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The University Daily

An independent campus newspaper

Court sides with professors in witness case

Court says law would 'cause censorship'

APU NAIK

UD Staff Writer

Professors all over Texas, including Texas Tech law professor Frank Skillern, recently received a victory from the 5th Circuit of the United States Court of Appeals.

In what some are calling a victory for academic freedom and freedom of speech, the court upheld, temporarily at least, the right of professors and other state employees to act as expert witnesses or consultants in trials against the state.

The Texas Faculty Association filed a lawsuit last July asking the state to issue a temporary injunction against two new Texas laws.

The laws have the effect of denying state employees salary and benefits if they act as consultants or expert witnesses on behalf of

parties opposing the state in litigation.

With last Friday's ruling, the court granted an injunction against the enforcement of the state's policy, "because it would cause the censorship of more free speech by state employees than may be justified in order to protect the efficient delivery of public services."

After giving free legal advice to a local community group who was suing to keep an industrial incinerator out of their neighborhood, Skillern was told last summer he might be in violation of the law,

and to discontinue giving advice or risk losing his salary and benefits.

In August 1997, federal district Judge James Nowlin issued a temporary injunction in the case, which prevented the law's enforcement. But Attorney General Dan Morales quickly appealed the decision to the 5th Circuit of the United States Court of Appeals.

The lawsuit was then amended in September 1997 to include Skillern and Cecil Reynolds, a professor of psychology at Texas A&M University, as plaintiffs.

In the amended lawsuit, TFA also sued Texas Tech University, the University of Texas, the University of North Texas, Texas Women's University, Stephen F. Austin State University and Texas Southern University, because according to the lawsuit, "their employment policies violated the constitutional rights of the professors who work for them."

Since that time, the TFA, Skillern, and Reynolds have waited anxiously for nine months to hear a decision from the 5th Cir-
See Decision, page 5

New Tech dorms behind schedule

ANJELA ANAYA

UD Staff Writer

Students wanting apartment-style living without leaving campus will have another option this fall: the new, improved Carpenter/Wells Complex.

James Burkhalter, director of Housing and Dining Services, said the building is already full for the next academic year. In fact, four of the buildings will not be completed in time for students to move in at the beginning of the fall semester.

The students already signed up to live in those buildings will live in Coleman Residence Hall until their rooms are ready, Burkhalter said.

"We have some vacancies in Coleman," he said. "Right now we have room for everybody just in there."

Sophomore status is required in order to get on the waiting list, he said.

The complex will have 15 separate buildings. In total, there are 102 apartments and 353 bedrooms, with a 350 student capacity.

There are 66 four-bedroom units, 23 three-bedroom townhouses, six two-bedroom units and six one-bedroom units.



Brian White/The University Daily

Still Going: Workers continue to construct the new Carpenter/Wells Complex on the Tech campus Thursday. Some residents will not be able to move in at the beginning of the semester and must stay at other residence halls.

There is one two-bedroom apartment for the complex director.

The townhouses are bilevel, with a kitchen, living room, bathroom and bedroom on the first floor and two bedrooms and one bathroom on the second floor. Flats are similar except they are one level and have four bedrooms.

Demolition of old Carpenter/Wells began in February 1997. The new building is on the same site as the previous, traditional residence hall, he said.

Room and board is \$3,000 at Carpenter/Wells for the academic year. Students make a \$150 payment in advance, and can then

make monthly payments.

The complex budget is \$18 million. Housing and Dining has a \$26 million total annual budget.

"We don't get any tax dollars at all," Burkhalter said. "The department is classified as auxiliary service and has to be self-funded."

See Project, page 6

Internet classes appear

GRETCHEN VERRY

UD Staff Writer

Imagine class with no teacher, a classroom without walls, and notes without paper. The future of education has arrived, at least for students in Jeff William's English classes, where students can read some of the readings, participate in class discussions and even submit their assignments via the Internet.

The idea for an online class grew from a computer-based writing project implemented by the English department

Texas Tech online print integrated curriculum, or TOPIC, is a mix of computer and traditional classrooms that has proved very successful in the past.

"Students see the projects as valuable computer experience, even if they are not particularly interested in the subject matter," Williams
See Classes, page 4

Circuit court upholds academic freedom



James Walker
UD Editor

Here's to the 5th Circuit Court for renewing my faith in the court system.

The expert witness rider is just what the court said it is: unnecessary censorship.

This law basically states that state employees, including professors, forfeit their paychecks if they fail to toe the party line by testifying as an expert witness against the state, or by offering legal advice to anyone in a lawsuit against the state.

Ill-conceived from the start, it is a cowardly effort by Attorney General Dan Morales and certain state legislators to pervert the court system and muzzle this state's greatest intellectual asset, university professors.

Nowhere but on a university

campus can you find such a diversity of credentialed experts in every possible field of knowledge.

The implication to professors is clear: if you speak out against the state, if you offer your honest professional opinion, you will be punished.

Of course, professors would be free to testify for the state. Only the private sector and the private citizen would be cut off from this vast pool of expert knowledge.

That's called rigging the game. It's also a chilling thought for people who believe in freedom of

speech.

College campuses are places of knowledge and truth, and people should not be forbidden to use that knowledge and speak that truth in a court of law.

More to the point, no state employee, and no citizen, should be prevented by the state from telling the truth on a witness stand.

The battle is not over yet. This was only a hearing on the preliminary injunction. The final verdict may not come for a while.

Apparently, the AG is thinking about trying his luck before the

Supreme Court. I hope he does.

Frank Skillern, whose only crime was offering free legal advice to a community group, should be commended, not condemned.

And the 5th Circuit Court deserves our thanks for defending our First Amendment rights.

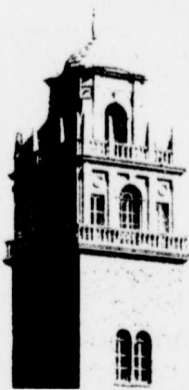
If the government can stop men of science and learning from speaking their minds, what chance do any of us have?

James Walker is a senior journalism major from The Woodlands who is tired of people being told what they can't say.

**Write a
letter to the
editor!
We're in 211
Journalism.**



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Odds & Ends

Police seize bread maker

REDWOOD CITY, Calif. (AP) — Don't move! I've got a bread maker!

The kitchen appliance was among the first items confiscated when Redwood City fired up a \$917,000 security system — including a metal detector — at the Hall of Justice on Monday. The system was planned long before last week's deadly attack at the nation's Capitol.

Under the zero-tolerance policy in Redwood City, 20 miles south of San Francisco, officials said anything resembling a weapon would be seized, then returned when the owner left the building.

But a bread maker?

Authorities pointed out that it had wires and a timer.

"He doesn't need to be walking around with a bread maker anyway," said Deputy Carole deGery.

When the fat lady sings, it's over

MINNEAPOLIS (AP) — After the party's over, late-night revellers will have a real blast when police blare arias in hopes of sending young rowdies packing.

Unruly crowds have been hanging around on weekends after downtown nightclubs close at 1 a.m. Police think opera might calm things down.

The department is "at least a couple of weeks away" from setting up loudspeakers, police spokeswoman Penny Parrish said Wednesday. Inspector Sharon Lubinski counts herself an opera fan, but she's hoping the young crowds find the music grating and move on.

Dale Johnson, artistic director of the Minnesota Opera, is amused with the idea of scaring patrons away with opera. He said success depends on selection, selection, selection.

"If the police want people to fall into ranks and march away in an orderly fashion, then the 'Triumphal March' from Verdi's 'Aida' would be perfect," he said in a letter printed in the Star Tribune. "If a quicker exodus is desired, with crowds running wildly through the streets, then Richard Wagner's 'Ride of the Valkyries' comes to mind."

Dog helps boy in life of crime

OMAHA, Neb. (AP) — A boy and his dog, or a mugger and his accomplice?

Police say a boy of about 16 recruited his dog to help him rob another youngster of a Super Nintendo video game.

Patrick Swolley, 14, was bitten and may have to get a rabies shot.

The mugger and his large black-and-white dog remained at large Wednesday, a day after the duo approached Swolley as he walked to his mother's house.

"He said, 'Give me your game, or my dog will bite you,'" Swolley said.

"I said no. He hit me, and I started walking, and then he hit me again."

He said the dog jumped up and bit him in the arm, and the older boy grabbed the game and fled.

Swolley was treated at a hospital and given a tetanus shot. Doctors said he will need a rabies shot if the dog isn't soon found and determined to be healthy.

Swolley said he hopes the dog is found, although he can live without his Super Nintendo.

"I'll just buy a Playstation," he said.



CAMPUS POLICE BLOTTER

July 24

- A UPD officer arrested a student in the 2700 block of 15th Street for driving while intoxicated. Subject was transported to Lubbock County Jail.

July 25

- A UPD officer responded to a 911 medical request at the Aquatic center. The subject was transported to UMC ER by EMS.

- A UPD officer investigated unauthorized use of a motor vehicle which occurred at the UMC D-3 parking lot.

July 26

- A UPD officer arrested two subjects in the Z3-J parking lot. Both were charged with possession of marijuana. One was charged with possession of drug paraphernalia. Subjects were released pending the filing of charges.

July 27

- A UPD officer investigated a hit and run accident which occurred at the chemistry service drive which involved a fixed object.

- A UPD officer responded to a request for medical attention at the UMC ER.

- A UPD officer followed up on a request for information by an officer from Southwestern Medical Center in Dallas. A lieutenant was requesting information about an animal rights group.

July 28

- A UPD officer responded to request for emergency detention at the UMC ER.

Relief funds to top \$1 billion

Emergency aid bill will more than double, Combest said

WASHINGTON (AP) — The emergency aid package for farmers suffering from such natural disasters as drought in the South and too much rain in the upper Midwest is now expected to top \$1 billion, a key Republican House member said Thursday.

The Senate earlier this month approved spending \$500 million in disaster aid, about half of which would likely go to the Dakotas and Minnesota. With the drought growing worse in Texas, Oklahoma and parts of the Southeast, Congress is expected to increase the assistance before adjourning in October.

"I think we're talking about substantially more," said Rep. Larry Combest, R-Texas, who would become Agriculture Committee chairman next year if the GOP retains House control in the November elections. "We're looking at at least twice that number and maybe more."

Agriculture Secretary Dan Glickman, who appeared before the committee Thursday, said the Agriculture Department would revise its estimates of the disaster costs after release of the Aug. 12 crop production figures, which rely on actual field surveys of crops to be harvested in the fall.

"I suspect the numbers will be considerably higher," said

Glickman, who declined to make any definite estimate.

"I do not believe there has been an adequate assessment of the damage in the Southwest, particularly in Texas."

A Texas A&M University study has estimated more than \$1.4 billion in direct farmer losses due to the drought and \$4.6 billion in overall economic loss.

In Oklahoma, officials say the disaster could cost \$2 billion in total loss.

That comes on top of repeated disasters in the upper Midwest, where chronic wet weather has spawned a wheat disease that has destroyed crops for several years in a row. In North Dakota, Glickman said farm income fell 92 percent in 1997 compared to the year before.

The House on Monday is expected to vote to permit farmers to receive all or part of their \$5.5 billion in transition payments, intended to gradually wean farmers off old subsidies, scheduled for next year on Oct. 1. The Senate is expected to follow suit, and Glickman said the administration supports the move.

Aside from the weather disasters, Glickman said the overall farm economy is in a tailspin that will cut income by \$7.5 billion this year.

Prices for corn, wheat, soybeans and other commodities are off sharply because exports are down due to the Asian financial crisis and huge crops have been produced worldwide.

Projected U.S. fall harvests are once again expected to be huge and farmers are taking on more debt, he said.

"After sprinting for two years, setting records by almost every measure — price, exports and income — today farm markets are limping," Glickman said. "The U.S. agricultural economy is now declining."

Still, he said many producers will withstand the downturn because of the strong markets of the early 1990s and because production expenses actually dropped \$1 billion this year because of low inflation, low interest rates and low oil prices.

Although Glickman wants to improve crop insurance and access to credit for the long term, he said the No. 1 priority for Congress after the emergency aid should be replenishment of the International Monetary Fund.

This would help troubled Asian countries buy more U.S. farm products in the next 60 to 90 days, he said.

"IMF should be front and center," Glickman said.

Walzel hopes to make music at helm

GRETCHEN VERRY
UD Staff Writer

Professor of Clarinet Bob Walzel recently took over as interim director of Texas Tech's school of music when Wayne Bailey accepted an offer from the University of Tennessee in June.

Walzel was chosen after Dean of the College of Arts and Sciences, Jane Winer, said she surveyed the opinions of the faculty of the music school.

"Winer conducted a poll of the faculty and decision was made to ask if I would do it," Walzel said.

The position of interim director will last for one year, at which time a permanent replacement for Bailey will be selected.

"A search committee is already in place to find and interview candidates for the position," Winer said. "I hope we can get someone into place by September of 1999."

Walzel is, for the time being, unsure if he will seek the permanent position of director.

"I am interested in administration, but I still have some things I want to reconcile first, Walzel said. "I want to see how this year goes. Above all, I'm a musician first."

The position of director includes administration of the school, budgeting, academic administration,

"My main goal for this year is to keep this program moving forward."
—Bob Walzel, Interim director, school of music

as well as developing relationships with people in the community.

"My main goal for this next year is to keep this program moving forward. I would like to take recruiting to a more national scope, as well as secure funding from outside sources for a new band hall," Walzel said.

A number of new faculty hires and a number of world-class performers has lead to one of the best recruiting classes ever for the school, he said.

"Our program is only as good as the students who are here, and I believe that we have some of the best quality students that we have ever seen here," Walzel said. "I believe that this will be a very exciting year for the school of music."



Brian White/The University Daily
Music Man: Professor of Clarinet Bob Walzel was appointed as interim director of Tech's school of music. Walzel takes over for Wayne Bailey. Walzel said he is unsure if he will seek the permanent director position.

Walzel earned a doctorate in clarinet from the University of North Texas, and undergraduate and master's degrees from the University of Houston.

"I expect things to go very well in this next year, due to a great deal of support for Director Walzel from the music faculty and students," Winer said.

Classes

continued from page 1 said.

Williams said that students are given the option of using the Internet to complete the class.

Notes are posted there, essay questions from the final, and source links to other sites that can help students to complete the assignments.

In addition to helping on those occasional mornings when class seems out of the picture, the web site saves costs to the student, because many short stories are available online, and this saves the cost of a book.

"I have found the website very useful and convenient," said Lori Garret, a sophomore broadcast journalism student from Hillsboro. "I can log on at my convenience."

Although it is a popular option, most students use a combination of both the traditional class and the Internet option, Williams said.

"Both summer semesters that I have done this, there have been one or two students that complete the course online. It is especially helpful for single parents, and for when students get sick," Williams said.

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Fed spends \$533 million to bolster Japanese yen

NEW YORK (AP) — In its first sale of dollars in global currency markets since 1992, the United States spent a total of \$833 million last month to prop up the faltering Japanese yen.

The Federal Reserve Bank of New York on Thursday provided

the first details of the June 17 foray into the foreign exchange markets, which the United States carried out with Japan to halt a freefall in the yen.

Treasury Secretary Robert Rubin had announced the coordinated intervention at the time, but

gave no details of the extent of the operation. Currency traders had estimated that the United States sold around \$2 billion to buy yen and that Japan sold a similar amount.

But in its quarterly report, the Federal Reserve Bank of New

York said the sum was \$833 million. "It was the amount that seemed effective from our side," said Peter R. Fisher, executive vice president of the New York Fed. He gave no figures for the Japanese sales.

The New York Fed acts as the

agent for the Treasury Department and Federal Reserve in executing U.S. foreign-exchange policy in the open market.

The action was taken after the Japanese currency appeared to be in a freefall, tumbling to an eight-year low against the dollar.

Decision

continued from page 1

-cuit court, and last Friday, they released a ruling.

Skillem, who is on vacation and did not hear of the ruling until Monday, said this decision didn't come as a surprise.

"I was very pleased to hear about the outcome, but it didn't surprise me at all," Skillem said. "The court established good constitutional priorities in this ruling by ensuring the free speech rights of all professors, whether they work for the state or not."

Scott Polikov, Skillem's attorney, said it is possible the state of Texas could appeal this decision to the Supreme Court.

"It (the law) would cause the censorship of ... free speech by state employees."

-5th U.S. Circuit Court of Appeals

If the state does choose to appeal, the announcement would come early next month.

"This ruling simply confirms what we've known all along," said Polikov.

"These colleges such as Tech and A&M can't continue to push around their employees."

Representatives of the Attorney General's office said Thursday they will first examine all possible options, then decide whether to

appeal or not.

Sanya Sanchez, press secretary for Dan Morales, said the dynamics of the case were too complex to comment on at this time.

"We are not going to say anything about this case until further review," said Sanchez. "There are too many options and possibilities which need to be weighed before making any decisions."

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We've already begun making plans for the 1999 yearbook, and we're excited that you will be a part of it. When you purchase a La Ventana yearbook, you're not just buying a record of memories, but a piece of history steeped in tradition.

La Ventana, translated means "The Window" in Spanish. The name was chosen in 1925 to go along with the Spanish motif of the school. Around 400 pages long, the All-American yearbook is staffed by approximately 30 students — students just like you.

The ¡Amigos! New Student and Freshman Directory also is a publication new students can't live without. Geared, of course, toward the incoming students, ¡Amigos! is a photographic directory of all new students on campus and contains features and tips on how to survive in this place we so affectionately call Raiderland.

The 1999 La Ventana and ¡Amigos! New Student and Freshman Directory can be purchased as a package during orientation at the Student Publications table in the University Center Ballroom for \$48. That's two records documenting your life at Texas Tech in one package. What better way to show your Tech pride than by purchasing a tradition in itself.

So freshmen and new students, welcome to new experiences, to 25,000 other Red Raiders, to living on your own and on your own terms, to all-nighters, to many acquaintances and a few good friends, to organizations for every Dick and Jane, to a town that screams Red and Black.

Welcome to your life ... welcome to Texas Tech.

Wayne Hodgin, editor

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Clinton escapes capitol hassles in Hamptons

EAST HAMPTON, N.Y. (AP) — It's high season in East Hampton — a Small Town, U.S.A. for the rich and famous where it's easier to find a Rolex than a carton of milk on Main Street.

The social whirlwind was only spinning faster this week ahead of President Clinton's arrival Friday for a three-day fund-raising trip and respite from his troubles in Washington.

The president reportedly will stay at Steven Spielberg's house and hang out at parties that have cover charges of up to \$25,000 a person.

"Is he really coming here? What does he want here?" asked one woman at the Blue Parrot Bar and

Grill, a local hangout.

"Money," said bartender Bruce Adams. "But then, who here doesn't?"

And there's gobs of money in the Hamptons, a string of summer-resort villages on Long Island's East End.

The president is expected to raise more than \$1 million for the Democratic National Committee at parties hosted by investment banker Bruce Wasserstein and Alec Baldwin and Kim Basinger.

It will mark Clinton's first trip to the Hamptons as president. The last time, in 1991, he was the governor of Arkansas and the guy who umpired the annual artists and writers charity softball game.

Now he's the most sought-after guest on the summer party circuit. From magazine and newspaper articles to conversations in restaurants and grocery stores, Clinton is about all anybody can talk about.

"Now he's the president of the United States. That's different," acknowledges Ruth Vered, who owns a gallery that features Chagalls and Picassos.

Always chic, the Hamptons are now booming, feeling the ripples of a Wall Street bull market that is producing new millionaires every day.

The number of houses has increased tenfold in the past decade, locals estimate, and new arrivals

now include rap artists as well as bankers and bond traders.

The natural beauty of the beaches and rolling hills have long drawn artists such as Jackson Pollock and Willem de Kooning, writers from John Steinbeck to Joseph Heller. Billy Joel and Martha Stewart are among the current high-profile residents.

Hamptons residents are ferociously protective of their small-town feel. There are no fast-food restaurants, motels or hotels for miles.

The Maidstone Club, an exclusive golf and country club, has even refused to bend its membership rules to allow Clinton to play on its well manicured greens.

Project

continued from page 1

The project will cost less than was originally projected, he said.

Housing and Dining Services is borrowing the money and paying it back through revenue bonds, Burkhalter said.

"Basically it's like a mortgage," he said. "Borrow it and pay it back over 20 years and collect it from room and board.

"Room and board is the biggest part of our revenue."

The payments start once the facility is built, Burkhalter said.

Payments, about \$1.2 million annually, will start with the new fiscal year, Sept. 1.

Housing and Dining also receives funding from summer conferences and camps, such as band camp.

Projected growth during the next 10 years and students wanting more private living arrangements are some of the reasons given for rebuilding the complex, he said.

"I think they're going to be really attractive," Burkhalter said.

"It should be serviceable for quite some time."

Paulo Peres, project architect for facilities, planning and construction, said the first eleven buildings in the complex will be completed by Aug. 19.

The other four buildings will be done by late September, he said.

The Commons Building, which will be in the center of the complex, will have several amenities for the students, such as an exercise room, a computer lab, game room, lounge and study areas.

Housing and Dining will also run a convenience store inside the building, called Sam's Place.

"It's going to be like a Town & Country," Peres said.

The Commons Buildings should be ready by early October, he said.

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Group claims to have winning Powerball ticket

WESTERVILLE, Ohio (AP) — After years of pooling money to buy lottery tickets, a group of machinists who call themselves "The Lucky 13" stepped forward Thursday to claim the biggest prize yet — the \$295.7 million Powerball jackpot.

One of the 13 workers at Automation Tooling Systems in this Columbus suburb drove 100 miles to buy 130 tickets just over the Indiana line for Wednesday's drawing.

"It took a long time to believe we actually hit it," said John Jarrell, a burly man with a long mustache who was the first of the 13 men to identify himself. "You go from totally excited to scared to death."

The Lucky 13 won't officially be the winners until the Indiana lottery office validates the ticket.

The jackpot was worth \$295.7 million in payments over 25 years,

but the winners took the cash option — one payment of about \$161.5 million, Indiana lottery officials said. The Lucky 13 intend to split the money evenly, for \$12.42 million per person before taxes, their lawyer said Thursday.

The winning numbers were picked randomly by a Powerball computer at a Speedway gas station in Richmond, Ind.

Jarrell and his wife, Sandy, both decked out in black Harley Davidson apparel, said they and their three children were already racking up quite a wish list. Tops on Sandy's list was her own Harley to match John's.

"I've already got mine. She wants one of her own," Jarrell said.

The other members of the Lucky 13 tried to remain anonymous Thursday when they met with Columbus business attorney Larry Sturtz at their plant.

Managers of the Canadian-owned assembly systems plant, besieged by reporters and photographers, slipped the 13 workers out in a crowd of employees released early for lunch.

The prospective millionaires all showed up at their jobs but didn't do much work Thursday, company spokeswoman Barbara Palmer said.

"Actually they came to gloat I think," Palmer joked. "No, they came to share in their good fortune with us."

Sturtz told the 13 men, ranging from their 20s to 50s, to plan their estates, get sound investment advice and be wary of long-lost friends or relatives who decide it's time to get reacquainted.

"There will be cousins they haven't heard from in years and years that you know are going to say I need a loan or I've got a great deal for you. They've got to learn

"It took a long time to believe we actually hit it. You go from totally excited to scared to death."
**-John Jarrell
 Powerball winner**

to say no to all those things," he said.

"Brothers-in-law, sisters-in-law, distant cousins — all of whom are going to come out of the woodwork now and ask for a piece of the action."

Sturtz said the group had been playing lotteries for years, but had never had any substantial success.

"Some little things, but nothing like this," he said.

The winning ticket was being held in a safe-deposit box Thursday. Sturtz said the ticket's jour-

ney back to Indiana would be in an armored vehicle.

The Richmond Speedway gas station-convenience gets \$100,000 for having sold the ticket.

"I'm so excited about it I just don't know what to say," said Connie Morris, a Speedway clerk.

Hoosier Lottery Director Jim Maguire said Thursday he had spoken with Sturtz and was expecting a copy of the winning ticket to be faxed to Indianapolis later in the day.

Host of 'Howdy Doody Show', 'Buffalo Bob' Smith dies at 80

HENDERSONVILLE, N.C. (AP) — "Buffalo Bob" Smith, the cowboy-suited host of "The Howdy Doody Show" who delighted the baby boom generation in the early years of television, died Thursday of cancer. He was 80.

Smith, who lived in the western

North Carolina town of Flat Rock, died at a hospital in nearby Hendersonville, said family publicist Kelly Stinch from New York. She said the family would not release any other details.

Fans knew the opening routine of the show by heart. Smith would shout out, "What time is it?" and

the Peanut Gallery — the kiddie studio audience — would respond with glee: "It's Howdy Doody time!"

Even though the TV show went off the air in 1960 after 13 seasons and more than 2,500 shows, Buffalo Bob and the freckle-faced

marionette Howdy Doody were more than celebrities to millions of baby boomers across the country.

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Vets moved by 'Private Ryan'

GILBERT, Ariz. (AP)—Ed Porter cried at the scene in "Saving Private Ryan" in which a soldier walked across Omaha Beach, clutching his own severed arm.

For the first time in years, Porter recalled the horrific moments he endured as a staff sergeant more than a half-century ago. Tears came with memories of the soldier he found lying on that beach, also clutching his severed arm, looking up at Porter as if asking what to do.

Porter's only answer was a dose of morphine, easing the soldier's death.

"It brought back stuff that I'd never remembered, stuff that happened that I'd brushed out of my mind," said Porter, a retired Tacoma, Wash., policeman now living in suburban Phoenix. "It brought it back like a flash. Like I was there."

Director Steven Spielberg has said the film's graphic re-enactment is his tribute to those who fought and a message to viewers about the real brutality of war.

Harry Pruden of Albuquerque, N.M., who was a crewman on a Navy landing craft at Utah Beach,

said Spielberg's movie was an exceptional picture. But, he added, there always will be a difference between his experience and a war brought to the screen by Hollywood.

"It was a good movie, but I wouldn't say it made me feel like I was in combat again," Pruden said.

"We knew going in that this is a movie, and no movie can really do that."

But for some D-Day veterans, the movie is a visceral reminder of what they lived through decades ago.

And for those like Porter, it is too graphic, too real.

"I don't know why they put a film out like that," he said.

Joe Perotti Sr., a World War II paratrooper now living in Tombstone, Ariz., agreed.

"I was hoping I would find a lot of fault with it," said Perotti, who landed behind German lines before the Normandy landings on D-Day.

"I want to say that it's just a war movie, but it's too close to being realistic."

Anticipating emotional reac-

tions, the Department of Veterans Affairs kept a telephone hotline open over the weekend and received more than 100 calls by Monday night.

VA spokeswoman Laurie Tranter said the 1986 debut of the graphic Vietnam War film "Platoon" was the only other time the department used its hotline to field calls from veterans upset about a movie. The hotline, which distributes benefits information, is normally closed over the weekend.

Nancy Scott, a psychologist at the VA Medical Center in Phoenix, suggested that veterans avoid war movies that can trigger painful memories.

"Just the colors, the movements — all of those — will be very strong symbols of remembrances of what it was like," Scott said.

Bud Pyler of Phoenix is following that advice. A soldier in the Pacific during World War II, he refuses to see the movie.

"I lost a lot of buddies over there. I don't need to bring back that nasty stuff," Pyler said of the film.

"It's something I can talk about, but I wouldn't want to see it."

People Briefly

Douglas given U.N. peace honor

UNITED NATIONS (AP) — Peace has a new emissary in Michael Douglas.

The actor and producer was recognized Thursday as a United Nations Messenger of Peace.

"This role means as much to me as the two Oscars I've won," Douglas said. "I've always been a great admirer of the United Nations."

The citation is given to those in arts, literature, music or sports who have agreed to focus worldwide attention on the work of the United Nations.

Douglas said he will focus on disarmament and human rights in his peace role.

"I hope to use the attraction of entertainment ... to talk less about movies and hopefully a lot more about these issues," he said.

His fellow messengers include Luciano Pavarotti and Magic Johnson.

Barney-Chicken suit extinct

FORT WORTH, Texas (AP) — Barney's lawsuit against the San Diego Chicken is extinct.

A judge threw out the copyright infringement suit Wednesday, leaving the famous fowl free to pummel a Barney look-alike as part of his comedy routine at sporting events.

The company behind Barney, Lyons Partnership, sued the Chicken — the alter ego of Ted Giannoulas — after he started the Barney barrage in 1994.

In the two-minute bit, a Barney clone joins the Chicken for a rap dance.

The dinosaur outdances the Chicken, prompting the bested bird to pound the prehistoric one.

Lyons said some children get visibly upset when they see Barney beaten up, but U.S. District Judge John McBryde said the routine is clearly parody and isn't likely to cause trademark confusion.

"The show must go on," said Giannoulas lawyer Kenneth Fitzgerald.

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Writer's Guild votes to correct credits of blacklisted writers

LOS ANGELES (AP) — Credits on nearly two dozen films released during the 1950s and '60s will be changed to recognize blacklisted writers who were forced to work under phony names.

A special panel of The Writers Guild of America, which began

replacing pseudonyms with real names in 1968, recommended the latest changes during a board meeting Monday, WGA president Daniel Petrie Jr. said Wednesday.

Among the 21 films are "The Highwayman," "The Las Vegas Story" and "All Night Long."

"It is with pride and sadness that

we announce these credit changes," Petrie said. "The guild has undertaken this task to assure that all those writers who were denied credit for their work will receive their right of authorship."

Previously, the writers' union had announced credit changes for 34 films including "Roman Holi-

day" and "Lawrence of Arabia."

The blacklisting of Hollywood writers suspected of communist leanings or affiliations began with congressional hearings in October 1947, and flourished during the 1950s. Some writers, noting there was no official end to the blacklist, hid their identities until the

early 1970s.

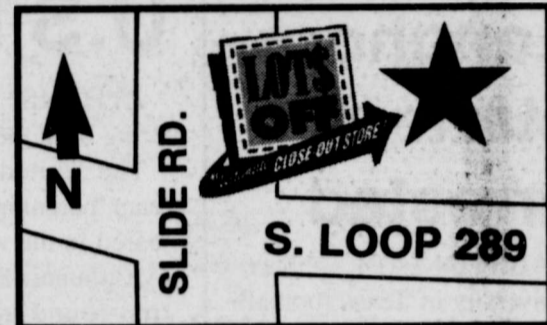
Any credits that are corrected are placed in the archives of the guild, to which all Hollywood writers must belong.

The guild also works with the Alliance of Motion Picture and Television Producers to amend the credits.



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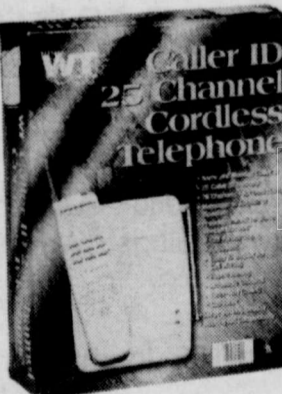


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Hernandez, Marlins squeak past Houston 4-3

HOUSTON (AP) — Livan Hernandez pitched a five-hitter and Cliff Floyd hit a three-run homer as the Florida Marlins beat the Houston Astros 4-3 Thursday and avoided a sweep.

The Astros won the first three games of the series, but Florida came back to snap a four-game losing streak and finish its road

trip 2-8.

Floyd gave the Marlins a quick 3-0 lead with his home run in the first inning off Shane Reynolds (12-7).

Edgar Renteria singled with one out and Todd Zeile walked with two outs prior to Floyd's 15th homer.

Hernandez (9-7) struck out

seven and walked three in his sixth complete game, third-most in the NL. He struck out Ricky Gutierrez with runners on first and second to end the game.

Hernandez retired the first seven batters before Tony Eusebio homered on a 2-0 pitch to start the third inning.

He pitched into the seventh in-

ning for the 12th time in his last 13 starts.

The Marlins went ahead 4-1 in the fifth when Craig Counsell beat out an infield hit, reached second on second baseman Craig Biggio's error and scored on a double by Todd Dunwoody.

Carl Everett started the Astros fifth with his 11th homer, cutting

Florida's lead to 4-2. Bill Spiers doubled and scored on Jeff Bagwell's sacrifice fly, cutting the lead to 4-3 in the sixth inning.

After struggling in the first, Reynolds retired 10 batters in a row until Counsell's single to start the fifth.

Reynolds had won five of his previous six decisions.

Longhorn starters arrested

AUSTIN (AP) — New University of Texas football coach Mack Brown says he will wait on the judicial system before deciding on possible team sanctions against two linemen arrested on alcohol-related charges.

The players, both seniors, were identified by UT as center Russell Gaskamp and guard Ben Adams.

Gaskamp is charged with driving while intoxicated. Adams is charged with public intoxication. UT officials said they were arrested in Austin's Sixth Street area early Saturday.

U.S basketball streak stopped at 26 wins

ATHENS, Greece (AP) — Bring back the Dream Team.

The United States basketball team, perennially one of the most feared in the world, was shocked by Lithuania 84-82 Thursday in a first-round game of the world championships.

The last time the United States lost in a world championship or Olympics was — pre-Dream Team — in the 1990 world championships to Yugoslavia 99-91 in the semifinals. Since then, the U.S. had won 26 games.

Former Seton Hall player Arturas Karnisovas led Lithuania with 29 points.

The Americans had a chance to win, but Jimmy Oliver missed a 30-foot, 3-point attempt at the buzzer.

"They were a little better than we were," said coach Rudy Tomjanovich, who has assembled

a hodgepodge of a team over the past month since the NBA lock-out began.

"I'll go a bit farther: They were better for most of the game than we were. They played a very intense, aggressive style of basketball."

In fact, they played American-style basketball.

"We came out and wanted to play like they (Americans) play, which is powerful, physical basketball," Karnisovas said. "We wanted to be very aggressive and run the ball. That's why we stayed in the game and that's why we won. We came out and played like they do."

The Lithuanians outran the Americans and led 47-34 at half-time.

"Karnisovas was a big factor, driving and slashing for the basket," Tomjanovich said. "They

"They were just a little better than us... They played a very intense, aggressive style of basketball."

**-Rudy Tomjanovich
U.S. coach**

played a very positive, offensive game. By the time we got it under control, it was too late."

Beating the Americans is a big accomplishment in world basketball and — if anyone needed reminding — it's easier when the United States fields anything but its best players.

Lithuania took bronze behind the Dream Team in the Barcelona and Atlanta Olympics, but failed to reach the '94 worlds.


Granted, this isn't the best U.S.

team — but it isn't the best Lithuanian team either.

Zydrunas Ilgauskas of the NBA's Cleveland Cavaliers isn't playing because of an injury and Portland Trail Blazers center Arvydas Sabonis no longer plays with the national team because of injuries.


Don Nelson, the Dallas Mavericks assistant who has worked as an assistant for Lithuania for six seasons, was not surprised.


"Except for Arturas and (center) Gintaras Einikis, this is a very young team, but now they believe they can beat anybody," Nelson said.



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Gailey prepared to make debut with Cowboys

IRVING (AP) — The Chan Gailey era gets under way Friday night when his Dallas Cowboys meet the Seattle Seahawks in a preseason game at Texas Stadium.

He promises he's staying calm about it all.

Gailey, who replaced Barry Switzer following a disastrous 6-10 season, was offensive coordinator for the Pittsburgh Steelers.



ham Fire of the old World League and once took Troy State to the NCAA Division II national title.

He said he was trying to treat his

He's a former head coach of the Birmingham Fire of the old World League and once took Troy State to the NCAA Division II national title.

first game as a Cowboys coach just like any other game. "Maybe fireworks are supposed to go off," he said, "but if I go out there all goose-bumpy I'll have a hard time leading the team in the clutch. I've got a job to do and how can the team play if I'm pinching myself because I'm in Texas Stadium? I want us to win but I'm not going to be turning

cartwheels."

Gailey is in a hurry to install his new offense and said the first of five exhibition games and two scrimmages gives him a chance to see what the team has learned in minicamps and a hard-working training camp in Wichita Falls.

"We'll play the regulars a lot more than we would in an ordinary preseason game because

we're trying to get our offense in," Gailey said.

"We need to look at ourselves on film playing against somebody other than ourselves."

Running back Emmitt Smith said the team needs work, work, work.

"This will give us a chance to evaluate where we are," Smith said. "It will be good for us to be hitting somebody else for a change."

Added Dallas wide receiver Billy Davis: "We need to play against somebody else. It's getting where our defense knows all our plays."

The game will feature Ricky Watters' debut with Seattle after a sterling career at Philadelphia.

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