

# State

## Indian population high in Texas

United Press International  
Texas holds nearly two-thirds as many American Indians as the vast forests and tundra of Alaska, a state twice as large and the home of the Eskimo and Aleut.

In addition, the latest federal census figures show that nearly half of this nation's Indian population is concentrated in five southwestern states, including Texas.

"People say that Texas is booming, but they don't realize it's a good area for minorities like Indians as well as whites," said the U.S. Census Bureau's Dallas regional spokesman Lionel Rawlins. "They come for the jobs, like so many others."

Texas was second only to Florida as the fastest-growing state in the union, 1980 census figures indicate. And migrations of friendly, job-seeking Indians — as well as blacks and Asians — probably comprised a disproportionately large share of the influx, he said.

"Texas corporations are always extending their minority

recruiting," he noted. "As more large corporations move into the state, the minority-hiring trend increases."

Texas' Indian population numbered about 40,000 in 1980, more than double the growth of the Indian population from a decade ago.

Alaska, by comparison, listed in 1980 about 64,000 Indians, a statistical category that includes Eskimos and Aleuts, or the natives of the Aleutian Islands. But that state's Indian population rose by less than a third during the intervening 10 years.

The government's Indochinese resettlement efforts concentrated on Texas and as a result the state ranked second only to California in the growth of its Asian population. Ten years ago, Texas had about 17,000 Asians. Last year the figure was 120,000.

"Texas church groups had a lot to do with the resettlement of the Vietnamese and Laotians," said Rawlins. "That probably accounts for much of the increase."

More than 1.2 million Asians, a category which includes Pacific Islanders, lived in California in 1980, the figures show. Hawaii came in second with 583,000; followed by New York, 310,000; Illinois, 159,000; and Texas.

More than half of the nation's Asians live in California or Hawaii, according to the figures. The U.S. total is 3.5 million.

Federal officials point out that Asian Indians were classified as white in 1970 and Asian in 1980, so precise comparisons are difficult.

The Lone Star state, which has always had a heavy black population, ranked third in the nation in that category with 1.7 million people. New York counted about 2.4 million blacks and California about 1.8 million.

Twelve states had black populations in excess of one million, census data indicated, and more than half of the states were in the South. In 1970, nine states had black populations of more than a million.

## White seeks delay in bilingual ruling

United Press International  
AUSTIN — A U.S. District judge's ruling requiring expansion of the state's bilingual education programs was improper, says Attorney General Mark White, who has asked for a delay in the program's implementation.

White asked U.S. District Judge William Wayne Justice Monday to stay the effect of the April 17 ruling, which would expand bilingual education programs in Texas schools.

The attorney general said if the ruling is not delayed, there would be chaos and disorder in the implementation of any bilingual program.

White, who contends the earlier ruling was improper on the major points, said in his request that Justice's order is based on constitutional issues the judge had refused earlier to consider. White said those issues were not before the court in the bilingual education case.

## Suit filed against oil company

United Press International  
HOUSTON — Texas Attorney General Mark White has filed suit against S&R Oil Co., charging it with allowing hazardous wastes to be used as road-paving material and dumping acid sludge at unauthorized sites.

White filed suit against the Nevada-based company, which he said re-refines used motor oil and allegedly produces a hazardous solid waste as a by-product. That by-product is stabilized sulphuric acid which is locked in the sludge and used to pave roads.

However, said S&R general manager Bob Sawvell, tests, costing \$80,000, showed there has been no leaching of the acid.

Tim Brown, chief of the environmental protective division of White's office, said Texas Department of Water Resources' tests showing the material used for road paving in Houston, Palacios and Point Blank is no longer hazardous. Time has negated the hazardous effects of the materials at the sites, he said.

Company attorney Steve Oaks said the dumping occurred before Sawvell bought the company more than two years ago.

"This litigation was instituted as simply a pro forma matter to satisfy the notice requirement so a final judgment can be entered," Oaks said.

## Sex change therapy defended

United Press International  
HOUSTON — A federal judge has approved the city's settlement with transsexuals who successfully challenged an ordinance banning citizens from dressing in the clothes of the opposite sex.

Each of eight anonymous plaintiffs received \$100 damages to be paid them through the lawyers who handled their lawsuit.

U.S. District Judge Norman Black's final judgment Monday enjoined the city from enforcing the law against persons undergoing sex-change therapy. The cross-dressing ordinance already had been repealed as a result of the suit.

Psychiatrist Jay Maxwell led a group of seven "Jane Does" and one person identified only as "M.B." in filing the lawsuit in 1977. Maxwell said cross-dressing is part of sex-change therapy and the ordinance prevented it.

The ordinance read: "It shall be unlawful for any person to appear on any public street, sidewalk, alley, or other public thoroughfare dressed with the designed intent to disguise his or her true sex as that of the opposite sex."

Black found cross-dressing an important part of therapy for persons undergoing sex-change therapy under the supervision of physicians. He ruled it unconstitutional for the city to enforce the law against such persons.

The city council repealed the ordinance without revision even though the judge did not forbid police action against cross-dressing prostitutes or others not under physicians' supervision.

The judge accepted the city's agreement to pay \$100 damages to each of the plaintiffs through the law firm of Nelson & Mallet and agreed with the payment of \$12,500 in legal fees to plaintiffs' attorney J. Patrick Wiseman.

The city and the plaintiffs reached agreement last April.

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