

**FOR GOLDILOCKS**

Some sun, some clouds and milder temperatures today and tonight.

**Forecast, E12**

**50¢**

\$2.40 per week by carrier

# The Providence Journal

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2006 New England Newspaper of the Year

## Less spent on '06 contest

The combined campaign spending by Governor Carcieri and Lt. Gov. Charles J. Fogarty comes to less than what failed Democratic candidate Myrth York spent in 2002.

BY ELIZABETH GUDRAIS AND SCOTT MAYEROWITZ  
JOURNAL STATE HOUSE BUREAU

Governor Carcieri spent a total of \$2.08 million to win reelection, \$300,000 less than he spent in 2002. He managed to avoid chipping in any of his own money, raising it all through private contributions instead.



CARCIERI

The final round of campaign-finance reports was filed yesterday, and the reports show that total spending in the governor's race was less than half of what it was four years ago. In the 2002 race, five candidates spent more than \$9 million in all, and Democratic nominee Myrth York alone spent \$4.27 million. (By way of comparison, not even the 2002 amount — which set a record for governor's races in Rhode Island — comes close to what was spent in Massachusetts this year. In the Bay State, candidates pumped personal wealth into the campaign, and spending totaled \$42.3 million, the Associated Press reported yesterday.)



FOGARTY

Lt. Gov. Charles J. Fogarty, who unsuccessfully challenged Carcieri, spent \$2.06 million between Jan. 1 and Dec. 4. It makes sense that he and Carcieri spent roughly equal amounts, because Fogarty used public money to pay for part of his campaign, and therefore had to agree not to outspend his opponent. Fogarty also did not loan his campaign any money. Four years ago, when Carcieri lacked the name recognition of a sitting governor, he spent more than \$1 million of his own money on the race. He has still not paid

SEE **CAMPAIGN, A9**

## PROSECUTING SADDAM HUSSEIN



AP / STEFAN ZAKLIN

Former Iraqi President Saddam Hussein, in one of his emotional courtroom appearances.

## Pursuing justice

Assistant U.S. Attorney Stephen Dambuch recently returned from Iraq, where he helped that country prosecute the war crimes of Saddam Hussein.

BY AMANDA MILKOVITS  
JOURNAL STAFF WRITER

Skeletons in shredded clothing were tumbled together in mass graves of the Ash Shamiyah desert in southeastern Iraq. Stephen Dambuch, an assistant U.S. Attorney from Rhode Island, stood with one of the investigative judges for the Iraqi court and watched as a forensics team uncovered the remains of Shiites slaughtered in reprisal for rising up against Saddam Hussein in early 1991.

This was in early May, midway through Dambuch's 10-month tour in Iraq as an attorney-adviser assisting the Iraqi

High Tribunal in its prosecution of war crimes. He was accompanying the judge who observed and approved the search at two mass graves in the desert near Karbala.

The victims had been blindfolded, their arms tied behind their backs. Identification cards were scattered in the graves with the bodies, along with bullet fragments.

Dambuch has been a prosecutor for 20 years, at the attorney general's office and the last three years in the U.S. Attorney's office. He's handled homicides and narcotics cases, and now prosecutes white-collar crimes.

But the horrors in Iraq were on a scale that was nearly unimaginable, he said yesterday. "There's nothing here that compares to the scale of crimes there," Dambuch said. "We're talking about tens of thousands of victims."



AP / DAVE HANSEN

Prosecutor Stephen G. Dambuch has returned from a 10-month tour in Iraq as an attorney-adviser.

Saddam and two associates were condemned to death last month for authorizing the

SEE **IRAQ, A11**

## Senate panel backs Gates for defense secretary

Robert M. Gates, whose confirmation may come today, says the United States isn't winning the war in Iraq and he would be open to all options for adjusting strategy.

BY DAVID S. CLOUD AND MARK MAZZETTI  
THE NEW YORK TIMES

WASHINGTON — Robert M. Gates, President Bush's nominee to be defense secretary, won unanimous approval from a Senate panel yesterday after testifying that the United States was not winning in Iraq and that American failure there could ignite "a regional conflagration" in the Middle East.

At one point, Gates said it was "too soon to tell" whether the U.S. invasion of 2003 had been a good idea. He added: "My greatest worry if we mishandle the next year or two and leave Iraq in chaos is that a variety of regional powers will become involved in Iraq, and we will have a regional conflict on our hands."

Gates is expected to win confirmation from the full Senate as early as today to succeed Donald H. Rumsfeld. At the all-day hearing of the Senate Armed Services Committee, Democrats and Republicans praised what they called Gates' refreshing candor.



MCT / CHUCK KENNEDY

Robert M. Gates, at his confirmation hearing.

Gates gave few firm signals yesterday about his own favored options for Iraq, but portrayed himself as a flexible realist, open to all options for adjusting U.S. strategy. But he made clear that he had concerns about a rapid

SEE **GATES, A11**

## State acted in bad faith, says firm that lost emissions bid

Applus Technologies is contesting the contract the state awarded to SysTech Technologies to run the state's auto emissions testing program.

BY PETER B. LORDB  
JOURNAL ENVIRONMENT WRITER

The company that lost a multi-million dollar contract to run the state's auto emissions testing program asserted in Superior Court yesterday that the state misrepresented savings that a competitor would provide to the public, gave concessions to the competitor unavailable to other bidders and then tried to cover up its acts of bad faith.

"The facts provide the inescapable conclusion that the state operated in breach of discretion," said Raymond Garcia, the lawyer representing Applus Technologies Inc. "It happened at the highest possible levels. Why, I don't know."

Roberta Mulholland, representing SysTech Technologies, the company that won the bid, told Superior Court Judge Michael A. Silverstein: "This is a simple case. It's about money. And it's about sour grapes."

Applus had the contract for the last seven years to run the emissions program that serves nearly every motorist in Rhode Island. It

SEE **EMISSIONS, A9**

## In NYC, restaurant trans fat is in hot water

But some restaurant owners complain that a ban will mean the city will lose some of its unique flavor.

BY THOMAS J. LUECK AND KIM SEVERSON  
THE NEW YORK TIMES

NEW YORK — The New York City Board of Health yesterday voted to adopt the nation's first major municipal ban on the use of all but tiny amounts of artificial trans fats in restaurant cooking, a move that would radically transform how food is prepared in thousands of restaurants, from McDonald's to fashionable bistros to Chinese takeouts.

Some experts said the measure, which is widely opposed by the restaurant industry, would be a model for other cities.

"New York City has set a national standard," said Harold Goldstein, executive director of the California Center for Public Health Advocacy.

Trans fats are the chemically modified food ingredients that raise levels of a particularly unhealthy form of cholesterol and have been squarely linked to heart disease. They have long been used as a substitute for saturated fats in baked goods, fried foods, salad dressings, margarine and other foods.

SEE **FAT, A11**



NEW YORK TIMES / JOHN MARSHALL MANTEL

Experts say eliminating trans fats need not change the taste of foods, but chefs and restaurant owners say it is hard to replicate the taste and texture of some items without them.

## Derderian removed from work-release program

The former co-owner of The Station is accused of violating ACI rules, officials say.

BY PAUL EDWARD PARKER  
JOURNAL STAFF WRITER

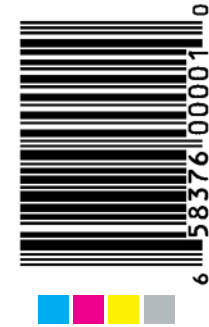
Michael A. Derderian, who owned The Station nightclub with his brother, has been removed from his prison work-release job and faces the possibility of being transferred out of the minimum-security unit at the Adult Correctional Institutions for violating prison rules, the

state's top corrections official said last night.

Derderian was pulled from his work-release job at Allendale Auto Body and Sales on Nov. 10 because of concerns about his safety, according to Ashbel T. Wall II, director of the Department of Corrections. Prison officials also began an investigation into whether Derderian had violated work-release rules.

Investigators filed three disciplinary infractions, or "bookings," against Derderian, who

SEE **DERDERIAN, A8**



### INSIDE TODAY

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### URI STUDENTS CHARGED WITH DEALING DRUGS

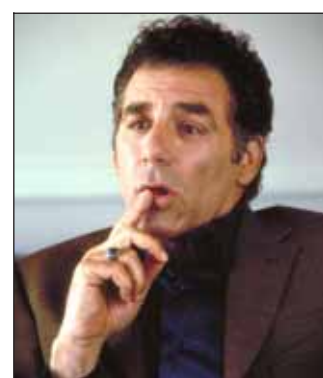
The police say the arrest of eight University of Rhode Island students is the result of a three-month investigation into drug dealing on the Kingston campus. **B1**

### SHUTTLE READY FOR LIFTOFF

NASA says tomorrow night's launch of the shuttle Discovery at 9:35 should be visible all along the Eastern seaboard. **A2**

### SOX SIGN DREW, LUGO

Boston signs outfielder J.D. Drew to a five-year contract worth \$70 million and reportedly reaches a preliminary agreement with shortstop Julio Lugo on a four-year, \$36-million deal. **C1**



### NO ONE IS LAUGHING NOW

Ever since Michael Richards, the former *Seinfeld* co-star, repeatedly shouted a racial epithet at a black heckler, comedians have been questioning their own onstage behavior. **E6**