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6 freshman cadets charged with assault Cadet files charges over bonfire incident

By Curtis L. Culbertson
Staff Writer

A female cadet who said she was dragged from a barrel and then thrown from the bonfire site on Nov. 18 filed assault charges Monday against six freshman cadets.

Simone Weaver, first lieutenant of Company W-1, filed misdemeanor charges in justice of the peace court against Brian MacManus, 19; James L. DeRose III, 19; Andrew C. Cooper, 19; Cody Scogin, 18; Clinton D. Taylor, 19; and William Paul Miller, 18.

The assault charges are Class C misdemeanors, said Bob Wiatt, director of security and University police. The maximum fine is \$200, but said. "There is no jail time involved."

Justice of the Peace Michael Callison postponed the cadets' court ap-

pearance until Jan. 21 because of the holidays. The cadets will receive a summons today to appear in court based on the charge.

When contacted, the cadets refused comment.

Weaver said she believes the freshman did not act completely on their own initiative.

"They're (freshman cadets) not talking; they're not saying who sent them to do it," she said. "Freshman don't do things like that on their own."

"I wish I knew who sent them on the detail. Things would be a lot different for those freshman if I knew."

Weaver said she wouldn't have filed charges if she knew who was behind the cadets' actions. But she said she had to make sure there was some kind of public record so that some definite action would be taken.

"I want these people to at least realize that it is wrong," she said. "We

will deal with it if it happens. We are not going to look the other way."

Weaver was standing on a 55-gallon barrel working as the "scarecrow" when the incident occurred. The "scarecrow" directs the trucks carrying the logs so they can be added to the stack.

Weaver said five men approached her and knocked her off the barrel. She said she got back on it, was knocked off again and then dragged outside the perimeter of the bonfire site.

Weaver said what hurt her the most is that no one else did anything.

"There were non-regs there that did nothing," she said. "There were females not five feet away who didn't even blink."

Weaver said she didn't plan on filing any type of civil suit.

"I had a scrape on my elbow," she said. "The damage was more to my ego."

White House: Regan will be available to testify

WASHINGTON (AP) — The White House, trying to avoid a clash with Congress, offered Monday to let chief of staff Donald T. Regan testify in public about Iranian arms sales and to put new pressure on two former aides to say what they know about the affair.

Even as the White House offers being disclosed by spokesman Larry Speakes, Sen. Patrick Leahy, Vt., told reporters the Senate Intelligence Committee would call Regan to testify under oath.

As these new moves were being announced at the White House and Capitol Hill, several lawmakers reacted with shock over weekend news reports saying some money from the sale of U.S. arms to Iran was used in domestic political campaigns against President Reagan's Nicaragua policy.

And CIA Director William Casey, scheduled to appear Tuesday before the Senate committee, got sick at his office in suburban Langley, Va., and was taken by ambulance to Georgetown University Hospital.

CIA spokesman George Lauder said Casey, 73, was fully conscious when he left the agency's headquarters and said Casey had been "on medication that had not been affecting him."

Nancy Sanger, a hospital spokeswoman, said, "He has suffered a minor cerebral seizure and has been admitted for diagnostic evaluation. He will undergo further testing for the next several days, is in stable condition and is resting comfortably."

The White House said that Regan prepared to appear, unaccompanied by legal counsel, at open hearings of the Senate committee, which has been frustrated in its investigation by the refusal of former national security adviser John M. Poindexter and his aide, Marine Lt. Col. Oliver L. North, to testify.

Late Monday, the committee announced that Regan would appear before it this morning, followed later in the day by Secretary of State George P. Shultz and National Security Council official Howard

Teichner. On Wednesday, the committee said, it is scheduled to hear from Defense Secretary Caspar W. Weinberger and Attorney General Edwin Meese III.

The committee held a business meeting late Monday to assess the status of its investigation. At the end of the 2½-hour session, panel chairman, Sen. David Durenberger, R-Minn., said Regan would be important particularly in helping members fill information gaps they have compiled during a two-week probe.

The *Wall Street Journal*, quoting unidentified intelligence sources, reported Monday that North told Casey in early October about money from the Iranian arms sales going to the Contras.

Casey has stated that he first learned officially of the diversion of the Iranian arms proceeds when the Justice Department began its investigation in late November.

Leahy, the committee's vice chairman, told reporters that he and Sen. Dave Durenberger, R-Minn., the panel's chairman, "will recommend to the committee that we ask Mr. Regan to come up and testify."

Speakes said that Regan would be willing to testify in closed session as well as in public, and said there would be "no caveat" for that appearance.

Sen. William S. Cohen, R-Maine, a member of the Intelligence Committee, said: "I think we've pretty much resolved what happened during the transfer of arms to Iran, how it came about, who initiated it."

But Cohen also said lawmakers have not cleared up the mystery about what happened to the profits.

The administration has said that up to \$30 million went to the U.S.-backed Contras, who are trying to oust the leftist Sandinista government in Managua.

Meanwhile, Rep. Mike Barnes, D-Md., called for an investigation of allegations, initially reported by the *Sun* newspaper of Lowell, Mass., that money siphoned from U.S. arms sales to Iran went to conservative groups boosting supporters of Reagan's pro-Contra policy, and was

used against opponents of that policy.

The White House said it knew nothing about the allegations.

Of Regan, Speakes said the chief of staff would not invoke executive privilege to avoid testifying before the Intelligence Committee.

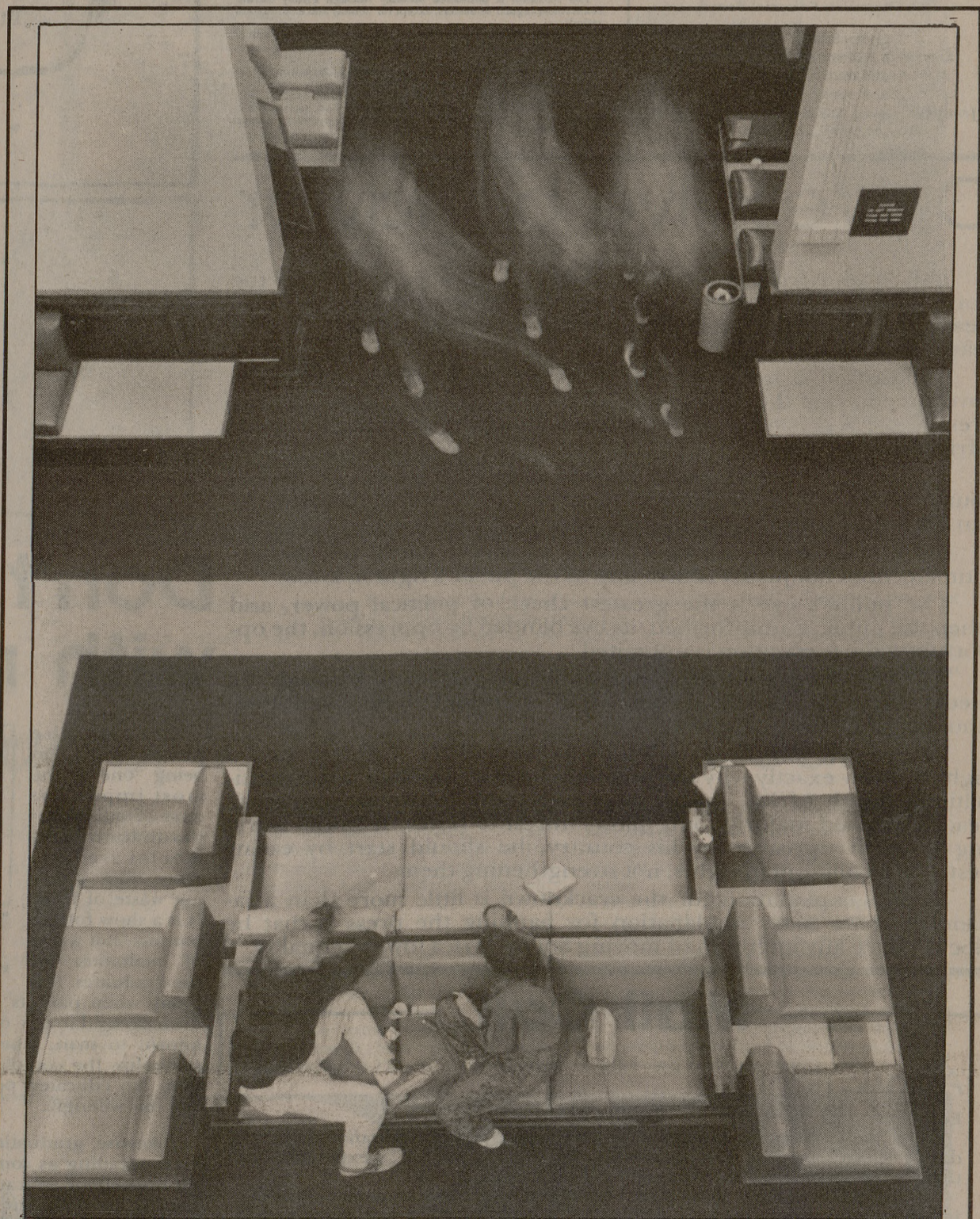
Leahy said it would be "a dangerous and shocking" development if it were proved that North, fired as a top National Security Council deputy, raised funds to use against opponents of administration foreign policy.

White House communications director Patrick Buchanan said he attended meetings with North and Carl Russell Channell, the leader of a conservative group, the National Endowment for American Liberty, which is alleged to have received some profits from Iranian arms sales.

Buchanan denied that what he described as "briefings" about Nicaraguan insurgents, or Contras, included any discussion of the arms sales or use of profits from Iran.

He was questioned during an appearance at the National Press Club. Buchanan said he met with North, who was fired Nov. 25 from the White House National Security Council staff, and Carl R. "Spitz" Channell, a Washington fund-raiser and media consultant who heads the conservative National Endowment for the Preservation of Liberty.

Buchanan did not say when the meetings took place.



A Late-Night Haunt

Long study hours and a time exposure help turn some students into ghosts. These two students in

the Sterling C. Evans Library take a look at some scholarly ghouls Monday evening.

Photo by Tom Ownbey

White House official met with North Communications director denies knowledge of arms sales

WASHINGTON (AP) — White House communications director Patrick Buchanan said Monday he attended meetings with Lt. Col. Oliver North and the leader of a conservative group alleged to have received some profits from U.S. arms sales to Iran.

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A report published by the *Lowell (Mass.) Sun* said money skimmed from the arms sales was used to boost conservative U.S. political candidates and to oppose critics of President Reagan's Central-American policy.

The *Sun* said Channell's organization was among the conservative groups that received Iran-Contra funds.

Buchanan has denied knowledge of the arms deals, in which \$10 million to \$30 million in arms profits were allegedly diverted to assist the Nicaraguan Contra guerrillas in their battle against the Sandinista government.

Buchanan refused to say whether President Reagan would testify before House and Senate committees investigating the arms deals.

"I don't think I'll be commenting on that right now," Buchanan said.

Both North and his former superior, Vice Adm. John Poindexter, have cited their constitutional rights in refusing to testify before congressional investigators.

Poindexter resigned in the wake of the Iran-Contra scandal.

The White House also said it knew nothing about the allegations.

White House spokesman Larry Speakes said, "We found nothing here in the White House in our investigation, to indicate anything in the files which points to political campaigns being funded with money from the Iranian arms sale."

"Our position is, if public funds were utilized in political campaigns illegally, it would be morally wrong, it would be legally wrong, and the White House would condemn it in the strongest terms and would ask those responsible be brought to justice at the earliest possible date."

Speakes added, however, that the White House investigation was limited and incomplete.

Rep. Mike Barnes, D-Md., called for an investigation into the allegations reported by the paper.

Sen. Patrick Leahy, D-Vt., said it would be "a dangerous and shocking" development if it were proved that North, fired as a top National Security Council deputy, raised campaign funds to use against opponents of administration foreign policy.

Sen. Dale Bumpers, D-Ark., agreed, saying, "I would be very unsettled if that accusation were proved to be true."

"I would consider that to be dangerous," Leahy added, "That is the area that would draw the parallel to Watergate."

"I would sincerely hope it is not true."

Future for retirement program remains unclear

By Frank Smith
Senior Staff Writer

Questions about the future of the Optional Retirement Program still linger, despite the passage of the federal tax reform law, and Texas A&M System officials remain busy trying to untangle the complicated legislation.

A preliminary analysis of the effects the new law may have on retirement programs was distributed earlier this month to all chief executive officers of academic institutions, agencies and services within the System.

The analysis — prepared by John Honea, special assistant to the deputy chancellor for legal and external affairs; Mike Lytle, special assistant to the chancellor of Texas System; and a tax consultant hired by the System — reflects tentative interpretations of the law based on the best information currently available.

The ORP is the primary retirement plan used by post faculty and professional staff at Texas colleges and universities.

It was established by the Texas Legislature in 1968 as an alternative for faculty and administrators to the

Teacher Retirement System of Texas.

The TRS was viewed by some as not being adaptable enough to the needs of faculty who move from the state.

The TRS still is used by universities' non-professional staffs as well as by those faculty members and administrators who prefer it.

Of chief concern to A&M System officials is the tax reform law's addition of a non-discrimination clause to the tax code sections that govern the ORP.

The clause becomes effective Jan. 1, 1989.

According to the preliminary analysis, the tax reform law will require the ORP to satisfy at least one of the following non-discrimination tests:

- It would have to benefit at least 70 percent of all "non-highly compensated employees." Highly compensated employees are defined as those who are 5 percent corporate owners, earn more than \$75,000 annually, or earn more than \$50,000 annually and are among the top 20 percent of employees by pay. Certain corporate officers earning more than \$45,000 annually also are classified as highly compensated employees.

- The plan would have to benefit a percentage of non-highly compensated employees, which is at least 70

percent of the percentage of highly compensated employees benefiting under the plan.

- It would have to meet an "average benefits test" that first must be presented to the Secretary of Labor for approval.

Honea said System officials don't know yet whether the ORP satisfies any of the tests.

"The main reason that we don't know yet is that (determining it) takes some very technical formulas . . . and requires a substantial amount of demographics," he said. "We have to pull that information off the computer files."

"I would suspect we will start within the next couple of months."

Basically, Honea said, to satisfy the non-discrimination clause, officials will need to show that ORP and TRS benefits are comparable.

Other changes in tax codes that will affect ORP participants include the addition of a \$9,500 cap onto existing tax exclusion allowance formulas and the establishment of a penalty for early withdrawal of ORP benefits.

Employee contributions to the ORP are made with the use of a salary reduction agreement and possibly

could be considered by future Internal Revenue Service interpretations to be fair game for inclusion in the \$9,500 cap.

But the authors of the A&M-UT preliminary analysis believe employee contributions to the ORP will not be included in the cap.

"In other words," the authors of the report wrote, "only contributions made to supplemental tax-sheltered annuities made over and above to the ORP will be limited by the current formulas or the new cap."

Beginning Jan. 1, however, ORP participants will, with few exceptions, be subject to a 10-percent penalty tax on early withdrawals made before reaching age 59½.

And beginning Jan. 1, 1989, according to the analysis, they won't be able to draw from salary reduction contributions before turning 59½ except in "cases of hardship" as defined by the IRS.

Honea said legislative staffers currently are compiling a "bluebook" — guidelines that the IRS will use in enforcing the law — so IRS interpretations of the law still are not available.

But for now, the interpretation of the tax reform law's ultimate effects remains a sticky proposition.