

Abortion rule illegal, court says

THE ASSOCIATED PRESS

WASHINGTON — The Bush administration may not enforce a rule restricting federally funded family planning clinics from counseling patients about abortion, a federal appeals court ruled Tuesday.

A three-judge panel of the U.S. Circuit Court of Appeals here said the revised gag rule, permitting only doctors at the clinics to discuss abortion with patients, was adopted illegally.

The Department of Health and Human Services adopted the modified rule without giving the public adequate opportunity to challenge it, the appeals court

U.S. Circuit Court of Appeals casts out Bush administration's revised gag rule

The agency changed the 1988 rule at the direction of President Bush to exempt doctors from the gag rule, in what administration critics said was a fraudulent compromise motivated by politics.

Left unclear after Tuesday's ruling is whether the administration could enforce the broader gag rule, barring even doctors from discussing abortion.

The administration had no immediate comment on the decision. "We're examining our options," said Susan Zagame, a lawyer with the Department of Health and Hu-

man Services. She declined further comment. The gag rule would affect some 4,000 clinics that serve about 3.7 million women a year.

Jubilant abortion rights advocates said Tuesday's ruling means that if Bush is defeated for re-election by Democrat Bill Clinton, the so-called gag rule is dead, since a lame-duck administration would not have time to re-implement it.

Clinton has said that if elected, he would throw out the gag rule.

Opponents of abortion rights said the ruling was a politically timed decision by liberal judges

appointed by former President Jimmy Carter.

"If Clinton wins, we'll see a lot more of this — liberal judges engaging in social engineering," said Douglas Johnson, head of the National Right to Life Committee.

The appeals court said that to some, the revised rule might sound like Orwellian doublespeak, since the Health and Human Services Department changed the rule substantially and claimed only to be interpreting it.

"We do not accuse (the revisions) of Orwellian overtones," said Judge Patricia Wald in her opinion for the court panel that included Judges Harry T. Edwards and Abner Mikva.

Analysts predict unstable future economic activity

THE ASSOCIATED PRESS

WASHINGTON — The government's barometer of future economic activity fell in September for the third time in four months, signaling continued weakness during the first year of the new presidential term.

Most analysts believe the economy will escape a new recession. But they agreed the 0.3 percent decline in the Commerce Department's Index of Leading Economic Indicators on Tuesday suggested it will remain a major problem.

"It's not a harbinger that (the economy) is falling into another recession," said Lynn Reaser, an economist with First Interstate Bancorp in Los Angeles. "But it is... certainly consistent with the belief the economy is not performing up to par and why it was a major factor in the election."

Economist Sung Won Sohn of the Norwest Corp. in Minneapolis said that while he also doesn't expect a new recession, "certainly the probability of that has increased because the leading indicators declined for two consecutive months."

The index is designed to forecast economic activity six to nine months ahead. In the past, three consecutive declines were

considered a fairly good, but not infallible, sign of an approaching economic downturn.

But the index failed to predict the last recession, since it did not start turning down until August 1990 — the month after the recession began.

The government has estimated the economy grew at a 2.7 percent annual rate in the July-September quarter, but many analysts said the number overstated the economy's strength.

"My guess is that we'll be well under 2 percent in the fourth quarter," predicted Lawrence H. Meyer, head of a St. Louis economic forecasting firm. He said a 2.5 percent growth rate is the best that the nation can expect during the first six months of next year.

That would be less than half the growth of most recoveries following other recessions since World War II. Such slow growth would not be able to generate new jobs.

Six of the 11 forward-looking indicators were negative, led by a drop in the price of various raw materials, which suggested a lack of demand.

The various changes left the index at a seasonally adjusted 148.2, up 2.2 percent from a year ago.

Panel urges female combat restrictions

THE ASSOCIATED PRESS

WASHINGTON — Women in the military should be allowed to serve on some warships but continue to be barred from ground fighting and combat missions in Air Force and Navy aircraft, a presidential commission recommended Tuesday.

The 15-member commission on the assignment of women in the armed forces strongly supported retaining the ban on land combat but defied expectations in its 8-7 vote to keep the current policy on air missions.

The panel voted 8-6 with one abstention to repeal existing laws and modify service policies on women serving on combatant vessels. They recommended retaining the current ban on women aboard submarines and amphibious vessels but allowed them for the first time to serve on fighting ships that seek out the enemy, like destroyers, frigates and aircraft carriers.

That vote came after an appeal from the commission's chairman, retired Gen. Robert T. Herres that the panel not to totally accept the status quo.

"A great number of people will not believe we credibly considered these issues" without some concession to changing times, the former vice chairman of the Joint Chiefs of Staff told the President Bush-appointed group.

The votes on air and sea combat came in the afternoon, following the return of four members who walked out of the morning session to stress their view that there should be no expanded role for women in the military. A fifth man with similar views boycotted the morning meeting.

The recommendation said the Air Force and Navy should retain and codify their prohibition of women on air combat missions in view of the "potential consequences of assigning women to combat positions."

The proposal was made by Air Force Re-

serve Sgt. Sarah F. White, who deplored that there "are women willing to kill or be killed to promote equal opportunity."

Other opponents spoke of dangers to the national security if women pilots are captured and the possible negative effects of women on the cohesion of fighter pilot units.

The panel voted 8-2 to recommend exclusion of women from direct land combat units, those that engage in fighting. However, it also considered sea and air combat roles for women and said service secretaries should recommend to Congress what units and positions should fall under a combat exclusion.

That vote came after the panel voted 3-7 to reject a proposal that the Army review three fields — air defense artillery, combat army engineers and field artillery — for possible exemption from a combat ban. The three votes in favor were cast by women. All seven men voting opposed it.

Rio Grande beach sale upsets groups

THE ASSOCIATED PRESS

HOUSTON — Conservation groups say they are disappointed again at news of the impending sale to a private developer of the 6-year-old Playa del Rio project near the mouth of the Rio Grande.

Officials with First Heights Bank of Houston confirmed last week they have accepted an offer for the controversial tract on Boca Chica beach on the north side of the Rio Grande, an abortive project that sparked a prolonged showdown in the 1980s between environmentalists and developers.

In 1986, Playa del Rio officials outlined a 30-year development plan for the 12,000-acre multimillion-dollar project to build homes and apartments for 150,000 residents, shopping centers, golf courses, an airstrip and a convention center, along with nine marinas and 48 miles of dredged canals. Nothing was ever built.

First Heights officials would not reveal any details or the identity of their prospective buyer, saying the deal is not complete. The property has been listed recently with a sale price of \$7 million.

Opposition to the development in the past has been mounted by Gov. Ann Richards, Land Commissioner Garry Mauro, the mayor of Brownsville and a host of environmental groups.

Trade Center fight leaves 4 casualties

THE ASSOCIATED PRESS

DALLAS — Two people were fatally shot and two others wounded Tuesday in a domestic dispute between two brothers at the World Trade Center, according to Dallas police.

Police received a call about the shooting at 6:25 p.m. The names of the dead and wounded have not been released.

The two wounded were taken to an area hospital.

Dallas Sgt. Jim Almy said more information was not available.

Yugoslav premier survives

Panic defeats second no-confidence vote Tuesday

THE ASSOCIATED PRESS

BELGRADE, Yugoslavia — Premier Milan Panic barely survived his second no-confidence vote in two months Tuesday, foiling an attempt by his arch-rival Serbian President Slobodan Milosevic to oust him.

The victory could strengthen Panic, a moderate who has pushed for concessions to end warfare in former Yugoslavia, ahead of federal and Serbian general elections Dec. 20.

Panic, a Serbian-born California millionaire, won the vote in the upper house of the federal Parliament 18-17, a day after being roundly defeated in the lower house. It would have taken 21 votes to remove him from office.

"Democracy is working," Panic told The Associated Press. He said if he had lost, the democratization of Yugoslavia would have been jeopardized.

Deputy Premier Oskar Kovac said Panic's government will continue its moderate policies toward peace.

The lower Citizens Chamber, which voted 93-24

against Panic, is dominated by Milosevic's Socialists — the former Communists — and allied nationalists.

The upper Chamber of Republics, however, is divided equally between deputies from Serbia and Montenegro, the only republics remaining in Yugoslavia. Montenegro supports Panic, who was appointed premier in July.

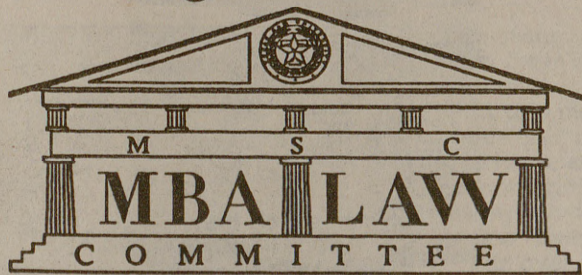
Panic's survival is certain to aggravate a power struggle between Milosevic, Panic and Panic's ally, Yugoslav President Dobrica Cosic.

The no-confidence vote also could widen differences between Montenegro and Serbia. Some Serbian deputies had warned that Montenegro would bear the consequences if Panic stayed in power, while Montenegrin deputies said they might move to secede if he lost.

Panic has gained broad support from Yugoslavs tired of warfare in former Yugoslav republics, where rebel Serbs have received support from Belgrade.

The international community sees Milosevic as stoking the aggression by ethnic Serbs in neighboring Bosnia-Herzegovina and earlier in Croatia.

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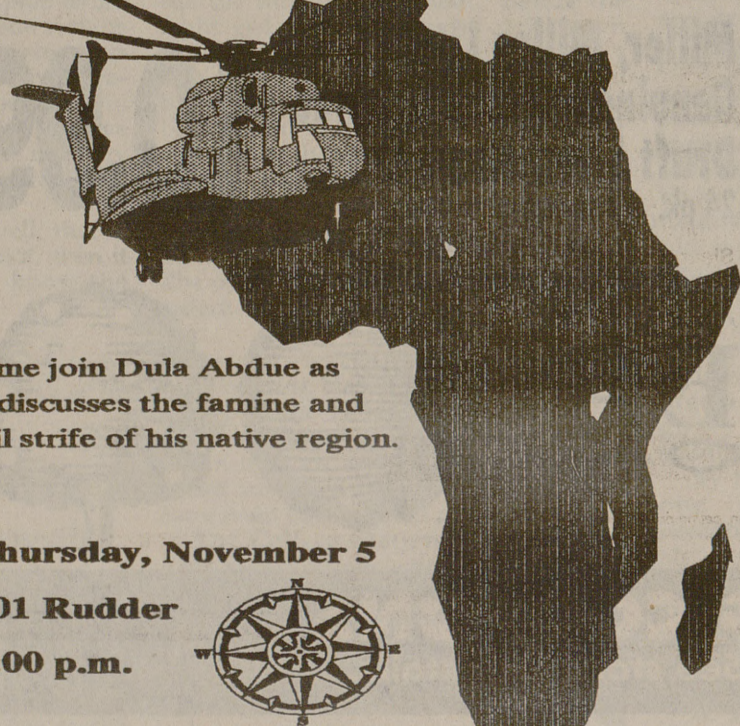
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