commit the United States or Russia to specific reductions.

Nevertheless, Merkel, the host of the Group of 8 meeting, pro-

claimed it a major victory. She had placed climate change at the top of the agenda for the gathering, and put heavy pressure on Bush in recent days to relax his opposition to mandatory cuts in emissions, though he ultimately did not. “If you think of where we were a few weeks ago, and where we have reached today, this is a big success,” a visibly relieved Merkel told reporters in this Baltic Sea resort.

The United States had threatened before the meeting to reject large parts of the German proposal, which reaffirmed the role of the United Nations as the primary forum for negotiating climate agreements.

Now, though, the Bush administration has agreed for the first time to take part in negotiations to develop a new global agreement on climate policy by 2009. Such a pact could form the basis of a successor to the Kyoto Protocol, which has limits on gases that ex-

pire in 2012 and was never ratified by the United States.

“One of the features I think we all agreed to is, there needs to be a long-term global goal to substantially reduce emissions,” Stephen J. Hadley, the White House national security adviser, told reporters. “There are obviously a number of ideas as to how that should be done.”

Prime Minister Tony Blair of Britain, who has long prodded Bush to embrace a stricter climate policy, said the agreement represented “a very substantial coming together” of the world’s leaders. His comments came after he met one-on-one with Bush for the last time as prime minister.

Environmental groups were more mixed in their reaction, with several noting that the agreement did not alter the Bush administration’s refusal to accept binding targets for emissions reductions.

MARK LANDLER
and JUDY DEMPSEY

IN BRIEF

AIDS Report on India

NEW DELHI — India probably has millions fewer AIDS victims than has been widely believed, according to a new but still unreleased household survey. The survey was carried out under international supervision. If it is correct, India is no longer the world’s supposed leader, with 5.7 million people infected with the virus, according to the official U.N. 2006 estimate (NYT)

Protests in Pakistan

ISLAMABAD, Pakistan — In protests around the country, thousands of lawyers and political party members demonstrated Thursday against new government curbs on the news media, as senior military and intelligence officials presented affidavits to the Supreme Court in the case against the suspended chief justice. (NYT)



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House Votes to Expand Stem Cell Research

WASHINGTON — The House gave final Congressional approval on Thursday to legislation aimed at easing restrictions on federal financing of embryonic stem cell research, but Democratic leaders in both chambers conceded they were short of the votes needed to override a veto threatened by President Bush.

On a vote of 247 to 176, the House overwhelmingly passed the bill, with more than three dozen Republicans joining a Democratic-led effort to authorize federal support for research using stem cells from spare embryos that fertility clinics would otherwise discard. The Senate approved the legislation in April.

"Science is a gift of God to all of us and science has taken us to a place that is biblical in its power to cure," said Speaker Nancy Pelosi, a Democrat of California, arguing for the bill's passage. "And that is the embryonic stem cell research."

But minutes after the vote, Bush renewed his pledge to veto the proposal, which he called "a recycled old bill." It would reprise the first veto of his presidency, which occurred last year when he rejected a similar passed by the Republican-controlled Congress.

"Recent scientific developments have reinforced my conviction that stem cell science can progress in ethical ways," Bush said in a statement from Germany, where he was attending the Group of 8 meeting. "Researchers have been investigating innovative techniques that could allow doctors and scientists to produce stem cells just as versatile as those derived from human embryos, but without harming life."

The House bill received support from 210 Democrats and 37 Republicans, 35 votes short of what would be needed to override a presidential veto; 16 Democrats joined 160 Republicans in oppos-

ing the legislation.

Several Republicans voting against the bill seized upon scientific findings reported Wednesday, in which biologists said they can use cells from ordinary, adult cells of the body, instead of stem cells. Critics of the bill also said taxpayer dollars should not be used for research on cells derived from discarded human embryos, particularly in the wake of such advances.

"How many more advancements in noncontroversial, ethical, adult stem cell research will it take before Congress decides to catch up with science?" said Rep. Joseph R. Pitts, a Pennsylvania Republican, holding up a front-page newspaper account of the scientific discovery. "These have all of the potential and none of the controversy."

Such techniques, if proven successful, could sidestep heated debates about the research.

JEFF ZELENY

IN BRIEF

Passport Rules Eased

HOUSTON — Responding to anguished travelers at risk of being grounded by a breakdown in the passport system, the government is expected to announce on Friday that it will ease its rules for summer travel in the Western Hemisphere, a Bush administration official said Thursday.

Under the revised procedures, proof that a traveler had applied for a passport not yet received would be enough for travelers returning from Canada, Mexico, Central and South America, the Caribbean and Bermuda to present through September, said the official, who insisted on anonymity because the policy had not been formally announced. (NYT)

Georgia Fire Kills 5

ATLANTA — Five people died and six were injured after a fast-moving fire engulfed a motel in Riverdale on Thursday morning. Firefighters found five badly burned bodies in and around a bathtub in a room on the second floor, the area investigators suspect was the origin of the blaze, said John W. Oxendine, the state insurance and fire safety commissioner.

The dead could not be identified immediately because of the severity of their burns, Oxendine said, adding that they appeared to be a man, a woman and three children. Witnesses said they believed the victims were members of a family that had been staying in the motel until they could move into a nearby home, Oxendine said. (NYT)

Eavesdropping Action

WASHINGTON — Senior House Democrats threatened Thursday to issue subpoenas to obtain secret legal opinions and other documents from the Justice Department related to the National Security Agency's domestic wiretapping program. The subpoena threat came after a senior Justice Department official told a House judiciary subcommittee on Thursday that the department would not turn over the documents because of their confidential nature. (NYT)

New York Traffic Plan Gains Support of Governor

ALBANY — Mayor Michael R. Bloomberg's plan to reduce traffic by charging commuters who drive into Manhattan received a significant boost Thursday, as Gov. Eliot L. Spitzer endorsed the idea and the Bush administration indicated New York stands to gain hundreds of millions of dollars if the plan is enacted.

If approved by the Legislature, New York would become the first U.S. city to impose a broad system of congestion pricing, which was introduced in London in 2003 and has reduced traffic there.

Spitzer said he would work to ensure passage of the plan, which is a key part of the mayor's blue-

print for improving air quality and traffic for the next several decades. The Bloomberg administration has estimated that it could implement the program within 18 months of legislative approval.

"This is a necessary investment for the future of New York City, which is to a great extent the economic engine of New York State," Spitzer said. "And so this is not really a question of whether, it's a question of how, it's a question of making sure that we do it properly."

Spitzer appeared alongside U.S. Transportation Secretary Mary Peters, who announced that New York City is one of nine finalists

for a share of \$1.1 billion in federal aid to fight urban traffic. However, Peters said that the state must take action by August to qualify for the funds, adding new pressure on the Legislature.

Still, the plan faces opposition in Albany. Assembly Speaker Sheldon Silver, a Democrat who represents Lower Manhattan, outlined a lengthy list of concerns about the plan.

The mayor's plan would charge \$8 for cars and \$21 for commercial trucks that enter Manhattan below 86th Street between 6 a.m. and 6 p.m. on weekdays, or \$4 for drivers within Manhattan, with several exceptions. (NYT)

In Alaska, Bribery Investigation Looks at Senator

GIRDWOOD, Alaska — The neighbors of Sen. Ted Stevens occasionally catch a glimpse of him at his house in this ski resort outside of Anchorage.

Sometimes he is flanked by aides and security. Sometimes he is relaxing on the deck. And sometimes he can be spotted pummeling a boxing bag like a prizefighter, staying tough even at age 83. Now, after nearly 40 years of winning legislative battles and unri-

valed amounts of federal financing for his home state, Stevens may be girding for a fight like no other in his career.

Questions have arisen about the senator's ties to a former Alaska oil industry executive and about renovations to Stevens's home here as part of a wide-ranging public corruption inquiry in Alaska by the Department of Justice and the Federal Bureau of Investigation. The investiga-

tion has exposed improper links between an oil-field services company, VECO, and lawmakers in the State Legislature, including Stevens's son, Ben, the former president of the State Senate.

It is unclear whether Stevens's actions are a central focus of the investigation or if they are under scrutiny for clues they might provide about the actions of others, including his son.

WILLIAM YARDLEY

| | | | | | | | | | | | |
|--------|------------------|-----------------|----------------|---------------|---------------|-----------|-----------------|----------------|----------|------------------|----------------|
| DJIA | 13,266.73 | ↘ 198.94 | DOLLAR/YEN | 121.11 | ↗ 0.10 | GOLD (NY) | \$659.15 | ↘ 11.60 | NIKKEI | 18,053.38 | ↗ 12.45 |
| NASDAQ | 2,541 | ↘ 45.80 | 10-Yr TREASURY | 5.13% | ↗ 0.17 | CRUDE OIL | \$66.93 | ↗ 0.97 | FTSE 100 | 6,505.10 | ↘ 17.60 |

Markets Stumble on Inflationary Anxieties

Not long ago, Wall Street trembled when it looked as if the slowing American economy might be getting worse. But now anxiety over the potential for higher inflation, driven by a strong global economy, is rattling investors.

On Thursday, share prices posted their steepest three-day decline since February and the interest rate on the benchmark 10-year Treasury note rose above 5 percent for the first time since last summer.

The turmoil was a stark turnaround from the mood on Wall Street just a few days ago, when both the Standard & Poor's 500 stock index and the Dow Jones industrial average hit new highs. But in recent days, as Wall Street all but ruled out the possibility that the Federal Reserve will

lower interest rates this year, investors have swiftly pulled back.

"You went from one extreme to another," Tobias M. Levkovich, Citigroup's chief U.S. equity strategist, said. "People were talking about the Fed having to cut rates, the economy is struggling. And all of a sudden we've swapped to the Fed is going to have to raise rates."

This week, cautionary remarks about inflation from Fed officials and high readings on labor costs have reignited concerns that price increases are not yet tame enough to preclude another interest rate increase. As a result, bonds have become a less attractive investment because they are less valuable if inflation is too high. The price of the 10-year Treasury, which moves opposite

to the yield, fell the most in three years on Thursday.

Stocks had their worst single day in three months. The Dow Jones industrial average shed nearly 200 points, or 1.5 percent. The Standard & Poor's 500 stock index, a wider measure of stock performance, fared worse, losing 1.8 percent of its value. The Nasdaq composite, meanwhile, also fell 1.8 percent.

Analysts cited two factors causing the sell-off: fears that higher borrowing costs could hurt corporate profits and stall economic growth, and investors seeing the record climb in stock prices as a chance to cash out.

Despite a dismal last three days, all three major stock indexes are still up more than 5 percent for the year. *JEREMY PETERS*

N.Y.S.E. Most Active Issues

| | Vol. (100s) | Last | Chg. |
|----------|-------------|-------|--------|
| Pfizer | 504945 | 26.29 | - 0.50 |
| FordM | 388704 | 8.06 | - 0.20 |
| GenElec | 382656 | 36.76 | - 0.53 |
| EMC Cp | 355256 | 16.43 | - 0.50 |
| AMD | 335800 | 13.68 | + 0.05 |
| AT&T Inc | 302047 | 39.52 | - 0.86 |
| TimeWarn | 296088 | 20.45 | - 0.32 |
| Motorola | 288478 | 17.69 | - 0.44 |
| ExxonMbl | 275112 | 81.96 | - 1.66 |
| Avaya | 269691 | 16.99 | - 0.02 |

Nasdaq Actives

| | Vol. (100s) | Bid | Chg. |
|------------------|-------------|--------|--------|
| PwShs QQQ2079668 | 46.34 | - 0.73 | |
| Microsoft | 677502 | 29.62 | - 0.67 |
| Apple Inc | 668293 | 124.07 | + 0.43 |
| Cisco | 661345 | 25.85 | - 0.75 |
| Intel | 637115 | 21.31 | - 0.18 |
| SunMicro | 534462 | 4.97 | - 0.05 |
| Oracle | 377121 | 18.73 | - 0.62 |
| ApldMatl | 351521 | 18.40 | - 0.63 |
| Level3 | 344958 | 5.57 | - 0.08 |
| Yahoo | 338670 | 26.98 | - 0.46 |

Amex Actives

| | Vol. (100s) | Last | Chg. |
|------------------|-------------|--------|--------|
| SPDR | 2133565 | 149.10 | - 2.74 |
| iShR2K nya | 1084149 | 81.84 | - 1.67 |
| PrUSHQQQ n300865 | 48.61 | + 1.53 | |
| SP Util | 255096 | 39.00 | - 1.25 |
| SP FncI | 250473 | 36.79 | - 0.63 |
| DJIA Diam | 246753 | 132.53 | - 1.96 |
| SemiHTr | 221151 | 35.69 | - 0.51 |
| SP Engy | 195082 | 67.64 | - 1.22 |
| OilSvHT | 123932 | 167.16 | - 3.42 |
| SP Matls | 80835 | 39.64 | - 0.91 |
| iShMex nya | 75440 | 60.57 | - 1.58 |

Foreign Exchange

| | Fgn. currency | Dollars in | Dollars in |
|------------|---------------|--------------|---------------|
| | in dollars | fgn.currency | fgn.currency |
| | Thu. Wed. | Thu. Wed. | Thu. Wed. |
| Australia | .8421 | .8404 | 1.1874 1.1899 |
| Bahrain | 2.6518 | 2.6522 | .3771 .3770 |
| Brazil | .5077 | .5096 | 1.9695 1.9625 |
| Britain | 1.9771 | 1.9928 | .5058 .5018 |
| Canada | .9416 | .9444 | 1.0620 1.0588 |
| Denmark | .1804 | .1814 | 5.5434 5.5141 |
| Dominican | .0314 | .0310 | 31.90 32.25 |
| Egypt | .1757 | .1754 | 5.6912 5.7022 |
| Europe | 1.3432 | 1.3506 | .7445 .7404 |
| Hong Kong | .1280 | .1280 | 7.8148 7.8122 |
| Japan | .00826 | .00826 | 121.11 121.01 |
| Mexico | .09163 | .09210 | 10.913 10.857 |
| Norway | .1666 | .1672 | 6.0026 5.9824 |
| Singapore | .6506 | .6524 | 1.5370 1.5328 |
| SlovakRep | .0392 | .0394 | 25.54 25.36 |
| So. Africa | .1379 | .1387 | 7.2499 7.2085 |
| So. Korea | .00108 | .00108 | 927.64 926.78 |
| Sweden | .1440 | .1448 | 6.9455 6.9071 |
| Switzerlnd | .8164 | .8222 | 1.2248 1.2163 |

Home Sale Study Challenges the Value of Agents

It sounds like the set-up for a dull economist's joke. Who gets the better deal: the cautious economist who sells his house through a real estate agent, or his risk-taking colleague who finds a buyer on his own?

The answer, researched by two Northwestern University economists who chose different methods to sell their homes, will interest anyone who has wondered whether an agent's commission — typically 5 to 6 percent of the sale price — is worth it.

The conclusion, in a study to be released Friday based on home-sales data from 1998 to 2004 in Madison, Wis., is that people in

that city who sold their home through a real estate agent typically did not get a higher sale price than people who sold their homes themselves. When the agent's commission is factored in, the for-sale-by-owner people came out ahead financially.

Madison is home to one of the biggest for-sale-by-owner Web sites in the country. The economists pitted that site against the local multiple listing service operated by real estate agents.

The authors cautioned that they do not know if the results from Madison apply to the country as a whole; the authors are also analyzing Madison data from 2005

and 2006, when the housing market cooled after a long run-up, to see how their findings might have changed.

The findings fly in the face of studies by the National Association of Realtors. The group has said that houses sold via its members' local multiple listing services garner a 16 percent premium over homes sold by their owners.

The economists' study is likely to be seen as ammunition for critics and lower-cost competitors who question the need for 5 or 6 percent commissions — which deliver about \$60 billion a year to agents and their employers.

JEFF BAILEY

U.S. Trade Ruling Threatens Next Wave of Cellphones

In a potentially significant blow to Qualcomm, a government agency ruled Thursday that the semiconductor company has infringed on a patent used in chips made for cellphones.

Qualcomm said the ruling, if it withstands an appeal, could prevent the U.S. importation of tens of millions of new mobile handsets designed for the Verizon, Sprint and AT&T Wireless networks. But the company said it plans to immediately appeal to the federal court to stay the rul-

ing, which was issued by the U.S. International Trade Commission. The company said it also plans to appeal to President Bush, who has 60 days to veto the ruling.

The ITC's ruling pertains to a patent governing power management in cell-phone chips that is held by Broadcom, a competing chip company based in Irvine, Calif. Broadcom asserts that Qualcomm is using the power management technology without paying licensing royalties.

The ITC ruling only effects new

handset models. Under the ruling, Qualcomm would still be permitted to deliver models already on the market, whether or not they use patented technology.

Qualcomm officials said in a conference call with investors late Thursday that it has been negotiating with Broadcom to establish royalty rates. But Qualcomm officials said the rates currently under discussion are so prohibitive that, if met, would undermine Qualcomm's business model.

(NYT)

Unemployment Eases

WASHINGTON — The numbers of workers signing up for first-time unemployment benefits slipped by 1,000 to a seasonally adjusted 309,000 for the week ended June 2, the Labor Department reported Thursday. A separate report showed wholesalers' inventories up 0.3 percent in April, with stocks of nondurables at a five-month high. *(Reuters)*

The Candidates' Tax Plans Are a Mystery

Opportunities for real tax reform are rare. But when they do come along, something good can happen only if political leaders are prepared with a plan they can sell to a populace that knows the shortcomings of the current system but is suspicious of changes that may cost them money.

Otherwise, tax legislation ends up parceling out breaks — and sometimes punishments — based on some combination of quiet lobbying and loud grandstanding. The inevitable result is a more complicated, less logical system.

Everyone agrees that the tax system must change by the end of 2010. It should be changed at least a year before that. But if any of the presidential candidates are thinking seriously about it, they have kept the information to themselves.

At the two presidential debates this week, there was almost no discussion of taxes. Democrats

seemed to agree that Bush's tax cuts for the wealthy should expire, but not those for the middle class. Republicans spent much more time discussing immigration and evolution.

**HIGH & LOW
FINANCE**
Floyd Norris

We are in this mess because in 2001 and 2003, when Bush and a Republican Congress pushed through tax cuts, they allowed many of the cuts to expire at the end of 2010.

The result is that if nothing is done, tax rates will rise in 2011, and the estate tax, after being repealed for one year, will return to pre-Bush levels. Tax receipts of the government will soar.

The last real bipartisan tax reform was in 1986, when President Ronald Reagan persuaded Congress to lower tax rates and eliminate lots of games that people had played to avoid paying the old high tax rates. It greatly simplified the tax code.

Congress was soon back to making it more complicated, and

today the law is now more complex than ever.

"It's almost impossible to make tax reform happen unless a president is willing to tell people how broken the system is," said Sen. Ron Wyden, D-Ore., who advocates what he calls a Fair Flat Tax Act, which would get rid of many deductions — but save the more popular ones, like retirement savings accounts and mortgage interest, with three tax brackets of 15, 25 and 35 percent.

The risk is that candidates will fear bad publicity — "She wants to raise taxes on regular people," or "He wants to get rid of the mortgage interest deduction" — and will stick to vague platitudes until the election is over.

Then there will not be enough time to put together a comprehensive bill, and an opportunity will have been missed.

Instead, the country will get a warmed-over version of the arguments of the last few years, but no fundamental change.

IN BRIEF

Retailers Report

NEW YORK — Americans shopped hesitantly in May, giving retailers some relief from a poor April, but raising questions on the strength of consumer spending.

Thursday's disappointments included results from Wal-Mart Stores Inc., Macy's Inc. and Abercrombie & Fitch. Costco Wholesale Corp., Kohl's Corp. and luxury retailers beat expectations. (AP)

Wachovia Expands

Wachovia Corp. said Thursday that it planned to add about 300 private bankers over the next three years, more than doubling the size of the unit.

The company, based in Charlotte, N.C., will focus its hiring on faster-growing markets like California, Texas, New York and Florida. (Reuters)

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In Napa Valley, Above the Wineries, Lies a Wilderness for Hiking

After hours of tromping through the hills of Napa County, beneath towering redwoods, over mountain creeks, past ruins of 19th-century homesteads, there still wasn't a single grape to be seen.

Finally, from the top of a mountain peak, there was the wine country at last. Grids of green vineyards stretched for miles. Far below, perched on a hilltop, stood a white stucco winery that seemed small as a matchbox.

From the highway, Napa seems to be wall-to-wall vineyards. But from the trails that snake through the hills of the county, you can see just how little of it is actually covered in vines — only about 9 percent.

I had detoured into the hills to appreciate the Napa terroir in

a new way — by hiking it. Napa offers a rare pairing of wine and wilderness. The climate and topography that make the region so ripe for viticulture also have created misty forests, petrified trees, striking rock formations and peaks with sweeping views of the vineyards.

"The hiking in Napa Valley is phenomenal," said Ken Stanton, author of the guidebook "Great Day Hikes in and Around Napa Valley." "There are places that still look like they did a hundred years ago."

Better yet, hiking Napa means you don't have to sleep in a tent. Several excellent hikes lie within a short drive of the valley's renowned bed-and-breakfasts, restaurants and wineries. You can easily design an itinerary that captures the duality of Napa: a

series of day hikes in the hills fueled by nights of food and wine on the valley floor.

A good place to begin is in the heart of wine country, at Bothe-Napa Valley State Park, five miles north of the craftsman homes and Victorian mansions of St. Helena.

In the woods of Bothe, you can imagine Napa as the early settlers might have seen it. The park nestles against the western slope of the valley, where some of Napa's oldest wineries, like Beringer and Schramsberg, dug their first wine caves in the 1800s.

Development and vineyards are slowly claiming more of Napa's acreage, but in Bothe that process has been reversed, and wilderness has reclaimed the land.

Bothe is one of the few places

in the valley to see redwoods. These great trees covered much of Northern California until they were decimated by logging after the Gold Rush. Bothe's redwoods sprouted after the area was logged in the 1850s, yet even these second-growth trees inspire awe.

Before Napa became famous for wine, its economy depended on another natural resource: mining. In the late 19th century, cinnabar, gold and silver mines dotted the mountainsides of the upper valley. Today, the old wagon roads now form some of the region's best hiking trails.

In 1880, Robert Louis Stevenson and his bride, Fanny, honeymooned in an abandoned bunkhouse at the Silverado mine on the slopes of Mount St. Helena. They'd gone there to flee the fogs of San Francisco, which were thought harmful to the writer's sickly and perhaps tubercular lungs.

"The woods sang aloud, and gave largely of their healthful breath," Stevenson wrote of his first ascent up the mountain. "Gladness seemed to inhabit these upper zones, and we had left indifference behind us in the valley. ... There are days in a life when thus to climb out of the lowlands seems like scaling heaven."

Or maybe it was just the wine.
KERMIT PATTISON

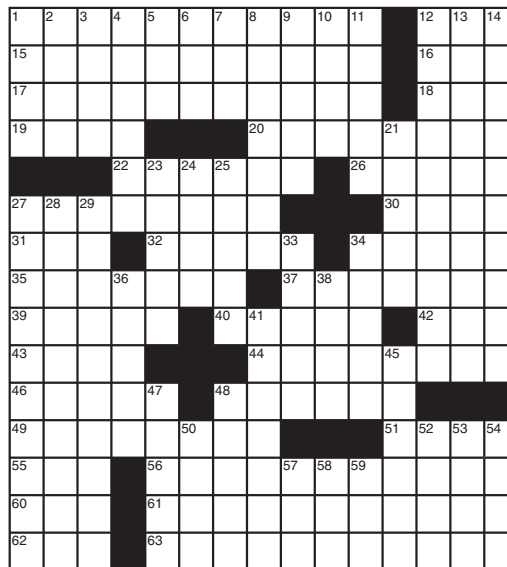
CROSSWORD Edited By Will Shortz

- ACROSS**
- 1 1971 hit with the lyric "He danced for those at minstrel shows"
 - 12 Big shot? Hardly!
 - 15 Film in which Ford was president
 - 16 1998 Tony winner for Best Play
 - 17 Clowns
 - 18 Agatha Christie's "___ M?"
 - 19 Flower with a bulb
 - 20 Have insomnia
 - 22 Tough guys
 - 26 Group on Miles Davis's "Birth of the Cool," e.g.
 - 27 Boxer's training equipment
 - 30 Playwright Connelly who won a Pulitzer for "The Green Pastures"
 - 31 Torah's beginning?
 - 32 Grammy winner Blige
 - 34 Like arctic winters
 - 35 Least interesting
 - 37 Issue
 - 39 Curved nail
 - 40 Seen enough
 - 42 Launch of 1986
 - 43 Title boy in a 1964 Disney film
 - 44 McIntosh cousins
 - 46 Improves
 - 48 Most of Mauritania
 - 49 Makes obsolete
 - 51 "The X-Files" fodder

- 55 A, in Aix
- 56 Oscar winner between Tom Hanks and Geoffrey Rush
- 60 Victoria in London, e.g.: Abbr.
- 61 Subject of "The Double Helix"
- 62 Id follower
- 63 Protected areas

DOWN

- 1 Google heading
- 2 Bring to a boil
- 3 Crow
- 4 In the distant past
- 5 ___ A. Bank, menswear retailer
- 6 Constellation near Norma
- 7 Big ATM maker
- 8 Topic in oil exploration
- 9 Tiffany who made Tiffany lamps
- 10 Relative of -trix
- 11 Body type
- 12 Girl group with the 1986 #1 hit "Venus"
- 13 "Buy now," e.g.
- 14 Emergency equipment
- 21 Creation of Genesis 2:22
- 23 Some pitchers
- 24 Stern School degs.



Puzzle by Randolph Ross

6/8/07 (No. 0608)

- 25 Author of "The Sot-Weed Factor"
- 27 Dome site
- 28 Supreme rulers
- 29 Malice aforethought
- 33 Film knights
- 34 Misanthrope
- 36 Given (out)
- 38 Gold digger's destination
- 41 Skater dude's exclamation
- 45 Wall treatment
- 47 Erstwhile Vegas hotel
- 48 After-dinner request
- 50 Brown with a blue pencil
- 52 Pan, for one
- 53 Give a body check?
- 54 Meets
- 57 Ultimate outcome
- 58 One of the Khans
- 59 "___ who?"

ANSWER TO PREVIOUS PUZZLE

B B L S H E R A C A N A
 L E R O I A L O T A L A M O S
 I D I N G D O N T B L A M E M E
 C L A M I N G U P N O I D E A
 P O P E S S T A N
 A S K F O R T O N Y
 I T A L S C L A M O R J A K E
 M Y L I T T L E R U N A W A Y
 S E E M B O D Y O N R Y E
 F R A T G R E Y E D
 A F L A M E H A R E M
 A L U M I N A P I E A L A M O D E
 S T R E E T L A M P S R E M A P
 S H O R T A L E A N I T A
 T O R Y Y S E R E T T A

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EDITORIALS OF THE TIMES

PAUL KRUGMAN

It's Subpoena Time

For months, senators have listened to a parade of well-coached Justice Department witnesses claiming to know nothing about how nine prosecutors were chosen for firing. This week, it was the turn of Bradley Schlozman, a former federal attorney in Missouri, to be uninformative and not credible. It is time for Sen. Patrick Leahy, the chairman of the Judiciary Committee, to deliver subpoenas that have been approved for Karl Rove, former White House counsel Harriet Miers and their top aides, and to make them testify in public and under oath.

Schlozman was appointed U.S. attorney in Missouri while the state was in the midst of a hard-fought Senate race. In his brief stint, he pushed a lawsuit, which was thrown out by a federal judge, that could have led to thousands of Democratic-leaning voters being wrongly purged from the rolls.

Just days before the election, he indicted voter registration workers from the liberal group Acorn on fraud charges. Republicans quickly made the indictments an issue in the Senate race.

Schlozman said it did not occur to him that the indictments could affect the campaign. That is hard to believe since the Justice Department's guidelines tell prosecutors not to bring vote fraud investigations right before an election, so as not to affect the outcome. He also claimed, laughably, that he did not know that Acorn was a liberal-leaning group.

Schlozman fits neatly into the larger picture.

A New Danger in Iraq

Absolutely the last thing Iraq needs right now is to have thousands of Turkish troops pour across the border into the country's one relatively peaceful region — the Kurdish-administered northeast. Turkey's government needs to know that it will reap nothing but disaster if that happens.

A huge military buildup is already under way on the Turkish side of the border, and Ankara has been issuing a flurry of angry charges that the Iraqi Kurds are providing sanctuary to murderous anti-Turkish guerrillas.

The Bush administration has rightly stepped up its warnings to Turkey not to attack. A Turkish invasion would not only embarrass the United States, which numbers the Kurds among its few allies in Iraq. It would add a whole new and even more dangerous dimension to the mess in Iraq.

It would infuriate Arabs, who would resent any Turkish return to areas once ruled by the Ottoman Empire. It would finish off any remaining hope of Turkey joining the European Union. And it would put a huge strain on Turkey's fragile democratic politics. In short, it would be a disaster.

Turkey does have a real problem. Guerrillas of the Kurdistan Workers' Party, or the P.K.K.,

prosecutors who refused to use their offices to help Republicans win elections, like John McKay in Washington State, and David Iglesias in New Mexico, were fired. Prosecutors who used their offices to help Republicans did well.

Congress has now heard from everyone in the Justice Department who appears to have played a significant role in the firings of the prosecutors. They have all insisted that the actual decisions about whom to fire came from somewhere else. It is increasingly clear that the somewhere else was the White House. If Congress is going to get to the bottom of the scandal, it has to get the testimony of Rove, his aides Scott Jennings and Sara Taylor, Miers and her deputy, William Kelley.

The White House has offered to make them available only if they do not take an oath and there is no transcript. Those conditions are a formula for condoning perjury, and they are unacceptable. As for documents, the White House has released piles of useless e-mail messages. But it has reported that key e-mails to and from Rove were inexplicably destroyed. At the same time, it has argued that e-mails of Rove's that were kept on a Republican Party computer system, which may contain critical information, should not be released.

This noncooperation has gone on long enough. Leahy should deliver the subpoenas for the five White House officials and make clear that if the administration resists, Congress will use all available means to get the information it needs.

have been striking into Turkey from their bases in Iraqi Kurdistan with growing impunity and effect, using plastic explosives, mines and arms that are readily accessible in Iraq.

These strikes have roused powerful passions in Turkey, stoked by generals eager to regain their primacy over the civilian government of Prime Minister Recep Tayyip Erdogan, which military leaders loathe for its roots in Islamic politics. So far, Turkish forces have occasionally chased P.K.K. rebels into Iraq, but they have always withdrawn.

Turkey's feud with the P.K.K. is inextricably tied to other conflicts and rivalries inside Iraq. The most directly relevant is the tug of war between the Kurds, Arabs and Turkmens over the oil-rich region of Kirkuk. Ankara's fear of fears is that a quasi-independent, Kurdish statelet on its borders could embolden Turkey's 15 million-strong Kurdish minority to demand autonomy or independence.

Reining in the Turkish Army will take more than the warnings already issued by the United States. Turkey's leaders must understand that a major military operation in Iraq could touch off a series of regional wars and realignments that would harm Turkey far more than anything the P.K.K. could possibly cook up.

Lies, Sighs and Politics

In Tuesday's Republican presidential debate, Mitt Romney completely misrepresented how we ended up in Iraq. Later, Mike Huckabee mistakenly claimed that it was Ronald Reagan's birthday.

Guess which remark The Washington Post identified as the "gaffe of the night"?

Folks, this is serious. If early campaign reporting is any guide, the bad media habits that helped install the worst president ever in the White House haven't changed a bit.

You may not remember the presidential debate of Oct. 3, 2000, or how it was covered, but you should. It was one of the worst moments in an election marked by news media failure as serious, in its way, as the later failure to question Bush administration claims about Iraq.

Throughout that debate, George W. Bush made blatantly misleading statements, including some outright lies — for example, when he declared of his tax cut that "the vast majority of the help goes to the people at the bottom end of the economic ladder." That should have told us, right then and there, that he was not a man to be trusted.

But few news reports pointed out the lie. Instead, many news analysts chose to critique the candidates' acting skills. Al Gore was declared the loser because he sighed and rolled his eyes — failing to conceal his justified disgust at Bush's dishonesty. And that's how Bush got within chad-and-butterfly range of the presidency.

Now fast forward to last Tuesday. Asked whether we should have invaded Iraq, Romney said that war could only have been avoided if Saddam "had opened up his country to I.A.E.A. inspectors, and they'd come in and they'd found that there were no weapons of mass destruction." He dismissed this as an "unreasonable hypothetical."

Except that Saddam did, in fact, allow inspectors in. Remember Hans Blix? When those inspectors failed to find nonexistent W.M.D., Bush ordered them out so that he could invade. Romney's remark should have been the central story in news reports about Tuesday's debate. But it wasn't.

As far as I can tell, no major news organization did any fact-checking of either party's debate. And post-debate analyses tended to be horse-race stuff mingled with theater criticism: assessments not of what the candidates said, but of how they "came across."

Thus, analysts declared Sen. Hillary Clinton the winner in the Democratic debate, because she did the best job of delivering sound bites. Similarly, analysts gave the G.O.P. debate to Rudy Giuliani not because he made sense — he didn't — but because he sounded tough.

Look, debates involving 10 people are, inevitably, short on extended discussion. But news organizations should fight the shallowness of the format by providing the facts — not embrace it by reporting on a presidential race as if it were a high-school popularity contest.

James Struggles as Spurs Win Finals Opener

SAN ANTONIO — The education of LeBron James, rising N.B.A. star, took on a decidedly rougher look Thursday night, right around the time that he encountered the San Antonio Spurs.

The finals spotlight was bright and harsh, the Spurs' defense even more so. James, who has used this postseason as a two-month coronation ceremony as the league's greatest young star, got lost in all the wattage and all bodies that flew into his path.

The Spurs began their quest for a fourth championship with an 85-76 victory at the AT&T Center. James began his first finals with a nightmarish performance. He missed his first eight field-goal attempts and finished with 14 points, 4 assists and 7 rebounds.

James combines great flair with a scoring touch and passing prowess. But the best passer of the night was Tony Parker (7 assists), and the best scorers were Parker (27 points) and Tim Duncan (24 points).

It was a typical game for the Spurs, who led by as many as 18 points in the fourth quarter while James desperately tried to find his rhythm. He finished the game 4 for 16 from the field, suggesting that perhaps the burden of leading a talent-thin team into the finals is affecting him just a little.

"I think there's probably a heightened anxiety, if everybody is honest about their feelings," Spurs Coach Gregg Popovich, a veteran of three championship runs, said before the tip-off.

Cleveland did not admit as

much, but the results spoke louder. Nerves? James missed the first eight shots. Anxiety? The Cavaliers had little production from anyone other than Daniel Gibson (16 points) and Drew Gooden (14 points).

The Cavaliers trailed by only 5 points at halftime — a testament to their defense, and a slow start by Duncan's supporting cast. Duncan and Parker had 26 points in the half, but the rest of the Spurs went 6 for 16 from the field. Cleveland's best weapons in the half were Sasha Pavlovic and Gibson, who combined for 15 points.

Duncan looked very much like a three-time finals M.V.P. as he provide the Spurs with 14 points and 6 rebounds in the first half.

HOWARD BECK

IN BRIEF

Schilling One-hitter

Curt Schilling came within one out of his first career no-hitter on Thursday, when Shannon Stewart lined a clean single to right field in Boston's 1-0 victory against the Oakland Athletics. Schilling (6-2) retired Mark Ellis on a foul popout to end the third one-hitter of his career.

(AP)

Van Gundy Is Magic

ORLANDO, FLA. — Stan Van Gundy was hired Thursday as coach of the Orlando Magic, who acted quickly after their deal with Billy Donovan collapsed.

Van Gundy coached the Miami Heat for more than two seasons, resigning last year. He also was being courted by the Sacramento Kings.

The team did not disclose the terms of the agreement. (AP)

Mets Fall to Phillies for Their 4th Straight Loss

The Mets dropped their fourth consecutive game Thursday night, a 6-3 defeat in 10 innings against the Philadelphia Phillies at Shea Stadium. It is their longest losing streak of the season.

They were swept in a series for the first time this year after they blew a 3-2 lead in the ninth inning when Billy Wagner allowed a bases-empty home run to Pat Burrell. The Phillies scored three runs in the 10th inning. Scott Schoeneweis allowed a run-scoring double to Chase Utley, and Aaron Rowand and Burrell gave the Phillies some insurance with run-scoring hits off Joe Smith, who replaced Schoeneweis.

But what might have been

most troubling for Mets fans was the array of injuries that could threaten the Mets' lead atop the National League East, which stood at three and a half games over the Atlanta Braves.

Endy Chávez, who was injured while running to first base in the seventh inning of Wednesday's 4-2 loss to the Phillies, was placed on the 15-day disabled list with a strained left hamstring. He was expected to miss at least four to six weeks.

The Mets took the lead when Carlos Delgado, David Wright and Paul Lo Duca hit back-to-back-to-back home runs with two out in the sixth off the Phillies' starter Cole Hamels.

Wright's shot, which appeared to hit off a yellow sign just above the left-center-field fence, was not initially ruled a homer, and Wright stopped at third base. After Manager Willie Randolph came out to protest, the umpires had a conference and ruled it a home run. Phillies Manager Charlie Manuel then made his own protest and was ejected after arguing with the first-base umpire Jerry Lane.

It was the first time the Mets had three consecutive homers since April 17, 1989, also against the Phillies. Those homers were hit by Darryl Strawberry, Kevin McReynolds and Keith Hernandez.

DAVID PICKER

BASEBALL — AL

WEDNESDAY'S LATE GAMES

Detroit 10, Texas 0
Oakland 3, Boston 2

THURSDAY

Cleveland 8, Kansas City 3
Tampa Bay 5, Toronto 3
Boston 1, Oakland 0
N.Y. Yankees 10, Chicago White Sox 3
Detroit 11, Texas 3

BASEBALL — NL

WEDNESDAY'S LATE GAMES

Colorado 8, Houston 7
Arizona 1, San Francisco 0
San Diego 5, L.A. Dodgers 2

THURSDAY

Colorado 7, Houston 6
Philadelphia 6, N.Y. Mets 3
Chicago 2, Atlanta 1
Cincinnati 5, St. Louis 1

WEATHER

High/low temperatures for the 20 hours ended at 4 p.m. yesterday, Eastern time, and precipitation (in inches) for the 18 hours ended at 2 p.m. yesterday. Expected conditions for today and tomorrow.

Weather conditions: C-clouds, F-fog, H-haze, I-ice, PC-partly cloudy, R-rain, S-sun, Sh-showers, Sn-snow, SS-snow showers, T-thunderstorms, Tr-trace, W-windy.

U.S. CITIES

| | Yesterday | Today | Tomorrow |
|------------------|------------|----------|----------|
| Atlanta | 92/71 0 | 90/71 PC | 87/71 C |
| Albuquerque | 74/54 0 | 85/49 S | 84/59 PC |
| Boise | 64/46 0.02 | 77/51 PC | 89/57 PC |
| Boston | 70/51 0 | 76/59 PC | 68/60 Sh |
| Buffalo | 85/46 0 | 83/68 T | 72/56 S |
| Charlotte | 92/63 0 | 95/68 S | 90/68 PC |
| Chicago | 90/70 0 | 75/70 PC | 77/51 S |
| Cleveland | 89/55 0 | 85/71 T | 73/55 S |
| Dallas-Ft. Worth | 93/79 0 | 87/75 T | 91/71 PC |
| Denver | 67/48 0 | 71/40 PC | 82/47 PC |
| Detroit | 91/59 0 | 85/73 T | 77/54 S |

| | | | |
|----------------|------------|----------|----------|
| Houston | 92/79 0 | 92/78 PC | 92/76 PC |
| Kansas City | 86/73 0 | 76/56 PC | 83/55 S |
| Los Angeles | 73/57 0 | 74/56 PC | 73/58 PC |
| Miami | 88/75 0.01 | 86/75 T | 85/73 T |
| Minn.-St. Paul | 89/66 0 | 71/54 PC | 81/53 PC |
| New York City | 75/54 0 | 89/65 S | 82/68 PC |
| Orlando | 90/68 0.21 | 92/72 PC | 92/71 PC |
| Phoenix | 86/71 0 | 98/67 S | 102/71 S |
| Salt Lake City | 51/42 0.08 | 71/45 PC | 80/51 PC |
| San Francisco | 66/50 0 | 66/50 S | 69/51 PC |
| Seattle | 62/48 0.01 | 68/47 S | 61/52 Sh |
| St. Louis | 91/75 0 | 79/72 PC | 80/57 S |
| Washington | 85/61 0 | 95/71 H | 85/73 PC |

FOREIGN CITIES

| | Yesterday | Today | Tomorrow |
|--------------|------------|----------|----------|
| Acapulco | 97/70 0 | 91/75 T | 93/75 R |
| Athens | 84/68 0 | 75/59 PC | 75/59 S |
| Baghdad | 109/80 0 | 113/75 S | 111/82 S |
| Beijing | 91/73 0 | 98/70 S | 98/68 S |
| Berlin | 86/64 0.04 | 84/64 PC | 86/68 PC |
| Buenos Aires | 61/39 0 | 63/43 C | 66/43 PC |
| Cairo | 86/68 0 | 88/70 S | 99/68 S |

| | | | |
|----------------|------------|----------|----------|
| Cape Town | 62/50 0.08 | 66/54 Sh | 64/52 PC |
| Dublin | 61/41 Tr | 63/52 S | 63/52 S |
| Geneva | 78/60 0 | 83/57 T | 81/61 T |
| Hong Kong | 89/81 0.32 | 86/79 T | 88/79 T |
| Kingston | 91/82 0 | 86/75 R | 84/75 Sh |
| Lima | 64/57 0 | 64/57 C | 68/55 PC |
| London | 64/53 Tr | 77/59 PC | 73/59 C |
| Madrid | 84/53 Tr | 90/61 S | 79/63 PC |
| Mexico City | 84/60 0 | 84/59 Sh | 79/59 Sh |
| Montreal | 60/46 0 | 88/50 PC | 75/52 S |
| Nassau | 84/77 0.08 | 84/70 T | 84/72 T |
| Paris | 73/59 0 | 77/64 T | 81/63 PC |
| Prague | 80/53 1.06 | 82/61 S | 84/61 PC |
| Rio de Janeiro | 78/59 0 | 84/61 S | 82/61 S |
| Rome | 77/55 0 | 75/59 PC | 77/61 PC |
| Santiago | 55/32 0 | 61/41 C | 59/39 S |
| Santo Domingo | 87/75 0 | 81/73 Sh | 81/73 T |
| Stockholm | 80/51 0 | 73/54 S | 73/57 PC |
| Sydney | 64/57 1.06 | 61/55 R | 61/57 R |
| Tokyo | 75/66 0 | 77/63 PC | 77/63 Sh |
| Toronto | 73/51 0 | 82/59 T | 72/48 S |
| Vancouver | 57/51 0.21 | 66/45 PC | 57/46 Sh |
| Warsaw | 82/60 0.35 | 88/61 PC | 86/63 C |