

Supreme Court to review pocket veto ruling

WASHINGTON (AP) — The Supreme Court Monday agreed to referee a major confrontation between President Reagan and Congress over the use of the so-called pocket veto.

The court said it will review a ruling that Reagan illegally used a pocket veto in 1983 to kill a bill linking military aid to El Salvador with human rights progress by that country.

The court's action sets the stage for a decision, probably sometime in 1987, on far-reaching questions of presidential and congressional powers.

On Aug. 29, 1984, the U.S. Circuit Court of Appeals here ruled, by a 2-1 vote and in a one-page opinion, that Reagan's use of the pocket veto was illegal.

But the bill conditioning aid to El Salvador on human rights progress expired a month later anyway, and it was not until April 12, 1985, that the appeals court issued a 46-page opinion in the case.

In the appeal acted on Monday, Justice Department lawyers said the appeals court should have thrown out its own opinion last year because the case had become moot.

The challenge to Reagan's use of the pocket veto was made by 33 House Democrats led by Rep. Michael Barnes of Maryland. Leaders of both parties in Congress joined in asking the Supreme Court to allow the appeals court ruling to remain intact.

The case poses not only the issue of the pocket veto but also whether individual members of Congress have legal standing to sue in federal court to challenge actions by the president.

A similar issue involving legal standing, with potential far-reaching impact, also has arisen in a pending constitutional challenge to the Gramm-Rudman Act mandating a balanced federal budget by 1991.

In the pocket veto case, the appeals court barred

the president from using the device to kill a bill while Congress is in recess. The ruling allowed the president to pocket veto a measure only at the conclusion of a two-year congressional term when all House seats and a third of the Senate seats are up for election.

A president pocket vetoes a bill by taking no action on the measure, figuratively keeping it "in his pocket" rather than sending it back to Congress with a veto message or signing it into law.

In the case of the El Salvador measure, Congress had recessed for 1983 when Reagan sought to nullify the measure on Nov. 30 that year. The bill would have required him to certify that the Salvadoran government had improved human rights before more U.S. aid could be sent to the country in the fiscal year ending Sept. 30, 1984.

The appeals court ruling had no effect on the aid because the money already had been spent.

South African police kill seven blacks

JOHANNESBURG, South Africa (AP) — Police stopped a van Monday that they said was carrying seven black guerrillas and killed all seven in the resulting shootout in Guguletu township near Cape Town.

Official reports said the men were sent by the outlawed African National Congress to attack policemen.

Four bodies lay in the street and three more in the surrounding bush, where they were shot by pursuing police.

The official reports said police lay in wait for more than four hours after being informed that the ANC was planning an attack.

They stopped the van near the

township police station soon after 7 a.m., the blacks started shooting and threw a grenade, and the police returned fire, said a statement by Gen. Johan Coetzee, the police commissioner.

Seven "ANC terrorists" were killed, and one policeman was slightly wounded, Coetzee's statement said.

Guguletu is on the southeast outskirts of the country's legislative capital. It has seen some of the fiercest black rioting in the 18 months of violence against apartheid, the official race policy through which South Africa's 5 million whites maintain supremacy over the 24 million blacks.

In reply to a question, Louis le Grange, the law and order minister, told Parliament on Monday that 562 adults and 201 juveniles were killed by police in race-related unrest in 1985, and 2,000 adults and 571 juveniles were wounded.

He said most of the dead were black, 47 were of mixed race, and three were white.

Recent estimates have put the total number of dead during the 18 months at well over 1,100, nearly all of them black. About one-third of the total, including policemen and township officials, were killed by other blacks who accused them of selling out to the white government.

U.S. Army engineers to build airstrip in Honduras

MOCORON, Honduras (AP) — About 100 U.S. Army engineers parachuted into Honduras Monday with bulldozers and equipment to build an airstrip 15 miles from Nicaragua. The U.S. ambassador said Nicaragua's Marxist government should "take note" of the project.

About 300 additional U.S. Army engineers will arrive later to join Honduran soldiers in building a 4,700-foot gravel runway capable of handling heavy transport aircraft.

When the airstrip is finished, it will be the base for exercises in May and June involving some 1,600 U.S. airborne and Special Forces troops.

U.S. Ambassador John Ferch and Honduran President Jose Azcona Hoyo sat in metal chairs beside a dirt road watching the paratroopers, bulldozers and equipment drift to earth after a three-hour flight from Ft. Bragg, N.C.

Ferch said Nicaragua's Sandinista rulers should realize that the United States is able to send troops and heavy equipment into Honduras within hours "if the need arises."

"Tactically, I think it demonstrates to the Sandinistas, or at least they should take note of it, we are quite capable of coming to the aid of Honduras, if need be, in remote areas," he said.

"We don't have to rely upon sea-borne transportation. We can bring heavy equipment in right where it's needed."

The paratroopers of the 27th Airborne Engineering Battalion arrived shortly after dawn at the airstrip site, 15 miles north of the Nicaraguan border. It is seven miles southeast of the village of Mocarón and about 200 miles east-northeast of the Honduran capital of Tegucigalpa.

From mid-May through June, the U.S. airborne and Special Forces units will conduct maneuvers within seven miles of the Nicaraguan border, said Alaska Air Guard Maj. Carl Gidlund. He is the public affairs officer for the 1,100 U.S. military personnel in Honduras, with most stationed at the Palmerola Air Base.

There have been sporadic border clashes involving Honduran and Nicaraguan troops and U.S.-backed Nicaraguan rebels who have camps along the border.

U.S. officials said the airstrip was not intended for use by the rebels, who have used another airstrip improved by U.S. forces to resupply their fighters inside Nicaragua.

Azcona Hoyo said the new airstrip would have both civilian and military uses, but the main purpose would be to supply Honduran troops.

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