

State

OPEC investors may buy out small U.S. refineries

United Press International DALLAS — Analysts fear small refineries idled because of the current oil glut in the United States may begin selling out to foreign investors from OPEC countries.

Already investors from Venezuela and Kuwait, two major OPEC producers, have struck deals to acquire two Texas Gulf Coast refineries struggling to stay in business ever since the Reagan administration decontrolled the crude oil industry, the Dallas Times Herald reported Sunday.

Earlier this month, the state-owned Kuwait Petroleum Co. signed an equal partnership agreement with Pacific Re-

sources Inc.'s refinery in Honolulu.

The deregulation has hurt the small independent refiners because they no longer are protected by federal laws that required the major oil companies to supply them with crude at the majors' average cost. The small refiners are also hampered by costs of production which have been rising faster than the price of finished products.

A lobbyist for the OPEC investors was quoted by the Times Herald as saying the trend was encouraging because the alternative might be accelerated construction of foreign-based refineries and more imports of gasoline.

The lobbyist also foresaw a time when laws might be changed to permit import of crude into the U.S. for refining and re-export.

However, Texas refiners are not happy with the acquisitions because they fear the OPEC investors will have favored access to crude oil.

The Texas deals would involve the sale of American Petrofina's Port Arthur refinery to Venezuelan investors and the acquisition by a Kuwaiti bank of Uni Refining Co. in Ingleside, near Corpus Christi.

The combined production of the three refineries total only about 200,000 barrels per day of capacity or about 1 percent of the nation's total capacity.

Convict claims he was framed by officials in drug ring scheme

United Press International TEXARKANA — Convicted international heroin smuggler Joe Dee Hicks — serving a life sentence without parole — went on trial Monday on charges officials said was a brazen scheme to organize a cocaine ring from behind federal prison bars.

Hicks, 45, and one of only five others in the federal prison system, contends he was double-crossed by Drug Enforcement Administration agents who put him up to the scheme as an informant, then busted him on evidence gained from tapping the calls he made from inside Texarkana Federal Corrections Institution.

Hicks is serving time for a 1976 conviction for continuing criminal activity arising from a \$2.1 million heroin and cocaine smuggling operation, described by prosecutors as the biggest such case ever prosecuted in Texas.

"I've got life without parole," said Hicks. "What more can they

do to me?"

Prosecutors allege Hicks used prison telephones to organize a deal with four people to bring a kilo of cocaine from Colombia to Dallas, then to the West Coast.

DEA agents said they were tipped off to the deal early by an informant inside the prison.

Pretrial testimony from DEA agent Walter Fisher alleged Hicks arranged a convoluted plot in which Irving, Texas, housewife Dortha Langley would deliver \$30,000 to Linda Russman, wife of Texarkana inmate Erick Russman, who the DEA says informed on Hicks.

Mrs. Russman, in turn, was to use the money to buy cocaine picked up in Colombia by Dallas gambler Cosmo Bowers and carried into the U.S. by British citizen David Leon.

Mrs. Langley was arrested in Miami airport carrying \$28,424, after which she cooperated with

DEA. Mrs. Russman also cooperated, according to the DEA. Bowers was indicted and pleaded guilty; Leon was indicted with Hicks, but will be tried separately.

Hicks said he was framed, and points to his earlier cooperation with the DEA in convicting a major drug financier, for which U.S. attorney Kenneth Mighell last year recommended Hicks' sentence be reduced from life without parole to 15 years' hard time.

"Why would I do anything to screw up that deal?" said Hicks. "And why would I use a woman like Dortha Langley, who knew nothing about dope, and why would I work with a known informant like Erick Russman? I just doesn't make sense, does it?"

The trial is scheduled before U.S. District Judge Sara T. Hughes, in whose court Hicks was convicted in the 1976 scheme.

Court rules gag is 'injurious'

United Press International WASHINGTON — The Supreme Court, settling an important free speech controversy, unanimously ruled Monday that courts generally may not restrict communication among people involved in a class-action discrimination suit.

The decision was a defeat for Gulf Oil Co., which had challenged a federal appeals court ruling that ordered a retrial in a suit filed against Gulf by black employees of the firm's Port Arthur, Texas, refinery.

Today's high court action clears the way for retrial of the suit.

Justice Lewis Powell wrote for the court that a lower court ruling barring communication among the participants in the suit may have been "particularly injurious" to persons involved.

It "interfered with their efforts to inform potential class members of the existence of the lawsuit, and may have been particularly injurious — not only to respondents but to the class as a whole — because the employees at the time were being pressed to decide

whether to accept a backpay offer from Gulf that required them to sign a full release of all liability for discriminatory acts," he wrote.

The court rejected Gulf's arguments that the possibility of abuses in class action litigation was a justification for the order.

"The mere possibility of abuses does not justify the routine adoption of a communications ban that interferes with the formation of a class or the prosecution of a class action," Powell wrote.

Gulf agreed in 1976 to provide back pay and conciliation for alleged discriminatory practices against 614 present and former black workers at the Port Arthur refinery. None of the blacks were direct parties to the agreement between Gulf and the Equal Employment Opportunities Commission.

Six present or retired black workers eventually filed a class-action suit accusing the company of discrimination in hiring, job assignments, pay scales, discipline and promotion and training practices.

U.S. District Judge William

Steger, who handled the original case, claimed there was the potential for "abuse" of the class-action process by expansion of the number of persons covered.

So he issued a gag order severely restricting contact between the six black workers and their lawyers and "potential" members of the suit. The judge took the action after Gulf claimed it received reports that a worker's attorney attended a meeting of potential class-action members, advising them not to sign releases sent to them after the EEOC conciliation.

Steger later dismissed the

workers' claim of civil rights violations on grounds the time for filing suit had lapsed.

But the 5th U.S. Circuit Court of Appeals reversed the judge, declaring, "The (gag) order represents a significant restriction on First Amendment rights. The impact of the order was direct and immediate. It silenced the black employees and their attorneys."

Gulf asked the Supreme Court to throw out the suit, charging the nine-year delay between the filing of the original complaint and the federal court suit was filed hampered Gulf's ability to defend itself.

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