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County official says state action spooked voters

AUSTIN (AP) — The secretary of state's office blew an honest error out of proportion with charges of ballot fraud, causing chaos and fear among voters, a Hidalgo County official told legislators Thursday.

Billy Leo, Hidalgo County clerk, said Assistant Secretary of State Randall Erben panicked voters when he ordered the impounding of absentee ballots before the Nov. 8 general election.

"He scared the daylight out of most people voting absentee in Hidalgo County," Leo told the House Elections Committee. "What occurred was chaos."

The secretary of state's office ordered the impounding of about 1,300 absentee ballots because of an error on the paper ballot that Erben said confused and could have disqualified ballots cast by people who wanted to vote for Republican George Bush for president and Democrat Lloyd Bentsen for Senate.

After the ballot was corrected, all those who used the first ballot were mailed a second ballot.

State Rep. Alex Moreno, D-Edinburg, said the election in mostly Hispanic Hidalgo County was marred by Erben's actions, coupled with Election Day orders by Secretary of State Jack Rains, a Republican, to beef up enforcement at the polls.

"I thought the process was greatly abused," Moreno said. "There was harassment of election officials,

occurred in the general election, but that these were not publicized as incidents of voter fraud.

Judith Sanders-Castro, an attorney for the Mexican-American Legal Defense and Education Fund, said Rains' actions during the election illustrated a pattern of abusing his office's authority.

In a lawsuit, MALDEF challenged Rains' orders to increase enforcement at the polls. Rains rescinded those orders before the election, but not before minority voters had been intimidated, Sanders-Castro said.

Officials try to help settle man's estate

HOUSTON (AP) — The Texas attorney general's office and the Harris County attorney have come to the aid of an 81-year-old man who wants to donate his estate to the Houston Audubon Society as a wildlife refuge, despite his status as a financial incompetent.

"He's expressed an intent to leave his property to charity for the public good and that is exactly the kind of interest our section is charged with protecting," Rose Ann Reeser, chief of the charitable trusts section of the Texas attorney general's office, said.

Elmer Kleb, who has lived all his life on the wooded property near Tomball, is prohibited from donating his 119-acre estate to anybody because a jury last year declared him incompetent to manage his financial affairs, said attorney James Wyckoff, who represents Kleb's estate.

The incompetency action blocked foreclosure efforts by the Tomball school district, which sought a large portion of Kleb's property because the elderly man had not paid taxes since the early 1970s.

Reeser said she met recently with Kleb and toured his property, but has not yet determined what role her agency may play in the case.

"I'll have to do some research on the legal issues and talk to the various parties involved to see if there is any way we can work it out so Mr. Kleb can keep his land and it can be kept as a wilderness," Reeser told the *Houston Post*.

Kleb owes about \$150,000 in taxes, penalties and interest to Harris County and the Tomball and Waller school districts, and his debts to attorneys amount to about \$50,000. The property is valued at \$750,000.

Harris County Attorney Mike Driscoll said Wednesday he also is "trying to search out any possibilities that can be created to preserve that piece of property" as a wildlife refuge.

"I'm personally willing to get involved to see what can be worked out," Driscoll said.

Kleb said he failed to pay taxes because he had no income and no money, but rejected the idea of selling parts of his estate to developers because he does not want to whittle down the wilderness to only a small plot of land.

Wyckoff said that even if Kleb were able to donate the land, it would be in his best interest to sell instead because the elderly man needs financial security in case he becomes ill.

Houston Audubon Society spokesman Ted Eubanks, however, said the group would be willing to raise funds to care for Kleb, and perhaps even appoint him lifetime caretaker of the property so he can live out his remaining years in his farmhouse.

"He scared the daylight out of most people voting absentee in Hidalgo County. What occurred was chaos."

— Billy Leo
Hidalgo County clerk

there was intimidation of voters that was carried out in part by the secretary of state's office."

Moreno said he was considering legislation to take administration of elections out of the hands of the secretary of state, who is appointed by the governor, and placing it under an independent, non-partisan commission.

Rep. Ernestine Glossbrenner, D-Alice, chairman of the Elections Committee, said the panel would probably take no action on allegations of voter intimidation, but she said the hearing was necessary.

"We need to be sure that not only is our election process fair, but that it's perceived to be fair," Glossbrenner said.

Rains and Erben were not present at the meeting, citing prior commitments.

But Tom Harrison, director of elections for the office, attended and rebuffed the charges leveled against the secretary of state.

"What we wanted to do was have the most honest, clean election that this state ever had," Harrison said.

Leo told the committee that Erben made his charges in a hews conference before even contacting the county official about the ballot error and trying to correct it.

Leo also missed the mistake when he proofread the ballot, he said, but added, "He (Erben) never called my office. If a call had been made, maybe this press conference wouldn't have been held."

Harrison said he tried to contact Leo, but was unable to reach him.

"We were concerned that nothing was being done," Harrison said. "The assistant secretary of state felt that we needed immediate action to get it taken care of."

State Rep. A.M. "Bob" Aikin, D-Commerce, and a member of the committee, said other ballot mistakes

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What's Up

Friday

MANAGEMENT 481: Mr. Frank Muller will speak at 10 a.m. in 114 Blocker.

KAMU 90.9 FM: will simulcast the Dan Del Santo concert at 9 p.m. at Brazos Landing.

SPEECH COMMUNICATION ASSOCIATION: will have a pre-finals party at 7 p.m. in the Parkway Circle party room.

CYCLING TEAM: will meet at 7 p.m. at Zephyr's.

OFF CAMPUS AGGIES: will have a Christmas semi-formal dance at 8 p.m. at the Hilton. Call the OCC at 845-1741 for more information.

PARENTS' WEEKEND COMMITTEE: Parents of the year applications are available in the Student Programs Office, Sterling C. Evans Library and the student government office through Feb. 10.

Saturday

RIO BRAZOS AUDUBON SOCIETY: will meet at 8 a.m. in the Rudder Tower parking lot to go to Brazos Bottoms and Lake Somerville for a field trip.

STUDENT Y/AGGIE FRIENDS: will have a Christmas Party with the Boys Club at 1 p.m. at A&M Methodist Youth Center on Church Street.

DELTA SIGMA PI: will have a child identification program from 10 a.m. - 2 p.m. at Post Oak Mall.

STUDENT CHAPTER OF THE AMERICAN VETERINARY MEDICAL ASSOCIATION: will have a free car wash all day at Mama's Pizza.

ASIAN-AMERICAN STUDENT ASSOCIATION: will have a pot luck dinner and gift exchange party at 7 p.m. in 145 MSC.

MARRIED STUDENT APARTMENT COUNCIL: will have an end of semester garage sale from 8:30 a.m. to noon at the M.S.A.C. council room and apartment office parking lot.

CATHOLIC STUDENT ASSOCIATION: will have a Christmas semi-formal dance at 8 p.m. at St. Mary's Student Center.

VIETNAMESE AMERICAN STUDENT ASSOCIATION: will have a semi-formal graduation party from 8:30 p.m. to midnight in 225 MSC.

LATIN GROUP: will have a Christmas party at 7 p.m. at St. Mary's Church.

Sunday

AGGIE ALLEMANDERS: will have a graduation dance at 7:30 p.m. in 225 MSC.

TAMU INTERNATIONAL FOLK DANCERS: will demonstrate and teach folk dancing from 8-10 p.m. in 225 MSC.

ALPHA PHI ALPHA FRATERNITY, INC.: will have a Founder's Day celebration at 4 p.m. in 601 Rudder.

NATIONAL ORGANIZATION FOR WOMEN: will meet at 8:30 p.m. in 607 Rudder.

STUDENT Y ASSOCIATION: will have a non-denominational yuletide service at 7 p.m. at the All Faiths Chapel.

Monday

STUDENT Y ASSOCIATION: will have a yuletide party beginning at 10:30 a.m. on the second floor of the Pavilion.

TAMU ROADRUNNERS: will meet at 7 p.m. in 407 Rudder.

ON CAMPUS CATHOLICS: will have an ice cream social at 9 p.m. at 31 Treas.

CATHOLIC STUDENT ASSOCIATION: will have a Bible study at 9:30 p.m. at the student center.

Items for What's Up should be submitted to The Battalion, 216 Room McDonald, no later than three business days before the desired run date. We only publish the name and phone number of the contact if you ask us to do so. What's Up is a Battalion service that lists non-profit events and activities. Submissions are run on a first-come, first-served basis. There is no guarantee an entry will run. If you have questions, call the newsroom at 845-3315.

Officials suspect fraudulent papers for many aliens

AUSTIN (AP) — While thousands of illegal aliens who worked in agricultural jobs met the deadline for a special immigration amnesty program, government officials say they will try to have many of the applications rejected as fraudulent.

Officials of the Immigration and Naturalization Service, who administer the amnesty program, said they will immediately begin a review of the paperwork because they suspect at least 30 percent of the applications are based on fraudulent documents.

"I think clearly there is some fraud in there, and we've said it probably runs 30 percent or maybe higher," Duke Austin, an INS spokesman at the agency's Washington, D.C., headquarters, said.

Austin said the 1 million-plus applications for the Special Agricultural Worker program, known as the SAW program, have been triple what the government estimated.

Despite the allegations of fraud, INS legalization offices in Austin and elsewhere were working overtime on Wednesday to take the last applications.

"It's (turnout) pretty good," Lynn Cosentine, director of the Austin legalization office, said.

Cosentine said that more than 10,000 people had applied for amnesty under the SAW program through the Austin office.

Because the SAW program has much less stringent regulations than the general amnesty program, applicants must only prove they worked in agriculture for 90 days during certain years — many of the aliens are applying. And those who qualified for the general amnesty program, SAW applicants do not have to be tested for English proficiency or American history.

Several men applying for legalization in Austin said they picked the SAW program because they did not have enough documentation to qualify for the general amnesty program.

That program required alien applicants to prove, among other things, that they had resided in the United States since Jan. 1, 1982. The minimum requirement for the SAW program was that applicants worked in certain U.S. agricultural jobs for 90 days before May 1982.

Ascension Flores-Guerra, a year-old farm worker from the Mexican state of San Luis Potosí, said he has been working in Texas since 1970.

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