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GSS case ruling expected soon

by Elaine Engstrom
Battalion Staff

The seven-year battle over recognition of a gay student group at Texas A&M may be coming to a close.

Attorneys for Texas A&M and the Gay Student Services organization will give final oral arguments before the 5th Circuit Court of Appeals in Fort Worth on Nov. 29.

Legal briefs have already been submitted by both sides. Interest groups from both sides also have submitted briefs.

After the oral arguments are completed, the court will probably hand down a decision in three or four months, but there is no limit on the time needed to give a decision.

Both sides say they will take the case to the Supreme Court if the 5th Circuit rules against them.

The hearing before the 5th Circuit Court results from an appeal by the GSS after its suit against the University was dismissed in May 1982. U.S. District Judge Ross N. Sterling dismissed the suit which was originally filed in 1977.

Ted J. Hajovsky Jr., general counsel for legal affairs, said the case revolves on the rights of the University. "Fundamentally," Hajovsky said, "the question is whether or not the University has the right to deny recognition to a student group. It is an equal protection issue."

"The University does not have an open forum for all groups. We don't

recognize social organizations such as fraternities and sororities. The reasons to deny recognition apply to everyone. We're not denying them (the GSS) the right to meet as a group."

GSS attorney Larry Sauer said the case involves a violation of the students' First Amendment rights.

"The University is an open forum for ideas. They're saying it's only an open forum for the ideas they agree with," Sauer said. "The University is excluding this group because of their beliefs."

Patrick Wisemann, another GSS attorney, said the GSS is a service organization and is deserving of University recognition.

"Texas A&M is a government institution supported by tax money," Wisemann said. "It can't ban groups with opposing beliefs. The theory of the lawsuit is freedom of speech. The free marketplace of ideas should rule in a democratic society."

Hajovsky said University recognition would mean more than simply allowing the group to meet on campus.

"The University has a certain amount of inherent power to deal with these types of groups," Hajovsky said. "We are not going to confer formal recognition. That would imply a sanction of the (gay) lifestyle."

The GSS asked for official University recognition in April 1976, but the request was denied in May 1976.

In November 1976, Dr. John J. Koldus, vice president for student services, wrote a letter explaining Texas A&M's official position. The GSS then filed a federal civil rights suit in February 1977. In November 1977, Judge Sterling dismissed the suit.

The 5th Circuit Court of Appeals overturned the dismissal and Texas A&M appealed to the Supreme Court, but the case was refused.

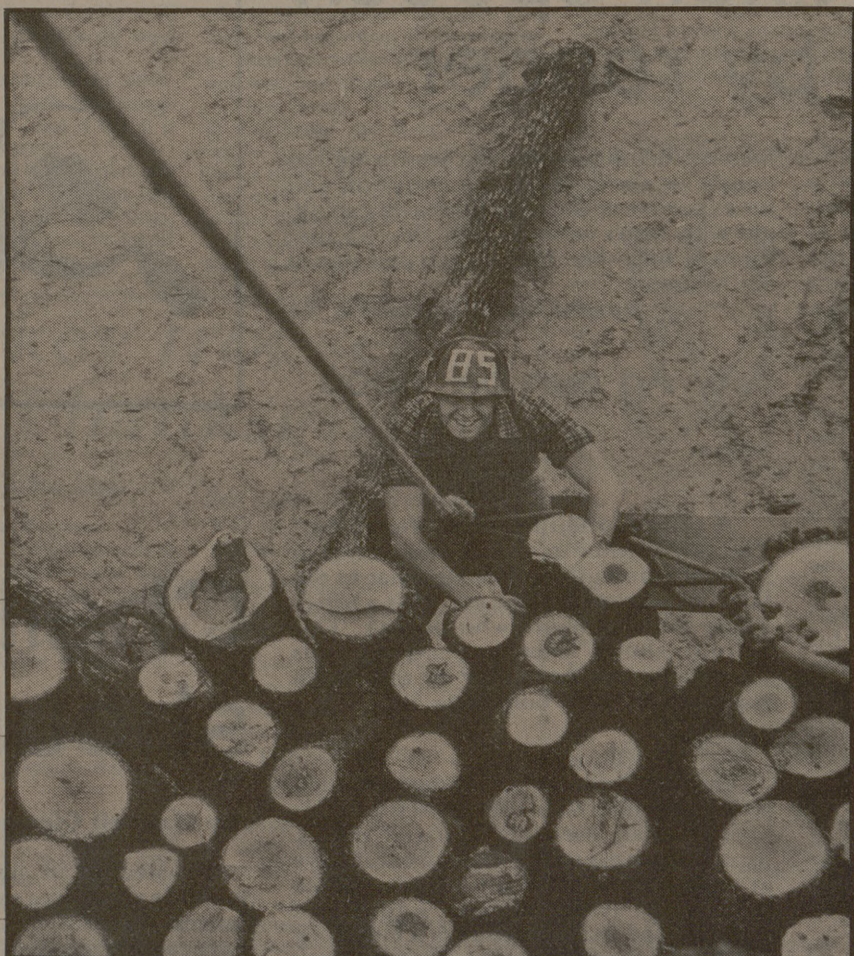
In November 1981, the trial opened in U.S. District Court with Judge Sterling presiding.

Judge Sterling subsequently dismissed the suit again in May 1982.

Aided by money from the Texas Human Rights Foundation, the GSS filed an appeal with the 5th Circuit Court in February 1983.

One issue in the original suit — the illegality of homosexual activity in Texas — now has little significance since section 21.06 of the Texas Penal Code was struck down in a Dallas court case. Section 21.06 stated homosexual activity was unlawful in Texas.

In the Dallas case, in September 1982, a federal district judge declared it illegal to penalize consenting adults for private homosexual relations.



Mark Lish, Battalion photo

Just hanging around

Suspended from a rope connected to the centerpole of the bonfire, Mark Rogers wraps wire around logs securing them to the stack. Rogers is a junior from Baytown majoring in mechanized agriculture.

Missile protesters arrested

United Press International

LONDON — Police arrested 65 anti-nuclear demonstrators Wednesday during protests in central London against this week's arrival of the first U.S. cruise missiles in Britain, authorities said.

Earlier, 24 women were detained outside the Greenham Common air base, 50 miles west of London, where the missiles are being deployed. Mounted police dragged off the women, who had blocked the base gates. Some of the women wept.

The new arrests came as an authoritative defense journal reported that Moscow has developed its own version of the low-flying U.S. cruise missile. Jane's Defense Review said the technology was probably stolen from the West.

Opponents of U.S. missiles in Britain gathered in Trafalgar Square and elsewhere in the center of London to try to march on Whitehall, the site of many government offices, including that of Prime Minister Margaret Thatcher.

The largest number of arrests were made outside the St. Martins-in-the-fields church on Trafalgar Square where demonstrators staged a vigil. They were pushed back by police when they tried to walk down Whitehall, police said.

"Thirty-five people were detained outside the church," he said. Among those arrested were a group of seven, who had linked hands around the war memorial at Whitehall.

Police said more than a hundred people had gathered in the vicinity of the church, but gave no estimates for the total number of demonstrators in central London. Organizers said about 200 people took part in the protests.

The arrests at Greenham Common brought to 165 the number of women arrested there since Monday when a U.S. transport plane arrived with the first of 572 cruise and Pershing-2 missiles to be deployed in five European countries.

Several women have been camping out at the base for months to protest the missile deployment, which will proceed as planned if there is no last-minute agreement at the U.S.-Soviet arms limitation talks at Geneva.

British courts began hearings for anti-cruise protesters arrested at Greenham Common and outside the House of Commons where more than 300 protesters were arrested Tuesday when they lay down in the street.

Student Y program with Jr. High

Aggies can adopt younger siblings

by Connie Hutterer
Battalion Reporter

Aggies who miss their little brothers and sisters left at home or who wonder what it's like to have a younger sibling can become Aggie Friends to local seventh- and eighth-graders.

The Texas A&M Student Y Association is beginning an Aggie Friends program to pair college students and A&M Junior High School students with common interests.

Project chairman Matt Weeks said the Student Y program is similar to the national Big Brothers/Big Sisters program which pairs children in single-parent homes with concerned adults. But the Student Y program has a few differences.

The Aggie Friends are not necessarily the same sex as the students they are paired with, the junior-high students are not necessarily from single-parent homes, and the program will include group activities as well as one-on-one interaction, Wheat said.

Aggie Friends do not have to be Student Y

members, Wheat said. The only requirement is a commitment to spend time with the young students and to care about them.

About 40 Aggies have asked to be assigned little brothers and sisters so far, Wheat said. The applicants will be interviewed to screen out those who may not have the time and the dedication to carry through the project, he said.

"You're making a big commitment in both time and energy," Wheat said, "and you're really going to let someone down if you back out. To that kid, it might be the biggest thing in the world."

Letters to parents explaining the program were distributed to seventh-graders at A&M Junior High about three weeks ago, Wheat said. Parents who want their children to participate completed the enclosed application and described their children's activities and interests.

One parent requested a that big brother be assigned to her daughter, who has three older sisters.

Another parent asked for a big brother for

her eighth-grade son, so Wheat decided to expand the program to include eighth-graders.

Forty junior-high applications have been returned to the Student Y so far, Wheat said, and more are expected by Friday.

Girls outnumber boys among the junior-high applicants. Among Aggies, the proportions are about even, he said.

Wheat said students will be paired according to common interests and hobbies. The Aggie Friends will meet their little brothers and sisters and the children's parents at a reception Nov. 28.

Group activities planned for the spring include skating parties and dances, attending Aggie basketball and baseball games, and an end-of-the-year picnic, Wheat said.

If more college students than junior high-schoolers apply, Aggies who are not assigned little brothers can attend the group events until more seventh- and eighth-graders become interested in the program, he said.

Program guidelines encourage Aggies with

junior-high Friends to help their little brothers with the normal problems of growing up: study problems, family worries, peer pressure. The program is designed to give the children an opportunity to express themselves, free from parental and peer pressures.

The program also gives college students the chance to re-live their younger days, Wheat said. It gives them an excuse to have fun like they used to, before grade points became all-important and other activities replaced simple, old-fashioned playing.

Wheat hopes students will remain in contact during school breaks and after the Aggies graduate. Most of the Aggies who have applied so far are freshmen, Wheat said, and should be able to keep in touch with their young friends for at least several years.

Any student interested in being an Aggie Friend can pick up an application at the Student Activities desk in the Pavilion, or call the Student Y at 845-1626.

Construction funds lead Board of Regent's agenda

by Karen Schrimsher
Battalion Staff

Appropriation of funds for construction at Texas A&M tops the agenda for Tuesday's Texas A&M Board of Regents meeting.

The board's planning and building committee will meet Sunday to discuss the approval of a master plan for a \$7 million research park. The committee approved the conceptual plan of Bovay Engineers, Inc., a Houston engineering firm, at its Sept. 25 meeting. Representatives of the firm will present the plan during the meeting.

The site, approved by the regents in November 1982, extends from the west campus and is bounded by FM 60 on the north, by FM 2818 on the west, by FM 2347 on the south and by Poultry Science Road on the east. To date, a total of \$280,000 has been allotted for the project.

The University will serve as developer and manager of the park. Parcels of land ready for development will be prepared and leased on a long-term basis to corporate tenants. The park is a plan to facilitate a closer working relationship between Texas A&M System research and selected industrial and commercial entities engaged in research activities.

The committee also will discuss the following appropriation recommendations for construction at Texas A&M:

- An appropriation of \$75,000 for the preliminary design of a \$5 million poultry science center. The board approved a \$15,000 approp-

riation for the project in March.

- A \$65,000 appropriation for the preliminary design for the advanced Ocean Drilling Program facility. The appropriation would supplement a previous appropriation of \$15,000. The project has an estimated cost of \$5 million.

- An \$80,000 appropriation for the design of physical education and intramural playing fields. The \$1.5 million project involves the construction of a lighted complex — an addition to Penberthy Intramural Center.

- A \$10,000 appropriation for a \$1 million track and field events center.

In other business, the committee will vote on bid recommendations for a new administration building for Tarleton State University and a design for a general office and classroom building and for the All Faiths Chapel at Prairie View A&M University.

Appropriations for designs for additional station facilities, a greenhouse complex, an office building and residences for the Texas Agricultural Experiment Station also will be discussed.

On Tuesday the board will vote on recommendations to establish new graduate degree programs in medical sciences, political science and anthropology.

Medical sciences is a term used to denote multidisciplinary study in fields such as human anatomy, biochemistry, microbiology and medical pharmacology. The board will consider authorizing President

Frank E. Vandiver to present the state Coordinating Board with a request for a master of science and a doctorate in medical sciences.

Authorization to offer a doctorate degree in political science and in anthropology with an archeology option also will be considered.

The board will vote on all committee recommendations Tuesday.

The regents will hear reports from each committee, including the site selection committee — the group responsible for finding a location for the Albritton Tower, a gift from former regent Ford D. Albritton.

The board is expected to vote on approval of a site for the 130-foot structure.

The schedule for the regents' committee meetings is as follows:

- Sunday
- 1:30 p.m. — planning and building committee
- 3:30 p.m. — committee for academic campuses
- 4 p.m. — cash oversight committee
- 4:15 p.m. — committee on mineral leases
- Monday
- 8:30 a.m. to 12 p.m. — committee of the whole
- 1:30 p.m. — committee of the whole reconvenes
- Tuesday
- 8:30 a.m. — meeting of the Board of Regents

House committee clears current Congressmen

United Press International

WASHINGTON — The House ethics committee Thursday cleared current members of Congress of allegations of illegal drug use but cited "substantial evidence" three former members bought or used cocaine or marijuana.

The report, wrapping up a 16-month investigation, specifically dismissed allegations against Rep. Ronald Dellums, D-Calif., and Charles Wilson, D-Texas.

The report did not specifically identify the three former congressmen it said were suspected of using drugs while they served in the House from 1978 to 1982. But committee special counsel Joseph Califano identified them as former Reps. Barry

Goldwater, R-Calif., John Burton, D-Calif., and Fred Richmond, D-N.Y.

Califano told a news conference said all three were offered immunity to testify to the panel.

Richmond and Burton testified under oath about their own drugs use, he said. Goldwater refused to testify about his own use of drugs, but told investigators he was unaware of any current congressmen using drugs, Califano said.

Goldwater, son of Sen. Barry Goldwater, R-Ariz., and Burton chose not to seek re-election last year.

Richmond resigned his House seat in August 1982 when he pleaded guilty to charges of income tax evasion, having possessed marijuana cigarettes obtained from his congressional

staff and making an illegal \$7,420 payment to a Navy employee who had been helpful in obtaining government contacts for the former Brooklyn Navy Yard. He was recently released from a Brooklyn halfway house.

The report said one of the congressmen testified he used marijuana as a substitute for sleeping pills. The other said he developed a "chemical dependency" on alcohol, cocaine and sedatives in response to the "high stress nature of his job." The report did not identify the congressmen.

Although the ethics panel also looked into allegations against seven other members, it said the charges were "mere speculation and hearsay."

Jesse Jackson to discuss presidential bid Monday

Jesse Jackson, the eighth Democratic candidate for the 1984 presidential election, will speak Monday at 1 p.m. in Rudder Auditorium about his presidential bid.

Jackson, founder of the Chicago-based Operation PUSH, officially announced his candidacy for president last week.

Jackson, 42, realizes his bid is a long-shot but hopes his candidacy will draw blacks to the voting booths and encourage the Democratic party to address the concerns of blacks and other minority groups.

Many black leaders are not supporting Jackson, however, because

they fear he may divide the Democratic party. Many who are supporting former Vice President Walter Mondale fear Jackson could draw many votes away from the Democratic front runner.

Mondale had been counting on significant black support.

But Jackson is counting on drawing a large minority turnout, and hopes this will help increase the number of minorities seeking political offices.

Jackson's speech Monday is being sponsored by Texas A&M's Political Forum, Black Awareness Committee and Committee for Awareness of Mexican American Culture.

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forecast

Partly cloudy with highs in the low to mid 70s.