

## Lawyers ask Bowen to drop Napster program

BY STEPHEN METCALF

The Battalion

"Dr. Dre, Metallica; meet Dr. Bowen."  
"Dr. Bowen; meet Dr. Dre and Metallica."  
Such pleasantries were omitted when representatives of hard-rock group Metallica and hip-hop performer Dr. Dre contacted Texas A&M President Dr. Ray M. Bowen earlier in the month and called on the University's sense of reason, as well as "a moral, ethical and legal obligation" to stop "rampant copyright infringements" on the University's network.  
Howard E. King of King, Purtick, Holmes, Paterno & Berliner, LLP, the law

firm representing the two recording artists in a suit against the Internet site Napster, mailed a package to Bowen that included a copy of a preliminary injunction against Napster and a copy of Metallica's complaint to a U.S. District Court, in addition to a letter requesting that A&M ban University access. The 9th Circuit Court of Appeals has stayed enforcement of the injunction, pending an appeal to be heard this October.

The suit against Napster stems from what the Internet site refers to as "file sharing." Napster software, when installed on individual computers, allows users to access a di-

rectory of millions of MP3 files, many of which are copyrighted compositions and sound recordings. Napster enables the transfer of MP3 files between users without the consent of copyright owners.

Originally, three universities were named as defendants in the suit against Napster. The University of Southern California, Yale University and Indiana University were subsequently dropped from the suit after banning Napster on their networks.

King said he has sent letters to 25 other universities.

"In many cases, the universities are say-

ing, 'We are aware of and respect intellectual property laws, but we don't feel we have a legal obligation to restrict the usage of Napster on our network,'" King said.

King went on to say that there are two considerations for the University concerning Napster — the legal and ethical responsibilities of the University and the use of bandwidth on University networks. The latter consideration stems from the vast popularity of Napster among college students, who routinely clog university networks with downloads.

Dr. Thomas Putnam, director of Computing Information Services at A&M, said

that use of Napster at A&M has, at times, occupied more than 20 percent of network bandwidth.

King said he is challenging some of the assumptions universities are making.

"I think that universities are dead-on with knowledge that network users are using Napster and using it to steal copyrighted material, and I think it is grossly immoral to allow users to continue doing it," King said.

Bowen said the matter has been referred to A&M's legal council.

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## Rec Sports to celebrate 75-year run

BY STEPHEN METCALF

The Battalion

Far removed from koalas, kangaroos and the gaze of the world, Texas A&M is hosting its own sports celebration this Saturday as the Department of Recreational Sports marks its 75th anniversary.

Saturday's festivities will begin in front of the Student Recreation Center two hours before the A&M-Texas Tech football game. In celebration of Rec Sports' achievements, admission to the Rec Center will be free to everyone, and food and music will be provided.

From its humble beginnings in 1926 as an intramural program for members of the Corps of Cadets, Rec Sports has vaulted itself to the forefront of student life, boasting a \$9.2 million budget and roughly 40,000 members.

Much of the change has been attributed to the work of W.L. "Penny" Penberthy, whose 40-year stewardship of the program earned him the name "Father of Intramurals."

Under Penberthy's tenure, countless intramural football fields, tennis courts, softball fields and volleyball courts were built. Today, Penberthy Intramural Sports Center and Penberthy Driving Range stand in honor of his efforts.

The second half of Rec Sports' existence has seen rapid changes.

"A lot of the change was a mirror image of the change in the University itself," said Dennis Corrington, director of Rec Sports. "In the late '60s, we had about 90 teams for the major sports and then independent leagues and non-reg leagues started to appear. I came here in 1973, which was shortly after women were admitted to the University, so we began adding women's and co-rec sports."

As University enrollment has grown, so has intramural participation.

"We now have 400-500 teams for the major sports," Corrington said, adding that a large part of the increase in participation was the creation of different skill levels. "That really opened up intramural competition to a wide variety of skill levels. The intramurals actually became something that everyone could be involved in."

Eric Sutherland, a senior information and operations management major, said he agrees that intramurals play a large role in A&M student life. "It keeps students in



PATRIC SCHNEIDER/THE BATTALION

Each day, students take advantage of the facilities that the Student Recreation Center has to offer.

shape and involved in activities," Sutherland said. "It's also a great way to meet friends."

Rec Sports' most recent enhancement is the 286,000-square-foot Rec Center. Completed in 1995, the Rec Center increased participation in Rec Sports five-fold, Corrington said.

DeAun Woosley, fitness director for the Department of Recreational Sports, said that the Rec Center was visited 1,183,109 times in the past year alone.

The Department of Recreational Sports has offered intramural sports since 1929.

"We also have about 14,000 participants in intramural and 100 fitness programs that involve 5,000 participants," Woosley said. "Our sport clubs have 1,600 students in 28 sports."

Corrington said Rec Sports is in the process of working on its plan for the next five years. Changes being discussed include adding more intramural fields, adding onto the Rec Center and moving the driving range.

## Sigma Nu suspended

BY BRADY CREEL

The Battalion

Sigma Nu fraternity is expected to file an appeal today in response to a two-year suspension at Texas A&M due to allegations of hazing and alcohol abuse last year.

On Sept. 22, the University Greek Judicial Board found the fraternity in violation of A&M student rules at 12 fraternity events and ordered the A&M chapter of Sigma Nu on a two-year hiatus.

The Greek Judicial Board consists of university faculty, staff and students.

A document issued by Dr. Brent Paterson, dean of Student Life, said allegations by three students initiated an investigation in Spring 2000.

"The investigation confirmed the allegations in the complaints and resulted in new information concerning other incidents that might involve violations of [Texas A&M] Student Rules and Interfraternity Council policies," the document stated.

Sigma Nu is a member of the Interfraternity Council (IFC), a national conference of 18 fraternities.

The document itemized the following violations of A&M student rules, IFC policies and IFPG, Inc. Risk Management Policy:

- seven incidents of furnishing alcohol to minors
  - two incidents of permitting, tolerating or encouraging drinking games
  - six incidents of hazing
  - one incident of harassment and retaliation
- Paterson said the charges were issued Aug. 14 but a hearing was not held until Sept. 22 because the fraternity wanted its adviser present.

Under the guidelines of the suspension, Sigma Nu is prohibited from using University facilities and participating in IFC and A&M activities.

"A request for recolonization may be submitted to the Office of Greek Life no earlier than Spring 2002, with actual recolonization to take place no earlier than Spring 2003," the document mandated. "Sigma Nu fraternity must meet all conditions established by the Office of

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## Football season calls for parking, game etiquette

### Event parking designated for gameday crowds, ticketing and towing to be enforced

BY RICHARD BRAY

The Battalion

With an expected attendance of more than Kyle Field's regular capacity of 80,650, finding a parking spot will be a concern for fans.

To keep the streets clear for emergency vehicles during home football games, the city of College Station and the College Station Fire Department have designated special event parking, allowing drivers to park on designated roadsides. Roadsides not available for parking will be marked with signs indicating restrictions.

The game-day parking program, encompassing the area bordered by George Bush Drive, Park Place and Holleman Drive, Timber Street and Dexter Drive, and Wellborn Road, allows parking on one side of the street.

"The area for special event parking is [in] the older section of town," said Bart Humphreys, public information officer for the College Station Fire Department.

"The streets are narrower. We've had to call them a substandard width and, as vehicles park on both sides of the street, then emergency apparatus can't get down the street if we have a call during the times when the parking is the heaviest."

Humphreys said the special event parking has been implemented only for home football games and Aggie Bonfire.

Kelley Cole, public communications and marketing manager for the city of College Station, said the signs have been placed on the roads permanently, but only the College Station logo is visible during most of the week, because the sign can be folded to show either the logo or the "no parking" sign.

Humphreys said drivers who violate parking ordinances will receive a \$20 ticket, but the vehicle will also be towed, so the total cost can run about \$125, after storage cost is added.

Enforcement will begin four hours before each game begins.

**"The streets are narrower. We've had to call them a substandard width and ... then emergency apparatus can't get down the street if we have a call during the times when the parking is the heaviest."**

— Bart Humphreys  
College Station Fire Department  
public information officer

### Thompson and Wood advise students on Kyle Field behavior

BY BRADY CREEL

The Battalion

The question finally has been answered: Stand on the row in front.

Confusion has surrounded the tradition of the 12th Man as students debated whether standing "on the wood" meant their row or the row in front of them. Ricky Wood, head yell leader and a senior theater arts major, said students should catch the game from the row of seats in front of the row they sit on.

"You stand for the whole game in 12th Man tradition," Wood said. Penny King, senior associate athletic director for business operations, said although standing on the row in front of them is correct, she encourages students to stand on the concrete.

"Stomping and jumping up and down damages aluminum bleachers," she said, citing that the Athletic Department spends money replacing aluminum bleachers after each home game.

#### Midnight Yell Practice

Despite popular misconception, expletives and "vulgar passbacks" are not appropriate at Midnight Yell Practices or football games.

Rusty Thompson, adviser to the yell

leaders, said Aggies always have been able to intimidate opposing teams with noise, not hateful signs and throwing things at people.

Despite not having an Aggie Bonfire this year, Wood said, many residence halls are continuing to do "grode" yells and are "aggressive in their nature."

For example, Walton Hall has its own take on one yell in particular. During the military yell, a group of Walton residents precedes "load, ready, aim, fire, boom!" with "Walton!" — a reference to the hall's former duties during Bonfire cut.

"Some of the dorms have been doing their own thing," said Wood, a resident of Hart Hall. "I don't think Kyle Field or Midnight Yell Practice is a place for that. I think there are other avenues for creating dorm unity."

Wood said it is unlikely that residents would be more unified if they "go out and cuss a lot and offend a bunch of people at Yell Practice."

"You have to look at what positives are coming out of it," Wood said. "If the negatives outweigh the positives, then why do it?"

Inappropriate student behavior hinders

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### FOOTBALL GAME REMINDERS

#### Don't Go There

During Midnight Yell, the first 16 rows of section 141 are reserved for the band. If you sit there, you will have to move when they march in.

#### ID, Please

Students will not be admitted to the football game without a current Texas A&M student identification card. Have your ID and ticket ready for speedier entrance into the stadium.

#### No Alcohol, No Way

Alcohol is prohibited at Kyle Field. Those with alcohol will be removed from the stadium by University police, and their alcohol will be confiscated.

#### Leave it at Home

Umbrellas, strollers, food, pets and coolers are not allowed in the stadium. Spectators may bring a one-quart thermos of water. Aggie Ducks are accepted at all Kyle Field concession stands.

#### Earlier is Better

Get to the game early. The gates open two hours before kickoff.

#### Uncover

Take off your hat during yells and songs.

#### Off the Wood

Remember to step back off the aluminum seats during the "Aggie War Hymn" and "Spirit of Aggieland."

#### Wave that Rag

Bring your 12th Man towels and wave them during offensive and defensive plays.

#### Stand Up, Sit Down

Aggies should stand for their band, but can sit down when the other band marches.

BRANDON HENDERSON/THE BATTALION