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SUMMER ISSUE

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The Daily Tar Heel

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UNC, Microsoft Examine License Agreement

By GEOFF WESSEL
University Editor

A clause in the University's licensing agreement with software giant Microsoft Corp. could leave existing Microsoft software disabled if UNC chooses not to renew the agreement after it expires later this year.

The agreement must be renewed by the end of 2001, or all software obtained through the agreement must be deleted from computers belonging to the University or its employees, according to a page on the Web site of UNC's RAM shop.

Under the agreement, Microsoft

reserves the right to include on any copy of its software "proactive technical disabling mechanisms" that would enable the RAM shop to disable the software when the agreement ends.

The Web page warns users that they "would likely suffer data loss or other system errors or malfunctions if (they) continue to run the software after the termination or expiration of this agreement."

Bentley Midkiff, a research technician in the Department of Biochemistry and Biophysics, said he was concerned when he learned of the licensing policy for the first time.

"If, for example, UNC decides not to renew the license, the software contains

disabling devices," Midkiff said. "If that were actually to happen, it seems like in my mind that could be potentially problematic."

UNC employee Joe Waddell, a computer-systems administrator, raised another concern when he learned many corporate licensees of Microsoft are being forced to upgrade to the new Microsoft Office XP now or face higher prices later.

"I was concerned that if we do not upgrade now to the latest and greatest Microsoft product, it might cost more if we choose to wait to upgrade," Waddell said. "With Windows XP coming out soon, I'm wondering if we're going to

have to move to that."

But he said he did not expect there to be problems. "I'm sure they're going to take care of it. They've done very well so far with this license as far as I'm concerned."

UNC Software Acquisition Manager Sundé McCann said she is confident Microsoft and the University will work out an acceptable new agreement.

"It's not really a big deal yet," she said. "In a couple of months when we have answers, we'll let people know. We're not going to get stuck."

Bill Henningsgaard, Microsoft's vice president of worldwide licensing and pricing, said in a May 1 statement that the changes to the company's licensing

agreements, which allow corporate and educational groups to purchase copies of Microsoft software for multiple computers, were the result of customers' wishes.

"We are responding to requests from our enterprise customers to better meet their licensing needs by offering simpler licensing programs with more choices," Henningsgaard said.

Midkiff said he doubts UNC would choose not to renew the license. "In some capacity, they will probably have to do it, because so many people are dependent on Microsoft applications."

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BOG Quota Policy May Be Revised

The BOG may change their quota system, removing one of two statutes that direct how to fill their 32 seats.

By DEMETRIUS GRIGOLAYA
Staff Writer

The UNC Board of Governors decided Friday that they will not fight a lawsuit challenging a diversity quota system. They also called on the General Assembly to eliminate a current statute governing the election of BOG members.

The lawsuit, served May 30, claims that it is unconstitutional to set aside seats at the Board of Governors for specified groups of people.

The quota system has allegedly prevented some of the plaintiffs from becoming members of the BOG.

As of now, there are two statutes regulating diversity in the BOG: The first states generally that different races, sexes and political parties should be represented; the second stipulates that four seats on the 32-member BOG should be reserved for a racial minority, four for members of the largest minority party in the General Assembly and four for women.

The lawsuit challenges the second statute, but not the first.

"I would say it is almost impossible (for the BOG) to win this lawsuit under existing case law," said Eugene Boyce, one of the three attorneys who filed the suit.

The board also thought it would be difficult to fight the lawsuit, BOG Chairman Benjamin Ruffin said in a statement released Friday.

The BOG requested that its attorneys ask the General Assembly to amend the statute under consideration and drop entirely the portion that specifies quotas, according to the statement.

The lawsuit was filed by five plaintiffs, including Walter Davis, a long-time contributor to the Democratic Party and Barbara Howe, former Libertarian candidate for governor.

The plaintiffs argue that a quota system may actually limit the number of minorities and women representatives, Boyce said. "We might have had an only-women Board of Governors," he said. "With a quota system we cannot."

The plaintiffs will not drop the lawsuit after the BOG's decision not to fight it because it is still unclear what the General Assembly will do about it, Boyce said.

The BOG also adopted a new conflict-of-interests policy, which prohibits the UNC-system schools from entering into business with a company when a university trustee, a board of governors member or a high-level official has "a significant material interest" in the company, unless it is through a competitive bid.

"The previous policy was not nearly as comprehensive," BOG spokeswoman Joni Worthington said. "It was much shorter and provided only general guidance about sorts of activities that should be avoided."

Also at Friday's meeting, five new members of the BOG were inducted. Their four-year terms are to begin July 1.

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U.S. Appeal Challenges NRC Case

Orange County officials are seeking Sen. John Edwards' help as they appeal the NRC's Shearon Harris ruling.

By MATT VISER
City, State & National Editor

Orange County recently filed an appeal in the D.C. circuit of the U.S. Court of Appeals, declaring that a federal agency's review failed the public.

In May, the National Regulatory Commission rejected Orange County's arguments challenging their decision to allow Carolina Power & Light to expand the Shearon Harris Nuclear Power Plant. On June 1, Orange County appealed that decision.

"We don't feel the licensing board was justified in rejecting Orange County's request for a hearing," said Diane Curran, a Washington, D.C., attorney who has been hired by the county.

"For something this dangerous, there's no excuse for not looking closely at the dangers," Curran said.

But Keith Poston, spokesman for CP&L, said they have done nothing wrong. "We followed all established regulations," he said. "It's an industry-standard process."

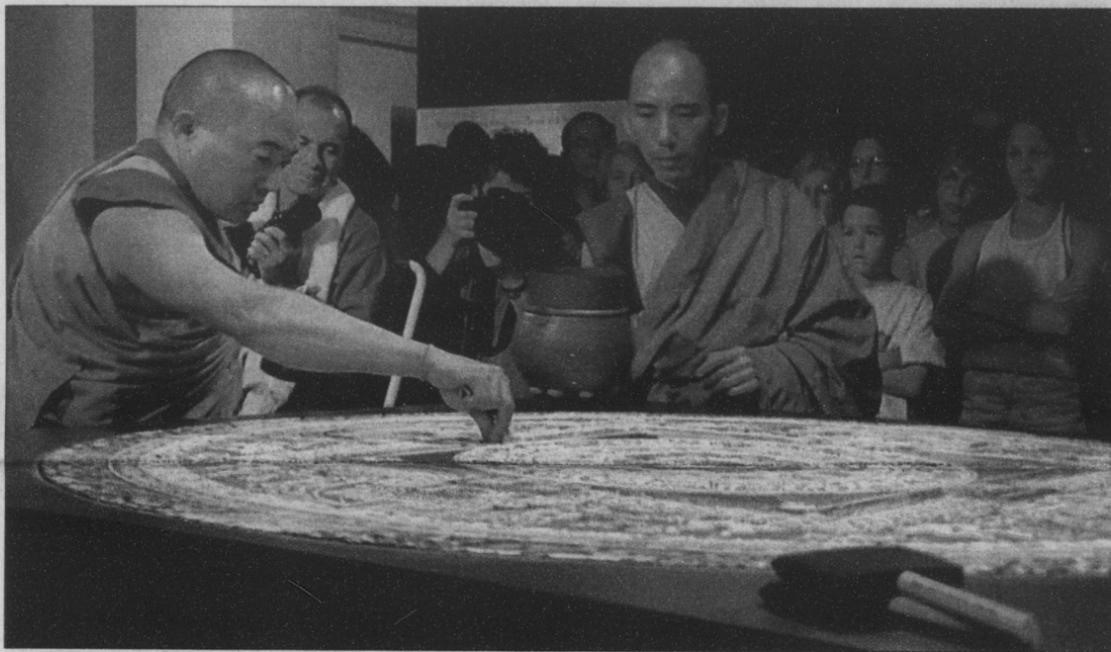
Shearon Harris has four waste storage pools, but has only been able to use two. In December 1998, they asked the NRC for permission to use all four of their storage pools, which would make it the single largest depository of spent fuel rods in the United States.

The primary request of Orange County is that the NRC examine the likelihood of a fire in one of the storage pools. "The effects could be catastrophic," Curran said, comparing a potential disaster to the 1986 Chernobyl accident in the Soviet Union.

In addition to filing the federal appeal, Orange County officials have called for an urgent meeting with U.S. Sen. John Edwards, D-N.C., as a follow-up to an April 30 conference call with him. They hope Edwards will use his influence to arrange a Senate field hearing on CP&L's expansion plan. "It's now or never: Central North Carolina needs your help!" the letter pleaded.

A spokeswoman for Edwards confirmed that the senator had received the letter, but she said he hasn't come to any conclusions. He is considering different options outlined in the letter, she said.

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Silent spectators squeeze in to look on as Venerable Tenzin Deshek pinches sand from specific points in the mandala to begin the dismantling process. The pinched sand is then placed in the urn held by the Venerable Tenzin Thutop.

Taken With a Grain of Sand

By RUSS LANE
Managing Editor

It was like watching the end of the world.

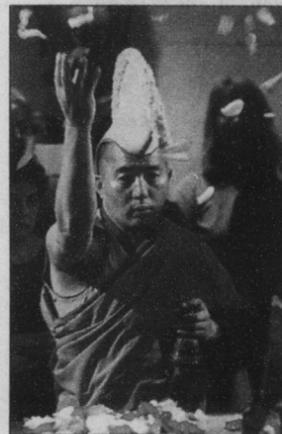
And on a symbolic level, it was. A crowd of 300 gathered at the Ackland Art Museum Friday to witness the dismantling of the Medicine Buddha sand mandala, which took four months to create.

Sand mandalas represent the universe in a microcosm, effectively blue-printing Tibetan Buddhism's ideas on a two-dimensional surface. In this instance, the mandala sought to exemplify the "impermanence" — or fleeting nature — of life and material well-being, making the dismantling ceremony as important as the four months it was constructed, said Barbara Matitsky, curator of exhibitions at the museum.

The Venerable Tenzin Thutop and the Venerable Tenzin Deshek, monks from the Namgyal Monastery in New York, spent about two hours dismantling the mandala. The pair then walked to Bolin Creek off Airport Road to pour the remains back into the water, completing a process they began in March.

The mandala was part of the Five Faiths exhibit, a continuing exhibit focusing on the world's major religions. Ackland Director Jerry Bolas said placing sacred artifacts like the mandala into a new environment was one of the goals of the mandala construction.

"Like many of the objects in the exhibition, the mandala is a sacred object to



DTH/BRENT CLARK

convey lessons," he said, before the ceremony began. "As an exhibit, we brought it as a sacred object to convey pleasure."

But Matitsky added that while the mandala was taken out of its natural context — a monastery — the exhibition room was designed in a manner that would respect the exhibition's sacredness.

And it worked — the exhibition room was like a shrine. While waiting for the ceremony to begin, many members of the audience reverently stared at the mandala with wide eyes, as if transfixed.

Before its dismantling, mandala looked misleadingly like a painted mural. As Thutop and Deshek systematically dismantled their work, walking around

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DTH/KARA ARNDT

The Venerable Tenzin Deshek rinses the remaining sand of the mandala from the urn, completing the ceremony as the sand returns to the sea (above). The Venerable Tenzin Thutop tosses rose petals in the air after removing the mandala (right).

And so castles made of sand fall in the sea, eventually.

Jimi Hendrix