

Trial opens on Texas law blocking illegals' schooling

HOUSTON — Lawyers representing Mexican children in 17 school districts Tuesday opened a federal court attack on a Texas law forbidding state financial support for illegal aliens, effectively requiring they pay tuition or be excluded from public schools.

Lawyer Peter Sehey of the National Center for Immigration Rights argued the 1975 law, which he said is unmatched in other border states, unconstitutionally discriminates against 110,000 poor alien children without benefiting Texas schools. "We take their (parents') tax money and yet we exclude their children from school," Sehey said in a trial-opening statement to U.S. District Judge Woodrow Seals, who will decide the case without a jury.

"We're dealing here with education. Education has certainly been held to be one of the most important rights available to people in these United States."

Assistant Texas Attorney General Susan Dasher replied that the Supreme Court has never held that non-citizens have a constitutional right to deplete state resources by using free public schools.

Sehey argued state exclusion of non-tuition-paying illegals infringes on federal prerogative to control immigration and violates the Treaty of Buenos Aires in which American nations promised free education for all children, alien or not.

Sehey said that, under the law, school principals and teachers without legal training are making complicated immigration law decisions that should be left to federal authorities.

Dasher said the 4-year-old law does not absolutely exclude non-tuition-paying illegals but withholds state funds for them. She said local

districts remain free to do as they wish.

She also said the federal government has failed to control illegal immigration, that the Buenos Aires protocol does not apply and that Mexico itself forbids free public education of illegal alien children.

She said 180,000 legal aliens and

Mexican-American children unable to speak English already enjoy state-sponsored bilingual schooling and she said admitting illegals without tuition might destroy that program.

Dasher said, "The influx from the border is going to bankrupt border schools. They already have such a low tax base."

W: state

Clayton says \$600,000 campaign bribe is 'bull'

AUSTIN — Speaker Bill Clayton said he dismissed as "bull" an undercover FBI agent's suggestion of a potential \$600,000 campaign contribution for the speaker and his friends.

Clayton's attorney in the Brilab (bribery-labor) investigation, Charles Burton, confirmed to reporters the \$600,000 figure had been mentioned in conversations Nov. 8 between Clayton, undercover agent Joseph Hauser and labor leader L.G. Moore of Deer Park.

At that meeting, Moore left an envelope containing \$5,000 in \$100 bills on Clayton's desk as a political

contribution after Hauser had sought the speaker's help in attaining a multimillion-dollar state insurance contract for Prudential Insurance Co.

Clayton said Hauser told him "something like if they got the contract, they might have as much as \$600,000 for the race for governor."

"I might have said something like, 'That would be fine' or something like that."

Burton said Hauser had suggested the \$600,000 might be available for "Clayton and his friends" in exchange for the speaker's help in obtaining the insurance contract.

Clayton was not available Tuesday for further elaboration on the sugges-

tion of the \$600,000 in contributions, and an employee in his office said the speaker would not be available to answer reporters' questions.

"His lawyer called and said flat out no more reporters," the employee said.

Clayton's attorneys have repeatedly urged him to avoid comments to the news media concerning the allegations against him, but Clayton up to now has continued to make periodic statements about the Nov. 8 meeting involving himself, Moore and Hauser.

Burton said Clayton's aide, Rusty Kelley, had told Moore after the Nov. 8 meeting that the \$5,000 in

cash would have to be reported as a campaign contribution. The attorney said Moore replied something like, "Don't do anything before you call me" or "Don't report it before you call me."

Burton said Clayton was entrapped by the FBI in an effort to make him appear guilty, and said the FBI has a taped recording of the meeting.

"Hauser was planting incriminating remarks on the tape recorder that he knew was running" without the speaker saying anything improper, the attorney contended.

Clayton is scheduled to appear in March before a Houston grand jury investigating the Brilab activities.

20 jailed Iranians, Arabs continue fast, 3 on bond

AUSTIN — Twenty Iranians and Arabs continued their fast in the county jail Tuesday but three women arrested with the group last week accepted personal bond and were freed Monday.

"They're prisoners by choice," said Craig Campbell, a jail administrator. "We go ahead and ask them each meal. It's kind of a waste to put food in there."

Campbell said the foreigners refused to accept personal bond when they were arrested last Wednesday and Thursday on charges of disrupting the speech of the former Iranian ambassador to the United Nations, Ferey-

doun Hoveyda, on the University of Texas campus Jan. 31.

Since they entered the jail, the 20 have subsisted on sugared tea and have refused all meals.

"One meal we went ahead and served them but they refused it," Campbell said. "We go ahead and ask them each meal. It's kind of a waste to put food in there."

Campbell said the foreigners have demanded they be kept together in the jail and separated from other prisoners.

"They're in two different areas," the jail official said. "They want to be

all together but we just don't have the facilities."

The women, particularly, were unhappy at being housed with other females facing criminal charges and agreed to accept personal bond and be released Monday.

"We thought we would be treated as political prisoners," Lana Budeiri told reporters. "We didn't kill anyone. We aren't prostitutes. Our case is political."

Budeiri, who was born in Lufkin and raised in Kuwait, said the women feared they would contract diseases from the six American women who shared their jail cell.

Baby dies after gas mix-up

SAN ANTONIO — A misconnection that sent laughing gas instead of oxygen coursing into a respirator at Robert B. Green Hospital Tuesday was being investigated in the death of a 5-week-old girl.

Officials said they also want to know whether the mix-up had affected any other patients.

John Guest, associate director of the Bexar County Hospital District, said the investigation would continue until officials find out how the nitrous oxide (laughing gas) was connected to lines clearly marked for oxygen at the outpatient pediatric clinic.

The misconnection was discovered after officials became suspicious about the death of the baby, who was brought to the clinic last

Wednesday suffering breathing problems. They said a death was rare at the outpatient facility.

When the child's respiratory problems worsened while at the clinic, a physician ordered oxygen resuscitation to help her breathe, Guest said, and the girl died at 12:15 p.m. the same day.

Hospital officials would not identify the dead girl because a lawsuit was likely to be filed and because the parents had not given their permission, according to Jeff Duffield, spokesman for the Bexar County Hospital District which operates the charity clinic.

Guest said final results of an autopsy performed last Thursday will not be known for several weeks, but that the preliminary tests indicated the

baby was suffering from viral pneumonia.

Two other infants died at the same hospital over the past six weeks, but Duffield said the deaths occurred in a high-risk infant care section where death statistics are higher and oxygen resuscitation is seldom used.

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