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UD

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Alive and Kickin'

The Texas Tech Gunfighter Kickline begins a new tradition at the university. Hopeful kickers tried out for the spirit organization.

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SOUTHWEST COLLECTION
Texas Tech University
LUBBOCK, TEXAS 79409

Leading students

The Student Organization Services Office recognized outstanding Texas Tech students at the Leadership Tech Awards.

see page 3



70 High
40 Low

City may not support street closure

by Ginger Pope/UD

In an application for federal funding, Texas Tech officials reported they had support from the city of Lubbock to reroute Indiana Avenue, but City Councilman Victor Hernandez said Wednesday this may not be true.

Hernandez said Tech officials approached City Council members individually, but there has not been a joint opinion to support the provision for rerouting Indiana Avenue in Tech's Master Plan.

The plan suggests rerouting Indiana Avenue past Memphis and Quaker avenues to Loop 289. All Master Plan proposals will be pre-

sented to Tech's Board of Regents in October or November.

Hernandez has been in contact with U.S. Rep. Larry Combest, R-Lubbock, about the rerouting, which Hernandez claims should be considered a closure of the street.

Tech officials did receive some positive feedback from the city's technical staff about the feasibility of the Indiana Avenue project, but that feedback does not represent actual city opinion or approval, Hernandez said.

Tech Deputy Chancellor James Crowson said at the time the application was filed with the Inter Modal Surface Transportation Effi-

ciency Act Program, Tech officials had not received anything but favorable comments from city officials about the Master Plan.

Crowson said changes to the street should be considered rerouting and not a street closure, even if the street's name is changed.

Rerouting the street would benefit Lubbock and will be safer because students will not be forced to walk across as many lanes of traffic, he said.

Tech owns Indiana Avenue from 19th Street to Fourth Street; but when a road is used for public purposes, there is an implied dedication, meaning it would seem Tech would dedi-

cate the use of the street to the city, Hernandez said.

A similar case in Denton ruled that the University of North Texas cannot close a street to the city, Hernandez said.

"My assessment is currently against Tech's proposal," he said.

"I'm not banking on any cooperation from other council members, but I would like for them to address the situation publicly, and I'm slowly but surely heading towards a referendum."

Keith Williams, a Combest spokesman, said his office has received a letter from Hernandez

explaining his point of view about whether Tech has the city's approval, and Combest has filed it with the House Committee on Transportation. Combest also received Tech's previous project request and already filed it with the transportation committee, Williams said.

"As a representative from that area he (Combest) has to pass along any information and points of view he receives," Williams said.

Crowson said Tech filed its request for funding at the beginning of February, but it must wait six years before it knows whether it will receive funding from ISTEPA for rerouting Indiana Avenue.

Sublime equine

Possible candidate for mascot raised at Tech farm

by Sebastian Kitchen/UD

The future mascot of Texas Tech just may have celebrated its first birthday at the Tech Horse Center near New Deal.

Double T Raider Rock now is being raised with the potential of one day being the mount of the Masked Rider.

"He is a good prospect because of his breeding, his color and his being born at Texas Tech," said Heidi Brady, an assistant professor in Tech's department of animal science and food technology.

Brady works at the farm and teaches classes there, including breaking and training.

The colt was born black, which is more uncommon than other color variations, Brady said. Color is something that makes the colt unusual, another is that the colt was born at Tech.

The horse farm raises

horses that are prospects as ranch and performance horses.

"The horse farm has been around a while, but in the past year we have refocused and expanded to have a ranch horse program," she said. "This is a unique program as far as universities."

The farm works with area ranches, including the 6666 Ranch, the R.B. Ranch and the Pitchfork Ranch.

The parents of the colt are a stallion and a mare from the R.B. Ranch.

"This is classic ranch-line breeding," Brady said. "The colt is from very good stock."

Double T Raider Rock will be raised and trained at the farm. Brady said they are looking at possibly taking the horse on a few trips as he grows older.

"We know he's a quality horse," she said. "We're going to have discussions with the Masked Rider committee to see if that may work."

The committee makes decisions about the horse and

the Masked Rider. New Masked Rider Becky McDougal, a junior agricultural economics major from Comanche, recently was handed the reins. She grew up riding horses and now rides the current mascot, High Red Bug.

"This has a long and neat tradition," McDougal said. "Not many other mascots have been around that long."

The tradition of the Masked Rider began many years ago. The first event the horse and rider attended was the Gator Bowl in 1954. The Red Raiders were an underdog but beat Auburn 35-13, according to the history of the Masked Rider kept in the University Center Activities Office.

Cheryl Shubert, coordinator of student activities, works with the Masked Rider through the Student Activities Office and has seen many horses and riders come and go.

"When I worked with the program I learned to get a black horse does not happen every day," Shubert said.



▲ Future ride?: The 1997-98 Masked Rider, Becky McDougal, mounts a prospective mascot.

► Spirited colt: Many people see this colt, Double T Raider Rock, as the future mascot.

photos by Wes Underwood/UD

Air Force recovers part of jet

EAGLE, Colo. (AP) — Two pieces of wreckage found on a snowy Rocky Mountain peak are from the Air Force warplane that vanished on a training mission over Arizona three weeks ago, the military confirmed Wednesday. The search for the plane's missing pilot continued.

"I can tell you now that through the efforts of maintenance personnel at Davis-Monthan Air Force Base ... we have made positive identification that these are pieces of the A-10 (Thunderbolt) aircraft," Air Force Maj. Gen. Nels Running told reporters Wednesday night.

But he said there was no sign of the plane's pilot, Capt. Craig Button, a former flight instructor at Laughlin Air Force Base in Del Rio.

"I don't know if Captain Button was with the aircraft or was not with the aircraft so I cannot talk about remains," Running said. "The search continues."

Col. Denver Pletcher said two Army National Guard helicopters made trips up to the mountain's 11,500-foot level Wednesday and dropped off four members of a search team.

"They plan to spend the night out there," Pletcher continued. "Their mission is to go up and see if they can find any remains."

Foster stirs abortion controversy on campus

by Ginger Pope/UD

Wednesday's arrival of Dr. Henry Foster, teen pregnancy adviser to President Clinton, brought local residents to the Texas Tech campus in protest of Foster and his message.

Foster, a gynecologist in the nation's capital, was nominated by Clinton for U.S. Surgeon General in 1995. At the time of his nomination, Foster was surrounded by controversy because of abortions he has performed. Foster never has been officially appointed as Surgeon General, but he acts in many of the Surgeon General's functions.

Several Lubbock residents stood outside of the University Center between 7 p.m. and about 8 p.m. Wednesday holding large pictures of aborted fetuses.

Foster's speech, which was sponsored by Lubbock's Planned Parenthood, began at 8 p.m. in the UC Ballroom Wednesday.

Lubbock resident Judy Kreller said she was protesting Foster's appearance because she believes what he was speaking about contradicts his actions.

"Abortion is the worst crime in America," Kreller said. "He's being hypocritical, and what he has to say is contradictory because he has performed abortions, but yet he talks about children being at risk. He's in denial."

Kreller said in the past she was quiet about her opposition to abortion, but now she has dedicated her life to the cause.

Some Tech students said the

posters and the activists were offensive.

Andrew Brown, a freshman occupational therapist major from De Leon, said the protesters' posters were too graphic.

"I understand their views, and I see both sides of the story, but they shouldn't have these type of posters even if it does depict abortion," Brown said.

Despite opposition from local right-to-lifers, Foster's speech did not address abortion issues.

Foster's speech was titled "America's Children at Risk."

Foster said his appearances are not protested often, but he believes it is the right of Americans to speak their mind.

"I don't usually get into the abortion debate when I speak,"



Sensitive subject: David Pintabo, a freshman pre-medicine major from El Paso, listens to anti-abortion activist Judy Kreller at a protest outside the University Center Wednesday night.

said Foster, who currently works at the Association of Academic Health Centers in Washington, D.C.

Lorrie Bellair, director of community development for

Planned Parenthood, said she expected some type of protest Wednesday. Before coming to Lubbock, Foster spoke in Amarillo, where several activists protested his appearance.

High court to judge validity of federal line-item veto law

WASHINGTON (AP) — The unprecedented veto power Congress gave the president to kill line-item details in spending laws is on a rarely used fast track for Supreme Court scrutiny.

The court said Wednesday it will decide by July whether a federal judge was right when he struck down the 1996 law, ruling it impermissibly shifted too

much power from Congress to the chief executive.

The disputed law — the only major provision of the 1994 Republican "Contract With America" endorsed by President Clinton — authorized the president to cut specific items without rejecting an entire spending bill. Under the law, the president could sign a spending bill and

within five days reject specific items in it.

"The line-item veto provides a critical tool for the president to strike wasteful spending and tax items from legislation," Clinton said in a statement distributed by the White House after the court's action.

"Congress took the correct step giving the president this

authority. It is my hope that this expedited ruling will clear up any confusion on the matter," he said.

Nearly every U.S. president over the past century had sought line-item veto power. On the state level, 44 governors have such authority.

Supreme Court arguments in the case will be held May 27,

more than a month after the justices conclude their regularly scheduled argument calendar.

The federal law took effect in January but had not yet been invalidated by Clinton when it was invalidated April 10.

U.S. District Judge Thomas Penfield Jackson said on that date that the law "fundamentally altered" the work of Congress.

Streaker suspect caught by UPD

by Ginger Pope/UD

Texas Tech University police detained a male suspected of indecent exposure at the biology building Wednesday.

UPD Sergeant Dan Hale said officers tried to detain the man at the biology auditorium at 3:30 p.m. after he exposed himself, but the attempt resulted in a chase.

The male was found in a storage closet in the Stangel/Murdough Residence Hall kitchen wearing only a pull-over shirt and socks, Hale said. Authorities believe the suspect may be the same individual who has been exposing himself in similar incidents for more than a year in the biology building.

Because the incidents had been going on for some time, the UPD set up security measures to survey the biology building and surrounding area, Hale said.

Llewellyn Densmore, associate professor of biological sciences, said he expressed concern about the repeated

Streaker specifics

- found wearing a pull-over shirt and socks
- incidents have occurred for more than a year

indecent exposure incidents.

"I'm on a safety committee and have been aware of the incidents for a long time now. I have been trying to keep an eye out," he said.

The incidents began occurring once every six months, then began happening once every three months and occurred twice within the last two weeks, he said.

The suspect was detained for questioning Wednesday at the UPD Office and will be charged with indecent exposure, a class B misdemeanor. A Class B misdemeanor may result in 180 days in jail and/or a fine of up to \$1,000.

Their View

Voucher system needs additional district scrutiny



James Walker/columnist

The school voucher system, currently under consideration by the Texas Senate, would mean nothing less than the end of two of the pillars that support our democratic system: the public education system and the separation of church and state.

Each student who opts to accept a voucher to attend a private school would be withdrawing money from the

public education system. If it is true that public education is substandard, it is because poor school districts can't afford to buy the best supplies or hire the best teachers. Withdrawing money from the program is surely not the solution to this problem.

As more students take vouchers, the quality of public education will continue to diminish, until there is nothing left.

I may be a cynic, but I believe in the public education system. I believe most students receive an excellent public education. Most parents who support the voucher program have complaints about the content of public education, not the quality. Most supporters are not poor families dismayed by illiteracy rates or student to teacher ratios, but religious conservatives scared to death that their children might learn about contraception.

Which brings me to my second point, that of state money funneled to religious organizations for educational purposes.

The policy of separation of church and state, rooted in the establishment clause of the First Amendment, exists for a very good reason, to protect citizens' freedom of religion.

If the state gives money to a school which was established for the purpose of indoctrinating students in a particular religion, the state is basically saying that it supports that school and its mission, and therefore that it supports that particular religion.

In addition, take the example of a small town which is primarily Protestant. There may not be enough students in the town who are Catholic or Jewish or anything else to support a school in the area for those denominations. This would require any student who supported those denominations to attend the secular public school which would most likely be inferior to the other area schools due to the drain on funding for vouchers.

This would mean Jews, Catholics and others in this example would be denied an equal education because of their religion, and the state would be violating that part of the Constitution which demands "equal protection under the law." Not to mention the Supreme Court decision in *Brown vs. Board of Education* which proclaims "separate is inherently unequal."

As an alternative in the example above, the members of the minority denominations could send their children to a religious school of their choice in another area. This would amount to boarding school for the child from elementary school on. I'm no child psychologist, but that can't be good for a kid.

The far better alternative, I believe, is for parents to take some time and teach their children the things they think they should know about the spiritual side of life. As long as the schools stay secular, they will be free to do so.

James Walker is a junior journalism major from The Woodlands.



Readers Ask

Readers Ask is a column printed in *The University Daily* every other week to answer students' questions about health and personal safety issues. Drop boxes are set up in the University Center, West Hall and the Student Recreation Center. Not all questions are answered, but most topics are addressed. All questions are answered by Jo Henderson, Student Health education coordinator.

Question: What advice do you have for stress with my finals coming up?

Answer: A couple of relaxation techniques I found in the University of California-Berkeley *Wellness Letter* may be helpful. The first one is "scanning." You inhale slowly and start at the top of your head, slowing working down your body and thinking about each muscle group and searching out tense muscles. As you slowly

exhale you relax each part of your body to help relieve the tenseness. A second suggestion is "imagery." Stop working, close your eyes and picture a beautiful scene (like a moonlit evening on a beach). Spend a few moments enjoying and examining each detail of your picture. See, hear, smell and taste all of the pleasant things.

Question: Is it true that condoms have a high failure rate for both HIV and pregnancy?

Answer: I called the Center for Disease Control in Atlanta for an answer to your question. The CDC's *Myths about Condoms* states the following: "Several studies clearly show that condom breakage rates in this country are less than 2 percent. Most of the breakage is likely due to incorrect usage rather than poor condom quality. Latex condoms are highly

effective for pregnancy prevention, but only when they are used properly. Laboratory studies show that intact latex condoms provide a continuous barrier to microorganisms, including HIV, as well as sperm."

Question: Should I throw away the cotton that comes in medicine bottles?

Answer: If you put it in and take it out every time you take a pill, you allow dust and other contaminants to get on the cotton. It also attracts moisture which can cause your pills to deteriorate. It was placed in the bottle originally to protect the pills during shipping.

Question: I seem to get urinary tract infections a lot. My roommate says it's because I'm having sex. Is that true?

Answer: Some preliminary studies have indicated that the more sexu-

ally active a woman is, the more she is inclined to have urinary tract infections. *The New England Journal of Medicine* published an article that studied 796 sexually active women recruited from a university student health center and from an HMO. Findings indicated that the risk of UTIs in women who had sexual intercourse was nine times greater than in women who had not. University women reported a median of 6.4 episodes of intercourse per month compared with the HMO group which reported five. These findings suggested that two-thirds of acute UTIs were attributable to sexual intercourse. Treating a UTI can cost about \$40 to \$80 per episode, and usually the student lost one day of school and/or work. Other studies showed that the rate of UTIs fell drastically during midterms and finals and then increased to higher-than-usual rates right after finals.

State View

The Dallas Morning News on school finance inaction:

Every day the Texas Legislature delays action on school finance is another day that lobbyists can dig their hooks deeper into this bold proposal for overtaxed homeowners.

The House Select Committee on Revenue and Public Education Funding has drafted one of the most important pieces of legislation for Texas schools in this century.

Not since the Gilmer-Aikin laws passed in the 1940s has a legislative panel proposed such a major state commitment to public education. If this bill is approved by the Legislature, the state government would pick up 80 percent of the financing for public schools.

And homeowners would see their school property tax bills slashed in half. School tax rates for businesses also would be cut by more than a third.

But the re-ordering of state taxes to share the load more fairly has thrown special interests into a tailspin. Their lobbyists are corraling legislators, warning them that large compa-

nies will pull out of Texas if this bill is passed.

There have even been threats that voting for the measure will end the political careers of some state lawmakers.

In that white-heat environment, House members must focus on what is in the best interest of the schoolchildren. Legislators must provide a stable foundation for public education.

They must provide relief for homeowners.

The eyes of Texas are upon House members this week. And they cannot get away.

We offer the following reasons why the Legislature should approve this plan:

The financial woes of public schools will be much harder to solve later. Texas' school population is increasing by 150,000 students every two years. It will cost the state billions more if it waits until 1999 to address this crisis.

Scores of school districts are approaching the maximum tax rate they can charge property owners. If the

state fails to provide financial help, many districts will have no construction funds to relieve overcrowded schools.

The California tax revolt that prompted passage of Proposition 13 has decimated schools on the West Coast. A public education system that was once considered among the best in the nation is now one of the worst. Texas could face the same type of taxpayer backlash.

Property taxes continue to be among the most regressive ways to fund schools. With the value of oil and gas holdings actually declining, homeowners are paying twice as much to fund education today as they did in 1985.

Many companies have managed to avoid paying any school taxes because of loopholes in the Texas laws. This bill will close those openings and spread out the tax burden for public education.

This bill will clearly define education as the state's No. 1 priority. With so many companies eyeing Texas as a relocation site, the Legislature needs

to make this commitment to building a skilled labor force.

The need for school property tax relief is supported by the state's top leaders. Gov. George W. Bush, Lt. Gov. Bob Bullock and House Speaker Pete Laney all are on board. It's time for the Legislature to join in.

The bill drafted by state Rep. Paul Sadler's committee is not perfect. But the goals of this measure are right on target: Guaranteed funding for our public schools.

Tax benefits for long-suffering property owners. And a bigger tent so more individuals and businesses can help carry the financial load.

Few believed Gov. Bush could pull it off when he began discussing the need for a new school finance plan last summer. But his vision was correct: Storm clouds are looming for public education if we do not act soon.

Now it is up to the House of Representatives to keep the momentum going. This isn't the time to duck and run - or shoot from ambush. This is the time for action.

So just do it

Fort Worth Star-Telegram on basis for professorial tenure:

Challenges to the "publish-or-perish" requirement for tenure of professors in higher education is long overdue, and a recent nationwide study sponsored by the Sid W. Richardson Foundation has advanced a much-needed re-emphasis on the art of teaching.

The study was part of the foundation's mission to improve public education by strengthening programs that train teachers for careers in elementary and secondary classrooms.

In the last several decades, academia has increasingly based the granting of tenure on a rigorous emphasis on research, whether or not the research advanced the body of knowledge.

This demand in turn has forced aspiring professors to concentrate their energies on increasingly arcane — and arguably redundant — research projects that are published in equally arcane journals.

Men and women whose ambition

is to become great teachers find themselves trapped in the "publish-or-perish" cycle.

Most colleges and universities employ many experienced faculty members who seldom darken a classroom door because existing academic incentives — tenure, merit pay and promotion — reward cloistering themselves with research while leaving students to be taught by graduate students.

The 12-member task force that conducted the study for the Richardson Foundation is to be commended for recommending establishment of separate tenure tracks for professors who want to concentrate on teaching alone; on teaching and research; and on teaching, research and service. Faculty members could select one of those tracks and be judged accordingly.

The Richardson-sponsored report is a breath of hopeful fresh air for American education.

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Outstanding students, organizations, advisers honored

Miller girls, University Center Programs, Habitat for Humanity awarded top recognition at reception

by Tomi Rodgers/UD

Texas Tech students, faculty and staff gathered Wednesday to honor student organization leaders and advisers for a year of hard work and commitment.

Sponsored by Tech's Student Organization Services Office, the 1996-97 Leadership Tech Recognition Awards recognized Tech's most improved organization, adviser of the year, student leader of the year and outstanding student organization of the year.

"We wanted to thank and recognize the work and efforts of student leaders, their advisers and organizations," said Leann DiAndreth-Elkins, assistant director of the University Center Student Activities Office.

"People put a lot of time and efforts to offer these opportunities for students."

Tech's Miller Girls were awarded outstanding student organization of

the year, with University Center Programs and Habitat for Humanity following as top nominees.

Sarah Stinnett, president of the Miller Girls and a senior math major from Keller, credited the organization's civics chairs and members for helping to make the year so successful.

The organization completed more than 5,000 hours of community service with organizations such as the American Heart Association, the Multiple Sclerosis Walk and the Ronald McDonald House.

"We've done more hours of community service than we've ever completed (in years past)," Stinnett said. "This year the girls went over and above their call of duty."

The student leader of the year award went to Laura Locke Behrends, a member the Meat Science Association. Students Jason Kralj with the German Club and Oscar Hernandez

with Sigma Delta Pi were other top nominees.

Tech's German Club was awarded the most improved organization. Student members of the American Society of Landscape Architects and Tau Beta Pi also were top nominees for the award.

Debbie Laverie, adviser of the Tech Marketing Association, was named adviser of the year.

Other top nominees for adviser of the year included Laura Beard, adviser of Sigma Delta Pi, and Marlene

Hernandez, adviser of Kappa Delta Chi.

The importance of student involvement in organizations outside of the classroom was emphasized by students, faculty and staff at the awards reception at 7 p.m. Wednesday in the UC Matador Room.

UC Director Tom Shubert said that although academics and a

student's major are important, many student realize that outside activities are just as important.

"We think it's important that stu-

dents make constrictive use of their free time," Shubert said.

"That extra component a student makes is an extra dimension when we hire people and more companies are doing this as well."

Two awards also were given out from Tech's department of recreational sports for adviser of the year, which went to Jerry Jurica, and sport club of the year was a tie between the Aikido Club and the in-line hockey team.

Ben Hamilton, UC student assistant and a senior marketing major from Bowie, encouraged student leaders to nominate their organizations in the future, adding that only 30 of more than 315 registered student organizations nominated members of their organization.

"Nominating reflects back on the organization," Hamilton said.

"Think about what we've done over the course of the year, and if

you're proud, then nominate your organization, adviser or member for the year."

Each of Tech's 315 registered student organizations contributes to the Lubbock community, Hamilton said, emphasizing the importance of becoming involved in activities outside of the classroom.

"There's a lot more to school than just books," Hamilton said.

"I've learned a lot more in the UC than I've ever learned in the College of Business (Administration)."

Active campus and community involvement allows students more knowledge on which to base criticism and critique of what goes on around them, Hamilton said.

"If you sit back and do nothing for four or five years, you have no right to criticize the administration," Hamilton said.

"Student involvement provides a venue to help facilitate change."

"We've done more hours of community hours service than we've ever completed (in the past)."

Sarah Stinnett, president of Miller Girls

State lawmaker criticizes INS border control

WASHINGTON (AP) — A Texas Republican questioned the Clinton administration's commitment to border control Wednesday, saying improved enforcement in California has merely increased the number of illegal aliens flowing into other states.

Rep. Lamar Smith also complained about the president's budget plans, which propose setting aside enough money to hire only half of the 1,000 border patrol agents Congress authorized last year.

The Immigration and Naturalization Service's "well-publicized border initiatives have achieved more cosmetic than real effect," Smith said at a House Judiciary immigration subcommittee hearing. "The problem has not declined, but merely shifted."

Smith said increased patrols near San Diego cut the number of alien apprehensions there from 144,142 between October 1994 and February 1995 to 127,913 for the same five-

month period that ended last February.

But the number of arrests in the INS's McAllen and El Paso districts swelled from 86,585 to 159,192, he said.

"In parts of Texas, apprehensions have doubled in just two years. Apprehensions in Texas now exceed apprehensions in California," Smith said. "Sadly, ongoing revelations about serious management problems at the INS and the administration's budget plan bring into question whether they take Americans' concerns seriously."

The subcommittee's highly ranking Democrat, Rep. Melvin Watts, D-N.C., said Republicans in Congress — who have long accused the INS of incompetence — probably would complain no matter what immigration policy a Democratic administration followed.

"Part of the concern that I have is

that we are beginning to micro-manage the Immigration and Naturalization Service to a point where ... we are becoming counterproductive," Watts said.

Immigration officials said they're doing the best job they can with the money they have.

No one should be surprised that tighter enforcement in Southern California would drive determined aliens to find other places to cross the border, INS spokesman Russ Bergeron said after the hearing.

The INS currently is seeking additional funding for only 500 additional agents for next year because the agency wants to avoid being flooded with inexperienced agents, said Alan Bersin, the attorney general's special representative for Southwest border issues.

Smith also said problems with illegal immigration are aggravating the nation's problems with illegal drugs,

and he accused the Clinton administration of spending too little on drug interdiction.

"Trafficking of cocaine and marijuana across the border have increased dramatically as have apprehensions of illegal aliens," Smith said.

"This evidence now prove the connections between drug smuggling, alien smuggling and illegal immigration."

Donnie Marshall, chief of operations for the Drug Enforcement Administration, said there is little evidence that Mexican drug-trafficking groups use aliens or alien smugglers to transport drugs.

But immigration officials have caught aliens carrying small amounts of drugs into the United States to pay alien smugglers, he said.

"In 1995, DEA arrested 24,402 individuals. Of this number, 1,795 of them claimed to be illegal at the time of arrest," Marshall said.

Former Green Beret seeks new trial for family slayings

RALEIGH, N.C. (AP) — Jeffrey MacDonald's lawyers asked a judge Tuesday to reopen his murder case, saying a report critical of FBI scientists could help clear the former Green Beret doctor in the 1970 slaying of his family.

In a 1,500-page appeal filed in U.S. District Court, MacDonald's lawyers argued that FBI forensic expert Michael Malone gave misleading information about fiber evidence in the case. And they cited a Justice Department report that criticized Malone for doing the same thing in another case.

MacDonald, now 56, is at a federal prison in Sheridan, Ore., for the Feb. 17, 1970, slayings of his pregnant wife, Colette, and daughters Kimberly and Kristen at their Fort Bragg home. He was convicted after a 1979 trial, chronicled in a TV miniseries "Fatal Vision."

In seeking a new trial seven years ago in 1990, MacDonald's attorneys argued that hair fibers found in a hairbrush at the murder scene came from a blond wig worn by one of the drug-crazed intruders MacDonald claims killed his family.

But Malone, then a top FBI hair-and-fiber expert, submitted written testimony saying that kind of hair fiber — a saran fiber — was not used in making wigs, but might have come from dolls owned by the MacDonald daughters. The appeal was denied.

MacDonald's defense team has since obtained all the information the FBI possessed on uses of saran fiber, including a crime lab book that said the fibers were used to make wigs.

"Thankfully, we may now be in possession of all the information which the courts need to begin, fi-

nally, to rectify a terrible injustice," said MacDonald attorney Wade Smith.

Jim Blackburn, the U.S. attorney who led the prosecution, said MacDonald was taking advantage of recent revelations of problems at the FBI lab.

"There's just overwhelming evidence linking him to these crimes," Blackburn said.

MacDonald's appeals filed in 1984 and 1990 were rejected up to the U.S. Supreme Court. No date was scheduled for a hearing.

Tech officials name director for environmental institute

Texas Tech officials named Ronald J. Kendall as director of Tech's Institute for Environmental Sciences. Kendall will assume the position in early May.

Kendall currently serves as a professor and founding director of the Institute of Wildlife and Environmental Toxicology at Clemson University.

"Dr. Kendall's expertise will provide the health sciences center with an opportunity to participate in the investigation of an extremely important health issue that has not been receiving the level of

attention it deserves — the health consequences of the interaction of humans and their environment," said David Smith, president of the Texas Tech University Health Sciences Center.

While at Tech, Kendall will work toward expanding the institutes sponsored research to include environmental and human health issues. His work will include cooperation from the Tech School of Law and TTUHSC.

While at Clemson, Kendall researched the affects of environmental contaminants on wildlife.

Trainees receive special favors

ABERDEEN PROVING GROUND, Md. (AP) — An Army trainee who accused a former drill instructor of rape claimed she received special treatment in return for the sex, a witness testified Tuesday.

The testimony at the court-martial of Staff Sgt. Delmar Simpson was aimed at discrediting a key prosecution witness who contends Simpson raped her nine times in 1995, when she was in his advanced infantry training company at the Aberdeen Proving Ground.

Pfc. Dana Jackson testified that the 23-year-old alleged victim confided to her that "her life was a little easier" as a result of having sex with Simpson. The accuser sounded angry at Simpson "but she didn't say rape," Jackson said.

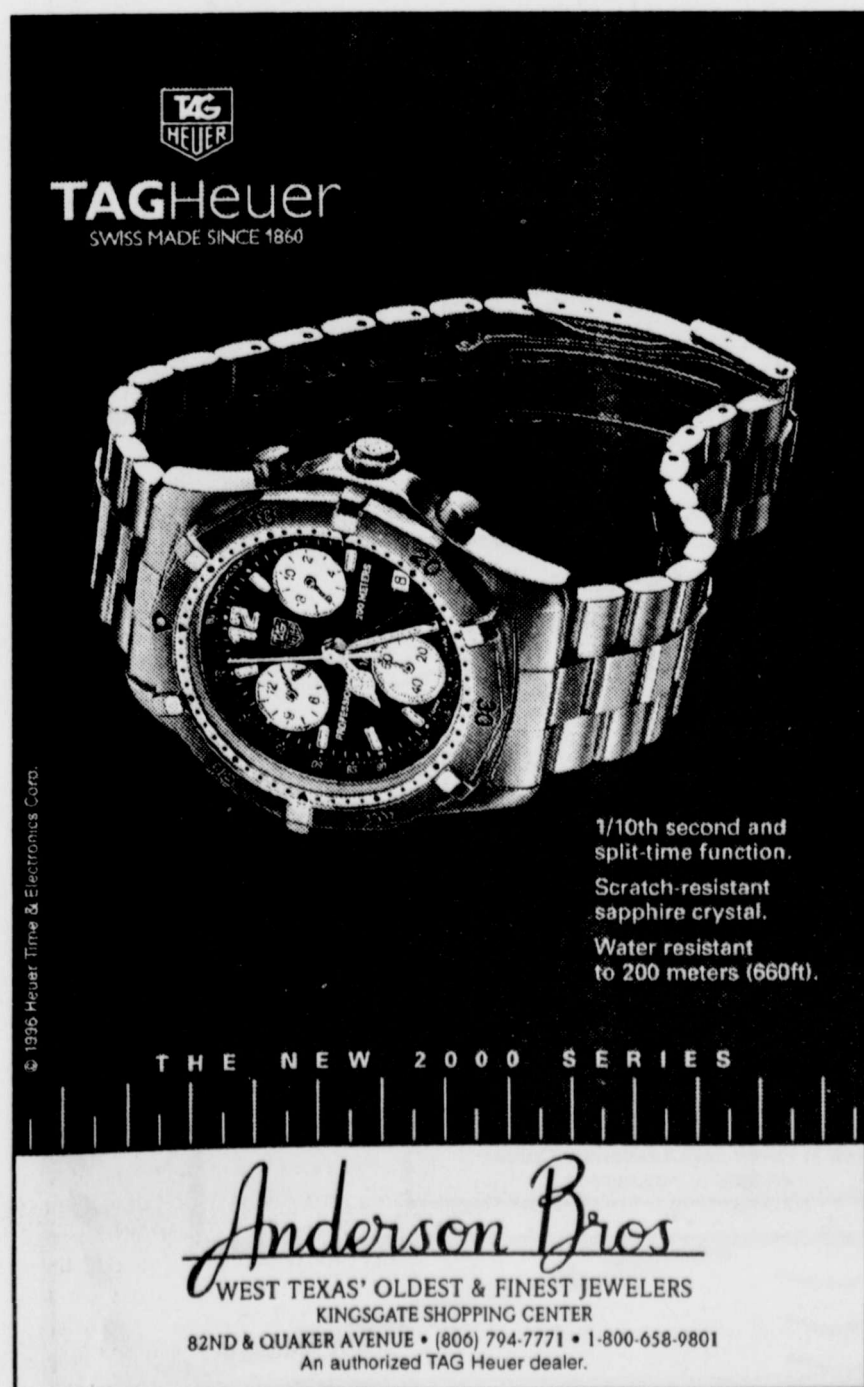
"I thought it was consensual."

The alleged victim testified last week Simpson was "a devil" who made her feel like a puppet on a string.

The defense rested after calling Capt. Scott Alexander, the commander of Simpson's company at Aberdeen from August 1994 to May 1996. He said he was unaware of any complaints of sexual harassment or misconduct against Simpson.

"It's beyond me why there was no inkling whatsoever to me of any misconduct, why I didn't know what was going on. It's very disturbing to me that such events have occurred," Alexander said.

Another defense witness, Spec. Hannah Pitt, said the same alleged victim told her she had a sexual relationship with Simpson, who swore her to secrecy even though trainees were supposed to report harassment.



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Man convicted with DNA from cat hair

NEW YORK (AP) — Here's an odd tale from the annals of DNA evidence in the courtroom: A Canadian man was convicted of murder after hairs in a blood-stained jacket were genetically matched to his parents' cat.

The man lived with his parents and Snowball, a white American shorthair.

The case, reported in Thursday's issue of the journal *Nature*, is one of the few times that nonhuman DNA has been used this way in a murder trial.

The murdered woman was 32 when she disappeared from her home on Prince Edward Island in 1994. Her body was found in a shallow grave a few months later, and police suspected her former common-law husband.

By then, the brown leather jacket had been discovered, stuffed in a plastic bag and left in the woods. Tests showed the bloodstains belonged to the woman.

The cat hairs were found in the lining. Police recalled seeing

Snowball at the man's home during their investigation.

They sent a blood sample from Snowball and hair from the jacket to Stephen J. O'Brien of the National Cancer Institute in Frederick, Md. O'Brien has studied cat genetics for 20 years.

O'Brien and colleagues report in *Nature* that Snowball's DNA matched genetic material from the root of one of the hairs.

To help O'Brien compute the likelihood that such a match would occur by chance, the Royal Canadian Mounted Police had a local veterinarian draw blood randomly from 19 cats. O'Brien studied DNA in those samples, plus data from a prior survey of nine cats from the United States.

The likelihood that the jacket hair DNA would match Snowball's DNA by chance was computed at about 1 in 45 million.

The suspect was convicted of second-degree murder last July, and the DNA evidence was "a major contributing factor," said Cpl. Phonse MacNeil.

Foster focuses on children in poverty

by Hollye Hodges/UD

Of the 32 million Americans living below the poverty rate, six million are children under the age of 5.

To combat these numbers and educate the public about this growing problem, Dr. Henry Foster, obstetrician and gynecologist, discussed "America's Children at Risk," sponsored by Lubbock Planned Parenthood Wednesday in the University Center Ballroom.

Foster was nominated by President Clinton to be the U.S. Surgeon General in 1995 and was rejected. He now leads a program designed to educate teen-agers about preventive care and self-responsibility.

"We have the highest child poverty level in the world," Foster said. "And the problems associated with this span the entire length of child-



Foster

hood all the way to adulthood — this will affect our society for millennia until we remedy the problem."

Foster addressed the health problems that poverty stricken children face.

"These children often have to endure low birth rate, high HIV incidence, learning disabilities and child abuse," he said.

"They have so much more to overcome than children in average income families."

Foster praised some improvements in children's health care systems that could bring a brighter future for disadvantaged youth.

"Several federal programs have

been introduced to improve child health," Foster said. "For example, federal nutrition programs set guidelines that ensure proper nutrition to children."

Lorrie Bellair, Lubbock Planned Parenthood director of community development, said she hopes Foster's program will unite community support for reforming child programs.

"We want the community to work together," Bellair said. "There is no one answer to solve these problems, so we must unite to make progress."

Some students attended the program to explore the controversy surrounding Foster.

"I wanted to listen to a national figure speak on such a relevant topic," said Lawrence Bell, a junior history major from Wolforth. "I wanted to learn more about Dr. Foster and find

out what the controversy is all about."

Many Lubbock community members brought this controversy to the UC when they came not in support of Foster's reform of child programs, but in protest of his abortion stance.

"Children are at risk if they are around Planned Parenthood or Dr. Henry Foster," said Dorthey Boyett, Lubbock resident and member of Operation Rescue, an anti-abortion group. "Planned Parenthood offers nothing but abortion for crisis pregnancy."

Bellair refuted this comment. "The Planned Parenthood in Lubbock, Texas, has never promoted abortion as the only option," Bellair said.

"First, we council for other options like adoption, but we do leave the choice up to the woman."

Dole backs weapons band, Senate debating treaty

WASHINGTON (AP) — On the eve of a Senate showdown, President Clinton won surprise support from former rival Bob Dole Wednesday for a worldwide treaty to ban chemical weapons. Clinton also courted backing from Majority Leader Trent Lott.

Dole, a former Senate majority leader who helped sidetrack the treaty

during last year's presidential campaign, cited recent concessions agreed to by the White House and suggested that additional agreements might still be in the cards.

"Is it perfect? No," Dole said at a White House ceremony attended by Clinton.

"There are now adequate safe-

guards to protect American interests."

White House officials expressed optimism Dole's decision would give momentum to the drive for ratification, but spokesman Mike McCurry said supporters cannot yet count the two-thirds majority necessary.

The treaty, already ratified by 74 nations, would ban the use, develop-

ment, production or stockpiling of all chemical warfare agents and require the destruction of existing stockpiles over the next decade. It will take effect next week, whether or not the United States ratifies it.

Dole's appearance at Clinton's side overshadowed the opening of debate on the Senate floor, where supporters said the treaty was clearly in the nation's interest and opponents argued it was flawed.

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Moment's Notice is a service of the Student Association for student and university organizations. Publication of announcements is subject to the judgment of the Student Association staff and availability of space. Anyone who wants to place an announcement should come to the SA office on the second floor of the University Center and fill out a separate form for each Tuesday and Thursday the notice is to appear. ALL QUESTIONS SHOULD BE DIRECTED TO THE STUDENT ASSOCIATION OFFICE AT 742-3631. The deadlines are as follows: Thursday at 12 noon to be printed on Tuesday, and Monday at 12 noon to be printed on Thursday.

AFFIRMATIVE ACTION/ PERSONAL RELATIONS
moved to West Hall Room 242
Contact: Judy Rodriguez, 742-3630

DADS & MOMS ASSOCIATION
Family Day, Oct. 31st- Nov. 1, 1997
TBA
Contact: Nancy, 742-3630

DADS & MOMS ASSOCIATION
Offices have moved to Room 244 West Hall

VISIONS OF LIGHT GOSPEL CHOIR
4th Annual Spring Concert, April 26th
Community Baptist Church, 220 Martin Luther King Blvd., 7:30 p.m.
Contact: Jacquelyn Ales, 742-6414

TRAFFIC AND PARKING
Attention Commuters:
Over the next year and a half, the Carpenter/Wells residence halls will be demolished and replaced by a new housing complex. For this reason, the temporary commuter parking spaces in the Gaston Hall parking lot will be reduced from time to time and eventually eliminated. This semester there are plenty of available parking spaces in the commuter parking lots.

VISIONS OF LIGHT AND GOSPEL CHOIR
Rehearsals, April 25th and 26th
April 25th Rehearsal: Community B.C. 220 MLK Blvd., 7:30 p.m.
April 26th Rehearsal: Community B.C. 220 MLK Blvd., 2:00 p.m.
Contact: Jacquelyn Ales, 742-6414

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- History of the United States I
- Interpersonal Communications
- Public Speaking
- Business & Professional Speaking
- Reading Techniques II
- Computer Concepts
- Computer Concepts Lab
- Brakes and Cool Systems
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Kicking up their heels

Group of Texas Tech students joins together beginning new tradition

by Laura Honsley/UD

As Texas Tech enters into a new era in sports by joining the Big 12, the opportunity for change and the beginning of new traditions is wide open.

The Tech Gunfighter Kickline is a new spirit organization that is taking advantage of this opportunity and hopes it will be the start of something big at Tech. The kickline describes its original type of dance as a drill team, with less dance and more kick.

"We thought Tech needed something new while moving into the Big 12," said Darlene Graves, a freshman psychology major from San Antonio and founding member of the kickline. "Athletic teams are not only intimidated by awesome teams but also by awesome spirited crowds, and a kickline is another way to pump up a crowd."

Graves said the lack of positions in women's spirit organizations at Tech was another reason for the kickline.

"We felt Tech needed another way to promote spirit," Graves said. "I know a lot of girls here wanted to be on pom pon or cheerleading squad but there's just not enough places. I have friends that were involved in drill team in high school, and this a way



Mark Stedman/UD

In sync: Several Texas Tech students attempt to stay together during rehearsals for the Gunfighter Kickline in the women's gym Wednesday. Tryouts for the group are scheduled for Saturday.

to utilize that talent."

Graves first had the idea to form a kickline in February. She got together with some of her classmates in her dance class and from there the group started organizing.

"I heard Darlene talking about it

during class one day, and I was interested," said Lisa Rosson, a junior interior design major from Lubbock. "It seemed like a lot of work, and I knew she couldn't do it by herself, so I told her that I would help."

The founding group went through

the processes of starting a new student organization at Tech and sparked enough interest from Tech students to get the organization started.

"It has been a really exciting semester," said Jessica Nelson, a sophomore English major from Cedar Hill and founding member of the kickline. "We've had a lot of obstacles, but we've over come them. I have a feeling we will come out next year just blowing everybody away."

"We are starting a new tradition here at Tech. It's a sign of the future on the Tech campus not of the past or the present."

There are 63 positions open for the kickline. Tryouts are Saturday, and rehearsals are today and Friday in the women's gym.

The Gunfighter Kickline premiere performance is scheduled this summer at Raider Roundup.

The kickline also plans on performing at the Raider Alleys before home games, the homecoming parade, bonfire and during half times of basketball games.

"I think it's going to become a huge Tech tradition," Rosson said about her vision for the group.

"I think it's going to be a great success, and people are going to be really impressed."

Town prepares celebration for king of western swing, Bob Wills

TURKEY (AP) — The approximately 12,000 western swing fans expected here this weekend are proof positive that Bob Wills' musical style didn't die with him in 1975.

While largely relegated to the history books, the tunes still vibrate across southwestern dance floors.

"I know here in Dallas it's against the law to play western swing," said Jerry "Hambone" Cunningham, a steel guitarist with Wills' Texas Playboys in the late 1960s. "But what little there is, the kids really flock out to support it."

During the last weekend of April, Turkey's population of 500 multiplies

as aficionados of the "King of Western Swing" from near and far park trailers wherever there's room to pay homage to the town's favorite son.

"There aren't a lot of stores still open here, but we do have a few," said Suzie Johnson, co-owner of a historic downtown hotel, where many former Playboys stay each year.

"It's great for the whole area; a 50 to 75-mile radius. The ones who don't have campers stay in the motels around."

Wills developed his mix of big band, blues, dixieland, jazz and western music in the 1930s, playing dance halls and radio stations in Texas and

Oklahoma. He introduced drums to country music and formed the foundation for countless artists to follow.

Possibly his greatest hit was "San Antonio Rose," followed closely by "Take Me Back to Tulsa" and "Faded Love."

Turkey is a scenic agricultural town dotted with wrought-iron designs, wooden cowboys leaning on downtown posts and decades-old buildings.

Just 10 years ago, Bob Wills Day topped out at 5,000 participants. There were already about that many here by Wednesday, a day before any of the Playboys arrive to herald the

start of the festival.

Some former Playboys will kick off the celebration tonight with an autograph party, followed by dancing Friday night and a full day of festivities — including more dancing — Saturday.

"On Friday we usually do a breakfast open to the public and a dinner, and every night for a week and a half prior we have a band called the Texas Travelers play at the hotel," said Johnson, who runs the 15-room Hotel Turkey with her husband.

"We start getting calls not too long after Bob Wills Day about the Bob Wills Day next year."

Woman has child at 63

LOS ANGELES (AP) — A 63-year-old woman gave birth to a healthy girl after in vitro fertilization that produced what University of Southern California doctors said Wednesday was the world's oldest successful pregnancy.

The baby was delivered late last year by Caesarean section and weighed 6 pounds, 4 ounces.

The mother's identity was withheld by doctors.

When the Southern California woman first approached the USC

Program for Assisted Reproduction, she represented herself as being 50 years old, instead of 60, said Dr. Richard Paulson, the program director.

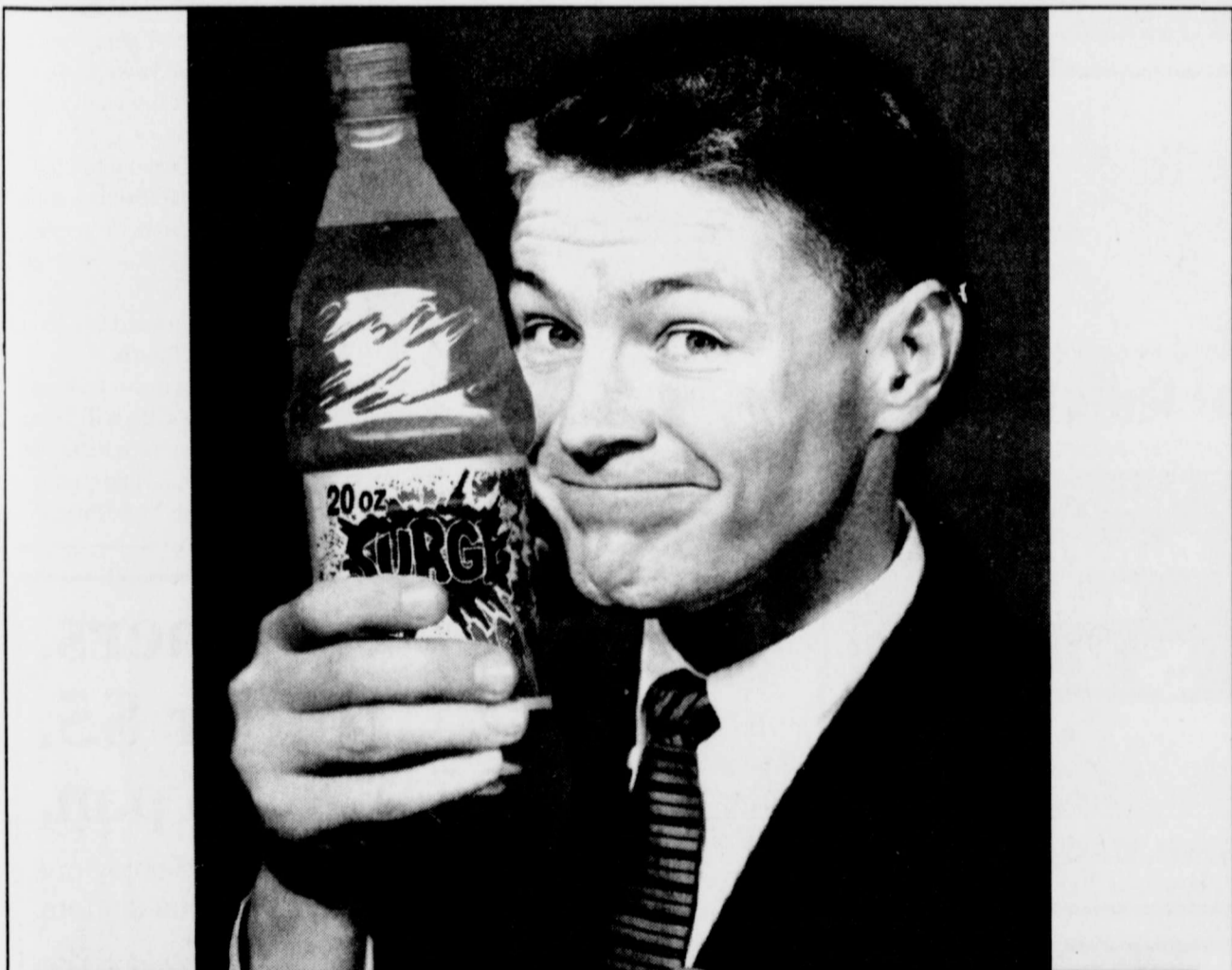
"Had the individual disclosed her actual age ... she would not have qualified for treatment at USC, since the program uses an arbitrary upper age limit of 55 for women seeking fertility therapy," a statement from the USC reproductive center said about the successful pregnancy.

THURSDAY APRIL 24

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7:00	Bloomberg Body Elec.	Today Show	This Morning	Bruno/Kid Mask	Good Morning America	Quack Pack Spiderman
8:00	Sesame Street			King Arthur Paid Program		Batman Aladdin
9:00	Shining Time Barney	Sally Jessy Raphael	Rolonda	K. Copeland Brady Bunch	Regis & Kathie Lee	FOX After Breakfast
10:00	Lamb Chop Mr. Rogers	Sunset Beach	Price Is Right	Paid Program L. & Shirley	Caryl & Marilyn	Rosie O'Donnell
11:00	Arthur Magic Bus	Leeza	Young & Restless	Beverly Hills 90210	All My Children	Matlock
12:00	D. Fields Julia Bakes	News Days of Our	News Beautiful	Jenny Jones	News Remember	Heat of the Night
1:00	Sit, Be Fit Barney	Lives Another	As the World Turns	Maureen O'Boyle	One Life to Live	Baywatch
2:00	Pappyland Magic Bus	World Extra	Guiding Light	Gordon Elliott	General Hospital	Blossom Bobby/World
3:00	Arthur Wishbone	Little House	Maury Povich	Dinosaurs Step/Step	Ricki Lake	Spiderman Beetleborgs
4:00	Carmen Bill Nye	Oprah Winfrey	Seinfeld Jeopardy	Dating Game Newlywed Gm.	Montel Williams	Power Ranger Step/Step
5:00	Read Rainbow Business	News NBC News	News CBS News	Real TV LAPD	Fresh Prince ABC News	Mr. Cooper Wonder Years
6:00	News Hour	News In/Edtion	News W/fortune	Hwy. Patrol Cops	News Mad/You	Simpsons Home Impr.
7:00	Antiques Roadshow	Friends *PG Sudi/Susan	Diagnosis Murder	Movie: "Super"	High Incident	Martin *PG Liv'g Single
8:00	Mystery!	Seinfeld *PG Fired Up	Diagnosis Murder	Real TV	ABC Movie: "The Specialist"	New York Undercover Dr. Quinn
9:00	Encore!	E.R. *PG	48 Hours	Next Generation		
10:00	Business	News Tonight Show	News David	E.T. Hard Copy	News MASH	Home Impr. Cheers
11:00		Conan	Letterman Tom Snyder	Real TV Access	Nightline Incorrect	Coach Martin
12:00		O'Brien Later	Jenny Jones	Jenny Jones	Geraldo Rivera	Star Trek

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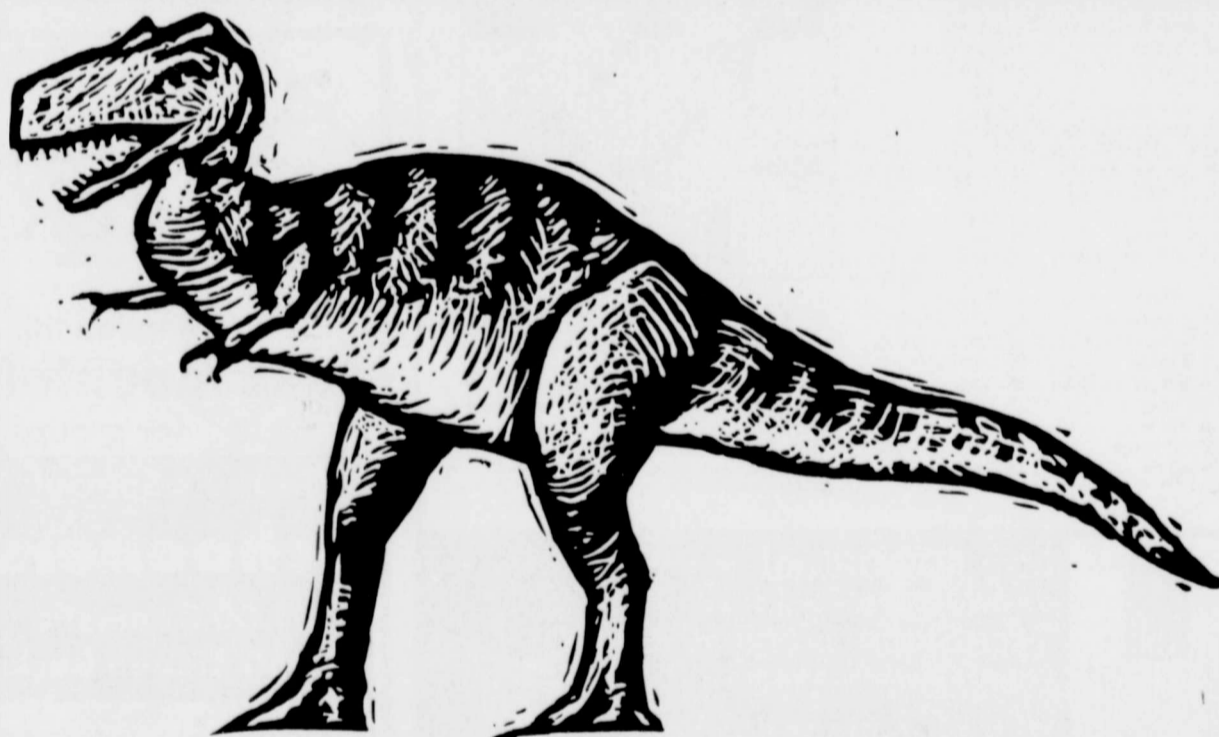
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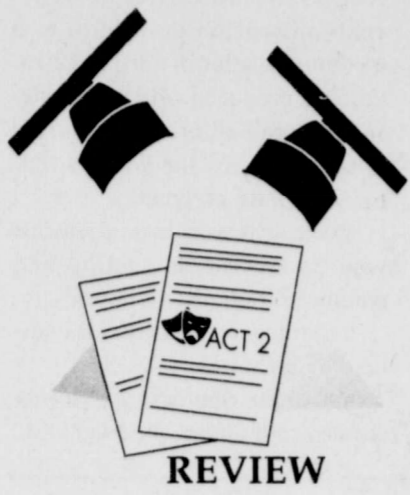
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'Sick in the head' seriously funny

by Amy Osmulski/UD

In days of old, when knights were bold... the comedies of the time included more than actor delivers...



REVIEW

Director Jonathan Marks decides to step back into time with his translation of 'The Imaginary Invalid...'

vinced he is terminally ill and only regular enemies are keeping him alive, and his comedic crew...

So the family's servant, Toinette (Rachel Greene) sets out to join the two lovers. Add an array of dancers and singers...

which connects well with Marks' translation. The dancing also mixes well into the production...

Award-winning Seinfeld touts lack of acting talent

Jerry Seinfeld offered a confession when he accepted a 1997 Screen Actors Guild award...

I have proven convincingly that you can do very well in our business if you are smart enough...

wanted to create "a show of aimless wandering through life." So "Seinfeld" is essentially a show about nothing...

ing on New York City subways. The pilot aired in July 1989 as "The Seinfeld Chronicles..."

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WEEKEND. Great Scott's Barbecue... 9 p.m. Friday, Toon Bros., \$3. Texas Cafe... 10 p.m. Thursday and Saturday, Toon Bros., \$5.

University Center Allen Theatre... 8 p.m. Friday and Saturday, "The Magic Flute," \$8-\$12. Tech University Theatre... 8 p.m. today through Saturday, "The Imaginary Invalid," \$3-\$10.

Wednesday's Puzzle solved. DOWN 1 Clear wrap. 2 Overused. 3 Blissful. 4 Victory goddess.

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Terminator returns home after heart surgery. LOS ANGELES (AP) — Arnold Schwarzenegger is back home after heart surgery on a faulty valve.

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Popovich still Spurs' coach

SAN ANTONIO (AP) — San Antonio Spurs general manager Gregg Popovich will keep his job as coach next season despite a season that ranked as the worst in franchise history...

the NBA. San Antonio has a good chance of drawing the No. 1 draft pick in the NBA lottery. "We all suffered through a tough season," Popovich said.

The team also gave Popovich a new multi-year contract, the terms of which were not disclosed. Popovich joined the Spurs as general manager in May 1994...

For weeks, speculation has surrounded Popovich and whether he would remain the coach. And despite some negative fan reaction, key Spurs players have voiced support for him.

Men's tennis team defeats A&M

COLLEGE STATION (Special) — The Texas Tech men's tennis team wrapped up an NCAA tournament berth and a sixth seed in the Big 12 Conference Tournament Wednesday...

Tech (11-12 overall, 4-5 Big 12) now travels to Austin to play in the Big 12 Tournament beginning today. Because of the sixth seed, the Red Raiders will receive a first-round bye...

Women netters ready for tournament test

by Brent Dirks/UD The Texas Tech women's tennis team tackles the postseason as the ninth-seeded Red Raiders take on eighth-seeded Oklahoma State...

with five this season, surpassing the four Southwest Conference victories they recorded in 1987. "We are not happy with our sixth-place finish in the conference," Siegel said.

"But at the same time, we knew the Big 12 was going to be one of the toughest tennis conference in the nation." Even with the finish, the Red Raiders have grown greatly during the season, he said.

can create some havoc in the Big 12 Tournament," Siegel said. "There are good things to come from this women's tennis program, and we are truly excited about the future of tennis at Texas Tech."

If the Red Raiders can get past the Cowgirls, Tech will play Texas in the second round Friday. The Longhorns defeated Tech 7-2 Feb. 1 in Tech's first ever Big 12 match. Freshman Sarada Ravindra said the growth of the Red Raiders has been phenomenal this season. "I think it is incredible what we have accomplished this season," Ravindra said about the season.

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486/33 COMPUTER 540 MB HD. 8 RAM. 14.4 fax/modem. BRAND NEW! Still in plastic. ANY size mattress set. DABED WITH mattress. FOR SALE Prom dress, black and purple, beaded. FOR SALE Pool table. GRADUATING - FOR SALE entertainment center. GRADUATING - MUST sell all furniture. KING-SIZE WATERBED with bookcase. MEADE MICROSCOPE. NICE COMFORTABLE couch. BEAR CREEK Apartments. CHARMING 2 bedroom. COPPERWOOD APARTMENTS. DEERFIELD VILLAGE. FOR RENT 2202 A 22nd St. LARGE 2-2 HOUSE. LARGE 3-2 HOME. LAS COLINAS APARTMENTS. NEAR TECH Large one bedroom and efficiency. NEWLY REMODELED one, three and four bedroom houses.

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Attendee needed for quadruplegic. \$55 plus observation hours. REPORTERS NEEDED. SHOW ME THE MONEY! STUDENT ASSISTANT - Physical Plant. STUDENT ASSISTANT - Physical Plant. STUDENT ASSISTANT - Physical Plant. SUMMER EMPLOYMENT. TELEMARKETER FOR insurance office. TELEMARKETERS NEEDED. TEXAS LOTTERY Commission is looking for two ambassadors.

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