

# Texas A&M The Battalion

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## Court: Newspaper can view A&M's recruiting information

AUSTIN (AP) — A state appeals court Wednesday ruled in favor of the Fort Worth Star-Telegram's bid for information from Texas A&M about the recruiting of former star Aggie quarterback Kevin Murray.

In upholding a lower court decision, the 3rd Court of Appeals rejected the university's contention that the records sought by the Star-Telegram shouldn't be public.

"The public is legitimately concerned with recruiting tactics by its universities and colleges," said the decision authored by 3rd Court Chief Justice Bob Shannon.

Michael Blackman, Star-Telegram executive editor, said the newspaper would move quickly in seeking the records.

"They apparently felt that our case was good," Blackman said of the court's decision. "I don't know exactly what the timetable will be, but as expeditiously as possible we are going to seek that information."

"I think that when it comes to the recruiting process, especially in a state like Texas, this is something that's of wide public interest. We're not fishing after student information, we're looking for recruiting information," Blackman said.

The university issued a statement from James B. Bond, deputy chancellor for legal and external affairs, which said A&M wants to examine the decision.

"We have no specific response

at this time, primarily because no one on the legal staff has yet had an opportunity to study the precise parameters of the judge's ruling," Bond said. "We will be doing that as soon as possible, and then assess our options."

The Fort Worth newspaper in December 1986 made its request under the Texas Open Records Act in a letter to then-A&M President Frank E. Vandiver.

The paper sought all records, documents, letters, reports and other information about "the recruitment of Kevin Murray to attend Texas A&M University" or relating to "any involvement by Kevin Murray in matters which may have been alleged to have violated the rules of the Southwest Athletic Conference and/or the National Collegiate Athletic Association."

The Star-Telegram also sought records involving Rodney Lee Dockery, a businessman and A&M booster.

Vandiver had declined to give the information to the Star-Telegram. Court records also show that he did not seek an opinion from the attorney general on whether the information is public.

Vandiver asserted that the information about Murray wasn't public because it was deemed confidential by law, and because it concerned student records, and that Murray hadn't consented to disclosing the information.

However, the appeals court said, "Vandiver did not advance any authority by the attorney

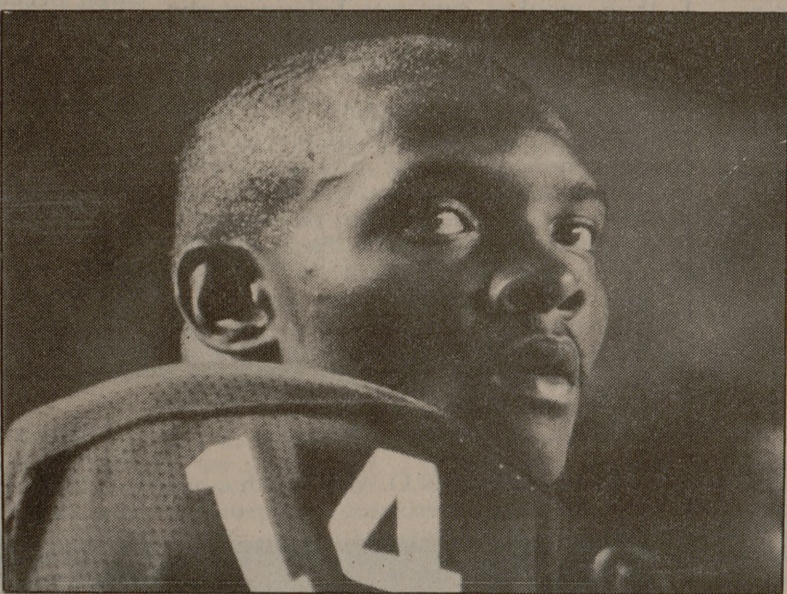
general or by a court for his refusal to turn over the information and he did not request an attorney general's opinion as to whether the information sought was, or was not, public."

If Vandiver wished to avoid a trial court decision for the newspaper, "it was his burden to marshal . . . evidence in support of his claim that the requested information came within one of the exceptions to the Open Records Act," the appeals court said.

The A&M football program has been the subject of an NCAA investigation.

In a letter released earlier by the NCAA, its investigators accused the school's football program of 31 rules infractions and seven procedural violations.

Among the rules violations listed in the letter was one charging that a coach during a recruiting trip in early 1985 offered material benefits to an athlete.



Kevin Murray's recruiting information ruled open records.

## President signs reparations bill

WASHINGTON (AP) — President Reagan signed a bill Wednesday providing \$20,000 reparations to Japanese-Americans interned during World War II, while conceding that "no payment can make up for those lost years."

At least one family among the approximately 250 veterans of the internment camps who attended the eight-minute signing ceremony said no payment is necessary because of the opportunity they have enjoyed as Americans.

Reagan told the audience that tens of thousands of Japanese-Americans lived in internment camps "not for a matter of weeks or months, but for three long years."

The bill signed by the president provides for a \$20,000 tax-free payment to each of the 60,000 survivors among the approximately 120,000 Japanese-Americans who were interned.

"Yet no payment can make up for those lost years," Reagan said. "So what is most important in this bill has less to do with property than with honor, for here we admit a wrong."

Dr. Walter Emori, 47, an arthritis specialist in Medford, Ore., speaking for himself and the other five members of the family who were interned, told a reporter earlier: "I don't feel animosity, and I don't feel a sense that the country owes this to me."

All six members of the family —

now living in California, Georgia and Oregon — attended the signing ceremony to dramatize their intention to use the money to repay the country, in Emori's words, "for the good that came out of the awful."

The Japanese-Americans were rounded up and sent to internment camps after the Japanese attack on Pearl Harbor, Hawaii, plunged the United States into World War II.

Many Japanese-Americans lobbied for the legislation for years. It finally cleared Congress by a 257-156 vote in the House on Aug. 4.

Reagan originally objected to some features of the bill, saying it would be too costly, but he backed the final version. It calls for a trust fund of \$1.2 billion, with appropriations in any one year limited to \$500 million. Legislation providing the actual money must still be enacted.

White House spokesman Marlin Fitzwater said the president always endorsed the purpose of the bill.

Asked whether the large number of Japanese-American voters in California, a crucial state in the forthcoming presidential election, was a factor in Reagan's decision to support the measure, Fitzwater said: "No. That was not a factor in any way."

The internment order issued by President Franklin D. Roosevelt in 1942 required all people of Japanese ancestry living in California, Washington and Oregon and some in Hawaii to be relocated.

## Shuttle engine tests successful

CAPE CANAVERAL, Fla. (AP) — The space shuttle Discovery flawlessly fired its three huge engines Wednesday and demonstrated it is ready to carry Americans into space for the first time since Challenger exploded more than 2 years ago.

"We proved it works," Robert Crippen, deputy director of shuttle operations, said after the engines spewed 6,000-degree flames for 22 seconds.

Crippen said the test went along so well that the operations systems can see no reason that would delay progress toward the launch. There were no major problems in the forefront of the testing.

The first mission might still be possible in late September, said an elated Forrest S. McCartney, director of the Kennedy Space Center.

Wednesday's flight readiness test had been postponed five times previously because of various problems, leading to expectations that Discovery might not fly until October or later.

"Super job, super team," NASA administrator James C. Fletcher told the launch team.

Thomas E. Utsman, director of shuttle management, called the test "a clear demonstration that Discovery is a very good bird."

The only question mark was a possible leak of nitrogen gas in an area where fuel lines join the external tank, Crippen said.

The gas was detected by instruments that had not been there before and engineers were not certain the readings indicated something new.

Asked how he felt, with the hot-fire test out of the way, Crippen replied: "You can't have a major milestone like that come out as clean as it was and not feel good about it."

Setting of a firm launch date for Discovery awaited analysis of Wednesday's test and repairs to a small gas leak in a thruster system that was not involved in the test.

"I still think we have a shot at late September," Crippen said.

The engine firing was a crucial step for resuming space flight.

"It is an opportunity to assess the readiness of the launch team, the ground support equipment and flight hardware," said National Aeronautics and Space Administration spokesman Hugh Harris, reporting on the progress of the test. "It provides another measure of the readiness of people and hardware for launch after many months of assessing and improving the entire shuttle program."

Two other big hurdles stand between Discovery and its four-day mission with five astronauts: a full-scale test of a redesigned booster rocket and the sealing of a gas vent line in the shuttle's space maneuvering system.

The second task will require cutting a hole in

Discovery's cargo bay for access.

The shuttle, its huge fuel tank and two flanking solid rocket boosters were bolted to the pad during Wednesday's test as its engines were started in a 3-2-1 sequence separated by 120 milliseconds.

During a launch, the engines fire for more than eight minutes, with the boosters providing a powerful assist during the first two minutes of flight.

Discovery, which has flown in space six times, was treated as an untried ship in having to undergo the flight readiness firing.

A total of 732 instruments, five times more than on any previous shuttle test or launch, were installed throughout the shuttle stack to take detailed measurements of all system operations to assure the correct operation.

The test took special note of the strains placed on the booster rockets as the engines reached full power.

The Challenger exploded while lifting off on Jan. 28, 1986, because of a leak in a joint on the right booster, near its attachment point on the fuel tank.

The shuttle fleet, now numbering three, has undergone numerous design changes since the accident which killed the seven-member crew more than two years ago. The orbiter alone has had 220 design changes, the boosters 145, and each of the main engines 30.

## Alumni donations send band to Kickoff Classic

By Marc Weisinger  
Reporter

Lack of funding and bad timing almost kept the Fightin' Texas Aggie Band from the Aug. 27 football game between A&M and the University of Nebraska. Almost.

Thanks to the help and donations from the Athletic Department, the University and many alumni, the halftime show at Giant Stadium will happen, said Band Director Col. Joe T. Haney.

But even when the funding dilemma was solved, the band had to face another problem — since the game is being played before school starts, many members of the band would not be back on campus yet.

So new band members, arriving on Aug. 21, will drill by themselves before the remainder of the band comes back on Aug. 22. This gives the 300 member outfit less than a week to practice and perfect their performance.

The lack of time has left some people less than confident.

"There are folks that say we can't do it, but I don't see any problems with it," Haney said. "I think everything is going to work out just fine."

Allan Hess, commanding officer of both the Artillery and Infantry Bands, said the incoming class will train for about an hour on a couple of mornings until they learn the marches. Then they will practice with the rest of the band in the afternoon.

"We are asking a lot from these new guys," Hess said, "but I have confidence in them. Most of them have marching experience, which is going to help."

Once the new class is ready, the whole band will start practicing twice a day for about five hours each day.

"We are going to do a relatively basic drill that no one has seen before," Haney said. "It is going to be rough, but I'm positive the band will be ready to perform."

The band will leave in the afternoon the day before the game for East Rutherford, N.J. They return home that night after the game.

## Union: Texas loses billions for services

WASHINGTON (AP) — Texas lost \$7.7 billion in federal funding for social service programs in the seven years since President Reagan took office, a public employees union said Wednesday.

Although Reagan, a Republican, was president during the period covered by the report, Democrats controlled the House of Representatives the entire time. Republicans had a majority in the Senate from 1981 through early 1987.

Texas lost \$456.84 per person over the period, said the report by the American Federation of State, County and Municipal Employees.

The report said 48 of the 50 states fared worse than Texas in per capita cuts. Alaska was hit hardest, losing \$946 per person. Kansas lost the least per person, at \$456.75.

Although Texas remained better-funded than all states but Kansas, the union's public policy analyst, Michael Mazerov, said "money is money" and the loss of \$7.7 billion is "tremendous."

Texas lost just over \$5.7 billion in grants-in-aid to state government for such programs as revenue sharing, energy conservation, wastewater treatment, mass transit and economic development. The loss works out to \$342.13 per person, putting the state in 48th place.

The state also lost just over \$1.9 billion in payments to individuals

under such programs as food stamps, Social Security and higher education grants, the study said. That amounts to a loss of \$114.71 per person, for a 42nd-place ranking nationally.

"If you're eligible for these programs, the people (enrolled) lost a great deal of income," he said.

The loss of revenue may have hit rural communities especially hard, he said.

Texas lost almost \$1 billion in revenue sharing, part of the \$5.7 billion in grants-in-aid.

Before revenue sharing was eliminated at the end of 1986, the funds went directly to local governments for a wide range of services. Many small communities depended on revenue sharing to pay for basic services such as low-income housing, economic development, sewerage and water system improvements, police and fire services, Mazerov said.

"The loss of that program in a state like Texas . . . really hurt," he said. "It was very important in rural areas . . . in a lot of jurisdictions around the state."

Nationally, federal domestic programs were cut by \$158.6 billion from fiscal year 1982 through fiscal year 1988, the study said.

"The Republican record set out in this report is one of which neither the party nor the nation should be proud," the study said.



Pour some water on me

Joshua Jaedicke, 5, dumps water on his sister at the Royal Oaks Raquet Club swimming pool on Wednesday. Temperatures Wednesday

reached above the 100 degree mark. Today's high is expected to be in the mid-90s, with thundershowers likely..

Photo by Scott D. Weaver