

A Journal of Free Voices
A Window to the South
October 29, 1976

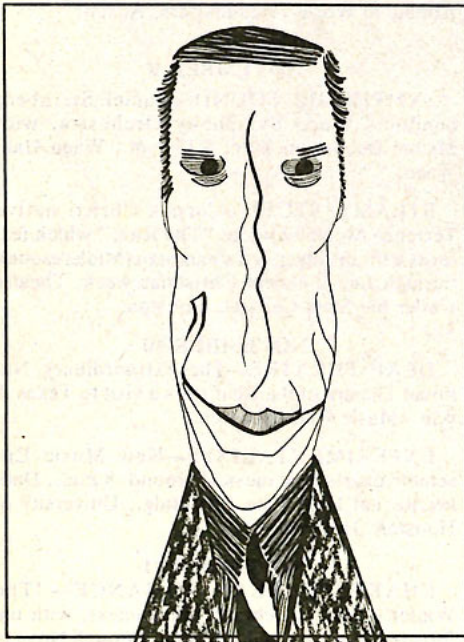
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SIX MORE YEARS

Austin, Washington, D.C.

Lloyd Bentsen Jr. was raised rich, and it shows. He has the sort of self-assured, slightly arrogant bearing that characterizes wealthy corporate executives who are certain of their place in the scheme of things.

Alan Steelman was not raised rich, and it shows. His is the bearing of a striving young Republican, scrambling out of a working-class background to the lofty environs of the U.S. Congress and God knows where next.



The incumbent

These two fellows are your major choices on Nov. 2 for the U.S. Senate. It is not a happy choice. The base facts are these:

- Bentsen, a 55-year old Democrat from McAllen, is the incumbent;
- Steelman, a 34-year old Republican congressman from Dallas, is the challenger;
- Neither candidate comes close to being a progressive, though both flash touched-up liberal credentials when they find themselves in that kind of a crowd;
- The campaign has stirred little enthusiasm among party workers, and the general voting public seems hard pressed to stifle a statewide yawn;
- Steelman has been the more interesting and aggressive campaigner;
- Bentsen is going to win it.

The nearest thing to an issue in the entire campaign is Steelman's persistent charge that Bentsen is the bag toter of the special interests, carrying their legislation in the Senate and carrying their money in the election. Steelman has pounded Bentsen particularly hard for his work on the recently passed tax bill, pointing to Bentsen amendments that aided Hollywood movie producers, banking interests, private hospitals, shipping companies, book publishers, oil firms, and others (see *Obs.*, Aug. 20).

In pressing these charges, Steelman tagged Bentsen with the only memorable epithet of the campaign, "Loophole Lloyd." (Bentsen tried to come back with a lame "Absent Al," referring to Steelman's poor congressional attendance record during the past several weeks of campaigning, but it just didn't hum, so the Bentsen people dropped it.)

George Bristol, Bentsen's campaign manager, brushed aside the "Loophole Lloyd" talk as no more than campaign rhetoric, arguing that "Texas is a big state with a lot of special interests, including pensioners, farmers, small businesses, and others." In their view, the senator is in a position to aid all comers: "I will not turn a deaf ear to any justified request for assistance from a constituent, be he a contributor or a non-contributor [to my campaign]." Bentsen assured *The Dallas Morning News*.

Steelman also has jabbed effectively at Bentsen's refusal to make a complete disclosure of his financial holdings—a sore spot that Ralph Yarborough hammered in his 1970 race against Bentsen. In 1971, Bentsen finally issued a net worth statement, showing him good for \$2.3 million. Since then, Bentsen has stonewalled. Steelman has released a statement of his current net worth (\$27,135) and a copy of his income tax return.

"The biggest bogus issue of the race" is what Bristol thinks of financial disclosure. He says that Bentsen has resigned from board memberships on all profit-making corporations (Lockheed, Continental Oil, etc.), has sold his own business, has put all of his holdings in an irrevocable blind trust and does not even accept honorariums for speaking. Furthermore, says Bristol, Bentsen did most of this "pre-Watergate."

So why not just release a new net worth statement and shut Steelman up? "Because it's not relevant to the campaign; not a legitimate issue," concludes Bristol. And, with a dash of Catch-22 logic, Bentsen himself says that to issue an update of the 1971 statement would be a violation of his blind trust.

(Continued on Page 3)



The challenger

Fortnight

By Suzanne Shelton

NOVEMBER GRAB BAG

SCIENTIFIC SIBERIA—For those of you who wonder what's out there besides exiles, "Scientific Siberia" exhibition includes Soviet satellite, lunar module, gems, furs; through Nov. 4, Museum of Transportation, HemisFair Plaza, San Antonio.

DANISH DESIGNERS—Sampling of current work by twenty top designer/weavers from Denmark; Nov. 7 through Dec. 5, Art Museum, University of Texas, Austin.

SUPPORT OUR OWN—"Texas Painting and Sculpture Exhibition, 1976," with works by Texas' finest, juried by Christopher Wilmarth, New York sculptor; through Dec. 26, Museum of Fine Arts, Dallas.

SIDE BY SIDE—Two exhibitions entitled "Larry Bell: Iceberg and Its Shadow" and "Images of Nature" by Ferenc Berko, the latter being a photographic exhibition, with Bell's large-scale sculpture including 56 glass panels; through Nov. 28; Art Museum of South Texas, Corpus Christi.

PRICELESS PLATA—Silver objects from the Rio de la Plata, which reflect Argentinian culture during 18th and 19th centuries; Nov. 5 through Dec. 3, Michener Galleries, University of Texas, Austin.

SOUTHWESTERN SKETCHES—El Paso artist Jose Cisneros' precise pen and ink drawings of ranch life in American Southwest and in Northern Mexico, through Nov. 8; exhibition of traditional Indian costumes of Guatemala, with unbelievably rich geometric patterns and textures, through Nov. 17; collection of original 19th century prints of Western cities, through Dec. 12; "The Cuzco Circle" collection of paintings by Peruvian artists, especially noted for use of gilt brocade, native symbolism, and flat colors in textile tradition, through Jan. 2; Witte Memorial Museum, San Antonio.

OCTOBER 29

FESTIVE FOLKLORICO—Amalia Hernandez' troupe of 75 dancers, singers, and musicians—*Ballet Folklorico de Mexico*—flash through Houston, on tour; through Oct. 31, Jones Hall, Houston.

SPANISH PLAYS—*El Grupo del Drama en la Lengua de los Angeles* has existed since fall, 1974, for the production of plays in Spanish language, currently "Noche de Botana," "Panchito Gonzales y la Peste Bubonica," "Jamanegs," "El Tabaco," and "Estudio en Blanco y Negro," with Robert Blake directing; Friday evenings only, Creek Theatre, Austin.

ALBEE DUO—Performing Players present two Edward Albee plays, "The American Dream" and "Zoo Story"; 8:30 p.m., through Oct. 30, DAC Playhouse, Corpus Christi.

OCTOBER 30

BROTHERLY BENEFIT—Steve Fromholz returns to his high school stompin' grounds in benefit concert for Big Brothers and Big Sisters of Denton County; 9 p.m. Main Auditorium, North Texas State University, Denton.

THE MADWOMAN—I've always thought she was perfectly sane, but judge for yourself, as Children's Theatre presents Jean Giraudoux's "Madwoman of Chaillot"; through Oct. 31, Nov. 6-7, Margo Jones Theatre, Southern Methodist University, Dallas.

BITS IN HIGH C—Opera excerpts, performed by UT students, directed by old pro Walter Dulong, with free admission; through Oct. 30, 8 p.m., UTOPIA Theatre, Austin.

OCTOBER 31

WITCHES' BREW—They can't help that it's Halloween and that the spooks may tinker with their tympani—the show must go on, as percussion ensemble of Del Mar College and Texas A&I University at Corpus Christi bang it out, for free; 3 p.m., Art Museum of South Texas, Corpus Christi.

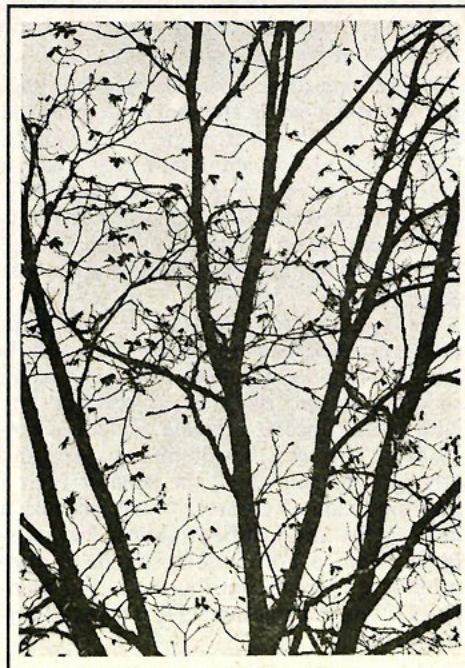
NOVEMBER 1

COMMUNITY DANCES—An unusual experience, the chance to join in "Ten Circle Dances for Everyone," as nationally-known dancer Deborah Hay comes to Austin to conduct her sensitizing-fun sessions of community dance, sponsored by Laguna Gloria Art Museum; through Nov. 5, Nov. 8-12, Studio D, Austin.

YANKEE BRASS—New York Brass Quintet appears in Distinguished Artists Series; 8:15 p.m., Roxy Grove Hall, Baylor University, Waco; also in residency Nov. 8-9, North Texas State University, Denton.

NOVEMBER 3

CITYSCAPE—Previews of two plays collectively titled "Cityscape," including readings from Bertolt Brecht's "Primer for Citydwellers," and "Paper Tiger" by East German playwright Thomas Brasch—a must for theatre-buffs who keep up with the changing form of the art; 8 p.m., Laguna Gloria Art Museum, Austin.



Roy Hamric

TANDEM PLAYS—The Alley has recovered from its vice-presidential debate and is back to the business of real drama, with Harold Pinter's "The Collection" and John Mortimer's "The Dock Brief" presented in tandem on the small stage; through Nov. 14, Arena Stage, Alley Theatre, Houston.

NOVEMBER 4

EAT 'EM UP—"Eaters of Darkness" is a weirdo of a ballet by Walter Gore, with Ben Stevenson's "Harlequinade" and staging of "Graduation Ball" also scheduled for performance by Houston Ballet; through Nov. 6, Jones Hall, Houston.

BOOMING BARITONE—German baritone Hermann Prey displays his fine form in solo voice concert; Hogg Auditorium, University of Texas, Austin.

NOVEMBER 5

ALUM'S ARIAS—As part of Homecoming celebration, Sheila Wall Barnes, noted New York and Carnegie Hall vocalist, returns to her alma mater for "Special Homecoming Concert"; 4 p.m., Ruth Taylor Concert Hall, Trinity University, San Antonio.

HAMLET'S REVENGE—In superior bit of programming, productions of "Hamlet" and "Rosencrantz and Guildenstern are Dead" play alternate nights in repertory, giving audiences a bit of the Bard, followed by Tom Stoppard's contemporary study of Hamlet's avuncular buddies; alternate nights through Nov. 20, B. Iden Payne Theatre, University of Texas, Austin.

HANDEL IN ENGLISH—Handel's baroque opera "Samson" with glorious cast: Jon Vickers, Maureen Forrester, Paul Plishka, and Patricia Wells, with Dallas Civic Opera; also Nov. 7, 9, Fair Park Music Hall, Dallas.

NOVEMBER 6

MR. RAY CHARLES—The man himself, with the Ray Charles Revue; 8:30 p.m., Music Hall, Houston.

NOVEMBER 7

BOFFO BALLET—Stanley Hall's troops still pack them in to the Armadillo, as Austin Ballet Theatre performs monthly concert; 7:30 p.m., Armadillo World Headquarters, Austin.

NOVEMBER 9

SYMPHONIC SOUND—Daniel Sternberg conducts Waco Symphony Orchestra, with Michel Debost on flute; 8:15 p.m., Waco Hall, Waco.

STEAMY STUFF—Corpus Christi native Terrence McNally wrote "The Ritz," which features a torch singer in a steambath (Midleresque); through Jan. 2 except Christmas week, Theatre Under the Stars Cabaret, Houston.

NOVEMBER 10

DEAF THEATRE—The extraordinary National Theatre of the Deaf pays a visit to Texas; 8 p.m., Music Hall, Houston.

EXPERIMENTALISTS—New Music Ensemble charts new musical ground; 8 p.m., Dudley Recital Hall, Fine Arts Bldg., University of Houston, Houston.

NOVEMBER 11

SHAKESPEAREAN ROMANCE—"The Winter's Tale" celebrates forgiveness, with unforgettable poetry and romance; through Nov. 14 and Nov. 21, Bob Hope Theatre, Southern Methodist University, Dallas.

Six years . . .

(Continued from Page 1)

Steelman also appears to have tallied some technical points with his challenge to debate Bentsen. An entrenched incumbent like Bentsen usually would be expected to respond to such a challenge with something like: "Mr. Whatsizface will have to draw his own crowds; I'm too busy doing the people's business to carry him around on my back." Bentsen, however, didn't handle it that matter-of-factly. Instead, he apparently said that he might debate Steelman if only the challenger would stick to the issues and stop making wild charges. That's a bit puny, and when strictly non-partisan groups offered to set up a debate format agreeable to Bentsen, he had to be busy elsewhere.

Bentsen's only issue initiative against Steelman thus far has been to paint him as one of those meddling environmentalists. In a September fundraising letter, Bentsen lambasted Steelman as the worst threat to American well-being since swine flu: "His land use bill would extend the paw of the federal bureaucracy further into every household in Texas. It would create yet another massive federal bureaucracy, spending millions of your dollars. In fact, national land use control has become a personal cause to him and thousands of dollars from northeastern 'no growth' special interest groups are pouring into Texas right now to help him."

This kind of verbal excess has become something of a trademark of Bentsen campaigns. Most *Observer* readers will remember Bentsen's virulent distortions of Ralph Yarborough's positions on civil rights, the Vietnam war, prayer in schools, and other issues. And in his short-lived presidential campaign earlier this year, Bentsen ran ads in Oklahoma implying that his competitors were out to confiscate every gun in America. Now comes the "no growth" bugaboo used against Steelman, who actually supports a bill encouraging state land use planning and opposing national planning. And those unnamed outsiders pouring thousands of dollars into the Steelman campaign turn out to be one group, the League of Conservation Voters, contributing a total of \$10,000 (see *Obs.*, Oct. 15).

Overall, both candidates have moderate-to-conservative voting records, with differences in specialized areas. Both have been recorded for the B-1 bomber, for some retention of the oil depletion allowance, and for the right-to-work laws. Both are on record against the Humphrey-Hawkins full employment bill, the Kennedy-Corman comprehensive national health insurance bill, common situs picketing legislation, oil corporation divestiture legislation, and gun control. On the more progressive side, both voted for regulation of strip mining, both support the ERA, both oppose a constitutional amendment prohibiting abortion, and

both are against the controversial S. 1 as presently drafted (a rewrite of the U.S. criminal code that has alarmingly repressive potential).

Some legislative points of difference include aid to New York City, which Bentsen favored and Steelman opposed; an increase in the minimum wage, which Bentsen favored and Steelman opposed; creation of a Consumer Protection Agency, which Bentsen favors and Steelman opposes; land use planning, which Steelman favors and Bentsen opposes; building the Trinity River Barge Canal, which Bentsen favors and Steelman opposes; and approval of emergency public works jobs, which Bentsen favored and Steelman opposed.

But this is not a campaign of issues or voting records. It is a classic campaign of incumbency overwhelming a challenge that simply has not picked up steam. "Senator Lloyd Bentsen" asserts the front of his campaign flyer, stressing the incumbency. "Texas needs a new Senator" pleads the front of the Steelman flyer, hoping he's the one.

Talking with Bentsen's re-election staff, one gets the feeling this campaign has become a formality that "The Senator" (which is the disembodied appellation his staff uses in place of his name) must suffer before hurrying back to business in Washington. They were not always confident that it would work out this neatly for them, but now they speak less about the campaign than about the next six years, referring to the new term in the possessive. "The senator in the coming session will be looking far ahead, bringing his wisdom and judgment to bear on the whole gamut of energy issues, on the problems industry faces with capital formation, and on how to keep our economy expanding," a confident George Bristol proclaimed. He added, almost as punctuation, "The senator is chairman of the subcommittee on long-term economic growth," just in case anyone doubted that Bentsen intends to be around awhile.

Bentsen wears his incumbency as immaculately as his richly tailored suits, and it has served him well in this race. He is projecting himself to voters as a distinguished senator and legislative craftsman who has done a little something for just about every group of folks in Texas. Up until Congress adjourned October 1st, Bentsen did little personal campaigning; rather he issued a stream of Senate "news" releases claiming assorted legislative accomplishments and casting himself as the model public servant. "I'm going to spend everything but weekends here in Washington," Bentsen intoned from the Capitol. "I believe you solve these problems not by public relations but by public responsibility," he postured.

Being a member of the tax-writing Finance Committee and the tax-spending Public Works Committee certainly has not hurt his effort to raise the \$500,000 his campaign has budgeted for the general election—a

relatively meager sum by Texas standards. As previously reported in the *Observer* (Oct. 15), special interest groups have favored Bentsen with \$133,250 in campaign contributions—more than any other Senate candidate running this year.

Bentsen also has used his incumbency over six years to establish an effective organizational network throughout the state. His campaign is well organized, with a coordinator in 245 of Texas' 254 counties and a "friendly list" of about 60,000 supporters scattered everywhere in the state.

His paid campaign staff of 18, headquartered in Austin, is coordinated by experienced professionals. Campaign manager Bristol worked for the Democratic National Committee and previous Bentsen campaigns. Judy Rainbolt, deputy manager, has worked with Bentsen in Washington for four years. Campaign press secretary Jack Devore also comes from Bentsen's Senate staff, where he handled press. Tom Baker, in charge of get-out-the-vote, worked in the Bentsen presidential foray and has experience with the Matt Reese political consulting firm. Bill Wright, who ran Bentsen's primary campaign and did a little work for LBJ and Preston Smith, is handling scheduling and advance.

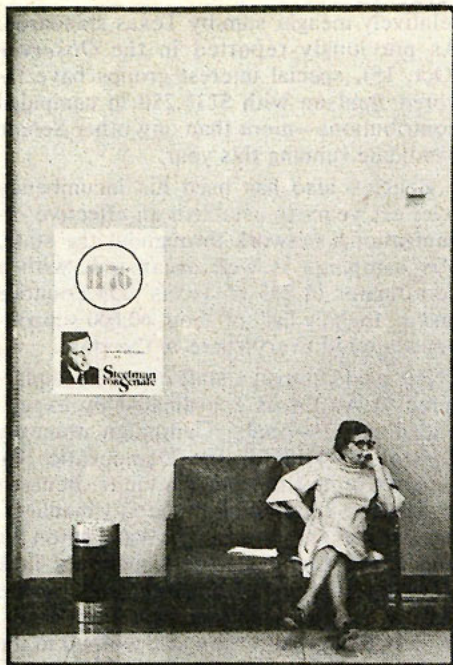
In addition, Bentsen has brought in a couple of hired guns to work with his campaign: the Peter Hart firm has done some polling, and George Christian's p.r. outfit, CMH, has the Bentsen media account.

Bentsen has successfully put the grip on most segments of the Democratic Party, lining them up from right to left for his re-election. The Texas AFL-CIO was on board early, and six heavyweight liberals (all 1970 Ralph Yarborough supporters) were not far behind with a letter of endorsement: Bernard Rapoport, Billy Goldberg, Oscar Mauzy, George McAlmon, J. R. Parten, and Sarah Weddington.

To some degree, Bentsen is the beneficiary of a general party unity that has been built around the Jimmy Carter campaign in Texas. With Texas a key state in the presidential race, and with Carter and Ford running tightly here, it is not in the best interest of Democrats to split over a Senate race. The best interest of the party has not always held Democrats together in the past, but this time the herd instinct is pretty strong, and not many are straying off the ranch.

It is a split Democratic Party that Alan Steelman needed if he was to have a prayer. In the first place, there is the stark fact that Democrats outnumber Republicans in Texas at least two-to-one. That was too high a hurdle for 1970 Republican nominee George Bush in his senatorial run at Bentsen, who was not then an incumbent and who had a nomination tarnished with the blood of Ralph Yarborough. It does not bode well for Steelman.

Steelman is articulate and attractive. He



Mike Smith

is campaigning vigorously, but his effort is like that of a small business up against a multinational corporation. Big-time politics runs on money, primarily for television advertising. Steelman doesn't have it. He has not attracted the million dollars he originally hoped to have, nor will he raise the scaled-down budget of \$800,000 he said on Sept. 30 would be just enough to "wage a winning campaign." They now think they will have run through about \$650,000 by the campaign's end.

The reality is gloomier for Steelman than that figure indicates. His campaign had

spent some \$500,000 by mid-October, mostly on organizational work, and it expects to have only about \$120,000 to buy television time. There are 18 major television markets in Texas, and \$120,000 spread across those markets can buy only minimal exposure—way short of the heavy media inundation needed to make Alan Steelman a household word and U.S. senator. In contrast, Bentsen is spending \$300,000—or 60 percent of his total campaign budget—on media that will reinforce his name identification. The rich get richer.

Stelman is a nonentity to most voters. They might have heard his name, but they don't know what he stands for. Even if there is a wide undercurrent of disgruntlement with Bentsen, as the Steelman campaign claims, the Republican is not widely perceived by voters as a realistic alternative.

This situation has left the Steelman campaign grasping at tiny bits of good news and speculating on pockets of hidden Steelman support. Anson Franklin, Steelman's well regarded campaign manager, issued a press release on the results of a Southwestern University straw poll showing students there favoring Steelman over Bentsen by 200 votes to 61. Franklin also took heart in a *San Antonio Express* poll that showed Bentsen ahead of Steelman in Bexar County by only two-to-one. "We're intrigued by that," said Franklin, postulating that Bentsen should be drubbing Steelman even worse in this Democratic stronghold. Franklin also said they are getting encouraging reports from around the state of "a lot of Carter-Steelman voters." Well, maybe.

Stelman's basic pitch is that he's an independent-minded cuss, willing to take on

big business, big labor, big government, and just by-God anything that gets in the way of average Texans. It's pretty good stuff, but it's not selling all that well, both because it doesn't ring quite true coming from Steelman and because he hasn't had the necessary advertising budget.

Where is the Steelman support? Republicans, of course, though Steelman is not your ordinary Texas Tory Republican, and that has cost him some enthusiasm, money, and workers within his own party. He has natural Republican strength in Houston, Midland-Odessa, Lubbock, Amarillo, and Dallas, with the last being home base and his best shot.

Stelman hardly harps on his Republicanism. In fact, he has castigated his party for being too narrowly based and too often serving as mouthpiece for big business. "The trouble with many Republicans," he says, is that "they talk about what they hear at the country club. It's not Jeffersonian conservatism; it's status quo conservatism." That kind of talk has not warmed the hearts of Texas mainstream Republicans. For example, John Connally—a bastion of the Republican country club set—has been distinctly cool toward the Steelman candidacy. He has not been asked to campaign for Steelman, nor has he offered.

Texas campuses—harboring some 700,000 voting age Texans—have been favored haunts of the Steelman campaign. He hopes to get a majority of the student vote in Texas, though Franklin admits that student turnout is disproportionately poor, and he knows of no reason that his year will be different. In addition, Steelman has made a special effort to project his relatively strong environmental record, hoping to pull the

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Ronnie Dugger, Publisher

A window to the South

A journal of free voices

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environmentally-inclined voter into the Republican column. This appeal has been fairly successful, with such environmental leaders as Ned Fritz of Dallas joining Steelman. Environmentalists particularly admire Steelman's stand against the Trinity River barge canal project, which he terms "an economic and environmental boondoggle."

Finally, Steelman will pull the confirmed anti-Bentsenites, as well as some Democrats who simply think Steelman is an altogether fine fellow. In August, Steelman announced formation of Democrats for Steelman, coming forward with 37 name Democrats who were willing to stand up for him. The list included Abner McCall, president of Baylor University; Wes Masters of Austin, an early Jimmy Carter leader; Dr. Mel Bradford of Irving, a former Wallace leader and former state Demo committeeman; Ann Fears Crawford of Austin, Democratic activist and author of a book on John Connally; Naomi Lede of Houston, director of the Urban Research Center; Rex Cauble of Denton, a member of the Texas Aeronautics Commission; John Kern of San Antonio, former Bentsen coordinator in Bexar County; and Tom Moore of Waco, former "Dirty 30" leader in the legislature and long-time liberal Democratic activist.

What's all this add up to? "Stelman is going to get wiped," is the terse summation of the AFL-CIO's John Rogers.

Few disagree. Catch Steelman in an unguarded moment and chances are he would admit it. Things just haven't worked out.

The law of political inertia dictates that there has to be a good reason for voters to turn out an incumbent. Either the incumbent must make enough people hopping mad, or the challenger must sparkle so brightly as to be irresistible. In the 1976 Senate race, neither case applies. Not that Bentsen has thoroughly pleased Texans. In fact, early this year there seemed to be some widespread public feeling that Bentsen had overplayed his hand with the presidential primary bill, his patrician manner, and his service to big corporate interests. But his ill-advised and abbreviated run for the presidency served as something of a cathartic for those who wanted to see the big man get his.

Then came the unexpected and unusual Democratic harmony that settled over the party like a benediction when Carter pulled off the nomination, and Bentsen found himself sitting pretty. Meanwhile, Steelman's "I am not really a Republican" strategy miffed some of the more influential and wealthy members of his party, while not convincing many Democrats. Add to that the fact that no Steelman issue has awakened the voting public from what appears to be a deep slumber (somebody really should check their pulses, just in case) and you have the makings of a Steelman nightmare.

Stelman, of course, is young and hardy. Not only will he survive, but if he can stay within sight of Bentsen in this race, he

Assorted Bentsen-Steelman ratings*

Group	Bentsen	Stelman
AFL-CIO COPE	64%	18%
American Conservative Union	47	100
American Security Council (conservative)	75	90
Americans for Constitutional Action (conservative)	38	86
Americans for Democratic Action (liberal)	39	26
Common Cause	66	29
Consumer Federation of America	7	9
League of Conservation Voters	39**	66**
League of Women Voters	70	82
National Association of Business	58**	91**
National Farmers Union	80	45
Ripon Society	36	77
Textile Workers Union	33	10

*Ratings based on each group's analysis of selected Senate and House votes during 1975-1976.

**These ratings based on 1974 votes in Congress.

might even have a statewide political future. 1976 may just prove a case of too little, too early for Steelman. Like they said about the country singer, "You're good, but don't give up your day job just yet."

The question arises, what to do on Nov. 2? *The Observer*, after close examination of the two main runners, cannot in good conscience recommend either. Steelman clearly has the superior environmental and tax reform record, while Bentsen just as clearly has the superior record on labor issues. While both talk a good line, neither

has done much of note for farmers or small businessmen. Both parrot the line of big oil on energy issues. Both are defenders of wasteful military spending, both have foreign policy views more suited to 1956 than 1976, and neither has a programmatic concept of economic democracy.

Progressives with a tactical bent may feel justified in voting for Steelman just to cut Bentsen's margin of victory. Hold your nose, bite your bullet, and do what you have to do Nov. 2. Then hunker down and wait for 1982. J.H.

ENDORSEMENTS

Water bonds

The *Observer* recommends a "no" vote on Proposition 1 and a "yes" note on Proposition 2.

Proposition 2 would provide an additional \$100 million in bond sales to replenish the Water Quality Enhancement Fund, which loans money to local governments to improve or rebuild their sewage treatment facilities. Sewage pollution is a serious problem in the state's rivers, and our small towns in particular need a helping hand to clean up their waste discharges.

Proposition 1 is a horse of a different color. The Texas Water Development Board wants a \$400 million blank check for dam and reservoir building. Obviously the state needs ample water storage facilities, but we are convinced that the water hustlers still have pie-in-the-sky schemes for water importation as well (see *Obs.*, Sept. 17).

Texas—primarily West Texas—must cope with a serious water shortage in the future. Farmers on the High Plains have developed a booming business in irrigation agriculture. Naturally, they don't want to see

that investment dry up and blow away. But the fact is that they are depleting their un-renewable ground water source, just like oil producers depleted the rich oil fields of East Texas. The oilmen didn't bellyache because they pumped up all their resources. They accepted the fact that their boom days were over.

At a recent hearing of the TWDB in Dallas, none other than Joe Moore, a water resources expert who was executive director of the TWDB during the Sixties, when the original Texas Water Plan was devised, counseled the agency to "face wisdom and reality" by abandoning plans to import irrigation water to West Texas. Moore maintained that importing any out-of-state water is so politically and physically difficult that it can never be accomplished before the High Plains aquifer runs dry. Moore, like the environmentalists who are opposing Proposition 1, suggested that West Texans start conserving their ground water and convert to dry-land farming. That's a hard pill for West Texans to swallow, but we suspect they'll eventually have to take it.

We often hear the argument that Texas and a starving world can't afford to abandon the High Plains, since it has the potential to be the breadbasket of the world. Well, the High Plains primarily produces cotton, cattle feed, and beef. Cotton is certainly an important crop, and most Americans support a healthy, one could say gluttonous, beef habit. But while we're talking about the future, we'd best face up to the fact that beef is a highly inefficient protein source.

Frances Moore Lappe in *Diet For a Small Planet* points out that an acre of cereal can produce five times more protein than an acre devoted to meat production. It we insist on eating livestock products, then eggs, milk, poultry, and even pork are more efficient. While it takes only 4.3 pounds of protein for a chicken to produce one pound of eggs, it takes 21.4 pounds of protein for a cow to produce one pound of beef.

If we were really serious about feeding the hungry, we'd reduce our beef habit and use a greater portion of our abundant farmland to grow cereals for human consumption. Instead we continue to use 78 percent of our grain nationwide to feed animals.

But to get back to the immediate subject at hand, Proposition 1: If you ask folks at the TWDB what they want to do with an additional \$400 million in funds (which may or may not be revolving—see Oct. 1 *Obs.*), they will say that they want to develop Texas water resources for the future. What specifically? you may ask. They will explain that they are still studying Texas' water needs and that a new Texas Water Plan will be submitted to the Texas Legislature for approval after voters sign the \$400 million check.

Why don't we voters simply wait until the new water plan is unveiled before we decide whether we want to foot the bill? The TWDB still has \$194 million to spend from its last bond referendum. Surely that's enough money for the present. We strongly recommend a "no" vote on Proposition 1.

R R Commission

Republican Walter Wendlandt is our choice for railroad commissioner.

Wendlandt has the technical expertise and independence to make a first-rate addition to the industry-dominated commission. As a former employee of the RRC (16 years experience, including stints as director of both gas utilities and transportation division), Wendlandt, an engineer, is uniquely suited for the job. He knows the commission's weaknesses and has been outspoken in recommending much-needed improvements for this non-regulating regulatory body. As hearing officer in the Coastal States/Lo-Vaca Gas case a few years ago, he advocated a plan of action that might have saved Lo-Vaca's customers hundreds of millions of dollars in fuel costs. The

commissioners, of course, ignored his advice and allowed the Lo-Vaca situation to deteriorate into a major crisis.

Wendlandt's Democratic opponent, State Rep. Jon Newton of Beeville, is a creature of the oil industry. During the hard-fought Democratic primary, Newton collected more campaign contributions and loans than six or his seven opponents combined.

SUPREME COURT

We're going to explain the game plan in the Supreme Court race without making an endorsement. Remember that in the spring Don Yarbrough won the Democratic primary in what is generally interpreted as a disastrous case of mistaken identity.

Once nominated, Yarbrough promptly announced that the Lord had told him to run for the Supreme Court and that he would refer to the Bible more than to state law in deciding cases. Texas lawyers started having hissy fits.

Since Yarbrough has no Republican opponent, two attorneys, Tom Lorange of Houston and State Dist. Judge Sam Houston of Denton, are running against him as write-ins. Houston has the easiest name to remember, but Lorange seems to have the better reputation in legal circles. Lorange is known as a "lawyer's lawyer," a man with a thorough grounding in the law. He's also known to have a massive ego.

Sam Houston is a Briscoe-appointed judge of no particular distinction. We know people who are going to vote for him because his name is easy to remember and that makes him the best bet for a successful write-in campaign. (These considerations are probably moot, since no write-in candidate in Texas history has won a state-wide race.)

Since the *Observer* is not particularly sold on any of the candidates, we will not make an endorsement. If M.I. were still with us, she'd probably vote for Yarbrough because his tenure on the court should be a hoot.

But wait. We can't close down this editorial without a snide aside concerning the Bar's treatment of Yarbrough. In its after-the-fact campaign against him, the state's legal establishment has acted more like a lynch mob than a group dedicated to due process. Members of the Bar have encouraged reporters to run derogatory stories concerning Yarbrough's fundamentalist beliefs and his legal troubles (about 16 civil suits filed against him). And information has been leaked concerning a Bar grievance committee's disbarment proceedings against him.

We know a reporter who told an attorney that lawyers were trying to railroad Don Yarbrough. "Of course he's being railroaded," the attorney conceded. "The question is: Does he *deserve* to be railroaded?" Due process, indeed.

To date he has raised almost \$553,000 for the primary and general elections. Most of the money came from the state's top industrialists.

The choice is between a man who has already committed himself to major oil and gas interests and an independent expert with 16 years experience in the regulatory field. It's Wendlandt by a country mile.

The *Observer* suspects that Yarbrough will get a number of votes as a protest against the Bar's high-handed tactics.

Congress

Just for the record, we'd like to point out that three good men are running hard races for congressional seats. Just a glance at these Democrats' Republican opponents would be enough to convince most *Observer* readers of the importance of these contests. But there's more to it than that.

U.S. Rep. Bob Eckhardt of Houston is campaigning hot and heavy against a television type. He probably has the race aced, but if an *Observer* endorsement will help any, he's got it in spades.

Meanwhile, State Sen. Bob Gammage of Houston, a veteran Dirty Thirtian, is taking another crack at Republican Ron Paul of Lake Jackson. And liberal State Rep. Jim Mattox of Dallas is battling Republican Nancy Judy to see who will succeed to Alan Steelman's old seat. Both men would make worthy additions to the U.S. Congress.

President

People need jobs. They also need housing and a much more responsive health system. They need an end to monopoly pricing, especially on food, utilities, and other basics. They need an equitable tax system. And those people who are operating a small business, who are family farmers, or who are involved in a cooperative enterprise need a fairer economic chance.

These are rock-solid reasons to vote for Jimmy Carter over Gerald Ford. Not that Carter is going to achieve all this or even go as far toward it as he could, but at least he will head us in that direction instead of continuing to let the giant corporations run everything.

Is Carter sincere? Who knows? One thing we do know is that Ford is sincere. He's the most sincere Republican we've had since Herbert Hoover, and the result is that our economy is a wreck, our system of justice continues to be repressive, and our foreign policy is a shame. Only the multinational corporations benefit from the Ford presidency.

It boils down to this: either Carter or Ford is going to be President. While Eugene McCarthy has had some good things to say and has scored witty points against the two majors, he is not going to be President. A vote for McCarthy, while personally gratifying, is a luxury that not many in the country can afford.

Carter will put millions of people back to work. He will loosen up money for new housing starts, and he will cause more capital to flow into small enterprises. He shows a strong empathy for the rights and needs of minorities and poor people, which has been out of fashion in official circles for the last eight years. He'll put some good people into positions of administrative responsibility, and he'll end the right-wing swerve of the federal judicial system.

None of this is to ignore either some real doubts about Carter or some obvious shortcomings in his positions. But too much is at stake to risk four more with Ford. We're for Carter. □



Jimmy Carter

Mike Smith

New post for Orr brother

Dallas

Once again, one of the infamous Orr brothers is slipping into public office in a questionable manner.

The Orrs are the pre-eminent political family in De Soto, a booming suburb of Dallas. Roy Orr, a former mayor of De Soto, and Fred Orr, a former councilman, comprise a two-man De Soto establishment with interests in real estate, insurance, and banking. For a time, they owned the only newspaper in town.

But the Orr's right-wing political influence reaches beyond De Soto. Fred served as a state representative and Roy has been a Dallas County commissioner and chairman of the State Democratic Executive Committee.

Roy Orr's ascent to the Dallas County commissioners court was their first questionable conquest. When Commissioner Denver Seale died in 1971, Orr somehow got Dallas County Judge W. L. (Lew) Sterrett to appoint him as Seale's replacement over the protests of Seale's widow, State Sen. Oscar Mauzy (who has tried unsuccessfully to change the law that allows a county judge to unilaterally fill a commissioners court vacancy), and various liberal and moderate Democrats who resented Orr's high-handed political tactics.

But none of that could keep Orr from getting the commissioner's job, and as many incumbent politicians know, once you get the power, it's not that hard to hang on to it.

So it probably should have come as no surprise several weeks ago when the Orr

brothers and Rep. Calvin Rucker of Cedar Hill, the conservative Democrat who represents District 33-H in south Dallas County, toured the homes of Democratic precinct chairmen in the district, trying to line up their votes for Fred Orr to replace Rucker on the ballot should he resign.

Thelma Tyson, a long-time Democratic party worker and wife of Dist. 3 County Commissioner Jim Tyson, said that she called Rucker when she heard about the visits and that Rucker denied he was planning to resign. He repeated his denial right up until the night before he had his signature notarized on a statement that he was dropping out of the race.

The fact that Rucker might be dropping out didn't really perturb too many of the folks in the district. Rucker, who beat Ben "Jumbo" Atwell in the 1974 elections, turned out to be one of the genuine lightweights in the 1975 Texas Legislature. After his first session, quite a few people in the district would have taken Jumbo back.

But Rucker won the Democratic nomination this spring unopposed; certainly a host of other candidates would have materialized had he indicated his plans to drop out earlier.

Rucker told the *Observer* and others that his reasons for resigning concerned his wife's health. He is in the process of moving to Austin, amid rumors that he is in line for some kind of state job. There are other rumors that the Orrs lined up the job for him as inducement to resign, but Rucker denies them.

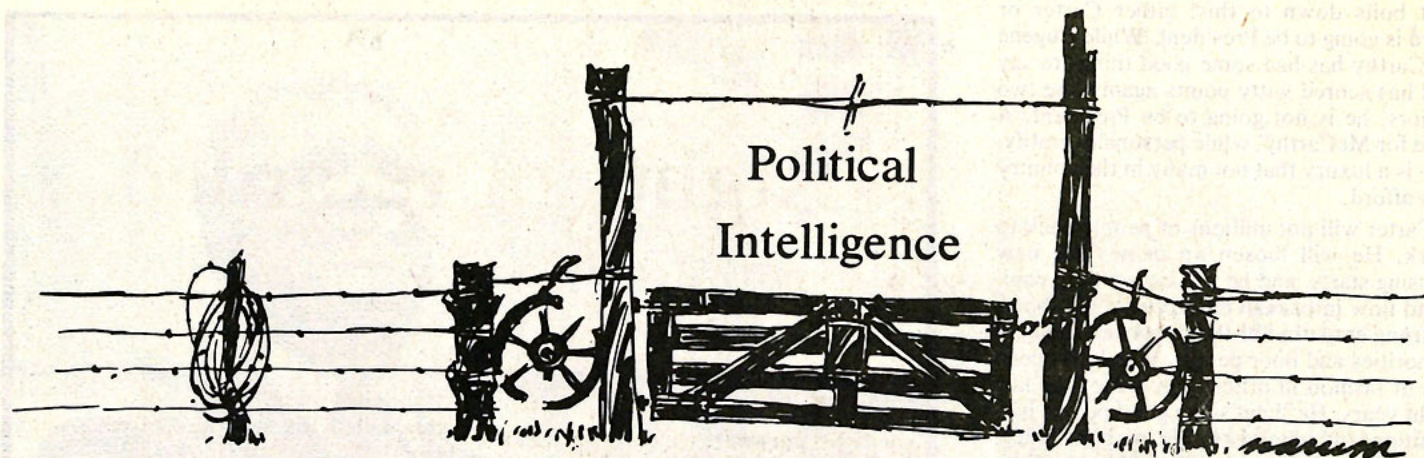
At any rate, the Orr brothers had their votes lined up and appropriately choreographed when the time came to replace Rucker. Rucker got his resignation petition signed on Saturday, Sept. 25 and turned it in on the following Tuesday; the meeting to select Rucker's replacement was held that Tuesday night.

Fred Orr won the balloting among the 20 (of 23) precinct chairman who attended the meeting. Eleven voted for Orr, six voted for Thelma Tyson, and three for Trathene Hickman. Tyson claimed she could have won a secret ballot, but she said the presiding officer at the meeting refused to allow a vote on whether to hold a secret ballot.

So Fred Orr will be the Democratic nominee in 33-H, against an unknown Republican, James S. Gurney. Gurney, who is about 60 and whose health isn't the best, had volunteered to resign his nomination in favor of a better-known, more vigorous Republican candidate. The Republicans apparently couldn't come up with one, so Orr may be returning to the Legislature. The people in south Dallas County are reportedly quite angry at the Orrs' heavy-handed tactics but probably can't maintain that anger through election day.

—Dave McNeely





- Gov. Dolph Briscoe and his friends in the Sheep and Goat Ranchers Association think that the golden eagle is responsible for numerous lamb killings in Central and West Texas. They have asked the U.S. Fish and Wildlife Service, a division of the Department of the Interior, for permission to slaughter golden eagles in 31 Texas counties.

Interior Secretary Thomas S. Kleppe said he doubts that an eagle-killing permit is the answer to the problem. Others, such as J. Shawn Ogburn, executive director of the Raptor Preservation Fund, doubt that eagles are the problem at all.

Eagles often are blamed for kills that they did not make, since they sink their talons even into dead animals before eating them. Ogburn told the *Observer*, "Experts I contacted at Texas Tech and Baylor deny any documentation whatsoever of observing firsthand a golden eagle killing a sheep." And Dr. Sam Beason of Texas A&M said a study of 200 dead lambs examined over the past two winters in the Trans-Pecos area documented only once case in which an eagle had definitely killed a lamb. Beason said most of the lambs were killed by coyotes and a small percentage of them died from natural causes.

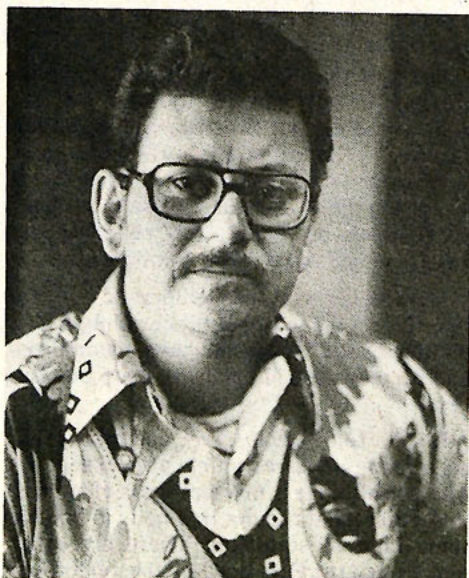
Ogburn charges that the governor and the sheep ranchers are shooting from the hip. "I've researched Governor Briscoe's plan throughout and have found no evidence that he or his office contacted any state eagle experts or even the [state] Parks and Wildlife Department," Ogburn said. The Fish and Wildlife Service has not yet taken action on the request.

- Dallas Power & Light Co. says that construction cost estimates on its Comanche Peak nuclear power plant have risen 77 percent in the last two years. DP&L originally estimated that construction would cost \$777 million. Now it's up to \$1.38 billion and rising. Meanwhile, the company is lowering its projections on customer demand and has announced that the plant, originally scheduled for start-up in 1980, will instead begin operations in 1981.

- Secretary of State Mark White says that approximately one million new voters have registered in the past nine months. That brings Texas' registered voters to nearly six million, more than 70 percent of the voting age population.

For the asking

- José Angel Gutierrez, the Zavala County judge and *Raza Unida* Party founder, used the Freedom of Information Act to get the Central Intelligence Agency's file on him. On CIA letterhead stationery with the Bicentennial seal, the agency obligingly sent him seven newspaper clips and informed him that eight other items in his file (four "dispatches" from 1970 and 1972, plus one 1970 "memorandum," one 1972 "cable," and one newsclip each from *The Washington Post* and *San Antonio Express*) were deleted "under the exemption provisions of the Privacy Act." So the net result of Gutierrez' request is seven outdated clippings for his scrapbook, a tantalizing list of exemptions, and a cheerful note from Gene F. Wilson, information and privacy coordinator of the CIA, thanking him for his "patience and consideration."



Tad Hershorn

Judge Gutierrez

- There's a labor movement afoot at the *Corpus Christi Caller and Times*. The National Labor Relations Board was scheduled to hold a hearing Oct. 19 in Corpus to determine whether the *Caller-Times* Newsroom Association is an appropriate bargaining unit for union affiliation.

The Newsroom Association is "a local effort, not associated with the Newspaper Guild or any other established labor organization," explained reporter Jay Brakefield. Brakefield said that the Harte-Hanks management was calling an unusual number of staff meetings in Corpus and had indicated to reporters that they would fight the organizing effort within the limits of the law.

- The edifice complex at the University of Texas (\$260 million spent or committed since 1969) led administrators to demolish several structures on its Little Campus, despite their listing on the National Register of Historic Places and designation as state archeological landmarks.

No permit was requested from the state Antiquities Committee, although state laws require permission before landmarks may be "taken, altered, damaged, destroyed, salvaged, or excavated." The first structure was begun in 1858 for a state school for the blind; and a number of the destroyed buildings were used by Brevet Major George Armstrong Custer when he headed the Union occupying forces in Texas following the Civil War.

Bombs away

- The first annual Earl Butz Gratuitous Affront to Humanity Medallion goes to Paul Tibbets, commander of the "Enola Gay," for simulating the Hiroshima bombing mission during a recent Confederate Air Force show in Harlingen. The re-enactment was complete with a little mushroom cloud. Tibbets said he has never lost a night's sleep over his role in the first atomic bombing, which killed at least 87,000 people.

- Where there's oil money, there's Texans. Today, there's bushel baskets full of oil money sitting around in the Mideast, and, true to form, Texas corporations are lined up to get a share of it.



Senator Tower

Texas firms make in the neighborhood of \$1 billion worth of sales annually to Arab countries, with firms like Brown & Root and Dresser Industries leading the way. In fact, Arab countries buy an estimated 25 percent of their U.S. goods and services from Texas firms. So far, so good.

However, as it turns out, many Arab countries require that U.S. firms selling to them comply to varying degrees with the Arab economic boycott of Israel. The boycott requirement ranges from not shipping goods in Israeli ships to not doing business with Israel or any firm that deals with Israel.

When the U.S. Congress found out that many of America's top corporations were going along with this *quid pro quo* (a *quo* that happens to conflict with official government foreign policy), there was a flurry of legislation to stop it. Both houses passed differing versions of an anti-boycott bill. The bills were weak medicine, still allowing primary boycotts of Israel by U.S. firms, but they were too strong for the big corporations to take.

Texas Republican Sen. John Tower found a way to kill the legislation. The differences in the House and Senate versions were to be ironed out by a conference committee. Under Senate procedure, a single senator can object to the appointment of the Senate conferees, thus throwing a monkey wrench into the legislative works. That's what Tower did throughout the last week of this congressional session, and that's how the corporations got their way over Israel after all.

My definition of a free society is a society where it is safe to be unpopular.

—Adlai Stevenson

Rights of retarded

By Mary Zapalac

Austin

It was a lot like throwing a big party and not having the guests of honor show up.

Texas legislators were the guests of honor at the Mental Retardation: Interdisciplinary Responsibility and Public Interaction Symposium. Their invitation was not a mere courtesy. The purpose of the Austin symposium was to examine the legal and philosophical issues involved in a proposed Bill of Rights—the Mentally Retarded Persons Act.

The symposium was a lavish three-day affair funded with a grant from the Texas Committee for the Humanities and Public Policy. Nationally known figures in the fields of mental retardation, law, and philosophy addressed the conference. Unfortunately, most of the 200 people attending—mainly parents of the mentally retarded and a variety of helping professionals and four or five legislators—were already familiar with the proposed Mentally Retarded Persons Act.

The act would detail the legal rights particular to the 300,000 mentally retarded in Texas. It also would affirm their right to the same due process of law accorded all citizens. As Senate Bill 395, the act was unsuccessfully introduced into the last Legislature. Last month, the Texas Department of Mental Health and Mental Retardation asked Atty. Gen. John Hill for a new task force to restudy and bring a revised bill before the coming session.

"The mentally retarded have been seen as subhuman or as eternal children," says Robert Provan, an assistant attorney general who helped draft the original bill. The mentally retarded often lose their "legal rights without question, simply on the basis of mental retardation . . . and run into so many roadblocks in addition to their handicap."

The proposed bill, Provan explains, will provide a list of legal rights—specifically rights to the least restrictive treatment, to personal property, and to access to public accommodations and transportation. And since the present law does not require a review of voluntary admission to a state school, the bill would detail new admission and commitment procedures to both state schools and community mental health centers. This provision should prevent indefinite civil commitment of the mentally retarded without a hearing, as often occurs today.

Provan, who has been appointed to the attorney general's new task force, feels the last bill for mentally retarded persons' rights failed for several reasons. Among them:

* Late introduction onto the Senate floor. The bill remained in the Senate's human resources committee until the last month of the legislative session and was never voted on.

* A misreading of expenses. The Legislative Budget Board attached a fiscal note which mentioned the total cost of caring for the mentally retarded, implying that the bill's cost was the difference between the 1976 and '77 MH-MR appropriations. In fact the bill would involve no additional cost to the state, as the board noted in a letter of estimation six weeks later. Still the bill never recovered from the impact of the first note.

* Fear that the bill would close the state schools. The bill proposed that "mentally retarded persons should have the opportunity to develop to the fullest extent their potential for living in the community." Although the bill also stressed that the state should provide a continuum of quality services, many parents of mentally retarded persons feared that the push for community services would come at the expense of the state schools for the retarded. This schism among parents was the final blow.

The bulk of treatment dollars for the mentally retarded is concentrated not in community services, but in supporting the state schools. According to the National Association for Retarded Citizens, a parent's lobbying group, 97 percent of state funds for mental retardation services goes to the 15,000 residents of state schools.

Dr. Gunnar Dybwad of Brandeis University in his keynote speech emphasized the need for both institutional and community services. He described the past trend to institutionalize the retarded as a "symbol of the failure of the state to assist parents help their children at home." The development of community services, he said, will allow the mentally retarded to live as close to normal life as possible.

Parents fear that institutions will dump the mentally retarded into communities which have not yet developed necessary

support services, Dr. Philip H. Roos, executive director of N.A.R.C., told the audience.

The issue, Roos explained, is not the displacement but the improving of institutions, and the development of community services which will have the same accountability as the institutions. "Parents don't want to exchange one purgatory for another," he said.

Dr. Kenneth D. Gaver, Texas MH-MR commissioner, also addressed the symposium. A bill like S.B. 395 will provide a working base for a bill of rights, he said, but warned that compromise must be made for the bill to pass the next session.

The importance of litigation to improve existing services and develop new programs was a theme which ran throughout the symposium.

Marcia Burgdorf of the University of Maryland School of Law discussed recent litigation on the second day of the conference. She pointed out that in the last five years, more than 200 cases dealing with the rights of the handicapped and mentally retarded have been brought before the courts. Ninety percent of the cases resulted in favorable decisions, she said.

"Too often lovely pieces of legislation were not funded. The courts got involved only as a last resort," she explained. "If society doesn't respond, the courts are going to enforce these rights."

Other symposium speakers included Reps. Wilhelmina Delco of Austin and Ron Bird of San Antonio. Delco stirred some interest when she said legislators look for reasons to be against "people programs."

People program or not, there was a feeling of hopefulness that a bill of rights for the mentally retarded will emerge from the next Legislature. David Sloane, executive director of the Texas Association for Retarded Citizens, summed up the final mood of the symposium:

"If we get together and if we educate our legislators, there's a good chance we can arrive at a good, hard bill which will pass."

Mary Zapalac is a graduate student in the Mental Health Information Program at UT-Austin.

Keeps on keeping on *La Raza Unida*

Austin

Texas' own home-grown political party, *La Raza Unida*, keeps hanging in there. The Legislature has tried to do away with it by rewriting the election rules, the current governor goes out of his way to assail the party and its leaders, and there are rifts within the party itself (particularly in Zavala County, *La Raza Unida's* home base). Add to this the fact that the self-avowed poor people's party operates on a budget that wouldn't cover Calvin Guest's lunch tabs for a year.

But—despite the hopes, expectations, and best efforts of some people—the party refuses to fold its tents. *La Raza Unida* heads into its seventh year with determination, if not optimism.

Meeting in Seguin on Sept. 18 and 19, delegates to *La Raza Unida's* 1976 state party convention elected Maria Elena Martinez chairperson of their state executive committee. Martinez, an Austin schoolteacher and veteran of *chicano* politics, took 56 percent of the vote against Daniel Bustamente of Houston.

Dr. Armando Gutierrez, a University of Texas government professor, was elected vice chair on the ticket with Martinez. They will serve two-year terms. In addition, a 32-person state executive committee was elected from the 16 active *La Raza* districts of Texas.

In the 1976 general election, *La Raza Unida* is concentrating on races in just eight counties—Frio, Zavala, Webb, El Paso, Lubbock, Harris, Tarrant, and Bexar. Most of these races are for local offices, with the exceptions of Fred Garza, running for the Texas Railroad Commission, Ramon Carrillo, running for Congress against Bob Krueger in Texas' 21st District, Bob Rivera running for state representative against Bob Vale in Bexar County, and Eduardo Canales, running for state representative against Ben Reyes in Harris County.

Where to from here? There has been a difference of opinion within the party over strategy; whether to campaign in statewide elections or to develop power in regional enclaves, using that power to demonstrate the virtue of government by *La Raza* and expanding from there. The latter is a position long held by José Angel Guttierrez, the party's founder and now Zavala County judge. But it was the former position that prevailed at the state convention, as both Martinez and Bustamente campaigned on the need to build party strength for statewide races in 1978.

Having chosen this path, the party must demonstrate in the '78 elections that it still has a credible hold statewide on *chicanos*, as it did in 1974, when *La Raza Unida* gubernatorial candidate Ramsey Muniz received about 6 percent of the Texas vote. The party needs to do that well or better in 1978 if it is to lay claim to being a serious third party with long-term appeal to Texas *chicanos*.

Like any third party, *La Raza Unida* must hold its own the second time around, or it will begin to be considered a wasted vote by its own constituency, and it will find it increasingly hard to draw good candidates to its banner. Martinez and other *La Raza* leaders seem acutely aware of this, so they are pointing most of their resources and energy toward 1978. The state executive committee has scheduled a meeting in Hidalgo County for Nov. 20 to lay specific plans.

In particular, the party will be reaching out to urban *chicanos*. In his bid against Martinez to head the state executive committee, Bustamente stressed the necessity of this urban focus, and it appears to have taken hold within the party. *La Raza* faces a much different situation in the cities than it does in the rural counties, where *chicanos* are a majority of the population. *La Raza* is in no position in Houston, for example, to take over the city council, as it did in Crystal City. In addition, urban *chicanos* have not been shut out of participation in the Democratic party, as they were in rural South Texas, so there is less inclination to jump at the lure of a *chicano* party. Then there is the harsh reality that campaigning in cities costs more.

Nonetheless, *La Raza* seems intent on broadening its urban appeal. Ms. Martinez points to *La Raza*-formed *Centros de Aztlan* in Laredo and Houston as examples of what the party can do to develop its urban base. These are service centers that assist urban *chicanos* with the sometimes unfathomable bureaucracies they encounter in seeking jobs, health services, immigration assistance, and the like. Martinez hopes that the party can operate *Centros* in other Texas cities.

At the same time, Martinez intends no slacking of *La Raza's* effort in its rural, South Texas power base. She notes that the farmworker movement in Hidalgo County has merged with *La Raza Unida*, and the party will be circulating petitions calling on the 1977 Legislature to pass a farmworker collective bargaining bill modeled on the one recently enacted in California.

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But the party's basic task in the next two years is political organizing. As both George Wallace and Eugene McCarthy have learned, it requires a herculean effort by third parties just to get in the game. There is some doubt, both inside *La Raza* and outside, that the party can muster the organizational strength to qualify for ballot position. Martinez and the state executive committee are laying siege on this problem early, launching a series of technical assistance workshops to train county and local party workers in the craft of ballot qualification. Their success in this effort will say a great deal about the party's future.

Unfortunately, jumping the legal hurdle will not be the last of *La Raza Unida's* problems. For one thing, there presently is less "unida" in *La Raza* than is desirable for a struggling minority party, and the squabblers will have to reach some kind of accord before 1978 if the party is to mount a serious statewide effort.

Then there is the more serious matter of indictments against some *La Raza* party leaders. Ramsey Muniz, *La Raza Unida* standard bearer in 1974, is under indictment for marijuana conspiracy charges. In addition, Atty. Gen. John Hill and the Texas Rangers have had a sizable investigative task force planted in Crystal City for 10 months, and they allegedly have found what they came to find, for some Crystal City officials have been indicted on various charges of corruption. Whether these charges are true or not, the considerable publicity surrounding them does not enhance the image of *La Raza Unida*.

Gutierrez considers these indictments to be deliberate harassment by demagogic state officials ambitious for higher office. "Move the attorney general's office into any county in Texas for ten months and you've got to indict someone. Why just us? They're out to destroy the credibility of *La Raza Unida*," says Gutierrez.

In addition to Hill's Crystal City gambit, Gov. Dolph Briscoe has been whipping up on Crystal City, *La Raza Unida*, and Gutierrez, assailing them for "establishing a Little Cuba in Texas" through their effort to develop a community-owned farm. This amounts to a heavy dose of demagoguery, but again the impact of the publicity is to hang a hard-core radical tag on *La Raza*, making its organizing job that much more difficult.

If *La Raza Unida* can overcome these extraneous threats to its political germination, then it can face the regular political challenges of selecting candidates, raising money, and mounting a major statewide campaign—no small hill, even for a climber.

But *La Raza Unida* has been counted out before. As one of the delegates at the state convention told *The Dallas Morning News*, "people have been prophesying our demise ever since the party's inception and we're still around." J.H.

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Bank scandal continued

The FISL connection

By Jo Clifton

Dallas Several Texas trade school owners whose schools closed under pressure from the Texas Education agency were partially financed by banks and individuals now under scrutiny in a developing Texas banking scandal.

There may be no connection between the proprietary school scandal—discovered about two years ago—and the bank scandal, which came to light a few months ago. But federal and state investigators now say they are studying possible relationships between some schools which received Federally Insured Student Loans and those institutions being surveyed in the banking probe.

The *Observer* has learned that at least three Texas banks—Citizens State of Carrizo Springs, Frontier State of Eagle Pass, and Dallas Bank and Trust—which are currently under investigation for allegedly improper loan policies were involved in questionable loans to trade schools which have since closed under clouds of financial and governmental troubles. What's more, one out-of-state bank under investigation—Bossier Bank and Trust of Bossier City, La.—which is controlled by Herman Beebe, a central figure under investigation in the banking scandal, was penalized by the Department of Health, Education, and

Welfare for adding illegal charges to loans for proprietary school students and no longer makes FISL loans.

FISL Overcharges

One bank that did considerable FISL loan business was Bossier Bank and Trust Co. in Bossier City, La. H. K. Beebe of nearby Shreveport, La., is chairman of the board, and former Texas Lt. Gov. Ben Barnes owns an 8 percent interest in the bank, although Barnes apparently did not gain an interest in the bank until this year. (Barnes and the Bossier bank have filed separate libel suits against *The Dallas Morning News* for its treatment of them in stories about the Carrizo Springs bank failure and related matters. Beebe and Barnes are members of one of the investment groups now under investigation by the Texas attorney general, banking authorities and other regulatory agencies.)

The Bossier bank quit making FISL loans to trade school students last December under a "voluntary" agreement with HEW. The federal agency found that the bank had charged illegal interest rates and premiums to institutions it favored with loans and was on the verge of being "kicked out of the program," according to John Stokes, regional counsel for HEW.

The proprietary or trade school scandal involves school owners, a collection agency, and government employees who misused proceeds of the FISL program and federal grant money for low-income students. The U.S. Department of Health, Education, and Welfare recently received a \$1 million appropriation for what is expected to be a two-year investigation of 69 trade schools and numerous banks in the South and Southwest. Forty of the 69 schools to be investigated are in Texas, Oklahoma, Arkansas, Louisiana, and New Mexico.

So far, eight men, including four former employees of HEW's regional headquarters in Dallas, have been sentenced for crimes ranging from embezzlement to income tax evasion and interstate transportation in aid of racketeering. Six of the eight were sent to federal penitentiaries.

And a state civil suit against former trade school owner Carl Wehling goes to trial in San Antonio Nov. 15. The Texas attorney general has alleged that Wehling engaged in deceptive trade practices and failed to pay about \$934,000 to former students in his twelve-school chain, a violation of the state's proprietary school law.

The
trade
school
scam

Two HEW officials noted that it was Barnes who pushed for the agreement after the bank was notified that it would be terminated from the loan program. Under the agreement, the bank paid HEW about \$105,000 which it allegedly had overcharged the schools. Since the schools usually make up for those charges by tacking a "filing fee" onto the student's loan, it is really the student who pays for the overcharge.

Such front-end charges on FISL loans were not uncommon before HEW began a crackdown. Texas Bank and Trust of Dallas, for example, was required to pay HEW nearly \$800,000 in reimbursement on illegal loan processing charges.

Bossier Bank and Trust loaned money to students at five trade schools in Louisiana, one in Mississippi, one in Texarkana, Tex., and one in Lubbock. Lubbock is far out of territory for a Louisiana bank, but the bank probably loaned money to Commercial College of Lubbock because it was owned by a Shreveport man, Jerry W. Wood.

One Commercial College student who paid the illegal fee was Iris Morrow. She borrowed \$1,295 in early 1973 under the FISL loan program to finance her education. Although she was charged the \$50 filing fee for her loan, Morrow's complaint to TEA was about a more curious form of financing.

According to records at the education agency, Morrow made loan payments of \$945 directly to the school between February, 1973, and November, 1974. Loan payments generally are made to the lending institution but, according to the student's mother, Morrow was assured that her money would be sent promptly to the bank.

Evidently the Morrrows did not suspect anything was amiss until fall of 1974, when they began receiving letters from the bank's loan manager, stating that the student had neglected to make payments. Because Morrow had failed to pay or communicate with the bank, she was told, the entire balance—\$945 at this point, the bank said—was demanded by Dec. 20, 1974.

As if harassment by a bank 500 miles from home were not enough, the student's name was referred to HEW. Since the agency insures the loans, it is ultimately responsible for collection when a bank reports default. If HEW fails to collect from the student, taxpayers' money is paid to the bank to cover its losses.

The Morrrows wrote a number of irate letters to the bank, to the school's comptroller, and to Wood, the school's owner, and on Jan. 1, 1975, the bank's loan manager notified the student that her loan had indeed been paid off.

In the meantime, either the school or the bank had the benefit of several hundred dollars over a two-year period. In addition, the bank was able to receive interest on the full amount of the loan. Under federal regulations, banks are allowed to collect interest from the federal government (7 percent) only on the unpaid balance of student loans.

(Banks also receive "special allowances"—or additional interest—on the total amount of loans outstanding.)

The Bramble tangle

The current Texas bank investigation was triggered by the June 28 shutdown of Citizens State Bank in Carrizo Springs (*Obs.*, Sept. 3). According to state bank examiners' reports, Citizens State was insolvent. More than \$3 million in loans—two-thirds of which went to owners or former owners of the bank—were criticized by the examiners.

Since the bank was closed, various state and federal investigators have been looking into the business dealings of four—or possibly five—different but financially linked groups of investors and at the stability of

about two dozen banks controlled or partially owned by these groups.

In the Sept. 3 issue, the *Observer* outlined the relationships among members of the San Antonio investment group which once

October 29, 1976

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AN OPEN LETTER TO ALL TEXAS DEMOCRATS

Once upon a time, there was a Congressman who didn't spend very much time in Congress. Rather than spend his time there, he used it to run for the United States Senate. As part of his "game plan," he gave his approval for a paid member of his staff to form a group calling itself "Democrats for Steelman." Frankly, it was a very small group (maybe with even fewer members than the number of Progressive Democrats signing this letter) and with good reason. No true Democrat or anyone else should support this candidate, and his congressional voting record proves it. Alan Steelman voted to cut off funds benefiting handicapped children and blind people. He voted against campaign reform and post-card voter registration. He has voted against the underprivileged, middle-income wage earners, farmers, ranchers, children and more. He voted against extension of the federal income tax cut, minimum wage legislation, and when it came time for final passage of the "Big Thicket" bill, he didn't even bother to show up for the vote. Like other conservative Republicans, he's consistently voted against the interests of the people and voted for Richard Nixon-Gerald Ford type programs designed to keep the rich on welfare. His recent voting record earned him the distinction of being rated by one right-wing extremist organization in the same category with Strom Thurmond and one of the worst rated Congressmen in Texas, Rep. Jim Collins. He votes to keep prices up—and wages down!

Our point is simply this: to put it in the vernacular, "There ain't no such thing as a real Democrat for Steelman." If anyone believes there is, then it's quite likely they'll believe in *Mother Goose, Jack and the Beakstalk*, and the *untainted integrity of the Steelman supported Nixon administration*. Alan Steelman's appeal to Democrats is the biggest sham since the Texas slant-well deal, the wheat deal, the ITT deal, the milk deal, the GOP economic misdeal, and the Nixon-Steelman-Ford raw deal for Texas and America. We just can't afford another deal of the kind we'd surely get with two Republican Senators from Texas. Goodness knows, it's bad enough having even one.

Examine the record and you're certain to see why we feel as strongly as we do. We're concerned Dallas area Democrats who've had to suffer the Steelman-Collins yoke too long. If there is a positive point to Steelman's campaign it's this: by abandoning his House seat to run for the Senate, we hope to get rid of him once and for all, with the reelection of Lloyd Bentsen to the United States Senate and the election of an outstanding legislator, Democrat Jim Mattox, to Steelman's old House seat.

Remember, your vote on November 2nd is extremely important. You can help save all of Texas from a Steelman-Tower combine in the Senate with your vote to reelect Senator Lloyd Bentsen, a person whose comparative voting record has earned the support of every Democrat and every thinking person in the State of Texas.

This message was sponsored and supported by the following concerned Dallas area Democrats:

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owned Citizens State. The head of that group is Ron Bramble, an investment counselor who has done business with Carl Wehling and other school owners. While Bramble's group controlled Citizens State Bank, Wehling was borrowing money there and also processing some FISL loans for his schools.

After Wehling was sued for failure to refund money to his former students (see box) and the Texas Education Agency began to revoke the certificates to operate his schools, University of Texas regent James Bauerle, a member of the Bramble group which owned the Carrizo Springs bank, got together a group of fellow dentists to buy one of Wehling's schools in San Antonio. Citizens State financed a goodly portion of Bauerle's investment in the school, examiners' reports indicate.

Loans to the San Antonio school bought by Bauerle, loans to Bauerle himself, and loans to Bramble were among those questioned by examiners who closed the Carrizo Springs bank.

Bauerle and friends bought one of Wehling's schools in 1975. A year earlier, in January of 1974, Wehling sold another school, Draughon's of Lubbock, to one Ted Day. Day, who had been director of another Wehling school, Draughon's of Amarillo, bought both the Lubbock and Amarillo schools. He would have been better off selling used cars than trade school courses, however, since he is now serving time in a federal prison for embezzling \$217,000 from student loan and grant funds at the Lubbock school.

Day also wanted to buy Commercial College of Lubbock from Jerry Wood, the Shreveport man who got his FISL loans processed at the Bossier bank. According to lawsuit filed by Day in Amarillo last January, Wood agreed to sell Commercial College in Lubbock to Day in July, 1975. Day maintained, however, that the stock was never transferred to him. TEA apparently didn't know who owned the school, because the agency informed both Day and Wood of its intention to revoke the school's certification. The school closed in April.

This ownership question is confused further by the involvement of some now familiar banks and financial consultants.

At the time of the proposed sale of Commercial College, Day pledged the assets of his first school, Draughon's of Amarillo, to guarantee payment of a loan made to Commercial College by Centerview Investments, Inc. Centerview is owned by Bramble, the San Antonio financial consultant. On the basis of Day's pledge to pay \$100,000 on July 18, 1975, the day Wood, Day, and Bramble met to sell Commercial College to Day, Centerview secured a loan of \$75,000 from Frontier State Bank of Eagle Pass. (Frontier State is controlled by Richmond Harper of Eagle Pass. He heads yet another group under investigation by the banking department and other gov-

ernmental entities.) This loan was later questioned by bank examiners.

Day ended up suing Bramble, Centerview, Carl Wehling, and Frontier State for release from the loan agreement. According to Day's attorney, Byron Singleton of Amarillo, the suits against the lenders were dropped when Day was released from his obligation in February, 1976, to pay the \$100,000. In return, Bramble's Centerview became owner of Commercial College.

In releasing Day from paying the \$100,000, the lenders said that the loan note was endorsed to Wood, who (according to Day's suit) received only \$45,000. What happened to the remaining \$55,000 is unclear from the suit, and Day's attorney declined to say.

In a sense, the two Lubbock schools became one with a very slight change of ownership. Draughon's, a Wehling school, reverted to control of Bramble, a business associate of Wehling's. And Commercial was merged with Draughon's. Wood apparently got out of the school business in Texas at this point.

"We understand [Centerview] settled with Wood, but we don't know how," Singleton said.

The *Observer* also has learned that the Carrizo Springs bank was making loans under FISL program to students at Jerry Wood's Commercial College of Shreveport.

HEW is now trying to terminate the Shreveport school's participation in the FISL program because the school allegedly charged students a \$50 filing fee, such as that charged at the Lubbock school. HEW also alleges that Wood borrowed money at Bossier Bank and Trust which he used to purchase non-interest bearing certificates of deposit at the bank as an inducement to the bank to make the FISL loans.

The Salinas loan

Meanwhile in Dallas, Enrique Salinas of Eagle Pass, the so-called "mystery man" in the bank scandal, was borrowing money with another Texas schoolman and former Wehling partner. Salinas heads another of the investment groups under scrutiny by banking officials. He bought Citizens State Bank in Carrizo Springs from the Bramble group in late 1975, and the bank was under his control when the banking commissioner closed it in June, 1976.

Salinas is financially linked with Charles E. Damron and his son-in-law, Dan Sexton. Damron and Sexton borrowed \$250,000 in July, 1975, from Dallas Bank & Trust, which is owned by Ben Barnes, H. K. Beebe of Shreveport, and others. Damron and Sexton borrowed the money through D&S Properties, Ltd. According to an informed source, Salinas is a partner in D&S Properties.

Damron and Sexton borrowed the money in order to purchase a new building for his Draughon's Business School at the intersection of W. Mockingbird Lane and Roper St.

in Dallas. The loan was arranged by none other than Ron Bramble of San Antonio, an informed government source said.

Salinas' role in this deal did not become public knowledge until Damron's certificate to operate his school, at its original location, was revoked by the Texas Education Agency. Damron told the *Observer* that he then "turned the building back" and was released from his loan.

That was about a year ago. In February, 1976, Salinas assumed the loan in his own name, and it stayed at DB&T in his name until June 18, when it was transferred into the name of Salinas' company, Bensal Corp., according to Dallas deed records. (Bensal Corp. forfeited its charter for non-payment of franchise taxes on March 10, 1975, according to records in the Texas secretary of state's office.)

The \$250,000 loan was questioned during two state examinations of DB&T records, an informed source said. The second examination at the bank began only days before the loan was transferred from DB&T to two other institutions.

Loans sometimes are transferred from one financial institution to another through

a process known as a "take out commitment," whereby the first lender agrees to make the loan on the basis of a commitment by a second lender to assume part of the loan later. One institution which apparently made this agreement on the Damron-Salinas loan was Savings Life Insurance Co. of Louisiana, which is controlled by Beebe, a principal in DB&T. On June 18, the same day that Salinas transferred the loan from his own name to that of the Bensal Corp., the insurance company took out half the loan from DB&T, according to the deed records. The other half of the loan was taken on the same day by Navarro Savings Association of Corsicana, the deed records indicate.

All of this transferring of the Damron-Salinas loan took place shortly before Salinas' Citizens State Bank in Carrizo Springs was shut down by the State Banking Commission.

Clifton has covered the proprietary school scandal for The Austin American-Statesman.

'Controlling' beetles

The Texas Forest Service is one of the greatest threats to the Big Thicket National Preserve. Up to 1,400 acres, about one-fourth of the 4,856-acre Beech Creek Unit, have been devastated by cutting and harvesting under orders from TFS to "control" pine beetles. This has taken place over the last two years, before the unit could be acquired by the National Park Service.

TFS's pest control division under John Wood has shown a fanatical obsession with clearing beetle infestations out of the preserve. After overseeing the destruction of one-fourth of Beech Creek Unit, this division then demanded that the National Park Service commend the loggers for "saving" that unit from pine beetles. Now TFS is pushing to have several more beetle spots cut in the remaining three-fourths of the unit.

The loggers who cut Beech Creek Unit left a gigantic, ugly opening in the closed-canopy beech-magnolia-loblolly-white oak forest. Inside the cut areas, marketable pines, infested or not, were cut and dragged out. Ninety percent of the remaining hardwoods were severely damaged by falling pines and by heavy equipment. These hardwoods were opened, usually at the base of the trunks, to wood-rotting organisms.

Beech Creek Unit had been managed for maximum loblolly pine timber production prior to its preserve designation. Pine beetles, which have been native to the southern forest for millions of years, were performing a natural, vital function by thinning these loblolly pines. Beetles should have been allowed to run their course inside the preserve without human interference. Dead

pinus left standing provide nutrients and nests for many forest species. Hardwood trees grow in the vacated spaces. This type of natural succession is mandatory if the preserve is to achieve a mature condition where hardwoods will be dominant, and beetles will cease to be a problem.

Billy Hallmon, 5836 Martel, Dallas, Tex.

At the International Congress of Entomologists held recently in Washington, D.C., Dr. Herman J. Heikkinen advanced the theory that pine beetles attack only weak or dying pines rather than trees at random.

Dr. Heikkinen, associate professor of forest entomology at Virginia Polytechnic Institute, first found a correlation between beetle damage and very wet or very dry seasons, then studied the beetle's preference for dying or dead pine trees. While control trees collected only a few beetles, one dying tree attracted hundreds of beetles.

Heikkinen's studies would seem to suggest that foresters have been approaching the whole problem of beetle control backwards. Rather than cutting healthy pines, controlling the beetles through use of target trees might prove most effective. Or dying pines might be eliminated in the first place by planting pines only in those soils in which the pines can withstand exceptionally dry or wet years.

-Ed.

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Picking the Supremes

In the Observations column of the October 15th *Observer*, Ronnie Dugger lays a reasonable philosophical basis for us all to support Carter.

But I offer an even more compelling (and historically painful) pragmatic reason. Remember all those good folks who declined to vote for Hubert in 1968? Remember that ol' Hubert "wasn't a damn bit better than Nixon"? Sound familiar?

Remember how Tricky D. Nixon packed the Supreme Court? Do you realize how long Rehnquist is going to be on that Court? And how much damage Powell, Burger, *et al* have done so far?

OK, Texas libs: Do you want Gerald Ford or Jimmy Carter filling Supreme Court vacancies over the next four to eight years?

Jim Seymour, 4100 Wildwood Rd., Austin, Tex.

Carter for Change

I am distressed, although not really surprised, that some good progressives do not intend to support Carter. As a socialist, I realize that Carter is inadequate in almost every respect, but he is a hell of a lot more tolerable than the alternative.

More than seven years of Nixon-Agnew-Ford administrations have brought us the highest unemployment since the Great Depression, an authoritarian Supreme Court, a pro-management National Labor Relations Board, anti-consumer heads of important federal regulatory agencies, and more big-business-oriented appointments to the Federal Reserve Board.

On foreign policy we will have to watch Carter very closely, but here also he seems preferable to Ford. In the second debate he showed commendable opposition to our support of ultra-repressive dictatorships in Chile and Iran. Carter has deplored our role in the destruction of Chilean democracy. He has said that the U.S. should never be involved in overthrowing democratic or popular governments no matter how left-wing. . . .

Carter will not bring about deep structural reforms in our society, but his election will enable the left to fight its battles on a higher level. Traditional progressive lobbies—such as liberal, environmental, consumer, and labor organizations—can concentrate on the specifics of good legislation without having to worry about destructive vetoes. Radicals can busy themselves

with the crucial task of organizing for fundamental change without worrying so much about repression. . . .

The election of Carter will not bring heaven on earth, but it is an absolute prerequisite for any progressive social change in this country in the next few years.

John Edwards, 1407 Alameda, Austin, Tex.

Can't bank on it

Brother Hightower's article on the Federal Reserve Board isn't very convincing if he is trying to make the case that because Federal Reserve Board directors are tied to large corporations we (the little people) can't get credit—or do so at high rates.

First of all, membership on any of the Federal Reserve bank boards is largely ceremonial—only the Federal Reserve Board of Governors has power to set interest rates or control money supply. The absence or presence of consumers, big business, small business, farmers, or anyone else on the boards of Federal Reserve banks is not a very important issue. About the most significant event at most of those board meetings is the lunch that is served. There is no connection whatsoever between what Federal Reserve board directors decide—or have the power to decide—and how much credit is available to you, me, or anyone else.

Secondly and more importantly, the article makes an underlying assumption that the ability to set interest rates determines how credit will be allocated. There simply is no rationale for this view. Low interest rates may induce bankers to make riskier loans, but bankers are as likely to make riskier loans to large corporations as they are to small businesses. High or low interest rates determine the level of borrowing, not who is to do the borrowing.

If Hightower is going beyond asking for low interest rates to asking for credit rationing, then his case is on even shakier ground. While bankers are far from paragons of wisdom in their lending policies, government or government-appointed committees would not produce better decisions on where to allocate credit. If Lockheed and Penn Central loan guarantees and Rockefeller's \$100 billion boondoggle government-guarantee investment program in energy research-and-development are examples of the type of credit allocation decisions that government is capable of, then I don't see how anyone can have confidence in credit allocation policies.

Robert Barnstone, 1114 W. 11th, Austin, Tex., 78701.

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