

MEMORANDUM

MARCH 22, 1991

TO: JOYCE AND YVONNE
FROM: JO-ANNE
SUBJ: ILEANA ROS-LEHTINEN FUNDRAISER IN MIAMI

Senator Dole (with Mrs. Dole to accompany) agreed to be honored guest at a fundraising reception for Congresswoman Ileana Ros-Lehtinen on Monday, April 1, when he is down in Florida.

Details are as follows:

EVENT RUNS: 4:00-6:00 PM

WHERE: City Club of Miami
26th Floor
Southeast Financial Center
200 S. Biscayne Boulevard Blvd.
(Downtown Miami)
305/373-2600

(Within 1 mile of the causeway to Miami Beach)

CONTACT: Rusty Roberts
225-3931

Rusty needs to know whether the Senator wants them to provide transportation to and from the event.

PLEASE MAKE SURE THE SENATOR TAKES THIS INFORMATION WITH HIM TO FLORIDA.

March 29, 1991

MEMORANDUM TO THE LEADER

THRU: JUDY BIVIANO
FROM: JOHN DIAMANTAKIOU 
SUBJECT: ILEANA ROS-LEHTINEN FUNRAISER IN MIAMI

I have compiled the following information for your perusal for the upcoming fundraising event in Miami for Ileana Ros-Lehtinen.

1. Biography/Profile
2. Legislation sponsored by Ros-Lehtinen in 101st/102nd Congresses
3. Summary of Issues stands/Gulf Statement, as compiled by her Congressional office
4. City of Miami (one-pager)
5. State of Florida Scenario
6. Congressional Delegation representation
7. Pertinent Clips*
8. State Map of Florida

While Congresswoman Ros-Lehtinen is the first Cuban-American and first Hispanic woman to be elected to Congress, she has been a relatively quiet Member since her election in 1989.

- * You should take note to the conviction of Raul Martinez, Mayor of Hialeah, for corruption. U.S. Attorney Dexter Lehtinen, husband of Ileana, was the prosecutor in the case. Martinez has claimed that the prosecution was politically motivated because he had planned a run for Congress.

Attachments

ILEANA ROS-LEHTINEN

BIOGRAPHY:

- . Ileana Ros-Lehtinen was born on July 15, 1952, in Havana, Cuba and resides in Miami.
- . Ros-Lehtinen was first elected to office in 1982 as a state legislator. After serving four years in the Florida House of Representatives, she was elected to the Florida Senate in 1986.
- . In 1989, Ros-Lehtinen won the special election to fill the U.S. House seat left vacant by the death of Democrat Claude Pepper. She and her husband, U.S. Attorney Dexter Lehtinen, have two daughters.

PROFILE:

- . Ros-Lehtinen was the first Cuban-American and the first Hispanic woman to be elected to Congress. She moved to Miami from Havana when she was nine years old, two years after the Castro revolution. "The Cubans won!" salsa singer Celia Cruz shouted at Ros-Lehtinen's victory party.
- . The Republican Party also considered it a major victory, having picked up a seat held by a liberal Democrat for 27 years.
- . But Ros-Lehtinen called her election to replace Claude Pepper after his death in May 1989 "a terribly divisive and ethnically divisive campaign." Her opponent, attorney Gerald Richman, devoted much attention to the large undecided bloc of black voters and repeatedly declared "this is an American seat," a remark that many claimed was anti-Hispanic.
- . In the end, Richman carried 90 percent of the black and non-Latin white vote, but riding heavy Hispanic turnout, Ros-Lehtinen edged him out with 53 percent of the vote.
- . She said Richman had alienated Hispanics, making them feel as if "we might be second-class Americans because we're naturalized Americans."
- . During her campaign, Ros-Lehtinen focused on the Cuban-American interest in foreign policy and distrust of big government and taxes and said she believed that she could explain the communist threat to other members of the Hispanic caucus.
- . Ros-Lehtinen serves on the House Foreign Affairs and Government Operations Committees.

LEGISLATION SPONSORED BY REPRESENTATIVE ROS-LEHTINEN IN THE 101ST & 102ND CONGRESSES

102ND CONGRESS

- **A bill to limit injunctive relief, and prohibit the award of costs (including attorney's fees) against a judicial officer for action taken in a judicial capacity.**
- **A bill to amend title 28, United States Code, to eliminate the payment of witness fees to prisoners.**
- **Co-sponsoring the "Women's Equal Opportunity Act." of 1991**

101ST CONGRESS

- **A concurrent resolution expressing the sense of the Congress that the United Nations Human Rights Commission should continue to report on human rights in Cuba.**
- **A joint resolution proposing an amendment to the Constitution of the United States to safeguard crime victims' rights.**
- **Anti-Corruption Act of 1989**
A bill to amend title 18 of the United States Code to punish corruption.
- **A bill to amend title 38, United States Code, to repeal the termination of the Veterans' Educational Assistance program and to extend the 10-year delimiting period for certain Vietnam veterans.**
- **A bill to amend title 18, United States Code, to provide penalties for criminal killings of State and local law enforcement officers, and for other purposes.**
- **A bill designating the Federal building on 51 Southwest 1st Avenue in Miami, Fl., the "Claude Pepper Federal Building".**

BOB DOLE
KANSAS

United States Senate

OFFICE OF THE REPUBLICAN LEADER
WASHINGTON, DC 20510-7020

MARCH 29, 1991

SENATOR:

Congresswoman Ros-Lehtinen's office provided us this list of issues of importance to the Congresswoman as well as her voting record on major issues.

Also attached is her Gulf speech.

JOHN D.

CONGRESSWOMAN ILEANA ROS-LEHTINEN'S ISSUES

CUBA

FOUNDER OF THE HOUSE CUBA FREEDOM CAUCUS WHICH PROMOTES FREEDOM IN CUBA BY:

- * ENCOURAGING INTERNATIONAL CONDEMNATION OF THE VIOLATION OF HUMAN RIGHTS IN CUBA
- * SUPPORTING RADIO AND TV MARTI
- * HIGHLIGHTING CUBAN SUPPORT FOR DRUG TRAFFICKING AND FOR ARMED SUBVERSION THROUGHOUT THE HEMISPHERE
- * ENFORCING THE U.S. ECONOMIC EMBARGO OF CUBA

INSTRUMENTAL IN GATHERING CONGRESSIONAL SUPPORT TO URGE THE CZECHOSLOVAKIAN GOVERNMENT TO REMOVE THE CUBAN INTERESTS SECTION FROM ITS EMBASSY IN WASHINGTON, D.C.

ENVIRONMENT

CO-SPONSORED LEGISLATION TO:

- * PERMANENTLY BAN OFFSHORE OIL DRILLING OFF THE FLORIDA COAST
- * EXPAND THE BOUNDARIES OF THE EVERGLADES NATIONAL PARK
- * PROTECT DOLPHINS IN FLORIDA WATERS
- * CLEAN-UP AND REVITALIZE THE MIAMI RIVER

CRIME & DRUGS VOTED FOR:

- * EXPANDING PRISON SPACE
- * IMPOSING MANDATORY SENTENCES WITHOUT RELEASE FOR CERTAIN FEDERAL CONVICTIONS
- * SUPPORTING DRUG FREE SCHOOL ZONES AND DRUG FREE COLLEGE CAMPUS
- * CREATING DRUG WAR BONDS TO HELP FINANCE THE WAR ON DRUGS

SENIOR
CITIZENS

VOTED FOR:

- * PROMPT DISTRIBUTION OF SOCIAL SECURITY CHECKS
- * REPEALING THE SOCIAL SECURITY EARNINGS LIMIT WHICH BARS OLDER AMERICANS FROM THE FREEDOM TO EARN A LIVING

FOREIGN
AFFAIRS

VOTED TO:

- * AUTHORIZING THE PRESIDENT TO USE WHATEVER FORCE WAS NECESSARY TO REPEL THE IRAQI INVASION OF KUWAIT
- * MAKE THE INDEPENDENCE OF THE BALTIC REPUBLICS A CONDITION ON THE GRANTING OF MOST-FAVORED-NATION TREATMENT TO THE UNION OF SOVIET SOCIALIST REPUBLICS

VETERANS

VOTED TO:

- * REQUIRE THE DEPARTMENT OF VETERANS AFFAIRS TO EXPLAIN WHY DISABILITY CLAIMS HAVE BEEN DENIED AND LIST WHAT RIGHTS THE CLAIMANTS HAVE
- * ENSURE THAT U.S. VETERANS RECEIVE THEIR COURT-ORDERED COMPENSATION WITHOUT THE THREAT OF LOSING OTHER VETERANS BENEFITS

VISION OF THE PERSIAN GULF CRISIS AND ITS CONSEQUENCES

Thank you for your kind invitation to speak to you tonight.

Tonight I will speak on what is foremost on the minds of the entire nation. Our thoughts are of course with all of our courageous men and women who are now engaging Iraqi forces in the Persian Gulf.

The decision by the President and the Congress of the United States to use whatever force is necessary to repel the Iraqi invasion and subsequent annexation of Kuwait was a soul wrenching one. Many in America asked why? Why should we risk the lives of our precious soldiers in a conflict half way around world.

The reasons we had to "draw a line in the sand" were many and complex. But President Bush explained it best when he said, "what is at stake is more than one small country, it is a big idea - a new world order, where diverse nations are drawn together in common cause to achieve the universal aspirations of mankind: peace and security, freedom, and the rule of law."

It is for this new world order of greater international cooperation that we must stand fast in the Persian Gulf. The time has come for the nations of the world to show that naked international aggression will not be tolerated.

The war in the gulf is not a war we wanted. We worked hard to avoid war. For more than five months we, along with the Arab League, the European Community and the United Nations, tried every diplomatic avenue. But time and again Saddam Hussein flatly rejected the offers of diplomacy and peace proposed by world leaders. Instead, Saddam favored the path of violence and hostility.

In response to Iraqi aggression, the community of nations has united. The world now stands as one and has answered Saddam's August 2nd invasion of Kuwait with an unprecedented 12 United Nations resolutions, demanding for Iraq's immediate and unconditional withdrawal, and backed up by forces from 28 countries of six continents.

We, now, find our soldiers locked in combat with Iraqi forces in the Persian Gulf. By all accounts, the war is going well and according to schedule. The Allied Coalition has achieved air supremacy over Iraqi and Kuwaiti skies and has destroyed Saddam's terrible chemical and nuclear weapons facilities which have threatened the stability of the Middle East for years.

Waves of allied warplanes have bombed key Iraqi command and control centers, bridges, lines of supply and pounded ground troops. Iraqi response to this massive attack has been minimal.

In desperation, Saddam has resorted to using weapons of fear and terror deliberately aimed against civilians. The Scud missile attacks against Israel and the intentional ecological disaster which Saddam has caused by dumping oil into the Persian Gulf further illustrate his brutality and ruthless tactics.

The allied ground forces now stand ready for the final push into to Kuwait. All of Saddam's tricks to split the coalition have failed. Much of Iraq's war machine has been destroyed, Iraqi troops are demoralized and Saddam's dreams of power and glory will soon vanish into obscurity.

There is no doubt on how this conflict will end. Saddam Hussein will be driven from Kuwait, Kuwait's legitimate government will be restored, and peace will prevail.

We all realize, however, that our responsibility to be the catalyst for peace in the region does not end with the successful conclusion of this war. As we are winning the war, we must also win the peace.

Lasting peace in the Middle East depends on stability and prosperity in the region. The first step is to ensure that Saddam Hussein is removed from power and neutralized so that he will not be able to fashion political victory out of military defeat.

A structure for regional security must also be established as to safeguard the rights of all nations in the Middle East. This could take the form of a U.N. security force or a pan-Arab force committed to keeping the peace.

Efforts should also be renewed to end the regional arms race. The possibility of arms control negotiations for the area should be considered and international restrictions on the sale of nuclear and chemical weapon capabilities should be enforced.

Economic disparities throughout the region must be lessened. We must remember that the Middle East is a diverse region with very rich nations side by side with very poor nations. Regional development programs should be created to raise opportunities and reduce tensions brought by conditions of extreme poverty.

Once the dust has settled from this conflict and the conditions are appropriate, efforts to alleviate the most intractable and dangerous problem confronting the Middle East should be address. The Palestinian question is obviously one of the most highly controversial problems between Arabs and Israelis.

President Bush has correctly refused to link the Israeli-Palestinian problem with Iraq's withdrawal from Kuwait. However, this obstacle must eventually be overcome in order to bring lasting peace to this troubled region.

Out of this crisis may be the opportunity for peace in the Middle East and it is for this vision of peace that our loved ones are in the Persian Gulf.

Through America's strength and conviction of purpose, the United States has resisted the trap of appeasement that encourages tyrants and has assembled the forces of freedom against a brutal dictator who has wantonly violated international law and threatened the economy of the world.

This leadership through example has once again proven that America stands on the forefront of freedom, liberty and the rule of law. The consequences of ignoring this aggression is the reign of chaos.

So with the responsibility of duty at hand, we at home must support our troops and pray for their safety. We must pray for a swift and just end to this war with as few casualties as possible. And we should be proud that our nation, the United States of America, has answered freedom's call in this hour of crisis.

CONGRESSWOMAN ILEANA ROS-LEHTINEN
18TH CONGRESSIONAL DISTRICT

MIAMI

As you know, this is the late Claude Pepper's District. The 18th District has large constituencies of Cubans, blacks, elderly Jews, and is one the state's more diverse districts. Although it is nominally Democratic, the GOP grew considerably in the 1980s.

Many of the Cubans in Miami came to this country two decades ago, fleeing Castro's takeover. They were well-educated professionals and business people in their homeland, and they have achieved positions of status here.

The Cuban-American community for a time was consumed by the desire to overthrow Castro, but in the 1980s attention has turned increasingly toward Miami politics. That has been good news for Republicans. There are some anti-Castro Cubans who have not trusted the Democratic Party since the Bay of Pigs invasion in 1961. The National GOP's more hawkish anti-communist stance has helped to convince most Cuban voters to register Republican.

In the central part of the district is Liberty City, the black neighborhood that erupted in three days of rioting in May 1980, leaving 18 dead. The violence began when a restive black community was infuriated by an all-white jury's decision to acquit four white Miami police officers in the beating death of a black insurance executive. The area gained national attention once again in 1989, when riots erupted following the shooting of a black motorcyclist by a policeman in Overtown.

Miami Beach is the part of the District that accounts for its high median age -- 44 years. Pepper's natural constituency was the lower, less affluent portion of Miami Beach, where there are no luxury hotels and few tourists. Some blacks live there, but the Jewish population is still very large. The Jewish community that gave Miami Beach its New York flavor usually prefers candidates who are moderately liberal on social issues, conservative on defense, and strongly supportive of Israel.

Ileana Ros-Lehtinen won a special election in August, 1989 with 52% of the vote over Democrat Gerald Richman. The race was filled with accusations of bigotry and ethnic divisiveness as exit polls showed the vote to be along ethnic lines with 80% of Hispanics backing Ros-Lehtinen and 80% of Jews backing Richman.

In 1990, Ros-Lehtinen won handily over Bernard Anscher with 62% of the vote. Bush won 58% of the vote as the 18th District has voted Republican in the past three Presidential elections.

FLORIDA STATE SCENARIO

GOVERNOR:

Former Senator Lawton Chiles defeated incumbent Governor Bob Martinez with 57% of the vote in 1990.

CONGRESSIONAL:

Republican Bill Grant (2nd District) was the only incumbent to lose in the 1990 elections dropping the GOP House advantage to 10-9.

STATE LEGISLATURE:

The Democrats control both Houses in the state legislature with a 23-17 advantage in the Senate and a 74-46 plurality in the House. While the 1990 elections brought no changes in the Senate, the Democrats picked up two seats in the House.

REDISTRICTING:

As you know, Florida will be gaining at least 3 and quite possibly 4 seats bringing their total Congressional Representation to as many as 23. This makes Florida the fourth largest state behind California (52), Texas (30), and New York (31).

Whatever the gain turns out to be, it will be no easy matter deciding where to put the new districts. There are have been double-digit percentage gains in all but four of the nineteen House Districts.

Since the Democrats control both the Executive, (following Governor Martinez's loss), and the Legislative branches, the Florida GOP will unlikely have a bargaining tool at the redistricting table.

FLORIDA

<u>Population</u>	<u>1980</u>	<u>1990</u>	<u>Change</u>
All Residents	9,746,324	12,937,926	+32.7%
<u>Population By Race</u>			
White	8,184,513	10,749,285	+31.3%
Black	1,342,688	1,759,534	+31.0%
American Indian	19,257	36,335	+88.7%
Asian/Pacific	56,740	154,302	+171.9%
Other	143,126	238,470	+66.6%
Hispanic Origin	858,158	1,574,143	+83.4%

FLORIDA CONGRESSIONAL DELEGATION

SENATE:

Bob Graham (Miami Lakes) Next Election: 1992
Connie Mack (Cape Coral) Next Election: 1994

HOUSE:

9 Democratic Representatives

1st District: Earl Hutto (Panama City)
2nd District: Pete Peterson (Marianna)
3rd District: Charles Bennett (Jacksonville)
7th District: Sam Gibbons (Tampa)
11th District: Jim Bacchus (Belle Aire)
14th District: Harry Johnston (West Palm Beach)
16th District: Lawrence Smith (Hollywood)
17th District: William Lehman (Miami)
19th District: Dante Fascell (Miami)

10 Republican Representatives

4th District: Craig James (Deland)
5th District: Bill McCollum (Altamonte Springs)
6th District: Cliff Stearns (Ocala)
8th District: C.W. Bill Young (St. Petersburg)
9th District: Michael Bilirakis (Palm Harbor)
10th District: Andy Ireland (Winter Haven)
12th District: Tom Lewis (North Palm Beach)
13th District: Porter Goss (Sanibel)
15th District: E. Clay Shaw Jr. (Fort Lauderdale)
18th District: Ileana Ros-Lehtinen (Miami)

AP 03-28-91

FL--Hialeah Corruption, Sentencing Date Set For Martinez;
Attorneys Agree

MIAMI (AP) A federal judge today set sentencing for June 5 in the corruption case of former Hialeah Mayor Raul Martinez and told jurors their work was finished because attorneys have worked out an agreement on forfeiture of the mayor's earnings.

Prosecutors and defense attorneys agreed the 42-year-old former mayor was liable for forfeiture of \$100,000 of his earnings.

Prosecutors had called for forfeiture of up to \$250,000 it claims was ill-gotten gains.

The agreement stipulated the forfeiture agreement does not reflect on the validity of the government's case and Martinez will not have to pay the amount if his conviction is reversed on appeal.

U.S. District Judge James W. Kehoe told jurors today that the case will now go ``to the finest appellate court in America (the 11th Circuit Court of Appeals in Atlanta) and they will review if we were correct or not correct in the way we proceeded.''

``If they decide in a calm and impassionate review of the matter that we have made a mistake, we will try it again,''

 he said.

Martinez, convicted Tuesday on six of eight counts related to alleged influence peddling, could get up to 120 years in prison and up to \$1.5 million in fines. He remains free on bond.

Martinez was convicted of selling his vote and influence on zoning matters during the 1980s. He vowed to fight the case and the conviction, which came after a nine-week trial, was appealed. Martinez, a Democrat, has claimed that his prosecution was politically motivated. He had long planned a run for Congress, and U.S. Rep. Ileana Ros-Lehtinen, a Republican and a political rival in South Florida's Cuban community, is the wife of U.S. Attorney Dexter Lehtinen. Hialeah, Florida's fifth-largest city, is predominantly Hispanic.

Federal prosecutors investigated corruption in Hialeah for several years before indicting Martinez in April 1990. He was accused of extorting about \$1 million in cash and property from developers seeking zoning favors. Martinez was mayor of Hialeah, Florida's fifth-largest city with a predominantly Hispanic population.

Jurors deliberated over seven days, convicting Martinez on

four counts of extortion and one count each of racketeering and conspiracy. He was acquitted on two other extortion counts.

At one point during deliberations, a mistrial was threatened by revelations that some jurors had violated the judge's orders not to read the newspaper or talk about the case among themselves during the trial. But Judge Kehoe decided to proceed with the same jury.

Since Martinez's suspension last April, Julio Martinez, no relation, has been acting mayor. By state law, the governor must now remove Raul Martinez from office, but historically the governor continues the suspension until the appeals process concludes.

AP 03-27-91

FL--Hialeah Corruption, Suspended Hialeah Mayor Convicted of Extortion

MIAMI (AP) Raul Martinez, convicted of selling his vote and influence on zoning matters as mayor of Hialeah during the 1980s, vowed to fight the case he and his supporters say was politically motivated.

Martinez's defense attorney, James Jay Hogan, said immediately after Tuesday's verdict he would appeal.

"We're going to go on and we're going to continue with our heads very high, because I'm innocent of all the charges and I will continue to prove my innocence in the near future," Martinez said after the verdict was announced.

Martinez, 42, who is free on bond, could get a maximum 120 years in prison and up to \$1.5 million in fines. U.S. District Judge James W. Kehoe did not set a sentencing date.

A number of supporters turned out during the nine-week trial on behalf of the suspended mayor of Florida's fifth-largest city, and a predominantly Hispanic area.

Defense attorneys for Martinez, a Democrat, have claimed from the outset that the prosecution of their client was politically motivated.

The mayor had long planned a run for Congress, and U.S. Rep. Ileana Ros-Lehtinen, a Republican and a political rival in South Florida's Cuban community, is the wife of U.S. Attorney Dexter Lehtinen.

Diane Cossin, spokeswoman for the U.S. Attorney's Office, has repeatedly denied that allegation. On Tuesday, she said prosecutors were "pleased with the jury's verdict" but could not comment further because jurors were returning Thursday for deliberations on the forfeiture of two properties owned by Martinez.

Federal prosecutors investigated corruption in Hialeah for several years before indicting Martinez in April 1990. He was accused of extorting about \$1 million in cash and property from developers seeking zoning favors.

Government witnesses described corruption as a way of life at City Hall. Their testimony also pointed to widespread corruption involving top officials of Dade County.

In closing arguments last week, Assistant U.S. Attorney Steven Chaykin portrayed Hialeah developers as intimidated by Martinez and "caught up in the runaway train of corruption."

"Everyone was afraid of him," Chaykin said. "They were afraid to say no."

Defense attorneys, however, said the government's case was suspect. Much government testimony was "paid for," Hogan said in closing arguments.

"The government can do these things, but we can't," Hogan said, referring to light sentences or dropped charges given some prosecution witnesses.

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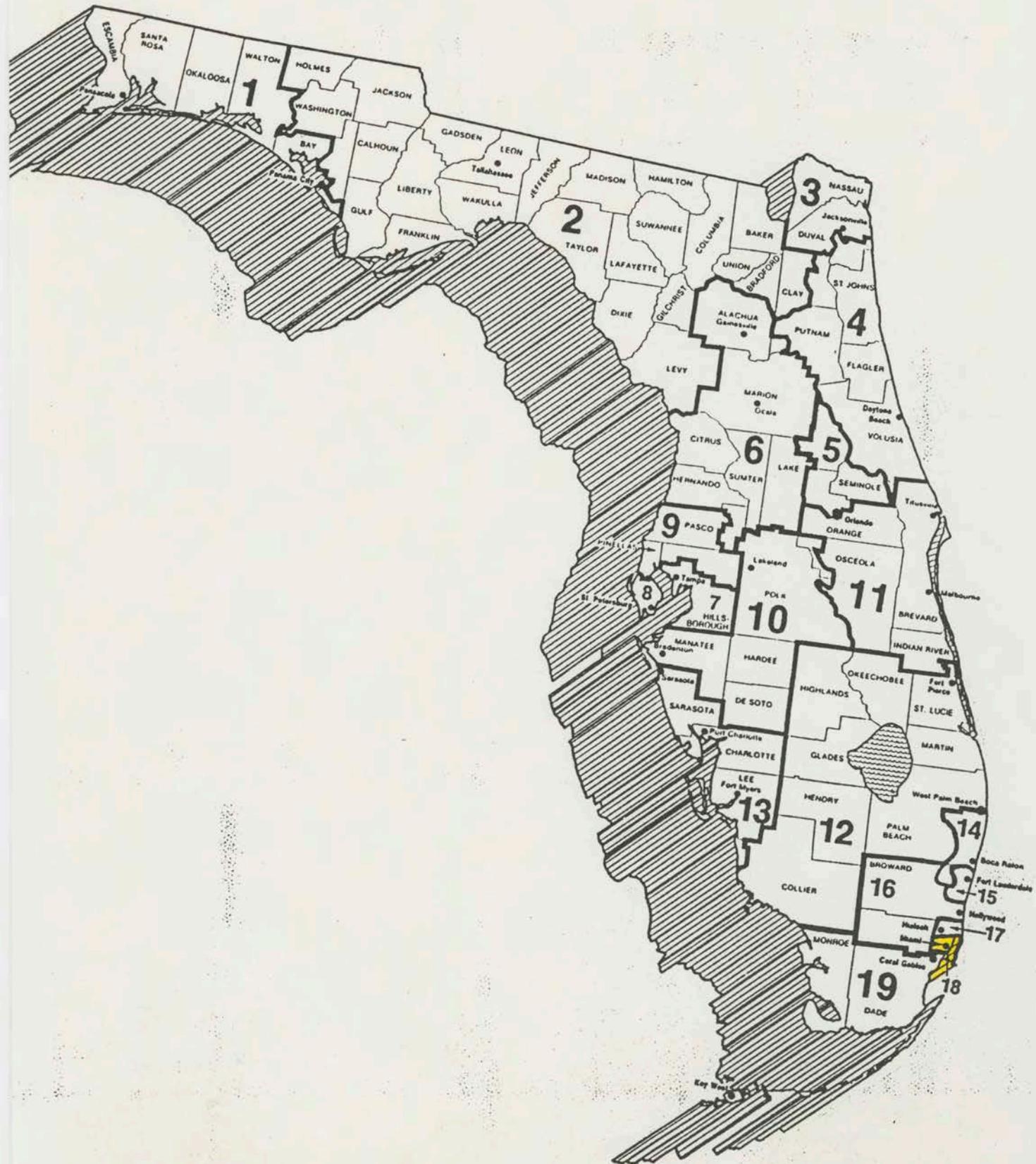
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FLORIDA CONGRESSIONAL DISTRICTS



they are prepared to see the Netherlands leave the Kingdom of the Netherlands in a final step toward complete autonomy.

Aruba's reluctance to become fully independent, far from an isolated case, reflects a sharp change in attitudes that has swept the Caribbean region, where the greatest number of the world's remaining non-independent territories are clustered.

In all of the region's remaining European dependencies, including Aruba and its five former sister islands of the Netherlands Antilles, and Britain's six remaining islands, the cry for independence, for decades an unquestioned goal in third-world poli-



Residents of Aruba are having misgivings about independence.

they are prepared to see the Netherlands leave the Kingdom of the Netherlands in a final step toward complete autonomy. **Idea Has Become Pretty Old Here** said Jean-Pierre Gaudon, a professor of geography and economics at the University of the Antilles and Guiana, in Martinique. "No one demands independence with any violence or urgency anymore."

While advocates of independence remain active in many of those islands, almost everywhere in recent years their cause has become politically unpopular. In many cases, the only remaining pressure for independence these days is the discreet, occasional prodding of colonial administrators in London and The Hague eager to trim expenses, which has provoked stiff resistance from their possessions.

"The British Virgin Islands will not be bullied, provoked, coerced or sweet-mouthed into independence," Ralph T. O'Neal, deputy chief minister for labor, said at a United Nations conference on decolonization last year in Barbados, capturing the mood of many islands that are not independent.

U.S. Officials Say Afghan Rebels Captured a Major Garrison Town

By CLIFFORD KRAUSS
Special to The New York Times

WASHINGTON, April 1 — Afghan guerrillas have seized the garrison town of Khost and captured 6,000 Government troops to begin a spring offensive to try to topple the Soviet-backed Government, Administration officials said today.

"This is definitely a major victory for the mujahadeen," a State Department official said, referring to the rebels. He noted that Khost guards the vital supply routes connecting Kabul, the capital, with the southwestern provinces.

The Administration used the victory to warn President Najibullah of Afghanistan that if he did not give up control of the country, the United States-backed guerrillas would redouble their military efforts.

Robert M. Kimmit, Under Secretary of State for Political Affairs, said in a televised United States Information Agency broadcast that the fall of Khost proves "that the time has come to move beyond the current phase to get to a point where there can be a legitimate act of self-determination of the Afghan people themselves."

The United States Central Intelligence Agency supplies the rebels with more than \$200 million a year in mili-

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Guerrillas in Afghanistan seized the garrison town of Khost.

at the end of this month once snow that blocks a many mountain paths melts.

Administration officials said the Soviet Union had made a major effort to avert the defeat at Khost, deploying advisers to fire 40 Scud missiles with 2,000-pound warheads at the attacking rebels during the last two weeks. The officials said intelligence sources behind Afghan Army lines reported that the Soviet advisers dressed in Afghan clothing to disguise their involvement in the battle.

The Soviet Union announced the withdrawal of the last of its 150,000 troops in early 1989, but it continues to pour more than \$3 billion in military aid into the country.

The climate of independence is much too cold.

independence there is weak too. Faced with the uncertainties common to thinly diversified economies and wary of threats as varied as takeover by drug cartels or violent coup attempts, residents of many islands throughout the region see continuing close ties with the colonizer as a bulwark against instability and decay.

The experience of Aruba, which last year successfully lobbied the Netherlands to cancel an agreement that would have automatically led to independence in 1996, reflects that of many of the region's territories.

Shortly after breaking away from the Netherlands Antilles in 1986, the island's leading employer, an Exxon oil refinery, closed, suddenly depriving Aruba of about half of its income. While the island has largely recovered by aggressively promoting tourism, its brush with insolvency created lasting doubts about going it

alone in the world. For the left-leaning Aruban Government, which already enjoys broad autonomy over political and fiscal matters, leaving responsibility for foreign affairs, defense and judiciary appeals to the Dutch approaches the ideal.

"To put it as simply as possible, we would like for the time being for things to remain as they are," said Franklin Oduber, the spokesman for the Aruban Government and brother of the Prime Minister. "I don't think many Arubans are anxious to get rid of the Dutch."

In Britain's seven remaining possessions in the region, including Bermuda, which is in the Atlantic Ocean, north of the Caribbean, independence movements have also fizzled.

Tony Thornhill, a Caribbean expert and chairman of the department of international affairs and politics at Staffordshire Polytechnic in England, said the remaining British dependencies "look at the post-independence experience of the surrounding islands, like Grenada, with its revolutionary violence, and Antigua, which is scandal-ridden, and don't particularly like what they see."

"Seek ye first the political kingdom has become rather passé," he said.

Communists in Albania Win Majority in First Free Ballot

Continued From Page A1

undecided. In contests where no candidate won an outright majority, runoff elections will be held.

Founded last December during the tumult of huge anti-Communist demonstrations, the Democrats were overwhelmingly endorsed in Albania's urban centers but lost in the mountainous countryside.

Reports of Intimidation

There were indications of widespread intimidation of voters in the countryside by the Communists and some charges of ballot rigging.

And some of the opposition's losses were attributable to the brief time the party had to organize a campaign from a standing start.

Senator Claiborne Pell, the Rhode Island Democrat who spent four days here observing the election preparation, the voting and the ensuing events in and around Tirana, said today, "From what I saw, it was a reasonable and free expression of the will of the people." Other foreign election observers concurred.

"At an opposition rally, Dr. Berisha said, 'there will be no coalition' with the Communists."

The final results of the voting by the

electorate of almost two million Albanians are scheduled to be announced on Tuesday by the National Election Commission. The chairman of the commission, a Communist nominee, was defeated in his parliamentary district here.

For all the relative tranquility of the voting, the result had several ominous implications, because it left this wretched Balkan nation deeply divided between country and city as well as between young and old. Albania is demonstrably Europe's poorest country.

Since last June, 80,000 mostly young Albanians have fled by land or sea and the Communist victory may cause many more to try to leave, Albanian university students said today.

The 66-year-old Mr. Alia took power in 1985 after the death of Enver Hoxha, the nation's Stalinist founder. After widespread protests and the flight of refugees, Mr. Alia legalized opposition parties and called the elections.

Burmese Raid Kills 20 Karens

BANGKOK, Thailand, April 1 (AP) — Burmese planes killed at least 20 civilians in bombing raids aimed at guerrillas living in jungles near the Thai border, officials of the rebel movement of the minority Karen ethnic group said today.

Front agreed to the reforms in return for up to \$1 billion in financial support from the International Monetary Fund to promote Romania's economic recovery.

The front replaced the Communist Government of President Nicolae Ceausescu, who was overthrown and executed in December 1989.

How Can I Afford to Live?

Many of the Romanians interviewed today complained about the price increases.

"How can I afford to live when I have to pay twice as much for bread and milk?" said one angry pensioner, Vasilica Petrache, 68 years old, shopping for provisions in Bucharest today.

An electrician, Grigore Adrian, 38, said: "The prices are too high. I have a salary very small, and I have not yet received any compensation."

But the rises, coupled with a devaluation halving the official value of the leu against foreign currencies, found grudging acceptance among many shoppers, who said they believed that the reform would help to ease food shortages and shorten waiting lines.

"Some people are happy now that they can buy milk without waiting in long lines," said a shop worker, Mihaela Cosic. "Some used to get in line in front of the shop as early as 1 o'clock in the morning."

Victor Birlouci, 70, said: "The price liberalization was necessary. Now everybody will have to work harder to get this country out of its poverty. I think my pension will cover all my expenses."

But Ioan Tudor, 32, an engineer, complained, "The only solution for me is to get a second job, because my wages and the compensation are not enough."

An Athens Hotel Is Attacked; Leftists Take Responsibility

Special to The New York Times

ATHENS, April 1 — An ultra-leftist organization called November 17 claimed responsibility today for a rocket attack against a luxury hotel here late Sunday night.

The rocket was deflected when it hit a tree and caused only minor damage. There were no casualties because the hotel was evacuated after a telephoned warning was received.

The attack, which may cause further problems for Greece's tourism industry, came only a day after two branch offices of Citibank were bombed. Those attacks caused extensive damage but no casualties.

The police said the latest attack took place at the Pentelikon Hotel in northern Athens shortly before midnight.

Earlier this year, especially during the height of the Persian Gulf crisis, November 17 launched similar rockets and bomb attacks on the offices of British and American banks and companies, and on other interests of member countries of the coalition fighting Iraq. Two weeks ago, the organization killed a United States Air Force sergeant serving at the American airbase in Athens.

After the War: Diplomacy Flowers in the Spring

Scowcroft Went to Talk With Saudis, U.S. Says

By PATRICK E. TYLER

Special to The New York Times

WASHINGTON, April 1 — President Bush's national security adviser, Brent Scowcroft, traveled to Saudi Arabia last week for high-level security consultations requested by senior advisers to King Fahd, according to Administration officials.

The officials, who declined to reveal any further details about the talks, said the trip took place after President Bush decided last Tuesday not to intervene further in the internal unrest in Iraq, an issue that is of potentially vital importance to the Saudi monarchy.

One official sought to play down the sensitivity of the trip and any reasons for shrouding Mr. Scowcroft's agenda in secrecy. The official said the Saudis wanted to hold consultations before King Fahd and other members of the royal court departed for Mecca for the final weeks of Ramadan, the Muslim month of fasting.

Another official said the Saudis have been anxious to focus the Bush Administration more intensely on its commitment to making progress in the peace process between Israel and its traditional Arab foes.

Talks on Regional Security In addition, major elements of the United States military in Iraq or at rear areas in Saudi Arabia and Kuwait are scheduled to begin withdrawing after a formal cease-fire agreement is reached at the United Nations.

United States officials are discussing a new regional security structure with

Saudi Arabia, other Arab gulf states, Egypt and Syria. This arrangement is likely to include prepositioning enough military equipment in Saudi Arabia to equip an American Army division, increasing the frequency of joint exercises and putting a United States military headquarters in the region for the first time on Bahrain, which is connected to Saudi Arabia by a causeway.

Syria's Foreign Minister, Farouq al-Sharaa, arrived in Saudi Arabia today for talks on postwar security arrangements.

Officials said that whatever the main focus of the consultations with Mr. Scowcroft, Saudi interest in the situation in Iraq and future relations between Saudi Arabia and Iraq under Saddam Hussein would be one important subject on the agenda for the talks.

Common Approach to Iran Sought

Mr. Scowcroft's trip may also have been prompted by the temporary incapacitation of Saudi Arabia's ambassador to Washington, Prince Bandar bin Sultan, who last week was at Walter Reed Army Medical Center for treatment of a back ailment. Prince Bandar, a nephew of King Fahd, is the primary conduit for high-level communications between Washington and Riyadh.

Middle Eastern diplomats said they believed the Saudis, who just re-established diplomatic relations with Iran



Brent Scowcroft, President Bush's national security adviser, traveled to Saudi Arabia last week for high-level consultations.

after a three-year break, wanted to discuss an approach to Iran on regional security issues and on the attempts to free the American hostages held by pro-Iranian groups in Lebanon.

Another likely issue on the agenda was Saudi Arabia's harsh attitude toward King Hussein of Jordan, whose historically good relations with the United States and with President Bush personally are expected to help the King rehabilitate himself in Washington and continue to play a role in helping to mediate the Arab-Israeli dispute and its central question of Palestinian rule.

U.N. Council Closer to Approving Iraq Resolution

By PAUL LEWIS

Special to The New York Times

UNITED NATIONS, April 1 — The Security Council moved closer today to approving a tough new resolution that could officially end the gulf war later this week and allow the withdrawal of all remaining allied forces from southern Iraq, Western diplomats said.

The central question in its negotiations, however, is whether Iraq will accept onerous military and economic conditions in the American-sponsored draft of the resolution.

The United States appears to have the nine votes needed to approve the measure, these diplomats say. But the proposed resolution provides for a formal truce only after President Saddam Hussein of Iraq agrees to be bound by all its provisions.

Tonight, the United States representative to the United Nations, Thomas R. Pickering, said the Council could vote on the resolution as soon as Tuesday. But Secretary General Javier Pérez de Cuellar predicted that the final vote would come Thursday.

Iraq Is Hardly Pleased

Iraq's United Nations representative, Abdul Amir al-Anbari, described the draft as "very objectionable," saying there is "a limit to the amount of coercion one country can apply to another." But he added that only the highest Iraqi leadership could decide what the nation's attitude will be if the Council adopts the resolution.

Asked what would happen if Iraq refuses to obey the resolution, Britain's representative, Sir David Hannay, said trade sanctions would remain in force

The Treasury Department issued a list of 89 companies and individuals it identified as being fronts or agents for Iraq. Business Day, page C1.

Just how much humiliation will Hussein accept?

doing great and continuing damage to Iraq," but he made no prediction as to whether the allied forces would go home.

The resolution requires the Baghdad Government to destroy its most dangerous chemical and biological weapons and to compensate Kuwait for the damage its forces caused, while continuing to ban all sales of arms and dangerous military technology to Iraq for the indefinite future.

Food and Other Essentials

It allows Iraq to start selling oil on the world market again, but earmarks an unspecified portion of these earnings for war reparations. And it continues to ban all nonessential imports like cars and television sets until the Council is satisfied with "the policies and practices of the Iraqi Government, including implementation of all relevant resolutions of the Security Council."

The draft allows Iraq to freely import food, promises rapid approval of requests to send other items for humanitarian purposes, and says that even before oil sanctions are fully lifted,

Iraq may sell enough to pay for such essential imports.

The United States, the Soviet Union, Britain, France and China — the five permanent Council members with a veto on decisions — have already agreed to this tough draft, although it is unclear whether China will vote in favor or abstain.

Iraq has accepted all previous Security Council demands, agreeing to return stolen Kuwaiti property, send back prisoners of war and detainees, and accept financial liability for the damage caused by its invasion. But it did so at least in part because it wanted to stop the fighting.

While acceptance of the draft resolution's terms will bring an immediate cease-fire, ending any possibility that the allies might intervene to support the Iraqi rebels fighting in both the north and south of the country, it requires Iraq to accept a disputed 1963 border agreement it made with Kuwait before the United Nations would send peacekeepers and the allied forces would withdraw.

Frequent Review Process

The Council will review the ban on civilian supplies every 60 days in the light of Iraq's policies.

While no one seriously doubts that the draft will be adopted, some objections have been raised.

On Sunday, for instance, the Egyptian newspaper Al Ahran, which sometimes reflects Government policy, criticized the provision requiring Iraq to destroy its special weapons, saying this should happen only in the framework of a general agreement to rid the entire region of such arms.

Oranjestad Journal

Uneasy Caribbean Isles Warm to Motherlands

By HOWARD W. FRENCH

Special to The New York Times

ORANJESTAD, Aruba — In 1986, this small, scrubby island just off the coast of Venezuela broke away from an association of self-administered Dutch Caribbean possessions and confidently set out on a path expected to lead to full independence within 10 years.

But five years later, for all their satisfaction in having their own Government, Prime Minister and flag, few

tics, has given way to an open desire to remain somehow attached to a colonizing power.

"What we are witnessing is the unraveling of a whole mental mindset," said Anthony P. Maingot, an expert on Caribbean politics at Florida International University in Miami. "In linear way, with the assumption that everyone would seek it. Now, rather than a birthright, people are seeing it



HIGH COST OF FOOD SQUEEZES ROMANIA

Shoppers Angry and Resigned as Pricing Program Starts

BUCHAREST, Romania, April 1 (Reuters) — Romanians confronted their biggest food-price increases in almost half a century today with a mixture of anger and grudging acceptance.

Staples like bread, eggs and meat doubled in price as the Government ended four decades of Communist-style subsidies on basic food as part of its plan to institute a market economy.

It cushioned the blow through compensatory cash handouts, the partial

Effectiveness of California Gun Law Is Questioned

By KATHERINE BISHOP
 SAN FRANCISCO, April 1 — While Congress appears poised to pass legislation requiring at least a seven-day waiting period for the purchase of a handgun, questions are being raised about how effective even stricter measures have been in California.

Of the states with such waiting periods, California has one of the toughest and broadest. Anyone wishing to buy any gun, including rifles and shotguns, must wait 15 days while the authorities check on the person's background. Anyone found to have a felony conviction or misdemeanor assault conviction or to have been confined to a mental institution is barred from making the purchase.

The proposed Federal legislation applies only to handguns and does not require local police officials to make background checks.

California statistics show that fewer than 1 percent of the applications for the purchase of a gun are turned down here each year. Only 2,400 of more than 330,000 applications were denied after State Department of Justice background checks last year.

"Even a small percentage can be important in terms of the mentally ill being kept from getting guns because

California's strict rules prevent relatively few gun purchases.

they are more unlikely than felons to get guns through illegal means," said Dr. Lawrence W. Sherman, a professor of criminology at the University of Maryland who also does research for the Crime Control Institute, an independent nonprofit research group.

Proposal Gains Momentum

The proposed Federal law has been gaining momentum in Washington in recent weeks. Last Thursday former President Ronald Reagan, who was wounded in an assassination attempt in 1981, announced he now supported passage of the bill. The legislation is commonly called the Brady bill after Mr. Reagan's press secretary, James S. Brady, who was severely wounded in the assassination attempt.

In addition to the seven-day waiting period, the Federal proposal would re-

quire gun buyers to provide photographic identification, state that they are not under indictment or have not been convicted of a felony, are not a fugitive, drug addict or illegal alien and have not been committed to a mental institution.

The bill most closely resembles the law in Indiana, which enacted a seven-day waiting period for handguns in 1968. But like California, Indiana has found that in few cases was permission denied to buy a handgun. Bruce Bryant, commander of the firearms section of the Indiana State Police, said that while requests to buy handguns have nearly tripled in the last four years to 90,235 in 1990 the number of applications rejected has risen from 55 in 1987 to 56 in 1990.

Proponents of the Federal bill say denying even a fraction of the applications to buy guns justifies the process. "To these people who poop-poop less than 1 percent as too small a number, I say that one criminal walking into a gun store and legally buying a gun is too much," said Gwen Fitzgerald, a spokeswoman for Handgun Control Inc., a nonprofit lobbying group that supports the bill.

Proponents of the bill say its impor-

ance lies in creating a national minimum standard waiting period that will prevent felons in California from simply buying guns in neighboring states like Nevada and Arizona, which have no such law.

In California, officials of the State Department of Justice said they have not yet considered how passage of the Federal bill might affect the state. While the tougher standards in California's law would remain in effect, some residents might try to buy weapons in states with the shorter waiting period. It is not known how provisions in the Federal bill would be put into effect because California does not share its computerized data used to check gun buyers.

California has had a waiting period for gun purchases since 1953 and the 15-day requirement was adopted in 1975. That waiting period and background check required for the purchase of a handgun were extended this year to rifles and shotguns.

In addition, the new California law requires all informal sales between acquaintances or at gun shows be brought within the system of background checks and waiting periods and go through a licensed gun dealer.

The new state legislation also requires that the names of people who have been committed to mental hospitals for having been deemed dangerous are included in these files. Support for such a measure rose sharply here last September when Merdad Dashti, an Iranian immigrant who had been diagnosed three years earlier as suffering from paranoid schizophrenia, used three guns he had bought to hold dozens of students hostage at a popular bar near the University of California at Berkeley. One student was killed and seven were wounded before he was shot dead by police.

Oversight in New Law

But because of an oversight, the law has resulted in the reporting to the state of the names of all people receiving mental health treatment in hospitals for any illness. Since January, the names of more than 43,000 current and former psychiatric patients have been added to the state's files.

Despite assurances by the state that the names of voluntarily admitted patients will be purged from the files as soon as they are released from the hospital, State Senator Barry Keene, who sponsored the new law, is already planning to amend it.

When the name of a prospective gun buyer does turn up on the state's list, it is left to the gun dealer to inform the customer that he will not be allowed to buy the gun and to handle the reaction. "Certainly they get angry," said Giuseppe Zumbo of A-A Guns in Oakland, where handguns outsell rifles and shotguns 6 to 1. "Sometimes it is for some minor thing like a fight they completely forgot about 20 years ago of



Jack Oglesby, who works at High Bridge Arms Inc. in San Francisco, pointed out that the law could be circumvented when criminals have acquaintances with clean records but weapons for them.



Bob Kahn of B & B Sales in North Hollywood, Calif., complained that problems with the system can hold up an application far beyond the 15-day waiting period.

North Hollywood where 50,000 guns were sold last year, complained that problems with the system can hold up an application far beyond the 15-day waiting period. "They do have a problem when I have to tell them, 'The State of California has lost your file,'" he said.

sometimes a year are prevented from buying a handgun. The State Firearms Information Services said less than 1 percent of the 330,295 background checks conducted in 1990 uncovered a prior felony conviction that disqualified the potential buyer. That number remains consistent from 1984 through 1990 when a total of 11,975 purchases were denied after 2,063,978 background checks.

Still, proponents argue, that does mean that 2,400 handguns were not bought by felons last year in California alone, at least not legally. That number is expected to increase this year, not only because rifles and shotguns have been added, but also because those convicted of misdemeanor assault and battery and those under court restraining orders have been included among those disqualified to buy a gun.

Many proponents of the Federal measure say an even greater number of people than are denied guns under waiting periods and background checks, are deterred from trying to buy one.

"Undoubtedly some of those felons went and got a handgun somewhere else. But some did not," said Eugene S. Erbin, a lawyer on the staff of the California Legislature who helped draft the new law adopted last year. "How stupid would a felon have to be to try to purchase a handgun when he could legally purchase a longgun? Now he won't be able to."

But at High Bridge Arms, Inc. in San Francisco, Jack Oglesby points out that the law can be circumvented when

DEALER'S RECORD OF SALE OF RIFLE OR SHOTGUN
 STATE OF CALIFORNIA AA0432767

NOTICE TO DEALERS: This original is for your files. If spoiled in making out, DO NOT DESTROY. KEEP IN BOOK. Fill out in quadruplicate. Two copies must be mailed on the day of sale to the Department of Justice at Sacramento and a carbon copy must be mailed at the same time to the Chief of Police or to the Sheriff of your county, pursuant to Penal Code Section 12076. Failure to comply is a misdemeanor.

PLEASE PRINT CLEARLY AND COMPLETELY.

OCCUPATION	DESCENT	SEX	HAIR	EYES	HEIGHT	WEIGHT
CHECK YES OR NO <input type="radio"/> YES <input type="radio"/> NO HAS PURCHASER EVER BEEN CONVICTED OF A FELONY OR OF AN OFFENSE SPECIFIED IN PENAL CODE SECTION 12021.1 OR 12021.8?						
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12002 PC SALES BETWEEN PRIVATE PARTIES
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Criticism of Clemency May Affect Efforts to Help Battered Women

By TAMAR LEWIN

Extensive criticism of last month's decision by Maryland's Governor to commute the sentences of eight battered women convicted of killing or assaulting their mates may make women's groups more cautious about seeking similar grants of clemency in other states.

In an article on March 17 charging that the Governor, William D. Schaefer, had overlooked or ignored crucial information about at least of the three inmates he freed, The Baltimore Sun suggested that state officials were given a one-sided account of the cases, and that they might have come to a different conclusion had they notified prosecutors and read the trial transcripts.

The state officials involved, and the group that helped prepare the report on which the clemency decisions were based, deny that the Governor was missing any relevant information or was misled.

Eyes on Maryland Cases

Whatever the merits of the Sun's criticism, it is likely to have an effect on other states' moves to grant clemency to battered women who have killed their alleged abusers.

"We all will take the Maryland experience and dissect it, to figure out

Prosecutors want their say before convicts are freed.

what happened and why, and what kind of process we need to have so it does not blow up in the media," said Sue Osthoff, director of the National Clearinghouse for the Defense of Battered Women. "Maybe, politically, that means talking to the prosecutor and the judge beforehand. It's clear that the issue of women who kill remains a hot potato."

In New York, where a coalition of women's groups and criminal justice groups petitioned Gov. Mario M. Cuomo last month to consider clemency for some battered women, the Albany Times Union reprinted the Sun article a few days after it ran.

Cuomo's Clemency Record

"Clearly, what happened in Baltimore will inform what we do," said Tracy Huling, policy director of the Correctional Association, who is coordinating the coalition. "To avoid a backlash, it may be politically advisable to inform prosecutors in advance of any plans to grant clemency."

Terry Lynam, a spokesman for Gov-

ernor Cuomo, said that the Governor had always been very cautious about clemency, granting it in only 26 cases since 1983, and that the Maryland situation would not change his approach.

In Texas, where Gov. Ann Richards is supporting legislation that would make the state Board of Pardons and Parole review the cases of battered women in jail for killing their abusers, a press officer said the people who determine policy were not aware of the issue in Maryland.

Prosecutors generally expressed a hope that the Maryland experience would lead governors to consult them on each case before granting clemency.

Consulting With Prosecutors

"I think this has made it more likely that prosecutors will be consulted in the future," said Richard Wintory, of the National Association of District Attorneys. "When you call attention to the facts that the Governor didn't have, which he could have had by speaking to the people who knew all the facts and made the call in the first place, that's got to have an impact."

The first Governor to grant clemency to a group of battered women, Richard F. Celeste of Ohio, acted shortly before leaving office in January. He announced in December that he was granting clemency to 25 battered women.

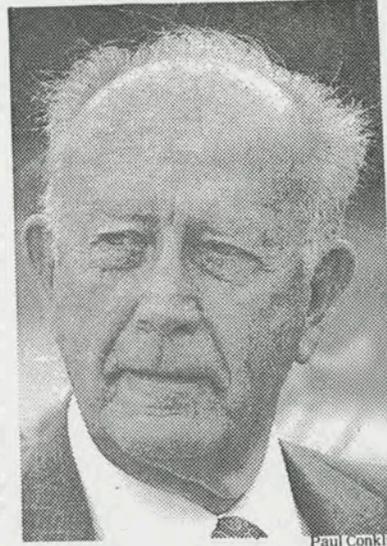
Like Governor Schaefer, Governor Celeste was harshly criticized in an article, in The Columbus Dispatch, that suggested that the prosecutors should have had more say in the decisions. The article said 15 of the 25 women selected for clemency had said they had not been physically abused, six had discussed killing their boyfriends or husbands, sometimes months before doing so, and two had tracked down and killed husbands from whom they were separated.

Mr. Celeste said in a recent interview that he had no regrets about either the cases chosen for commutation or the review process.

"If a governor had nothing else to do, it would be an interesting addition to talk to the prosecutor and the judge in each case," he said. "But most of what's in the record already is based on the prosecutor's point of view. I wasn't worried about the criticism."

"These cases had in common a woman who was a victim of an identifiable battered women's syndrome. That can be true even where the woman denies that she was abused, because these are women who have spent their whole adult lives in denial, unwilling to face what is happening to them."

In explaining their actions, Governors Schaefer and Celeste emphasized the years of violence the women have suffered, and the unfairness of a justice



Paul Conklin

Governor William D. Schaefer of Maryland was accused of ignoring crucial information about some of the eight battered women whose sentences he commuted.

system that historically has refused to admit evidence of battering as part of a self-defense case.

"These women were entrapped, emotionally and physically," Governor Celeste said when he announced his clemency decisions. "They were the victims of violence, repeated violence."

Governor Schaefer suggested that some of the women he freed might have been killed themselves had they not struck back.

At the same time, however, even the most horribly abused women might have some sordid, and deeply unsympathetic facts in their case histories.

Background in Files

Bernadette Barnes, one of the three women discussed in the Sun article, hired someone to kill her husband. The newspaper said that Ms. Barnes, who was once shot by her husband, had suffered years of abuse, but that "unknown to the Governor and the staffers who prepared the information he was given," she had had hired a person to kill her husband so she could collect on her husband's \$22,000 life insurance policy.

The advocacy group that worked on the review, called the House of Ruth, said Governor Schaefer had received a prison file with a statement that Ms. Barnes had received \$22,000 from an insurance company, but had denied that the policy, bought 17 years earlier, had anything to do with the killing.

The Sun also reported that a second woman granted clemency testified at trial that her husband never hit her before the night of the murder, and a third had threatened to kill a potential witness at her trial.

"There was nothing in the Baltimore Sun's story that we hadn't known and considered," said Mary Ann Saar, the Governor's director of operations and public safety. "Our review process was very careful, and very thorough. The Governor is perfectly satisfied with his decisions, and has said he would do it again."

Supreme Court I

Continued From

guarantee of equal protection, the basis for the area, applies only to The Court has yet to decide to which actions by defendants who are private citizens are considered "state action" in the courtroom.

Under the ruling today, the lapse of time and the trial judge required to give at the time — Mr. entitled to a new trial.

The majority opinion in Ohio, No. 89-5011, was written by Byron R. White, joined by Harry A. Black, Sandra Day, and David H. Souter.

Justice Antonin Scalia, joined by Chief Justice William H. Rehnquist, wrote a dissenting opinion in tone. The dissent had gone far beyond to announce a decision "in law."

'Misdirected' Blot

The dissenters said the majority's decision posed a blow against a self-satisfying and misdirected. Justice Chief Justice Rehnquist was a "reprise, so the Court's 1966 ruling in the zone, which required a criminal suspect of a compelled self-incrimination."

The dissenters said the Miranda decision its key to the jailhouse, the arguably innocent release upon the socially guilty unless officers take certain Court newly announced by law."

The 1986 decision, tucky, held that a defendant that case was black - the prosecution's excuse the same race. Once made, the prosecution demonstrate that evidence based on something of

Defense lawyers say prosecutors often select black jurors from trials and on the support jurors would favor them

Race as Indicator

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Supreme Court Roundup

Court Limits Using Race to Bar Jurors

Continued From Page A1

guarantee of equal protection of the law, the basis for the rulings in this area, applies only to "state action." The Court has yet to define the extent to which actions by defense lawyers, who are private citizens, can be considered "state action" in the context of the courtroom.

Under the ruling today, the prosecution must now demonstrate that there were reasons unrelated to race for excluding the black jurors from the 1985 trial. If the prosecution cannot meet this test — as it probably cannot, given the lapse of time and the fact that the trial judge required no reasons to be given at the time — Mr. Powers will be entitled to a new trial.

The majority opinion, *Powers v. Ohio*, No. 89-5011, was joined by Justices Byron R. White, Thurgood Marshall, Harry A. Blackmun, John Paul Stevens, Sandra Day O'Connor and David H. Souter.

Justice Antonin Scalia filed a dissenting opinion, joined by Chief Justice William H. Rehnquist, that was unusually vehement in tone. They said the Court had gone far beyond the 1986 ruling to announce a decision "unprecedented in law."

'Misdirected' Blow on Racism

The dissenters said, "Today's supposed blow against racism, while enormously self-satisfying, is unmeasured and misdirected." Justice Scalia and Chief Justice Rehnquist said the ruling was a "reprise, so to speak" of the Court's 1966 ruling in *Miranda v. Arizona*, which required police to inform a criminal suspect of his rights against compelled self-incrimination.

The dissenters said today that as in the *Miranda* decision "the Court uses its key to the jail-house door not to free the arguably innocent, but to threaten release upon the society of the unquestionably guilty unless law enforcement officers take certain steps that the Court newly announces to be required by law."

The 1986 decision, *Batson v. Kentucky*, held that a defendant — who in that case was black — could challenge the prosecution's exclusion of jurors of the same race. Once an objection was made, the prosecution would have to demonstrate that each exclusion was based on something other than race.

Defense lawyers said at the time that prosecutors often sought to remove black jurors from trial of black defendants on the supposition that black jurors would favor the defendant.

Race as Indicator of Bias

There was apparently no racial element to the crime in the Ohio case that the Court decided today. It is unclear what motivated the prosecutor to remove seven black potential jurors. But prosecutors have been known to exclude black jurors in the belief that even if race is not at issue in the case blacks may be more sympathetic to the

defense and less inclined to accept the state's case.

Justice Kennedy appeared to allude to this attitude when he said, "Race cannot be a proxy for determining juror bias or competence."

An important part of the ruling today was the majority's conclusion that a defendant, regardless of race, can challenge a discriminatory jury selection not only on his or her own behalf, but also on behalf of the excluded jurors themselves.

Justice Kennedy said that, while discriminatory exclusion from jury service causes "profound personal humilia-

'Race cannot be a proxy for determining juror bias.'

tion," as a practical matter "the reality is that a juror dismissed because of race probably will leave the courtroom possessing little incentive to set in motion the arduous process needed to vindicate his own rights." Consequently, he said, it is appropriate to permit the defendant, who has also been injured, to raise the challenge on the excluded jurors' behalf.

Other action at the Court today included the following:

Criminal Insanity

The Court agreed to decide an important issue concerning the rights of people who are charged with a crime and who are then found not guilty by reason of insanity. Such people are typically

The Supreme Court ruled that local governments have antitrust immunity for actions that would amount to conspiracies in a private context. **Business Day, page C2.**

committed for an indefinite term in an institution for the criminally insane. The question in this case is whether, once the person is no longer mentally ill, the confinement can continue solely on the basis that he presents a danger to himself or others.

The case, *Foucha v. Louisiana*, No. 90-5844, is a challenge to a Louisiana law that permits continued confinement on the basis of dangerousness. The challenge, on the basis of constitutional due process and equal protection, was brought on behalf of a man found not guilty by reason of insanity in a 1984 burglary. Four years later, two doctors certified that he was no longer mentally ill, but state officials have refused to release him.

Character on Trial

The Court agreed to decide whether the prosecution in a death-penalty case can try to persuade the jury to impose a death sentence by introducing evidence about the defendant's character that is not related to the crime itself.

The case, *Dawson v. Delaware*, No. 90-6704, is an appeal by a man convicted of murder and sentenced to death after the prosecution introduced evidence of his membership in the Aryan Brotherhood, a white supremacist prison organization, and his participation in a satanic cult. The man's lawyers are arguing that the use of the evidence, which did not bear on the murder for which he was convicted, violated his First Amendment rights to freedom of belief and association.

Teacher Leaves After New Sex Allegations

Special to The New York Times

ATLANTA, April 1 — Abraham P. Ordover, the founder and head of Emory University Law School's litigation program, resigned today amid new allegations that he had sexually harassed female law school students.

"The welfare of my students has always been of primary importance to me," Professor Ordover said in a statement. "The events of the past several weeks have caused deep injury to me and them. Someone has to start the healing process; it will be me."

Neither the dean of the law school, Howard O. Hunter, nor university administrators would comment on the resignation. A press release by the university said only that Mr. Hunter "acknowledged the valuable contributions Professor Ordover has made to the law school during his 10 years at the university." It added that the university

would not proceed with inquiries into additional complaints against Professor Ordover.

But a university spokeswoman, Nancy Seideman, said that a committee appointed by Emory's president to review the university's procedures for handling discrimination complaints would continue its work.

About two weeks ago, a university committee cleared Professor Ordover, 54 years old, of 13 complaints, while formally reprimanding him for "inappropriate conduct."

Two female students had said he kissed them without their consent. Others complained that he invited them on dates and called their home. Professor Ordover has taught since March 1, when Mr. PLOW received word of the complaints re in

Air Force Rocket Booster Explodes in Initial Firing

By RICHARD W. STEVENSON
Special to The New York Times

LOS ANGELES, April 1 — A section of a new rocket booster being developed by the Air Force exploded today during a test firing at Edwards Air Force Base, dealing another setback to the nation's space program, Air Force officials and civilian experts said.

The explosion did not cause any injuries, and damage at the test site, 70 miles northeast of Los Angeles, was limited to the stand where the 110-foot booster rocket was anchored, Air Force officials said.

Analysts who follow the space program said the failure of the booster was a blow to Air Force efforts to improve its ability to launch spy satellites.

The solid-rocket booster was designed to upgrade the Titan 4 rocket, which is used by the Air Force to send photographic, radar imaging and other reconnaissance satellites into orbit. It was designed to be lighter and able to lift heavier satellites.

Unlike liquid-fuel rockets, which are highly combustible, solid-fuel rockets are not easily ignited.

Second Major Setback

The explosion was the second major setback for the program in recent months. In September, a version of the same booster was accidentally dropped from a crane at Edwards, killing one person.

Air Force officials and executives of the Hercules Aerospace Corporation, manufacturer of the booster, said it was too early to know what had caused the explosion.

Veto in North Dakota For Abortion Measure

BISMARCK, N.D., April 1 (AP) — Gov. George Sinner today vetoed what would have been the strictest anti-abortion bill in the nation.

The bill would have banned abortions except in cases of rape, incest or if the mother's life was in danger.

"History is full of accounts of the misuse of governmental power, often for a 'good' cause," the Governor, a Democrat, said in his veto message, issued less than two hours after he formally received the bill.

Under the legislation, rapes leading to pregnancy would have had to be reported within 21 days of the crime or within 15 days of when the victim was capable of doing so.

The measure now returns to the House, where State Representative Richard Kloubec, the Republican who is majority leader, said a vote on overriding the veto would be held Tuesday or Wednesday.

The incident is likely to bring the program to a halt while an investigation is conducted, delaying even further a program that is already months behind schedule.

"One would reasonably use the term major setback to describe this," said John Pike, a space policy analyst for the Federation of American Scientists, a private research and lobbying group based in Washington. "This is a program that has been unusually troubled."

The booster that exploded today is known as the Solid Rocket Motor Upgrade. It is designed to replace a portion of the bottom section of the Titan 4, Dennis Shoffner, a spokesman for the Air Force, said it was designed to be 25 percent more efficient than the current version, allowing the Titan 4 to lift larger and heavier payloads into space.

Mr. Pike said the Air Force was eager to have the new booster because it would greatly enhance the nation's ability to put larger satellites into polar orbits. Satellites sent into orbit over the poles are generally able to pass over a greater portion of the Earth's surface than satellites sent into east-west orbits. As spy satellites have become more sophisticated, they have also become larger and heavier, leading the Air Force to upgrade its rockets.

Problems Also Plague NASA

The explosion comes at a time when the nation's civilian space program also remains plagued by technical problems. The National Aeronautics and Space Administration has had to delay at least one space shuttle launching in recent months because of cracks in the hinges on payload bay doors. Last year the shuttle program was plagued by fuel leaks that grounded the fleet for several months.

After the loss of the space shuttle Challenger in 1986, the Air Force stopped relying on the shuttle to transport spy satellites into orbit and shifted its focus back to unmanned rockets like the Titan.

Today's test was the first for the new booster, and was to have been followed by four more "static" tests at Edwards, in which the engine is strapped to a large concrete and steel structure and fired to measure its performance.

The Air Force disclosed few details of the explosion, saying only that the rocket engine had been "destroyed" at 1:17 P.M. and that the resulting fire was under control. It was unclear how long the booster's engines had been firing when the explosion occurred.

In flight, the booster is designed to burn for 140 seconds, generating a maximum of 1.7 million pounds of thrust.

The Air Force had been hoping to launch a Titan 4 using the new booster next year.



President Bush with rain gear and fishing rod yesterday as he prepared to board a boat in Islamorada, Fla., where he is on a four-day vacation. The President has vacationed in Islamorada since 1979.

President Catches Barracuda

ISLAMORADA, Fla., April 1 (AP) — President Bush said today that he had caught only barracuda, not the bonefish he was seeking, on the first day of his fishing vacation here.

Under overcast skies, Mr. Bush and his wife, Barbara, along with Treasury Secretary Nicholas F. Brady and his wife, Kitty, bundled up against stiff winds and headed out on boats.

The President arrived here on Sunday for a four-day vacation.

A power failure plunged all of the Florida Keys into darkness that night, forcing the Bushes to dine by candlelight before power was restored about 30 minutes later. Stephen Hart, a Presidential spokesman, said the traveling White House communications system was switched to an emergency generator and remained operational.

Getting into the vacation spirit quickly on Sunday, the President

turned aside questions about Soviet President Mikhail S. Gorbachev, the rebellion in Iraq and about the secret trip to the Persian Gulf by his national security adviser, Brent Scowcroft.

"It's Easter," he told reporters flying with him on Air Force One for the four-day visit to Florida. "It's a day to count your blessings." It is his first sustained break from work since the Gulf War ended Feb. 27.

The President plans no public appearances or official events during his trip.

After three days in Islamorada, he will visit his ailing 89-year-old mother, Dorothy Walker Bush, at her home in Hobe Sound, Fla., on the way back to Washington.

The President has vacationed in Islamorada each year since 1979, fishing for bonefish and tarpon in the shallow

Team Presses Rescue In Deepest U.S. Cavern

CARLSBAD, N.M., April 1 (AP) — A cave explorer from New York was trapped Sunday when a falling rock broke her leg about 900 feet down in the nation's deepest cave. Rescuers said today it could take two days or more to pull the woman to safety.

The woman, Emily Davis Mobley, 40 years old, of Schoharie, N.Y., was trapped in a remote area of Lechuguilla Cave in Carlsbad Caverns National Park. The cave, known to be 54.3 miles long and 1,585 feet deep, is about 4 miles west of the famed caverns in southeastern New Mexico that are visited by tourists. Lechuguilla is not open to the public.

Mrs. Mobley had been in Lechuguilla since Saturday with about five other members of a mapping party. She was injured about two miles from the entrance.

"The nature of the cave and the depth and distance involved mean it probably will take a few days," Bob Crisman, a management assistant for the national park, said of rescue efforts.

'Everything's Going Well'

Efforts began this morning, he said, and "everything's going well."

Mr. Crisman said a doctor was with Mrs. Mobley, who was described as being in good spirits.

Mr. Crisman said a team of 12 was moving the injured woman while about 40 more people were preparing the route. "Different teams are rigging different sections of the cave to expedite movement across those areas," he said.

Felix Hernandez, the park's chief ranger, said the rescue was difficult because "her location requires travel over very difficult surfaces."

Mrs. Mobley's husband, Bill, told The El Paso Times that his wife has about 20 years' experience in exploring caves and is an expert in cave rescues.

It took Mrs. Mobley's companions about seven hours to get out of the cave and call for help, Mr. Crisman said.

Cave explorers often embark on expeditions in the undeveloped Lechuguilla Cave, which is the fourth-longest cave in the United States.

Terrain Within the Cave

Rope-climbing skills are needed to cross steep areas inside the rugged cave, including a 90-foot drop into the entrance. Once inside, explorers use mountain-climbing skills to scramble over ledges, climb slippery formations and squirm through narrow passages.

Two members of a cave rescue team from Tennessee, Dennis Curry and Buddy Lane, who are veterans of expeditions through Carlsbad Caverns,



A rescue team was assembled in Carlsbad Caverns National Park.

A delicate mission to bring back a trapped explorer.

Mr. Curry said the rescue operation should not be hazardous. "It's simply a matter of several vertical drops that need to be negotiated," he said.

In addition to the Tennessee team, the rescuers are from the National Park Service; the Lechuguilla Cave Project, a nonprofit group dedicated to discovering secrets of the largely unexplored cave, and the Waste Isolation Pilot Plant, a Department of Energy project studying the burial of plutonium-contaminated waste 2,150 feet below the surface in salt beds south-east of Carlsbad. No waste has yet been buried there.

Mr. Mobley said his wife runs a business in Schoharie called Speleobooks, a mail-order company that distributes books, prints and other gifts to cave explorers and scientists. "There is not a caver in the world, I think, who does not know Emily," he said.

New Orleans Police Change

NEW ORLEANS, April 1 (AP) — A 26-year veteran of the New Orleans Police Department was named superintendent of the force today and said getting more uniformed officers on the streets would be his first priority. Arnesta Taylor, an assistant superintendent since 1986, replaces Warren Woodfork, who will retire April 15. "I intend to have every police officer in this city in uniform and out on the streets at least part of the week," the 54-year-old Mr. Taylor said. Mayor Sidney Barthelemy said he received 68 applications for the job.

to Start Layoffs Agency Closings

ARK JOHNSON
The New York Times

Retardation. But some of the agencies most visible to the average state resident will close two days a month, like the Motor Vehicles Department and the Environmental Protection Department.

More than 7,000 people work for the agencies involved and would lose pay if they were scheduled to work those days, Mr. Weicker said. It was unclear how the closings would be structured, but some require union negotiation. A spokesman for the group representing the employee unions, Robert J. Krzys, said the layoffs and two-day closings would be felt by the public and "deplored by the state employees."

"This announcement will make reaching an agreement much more difficult," he said.

The layoffs and department closings are part of a nine-part \$276 million plan that includes some elements already announced by the Governor's office. Most require no legislative action, although the largest single provision — a change in the accounting procedures for the state pension system to save about \$130 million next year — requires a law change unless the unions simply renegotiate contracts under the new formula.

Estimated Savings

The overall plan would save Connecticut about \$276 million over the next year, or about \$125 million less than what Mr. Weicker sought from the unions when he presented his budget in February.

The General Assembly, as Connecticut's legislature is known, would still be required to approve the new contracts, as well as the \$29 million in savings that Mr. Weicker said would be sought from the union members whose contracts are about to expire.

Another \$14 million would come from a pay freeze and one-week-a-year unpaid furloughs for all managers, com-



Steve Miller for The New York Times

Gov. Lowell P. Weicker Jr. of Connecticut announcing that layoff notices were being sent to 2,600 state employees. With him at news conference yesterday in Hartford was William J. Cibes Jr., budget director.

would impose for the first time a 6 percent flat income tax on wages.

Connecticut faces a shortfall of \$784 million in a \$7 billion budget for the year ending June 30 and a gap of \$1.7 billion in the preliminary budget for the next year, according to figures released today by the State Comptroller's office.

Declining Tax Collections

The projections represent a rise of nearly \$80 million in the deficit in just the last month, mainly from declining collections from the taxes on dividends, interest and capital gains and increased Medicaid and welfare expenses attributed to the recession.

The precise effect of the layoffs on state services is speculative. Some of the agencies most severely affected in-

ees beyond the 2 already due to be dropped.

Other states have set even more painful goals. In New York, Gov. Mario M. Cuomo has proposed laying off 7,000 state workers and eliminating 11,000

other state jobs. Massachusetts has announced plans to eliminate 7,600 jobs. Rhode Island began last month the first of 10 unpaid furlough days. About 19,000 state workers there will get the two additional weeks off, without pay.

Museum to Fight Order to Vacate Building

MIAMI, April 1 (AP) — Directors of a Cuban art museum here defied an order to vacate their city-owned building today, saying they would not give in to three years of bombs and threats by anti-Castro groups.

The lease of the Cuban Museum of Arts and Culture expired Monday after the Miami City Commission refused to renew it last week.

The museum has shown works by artists who are living in Cuba and are considered by some Cuban émigrés here to be insufficiently opposed to President Fidel Castro.

City officials strongly denied that the museum was a casualty of political persecution.

"This is a simple real estate transaction," said Al Armada, Miami property manager. "The lease agreement had a

LOS ANGELES PANEL TO EXAMINE POLI

Both Chief and Mayor Set Commissions in Response to Beating of Motorist

LOS ANGELES, April 1 (AP) Mayor Tom Bradley today introduced his citizens' panel that will investigate the Police Department in the aftermath of a videotaped beating of a motorist a month ago.

The seven-member commission will be led by Warren Christopher, a former Deputy Secretary of State who was vice chairman of the commission that investigated the 1965 Watts riot. "The time has come for a reas- objective, thorough and constructive examination of the structure and operation of the Police Department," Mr. Bradley said at a City Hall conference.

Other members of the panel include Mickey Kantor, a lawyer who has resented Mayor Bradley; John Sklar, president of Occidental College; Robert Tranquada, dean of the University of Southern California School of Medicine; Leo Estrada, a University of California at Los Angeles demagogue; Roy Anderson, chairman emeritus of the Lockheed Corporation; Andrea Sheridan Ordín, former Chief Assistant Attorney General.

Chief-Appointed Panel

The panel, which is to report its findings within 90 days, will be advised by Jesse A. Brewer, retired Assistant Chief of the Police Department, Rick Murphy, former Police Commissioner for New York City, and J. Q. Wilson, a criminologist.

Mr. Christopher was Deputy Attorney General in the Johnson Administration and Deputy Secretary of State in the Carter Administration. In 1968, he was the primary negotiator in the release of the 52 American hostages held in Iran. [Page 28 of 30](#)

The Mayor's commission, financed by \$1 million in city funds,

...the precise effect of the layoffs on state services is speculative. This document is from the collections at the Dole Archives, University of Kansas <http://dolearchives.ku.edu>

freeze and one-week-a-year urloughs for all managers, comers and deputy commissioners. Weicker's budget seeks to cut \$1.2 billion in state spending and y includes 938 layoffs that were n July 1 but are now to start imely. It would also overhaul most state's revenue system and

the Miami City Commission refused to renew it last week. "We're not going to turn the keys over," said Ramon Cernuda, a museum board member. "We've decided to fight and defend our rights." Referring to the commission's action, he said, "They're doing this because of pressure from the extreme right-wing power machine in Miami."

"This is a simple real estate transaction," said Al Armada, Miami property manager. "The lease agreement had a term, and the city today could not, even if it wanted to, extend the term." City law requires that the lease be put out to bid before it can be renewed, Mr. Armada said. If the museum continues to refuse to vacate the building, the city attorney will seek an eviction order, he said.

release of the 52 American hostages held in Iran. The Mayor's commission, financed by more than \$1 million in private donations, is the second citizens' panel formed in a week to review law-enforcement training and procedures and allegations of police brutality. Last week, Chief Daryl F. Gates announced the appointment of a retired state Supreme Court Justice, John A. Arguelles, to lead an inquiry into police misconduct. The Gates panel is part of a 10-point plan intended to avoid another police beating like that of the motorist, Rodney G. King, who was kicked and beaten on March 3 by officers after a traffic stop.

Doctor Fees Seen as Depriving the Poor of Care

many poor people now receive care, the panel said.

James W. Fossett, a political ist at the State University of New in Albany, who has analyzed aid claims data, said: "An in- crease in Medicaid physician fees probably not improve access to care for poor people in inner-city neighborhoods because there is a shortage of doctors in such areas. Higher fees could improve ac- cess to some types of care for residents in inner-city areas."

Lee warned that if the Federal Government required a substantial in- crease in Medicaid payments to doc- tors, states might try to offset the cost by restricting eligibility or limiting the amount of Medicaid benefits.

Medicaid is one of the fastest-grow- ing programs in state budgets, primarily because health-care costs are rising, and because Congress has repeat- edly required states to expand Medi- coid benefits and eligibility.

Trouble Finding Doctors

More than simply mandating that Medicaid doctors' fees be raised to Medicare level, it might make more sense for the Government to require in- surance for selected services, like ob- stetrics and pediatrics, or increases for services in underserved areas, the com- mission said.

The commission estimated that it cost \$1.3 billion in Federal and state money a year to raise Medicaid doctors' fees to the level of Medicare. Last year, federal and state agencies spent a total of \$3.4 billion for doctors' services paid patients in 1989.

Twenty-six states said they had difficulty recruiting doctors to serve patients in rural areas. New York, Maine, Nebraska and Washing- ton said they had problems find- ing doctors for urban areas.

Paying for Office Visits: How the Programs Compare

Payments for a doctor's office visit for a patient whom the doctor has seen before. Figures for 1989.

State	Medicaid	Medicare	Medicaid as % of Medicare	State	Medicaid	Medicare	Medicaid as % of Medicare
Alabama	\$22.50	\$26.25	86%	Montana	18.84	26.46	71%
Alaska	45.00	43.37	104	Nebraska	17.70	20.57	86
Arizona	Did not respond to survey			Nevada	29.38	34.04	86
Arkansas	24.75	21.19	117	N.H.	20.00	27.32	73
California	18.40	36.43	51	New Jersey	14.00	28.22	50
Colorado	24.40	23.15	105	New Mexico	20.31	25.96	78
Connecticut	19.50	33.65	58	New York	11.00	31.68	35
Delaware	17.94	41.58	43	N.C.	21.88	22.22	98
D.C.	20.00	41.76	48	North Dakota	16.70	23.10	72
Florida	25.00	34.66	72	Ohio	18.91	23.36	81
Georgia	25.00	22.82	111	Oklahoma	17.50	26.91	65
Hawaii	22.40	35.22	64	Oregon	18.81	31.42	60
Idaho	19.50	24.27	80	Pennsylvania	18.00	28.70	63
Illinois	12.65	27.62	46	Rhode Island	18.00	32.14	56
Indiana	26.80	22.74	118	S.C.	18.00	24.24	74
Iowa	19.84	21.19	94	South Dakota	18.00	20.25	89
Kansas	25.00	27.31	92	Tennessee	27.00	21.83	124
Kentucky	17.77	24.61	72	Texas	19.50	22.89	85
Louisiana	14.28	23.46	61	Utah	19.65	20.32	97
Maine	21.25	25.02	85	Vermont	21.00	29.69	71
Maryland	21.00	27.08	78	Virginia	19.00	25.98	73
Mass.	41.00	41.21	99	Washington	22.62	27.25	83
Michigan	16.60	25.73	65	West Virginia	10.00	22.94	44
Minnesota	20.00	26.20	76	Wisconsin	16.88	26.00	65
Mississippi	15.00	15.69	96	Wyoming	Did not respond to survey		
Missouri	17.00	22.44	76				

Source: U.S. Physician Payment Review Commission.

Police Ask for Sympathy

The beating was videotaped by a man across the street and broadcast nationally, prompting charges of assault against four city officers, local and Federal investigations into police brutality and demands that Mr. Gates resign. The officers have pleaded not guilty.

Officers and prosecutors say the beating has reduced officer morale and police credibility in the courtroom.

Stung by the public's outrage over the beating, the Police Department took out a full-page advertisement in The Los Angeles Times today, urging residents to remember officers killed in the line of duty.

"Where was this outcry for the cops killed protecting you?" the advertisement said. "People will not even remember who they were, even though they died for you."

Fewer Arrests

At the department's Foothill Division, home station for the four indicted officers, arrests in the first two weeks of March dropped by 15 percent over the same period last year, to 2,385 from 2,842.

"Self-initiated arrests are down," a San Fernando Valley police supervisor was quoted as saying in Sunday editions of The Times. "What else would you expect? This whole incident has been a demoralizing thing for the department."

The division commander, Deputy Chief Mark A. Kroeker, said there was not enough evidence to link the arrest rate to outcry over the beating. But he said he worried that the officers were feeling unsupported. "If the officers are pulling back, then that has an impact on the city's safety," he said.

Medicaid paid \$11 in New York, or 35 percent of what Medicare paid (\$31.68).

In West Virginia, Medicaid paid \$330 for normal delivery of a baby, or 38 percent of the average claim submitted to private insurers for that service (\$860).

Action From Congress

Missouri and Rhode Island were other low-paying states. The highest-paying states included Alaska, Arkansas, Georgia and Indiana, where Medicaid payments to doctors slightly exceeded Medicare payments.

The 13-member commission was created five years ago to advise Congress on paying doctors under Medicare, and Congress has enacted most of its recommendations. Its mandate was expanded last year to include Medicaid.

Dr. Philip R. Lee, chairman of the commission, said there appeared to be a trade-off in some states between the level of Medicaid fees to doctors and the generosity of Medicaid programs to beneficiaries.

Thus, he said in an interview, while Medicaid payments to doctors are relatively low in New York, the state's program has liberal eligibility rules, offers a wide range of optional benefits and pays for large amounts of long-term care.

By contrast, the Indiana Medicaid program pays higher fees to doctors, but eligibility for benefits is stricter.

Inner City vs. Rural

"Poor people have limited access to private physicians in New York City because Medicaid payments are often less than what it costs the physician to provide the service," said Dr. Lee, who is director of the Institute for Health Policy Studies at the University of California at San Francisco. "But New York City has a well-developed system of public hospitals and outpatient clinics that assure access to health care for Medicaid beneficiaries and other poor people."

The commission said that fee increases might improve access to health care for some poor people by attracting more doctors into the program. If Medicaid increases payments to doctors, beneficiaries would be more likely to receive care in doctors' offices rather than hospital emergency rooms,

which would be a certain level, it might make more sense for the Government to increase for selected services, like obstetrics and pediatrics, or increases for doctors in underserved areas, the commission said.

The commission estimated that it would cost \$1.3 billion in Federal and state money a year to raise Medicaid doctors' fees to the level of Medicare. Federal and state agencies spent a total of \$3.4 billion for doctors' services to Medicaid patients in 1989.

Twenty-six states said they had difficulty recruiting doctors to serve Medicaid patients in rural areas. New Jersey, Maine, Nebraska and Washington State said they had problems finding doctors for urban areas.

State	1989	1988	1987	S.C.	1980	24.24	74
Indiana	26.80	22.74	118	S.C.	18.00	24.24	74
Kansas	15.00	27.31	92	Tennessee	27.00	21.83	124
Kentucky	17.77	24.61	72	Texas	19.50	22.89	85
Louisiana	14.28	23.46	61	Utah	19.65	20.32	97
Maine	21.25	25.02	85	Vermont	21.00	29.69	71
Maryland	21.00	27.08	78	Virginia	19.00	25.98	73
Mass.	41.00	41.21	99	Washington	22.62	27.25	83
Michigan	16.60	25.73	65	West Virginia	10.00	22.94	44
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Source: U.S. Physician Payment Review Commission.

Delegation to U.S. Is Mistaken for Thieves

ST. ANTHONY, Minn., April 1 (AP) — A delegation of official visitors from Bulgaria was ordered out of a grocery store in this Minneapolis suburb on Friday when the store's owner, worried about reports of "gypsy-looking" shoplifters, mistook the group for gypsies.

The Bulgarians — five members of Parliament and several journalists — were visiting the Minneapolis-St. Paul area as part of a national tour sponsored by the United States Information Agency. They were forced to leave the store, the Apache New Market, over the protests of two State Department interpreters who were escorting them.

Reports of Roving Shoplifters

"They just wanted to see what a neighborhood shopping center was like," said Dana Penoff, one of the interpreters. "Almost immediately after we walked in we heard this announcement that there was a suspicious group, that every shopper should be alert. It turned out that every one of us was being followed and watched."

Ms. Penoff said she would talk to state officials about filing a human-rights complaint. She said that she had tried to tell the store's owner and manager, Vern Berggren, that the Bulgarians were guests of the United States, but that he had replied: "Put everything down and leave. We don't want your kind of people in this store."

Elena Poptodorova, a member of the delegation, said she told Mr. Berggren: "I'm a member of Parliament. I have my credentials with me. So would you please explain why you are behaving like that to me?"

In broadcast interviews later, Mr. Berggren said he was sorry for the misunderstanding but had been concerned after hearing reports that bands of roving shoplifters struck stores in Minnesota and Wisconsin on March 24.

Law-enforcement officials said last week that the shoplifters — men, women and children — spoke a foreign language and operated by distracting store clerks while others in the band

stole. In their description of the shoplifters, the officials used the term "gypsies."

"The description was either Eastern or gypsy-looking-type people," Mr. Berggren said. "And when they spoke, they spoke with a foreign accent." Referring to the Bulgarian visitors, he said. "They fit the description."

But Ms. Penoff said such a mistake was incredible. "These are people who are very educated and very intelligent," she said. "These people are well dressed and well behaved."

"I'm embarrassed as an American," she added. "To be in my own country and have one of my own countrymen behave like this is incredible."

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