

Court decision marks major step toward resolution of liability issues

NEW YORK (AP) — A court order consolidating more than 100,000 asbestos cases marks a major step in resolving the nation's biggest product liability issue amid a climate of growing uncertainty for victims seeking compensation.

Federal judges in New York, Cleveland and Texas want to remove what they deem a stranglehold on crowded court dockets and bewildering delays in paying compensation for tens of thousands of Americans killed or injured by decades of exposure to asbestos.

Activity on asbestos liability cases has intensified in recent weeks since disclosures that a \$3 billion trust set up as part of Manville Corp.'s bankruptcy reorganization had run out of money to pay new claims.

The activity around the trust has left many victims — some of whom handled asbestos on the job for more than 50 years — and their relatives wondering when their few thousand dollars in compensation will arrive.

"We've all been depending and hoping for this money to be coming," Shirley Johnson, of Portland, Ore., who along with her brother and sister

is expecting a check for \$8,333 from the trust, said. "I'm very confused. We can't seem to get any information."

The money is compensation for the 1986 death from asbestos-related lung cancer of their father, who worked in a Nevada munitions factory during World War II.

Some victims and their families already have been waiting for up to a decade for compensation. The storm surrounding the Manville trust, which has 130,000 claims pending, began when it announced recently that some new claims would not be paid until the year 2025 or later.

On Monday, U.S. District Judge Jack B. Weinstein in Brooklyn halted payments by the trust pending a reorganization. Also Monday, Thomas D. Lambros, chief judge of the U.S. District Court in Cleveland created a class action of all pending litigation nationwide.

Both actions were expected to face challenges. Lawyers representing more than 1,100 Virginia shipyard workers who already have settled claims with the trust challenged the payments stoppage in a federal appeals court.

Responsible for the litigation is a flaky, white mineral used widely and without safeguards in shipbuilding, construction and other industries from the turn of the century. Asbestos since then has been determined to cause lung cancer and other often-fatal diseases.

Product liability lawsuits have driven Manville and several other asbestos manufacturers into bankruptcy court protection. Now, more than 100,000 lawsuits are on file in every federal court and some 500 state courts, and the tide of filings shows no signs of abating.

The judges would like to simplify the method by which attorneys investigate individual claims, reduce delays by defendant companies that claim they can't afford to pay asbestos settlements and limit the amount of money being spent on litigation rather than compensation.

But plaintiffs lawyers said a single class action — one big case that most likely would force a settlement in one large pot to divide among victims — may be unworkable.

Kohl shares union news with press

BONN, West Germany (AP) — A jubilant Chancellor Helmut Kohl said Tuesday that all major obstacles to German unification had been swept aside and said elections for a united German parliament were likely in December.

Speaking to reporters the day after he returned from the Soviet Union with guarantees that a united Germany was free to join NATO, Kohl also said he hopes bilateral treaties with the Soviet Union and Poland can be concluded by early next summer.

"The practical problems, which lay before us on the way to German unity, have been solved," Kohl said.

He said elections for a united German parliament on Dec. 2 were "presumable." But whether East Germany merged with the West before or after the elections had to be decided by East Berlin, he added.

Kohl also used the occasion to reassure Germany's neighbors.

"We are no world power," he said, emphasizing that the new Germany would be embedded in the "European security architecture."

He said he was sensitive to the concerns of fellow Europeans. He noted that Britain had gambled "its very existence" in battling Hitler.

Budget amendment defeated House curtails attempts at mandatory balance

WASHINGTON (AP) — The House narrowly defeated a constitutional amendment Tuesday to balance the budget after opponents said it was a gimmick to hide the failure of Congress and the president to cut the huge federal deficits.

The House voted 279-150 in favor of the amendment, but it was seven votes short of the two-thirds required to propose a constitutional change.

President Bush, meanwhile, declared that the worsening federal deficit meant "the time for game-playing is over" and set a budget meeting with congressional leaders at the White House on Wednesday.

Backers of the amendment said they had expected defeat. Rep. Charles Stenholm, D-Texas, said either way, Congress needed to make tough choices to end a decade of huge increases in the national debt, which now tops \$3.1 trillion.

"It's up to us folks," he said. "If this amendment passes, it's going to take guts. If it doesn't pass, it's going to take guts."

Rep. Larry Craig, R-Idaho, co-sponsor of the amendment, said, "None of us want to face the tough decisions at hand, but faced they must be."

The amendment would, beginning in 1995, prohibit government spending from exceeding revenues, or any increase in government borrowing, unless the requirements are waived by a three-fifths vote of each chamber of Congress.

The House defeated, 244-184, a proposal by Rep. Joe Barton, R-Texas, to extend the super-majority threshold to any proposal containing a tax increase. Barton said without his amendment, a balanced budget requirement would create a bias toward raising taxes.

Rep. Marilyn Lloyd, D-Tenn., said the balanced budget amendment would "send a message to the economic markets of our country that this Congress is serious"

about fiscal responsibility. Bush, in a letter Monday, urged support of the amendment along with changes in the budget process to give the president more power, including the line-item veto.

"Together with political courage and discipline, these tools are vital to solving the problem of budget deficits," Bush said.

The House last voted on a balanced budget amendment in 1982, when it fell short by more than 40 votes. Support for the amendment has grown since then, largely because of growing frustration over the deficits and the failure of statutes such as Gramm-Rudman law to solve them.

But opponents Tuesday said the amendment was a sham, that its requirements could easily be dodged, and that delaying the effective date to 1995 amounted to passing the buck.

"This so-called balanced budget amendment is the amendment for the truly religious because the balance to which it refers occurs only in the hereafter," Rep. David Obey, D-Wis., said.

Rep. Richard Durbin, D-Ill., said "We get the headlines today, someone else gets the headache of making it work tomorrow."

Rep. Jack Brooks, D-Texas, said the amendment would solve none of the nation's fiscal problems except give the courts an excuse to begin dictating the nation's fiscal policy. "Judicial tyranny waiting to happen," he said.

President Bush, like Ronald Reagan before him, has not proposed a balanced budget and has touted the amendment so long as it doesn't take effect too quickly. The White House said it supported the House version, although it objected to language making it harder to raise fees for government services or to increase government borrowing.

Prosecutors near end of Mayor Barry's trial

WASHINGTON (AP) — Prosecutors neared the end of their month-long drug and perjury case against Mayor Marion Barry on Tuesday after two women — a former Carter administration aide and a Barry friend testifying under court order — outlined a history of drug use with him.

They were the ninth and tenth witnesses to testify that they saw Barry use illegal drugs.

Doris Crenshaw, who was a White House small business aide, said she had snorted cocaine powder, smoked crack cocaine and used cocaine-laced cigarettes with Barry — including an episode at the 1988 Democratic National Convention. She said she began using drugs with him in 1985.

Bettye Lynn Smith, who was flown in from Tennessee under court order, testified she had used cocaine with Barry many times and supplied him with it for years, including less than a month before his Jan. 18 arrest in an FBI sting operation.

Reluctant to testify against Barry, whom she described as "a

close personal friend of mine," Smith appeared in court only after being ordered by a U.S. magistrate to return to the nation's capital to testify. She had been undergoing treatment for stress at a psychiatric hospital in Chattanooga.

Crenshaw said she and the mayor used cocaine at the Democratic convention in Atlanta where Barry was heading the District of Columbia's delegation.

"We used it at the hotel," Crenshaw said. "It was powder cocaine."

Crenshaw, who met Barry when both were active in the civil rights movement, described him as "a very kind and understanding and sympathetic person."

She said she first offered the mayor powder cocaine at her Capitol Hill home where "he snorted it ... off business cards."

Crenshaw also testified that she used drugs with Barry on Dec. 22, 1988, the day Barry's ties to Charles Lewis, who later pleaded guilty to drug charges, became public.

Senators: panel likely to fully fund collider

WASHINGTON (AP) — The superconducting super collider will likely be fully funded for the first time by a Senate appropriations panel Wednesday, Sens. Phil Gramm and Lloyd Bentsen said Tuesday.

The senators said Sen. Bennett Johnston, D-La., chairman of the energy and water development subcommittee, supports the \$318 million President Bush asked for the super collider in his 1991 budget.

Bentsen called Johnston's support a "big step."

Gramm said other subcommittee members also expressed support for the giant atom smasher, to be built south of Dallas near Waxahachie.

"I think we have an excellent opportunity for the first time to get the full presidential request for the SSC," Gramm said. The Senate in the last two years has cut spending requests for the super collider.

Both senators warned there are no guarantees this time. "You never can count the chickens before the eggs hatch," Gramm said.

Bentsen said, "But it's a big bet when you've got the chairman's corner as we do."

Gramm continued, "In the past we have worked this hard. I think we have steadily built a base of support."

Gramm, a Republican, said he and Bentsen, Democrat, divided the job of building support in the Senate along party lines.

The House last month approved \$318 million in 1991 funding for the super collider. Of that, \$169 million is devoted toward beginning construction.

There are other Texas projects in the \$20.8 billion bill. But Gramm said, "This is the big one."

The \$318 million will allow the Department of Energy to finish design work and testing of the superconducting magnets, Bentsen said.

The 40-foot long magnets will drive protons around a 54-mile underground oval. Scientists hope the atoms will break apart when the collide, yielding clues to the fundamental nature of matter.

Space program progress depends correction of hydrogen leak

NASA tries to launch shuttle within two months

CAPE CANAVERAL, Fla. (AP) — NASA said Tuesday it will attempt to launch at least one shuttle in the next two months, and possibly two if the agency is lucky and Atlantis' hydrogen leak can be corrected at the pad.

"Not only do we see the light at the end of the tunnel, but I believe we are out of the tunnel," William Lenoir, head of NASA's space flight program, said.

Earlier in the day, President Bush expressed support for NASA Administrator Richard Truly's handling of the troubled National Aeronautics and Space Administration.

"I have confidence in NASA," Bush said. "It's a perilous business, I guess, anytime

you put people up there into space, but the record has been very good."

Bush said he "went semi-ballistic" when he read weekend news reports suggesting there would be an investigation of NASA.

The space agency has been hit by the most severe criticism since the 1986 Challenger disaster because of the shuttle problems and mirror imperfections on the Hubble Space Telescope that make a precise focus impossible.

"These shots are highly complex," the president said in Washington. "We have been the leaders in space and I want to see us continue to be the leaders in space."

The Bush administration on Monday announced it would form an outside commit-

tee to look at long-term space goals.

Lenoir said NASA is not under any pressure from congressional critics "or anywhere else." The space agency needs congressional support to continue the \$32 billion space station, a planned Earth study called "Mission to Planet Earth," and the president's announced goal of a permanent manned base on the moon.

"We're all motivated I would say, more so than pressured, to find what's wrong, to fix it and go fly, and that's exactly what we have done," Lenoir said. "We're not hurrying to do it, but on the other hand we're not going to take a year off and study it to death, either."

NASA plans during the next few days to

begin trying to repair Atlantis' fuel line at the launch pad, Lenoir said.

Engineers believe the leak is somewhere around a flange on the external tank side of a 17-inch diameter valve. The valve is in a pipe that carries fuel from the tank to the main engines.

If the flange's seal is not cracked, workers will tighten the 48 bolts in that area, Lenoir said. A third tanking test will be conducted next week to see if that was enough to resolve the problem.

Atlantis' leak was discovered during the first tanking test June 29, which prompted NASA to ground the three-shuttle fleet. Columbia's leak was detected during fueling for a May 30 launch attempt.

"If it passes, then we have been lucky because in all honesty we do not expect what we can do on the pad to fix the problem," Lenoir said. "It costs us nothing to try and see, so we will."

Provided there are no leaks, NASA will attempt to launch Atlantis on a secret military flight around August 10 or 12, followed by Columbia's astronomy mission in mid-September.

Columbia's leaky plumbing was replaced with components taken from the new shuttle Endeavour, under construction in California. That leak was located around a valve on the orbiter side of the 17-inch-diameter valve, Lenoir said.

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ASTHMA STUDY											
Individuals (12 and older) who have asthma to participate in a research study. \$800 incentive for those who enroll and complete study.											
\$800	\$800	\$800	\$800	\$800	\$800	\$800	\$800	\$800	\$800	\$800	\$800
\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100
Insomnia											
Individuals (21-55 years old) who occasionally have trouble sleeping due to short term stress to participate in a 1 week insomnia research study. \$100 incentive for those chosen to participate.											
\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100
\$300	\$300	\$300	\$300	\$300	\$300	\$300	\$300	\$300	\$300	\$300	\$300
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