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Testimony begins in Hill's battle to represent public interests

United Press International
AUSTIN — As state attorney general, John Hill normally would be defending the Texas Department of Water Resources in court. But this time Hill and the agency are on opposite sides.

The 3rd Court of Civil Appeals Wednesday began hearing testimony in Hill's request to overturn two lower court decisions and rule that he has the authority to represent public interests in disputes he could cost consumers \$50 million in electricity bills and jeopardize the purity of the drinking water for 1 million San Antonio residents.

"They flat acted in an illegal manner," Hill said of the Water Rights Commission and Water Quality Board, which have since been consolidated into the Department of Water Resources. "If the attorney

general cannot protect the public interest against such illegality, then who can?"

Attorney James Wilson, hired to represent the water department, said as attorney general, Hill's first responsibility is to the state.

"In Texas the attorney general does not represent the public's interest, he's not the people's lawyer," Wilson said. "The attorney general is the lawyer for the state of Texas. As attorney general he is obligated to represent these agencies."

Critics also have said Hill is trying to dictate the policy of the Department of Water Resources.

Hill had said the Water Rights Commission approved a contract requiring Houston Lighting and Power Co. to pay the Lower Colorado River Authority for water to cool generators at the South Texas Nu-

clear Project, a joint venture of Houston, Austin and San Antonio utilities.

"The order will unnecessarily cost the consumers an additional \$50 million in utility payments and will set a precedent that will allow river authorities throughout Texas to overstep their legal bounds and illegally traffic in state waters which belong to the people," Hill said.

In the other case, Hill said the Water Quality Board's changes in pollution control rules for the Edwards Aquifer significantly lessened protection of the underground reservoir that supplied San Antonio's drinking water.

"It weakened the state's ability to control pollution of this priceless body of drinking water — on which water 1 million Texans depend," Hill said.

Wilson said Hill was ignoring directives

of the Texas Constitution and overstepping his authority in trying "to pursue evil wherever he sees it."

James Nance, attorney for Houston Lighting & Power Co., and Wilson disputed Hill's contention that he has authority to protect the public under common law, precedents set by early kings and counsels of England.

"If the king's counsel had wanted to sue the king, I think he would have got his head cut off," Nance said. "The attorney general should be tossed out (of court) on his ear."

"The king in Texas is not the people," Wilson said. "The king in Texas is the state of Texas and that includes state agencies."

The attorney general's job is to defend actions of state agencies, not take them to court, Wilson argued.

Carter invokes confidentiality right; refuses to discuss poverty project

United Press International
WASHINGTON — President Carter Wednesday invoked the right of presidential confidentiality in refusing to talk about advice he was given to end funding for a Texas poverty project.

Carter, in response to a question at a news conference, defended his claim of executive privilege in refusing to make public nine White House memos concerning a South Texas anti-poverty group.

Carter used a claim — often expressed by the Nixon White House during the Watergate scandal — that the documents belong to the president and he may not be compelled to surrender them.

In the Texas case, Carter said, problems with the Zavala County Economic Development Corp. program were brought to White House attention by Texas Gov. Dolph Briscoe, who has feuded with the anti-poverty group over use of federal funds to train Mexican-American migrant workers.

"The governor of Texas had complained earlier about the way the funds were managed," he said. He said an "investigation" by Community Services Administrator Grace Olivarez determined the funds should be cut back or terminated.

The group, which originally held a \$1.5 million grant for two years, sued Ms. Olivarez in federal court in Washington and sought the presidential memos.

"We are prepared to go to court and have the full information revealed to the court and let the court decide whether this (program) should be administered or not," said Carter.

But as for the memos, Carter said: "I think as a general rule — when I have a wide range of advice coming to me following the complaint of a mayor or a governor, when some of the complaints are based on hearsay or allegations or personalities or specific criticisms of the qualifications of administering officials — it would not be appropriate to reveal all those memos to the public."

Carter said there would be "a tight reluctance on the part of my subordinates to give me free advice" if they knew that the information would be later made public.

"This is something that's been honored for generations in our government," he said, adding "those kind of confidential memoranda" have to be "frank, open and free expressions, or even contradictory views."



Breaking from duty

Jeanne Lambrecht of Lockport, N.Y., a 19-year-old junior at Texas A&M University, takes a break from cadet deck duties to enjoy the open sea. Lambrecht, along with 250 cadets and faculty members from the Texas Maritime Academy are aboard the Texas A&M training ship TS Texas Clipper, which is headed toward the Caribbean and South America.



'Now just a little hole right here ...'

College Station workmen cut and weld heavy metal plates and massive iron rods which will help strengthen the concrete base of a 45-foot tower, one

of several the city is erecting to support high-voltage electrical lines along University Drive.

Battalion photo by Lee Roy Leschper Jr.

Texas scientific balloon agency launches 'UFO' weather devices

United Press International
PALESTINE — Some of those unidentified flying objects Americans see in the night are launched at the National Scientific Balloon Facility on the edge of the East Texas piney woods.

Ralph Harju, spokesman for the agency operated by 43 universities and the National Science Foundation, said NSBF is not widely known, but reporters sometimes call to ask if a local UFO sighting could be a balloon.

"We have gotten calls from radio stations as far away as North Carolina," Harju said.

Balloons, he said, can be confused with UFOs because of unusual visibility, occasional rapid movement and their translucent, uninflated shape at altitudes lower than the usual 140,000 feet.

"If you see one at sunrise or sunset, you can see it a long way away. We had one over Jackson, Miss., and you could see it from here, just before termination (of the flight)," Harju said.

"A person can look at it and it doesn't seem to be moving at all.

Then they take their eyes off it and it's gone."

The balloon facility, which occupies a few acres on the edge of the Palestine airport, was opened in 1963 and through 1977 had launched more than 1,200 balloons for 35 universities, 23 research agencies and 33 foreign nations.

Director Alfred Shipley said the remote location was chosen because of little air traffic, climate and a central U.S. location allowing full use of east-west stratospheric winds that often blow balloons along as fast as airplanes.

NSBF spends about \$1 million annually launching, monitoring and retrieving balloons researching such areas as atmospheric and astrophysics. Currently popular are the effect of aerosols and jet exhausts on the ozone layer.

"I think we've had 180 Ph.D. dissertations written," said operations director Bob Kubara. "That's rewarding."

Some launchings occur at remote sites like Australia. Most are at Palestine, near sunrise or sunset. The slow inflation, release and ascent — a graceful lofting into the sky

— can be as arresting as a rocket launch.

But launch, which has to occur according to a flight plan filed with the Federal Aviation Administration, is just the beginning.

Then there's monitoring at Palestine and remote centers in Tuscaloosa, Ala., (if its winter, when stratospheric winds blow east) or Pecos, Texas, (if its summer, when the winds blow west). A chase plane follows in the air.

At termination, when the scientific package parachutes down and the balloon automatically deflates, the NSBF "roadrunners" go into action.

They are responsible for recovery of the balloons and packages wherever they land. Harju remembers one in West Texas that landed on the side of a mountain far from the nearest road.

"I went into Van Horn and we hired 10 people to climb out there and haul it out," he laughed.

"We've never had any large damage or hurt anyone with any of our flights. About the worst thing that's happened is we've torn up someone's cotton field with our recovery vehicles."

United Press International
YELLOWSTONE PARK, Wyo. — Yellowstone Park rangers Wednesday tracked a sow bear with cubs believed responsible for the mauling of a Jackson, Wyo., woman, a park spokesman said.

Mary Anna Young, 21, was in critical condition Wednesday after five hours of surgery at a Salt Lake City hospital. She was mauled by the bear Tuesday while hiking in an isolated area of the park. Hospital officials said she suffered extensive head, chest, buttock and abdominal injuries.

Park rangers later Tuesday closed 35 back country campsites in the area, almost

10 percent of the total remote-area campgrounds of the nation's oldest national park.

Park spokesman Jordan Burns said rangers found the tracks of a sow bear, believed to be a grizzly, along with the tracks of a undetermined number of cubs.

Rangers, wary of the potential danger of confrontations with bears, made their way carefully through the timbered hills Wednesday in hopes of spotting the animal.

Burns said it has not been decided what will be done with the bear if it is found. Park officials shot and killed a 3-year-old grizzly last month that "batted" at a park employee not far from Old Faithful

Geyser. The worker was not injured.

However, assistant park Superintendent Ronald N. Wyre said chances were slim the bear would be found.

"It could be any of 100 grizzlies in the park," Wyre said.

Miss Young was found by other hikers on the Heart Lake Trail Tuesday morning, about 15 minutes after the attack. She was taken by helicopter to a park hospital, and then airlifted to the University of Utah Medical Center at Salt Lake City Tuesday night.

Burns said she could identify the bear only as dark colored and having three cubs.

Officials note Soviet actions

Russia might lose business

United Press International
WASHINGTON — American officials believe the latest message from the Kremlin is that the Soviets are ready to sacrifice whatever is necessary — including Western business deals — in the current Cold War skirmishing.

The officials consider the arrest of American businessman F. Jay Crawford (see related story, page 7) a deliberate act of Soviet policy directly related to the arrest of two Soviet diplomats in the United States on espionage charges, and to the American decision to confront Soviet and Cuban intervention in Africa.

Crawford, Moscow representative of International Harvester, was forcibly arrested as he drove his car in a downtown area of the city. He later was charged with violations of Soviet currency laws, a complex and rigid series of regulations that are frequently broken unintentionally by Westerners.

One U.S. official said, "The Soviets

need the agricultural relationship with the United States. It could be costly to them if they scare off the Western business community."

But, knowing this, the Soviets arrested Crawford in what U.S. officials consider to be a calculated retaliation to the American arrest of two Soviet U.N. employees who are now being held in New Jersey on the extraordinarily high bail of \$2 million each.

That, according to Dr. Paul Ello, Soviet expert with Georgetown University, "was a violation of the unwritten rules of the gentleman's agreement that spies who are caught are released and expelled without publicity."

The decision to arrest the two Russians, according to U.S. officials, was made at "high government levels in Washington," where the decision also was made to ask high bail to prevent the two men from slipping out of the country.

The decision to press the spy case and to publicly call President Fidel Castro of Cuba a liar on his claims of non-involvement in the Zaire invasion, has set off an internal debate within the administration.

The hard-liners, represented by Dr. Zbigniew Brzezinski, believe President Carter has to make a stand against Soviet involvement in Africa and anywhere else.

The soft-liners, chiefly the State Department working levels, worry about an inevitable backlash that will hurt the United States, especially in the strategic arms limitation talks.

So far, the hard-liners appear to be ascendant and the SALT negotiations are continuing. But officials feel that even if the pushing and shoving should end now, the Cold War incidents will leave a residue of ill-will that will adversely affect the SALT treaty when it goes to the Senate for ratification.