

TUESDAY



UA ranked fourth Sooners on top of AP poll

— Sports, Page 1C



Droll U.S. effort 'Fugitives' has a French air

— Accent, Page 1D

The Arizona Daily Star

©1989 The Arizona Daily Star

Vol. 148 No. 31

Final Edition, Tucson, Tuesday, January 31, 1989

35¢ 40 Pages

U.S. closes embassy in Afghanistan

Blizzard stalls group's return to U.S. as security fears rise

By Elaine Sciolino
© 1989 The New York Times

WASHINGTON — The United States formally closed its embassy in Kabul yesterday amid fears of a breakdown of law and order in the Afghan capital.

But American diplomats and other embassy personnel remained in Afghanistan because of a blizzard that closed the Kabul airport, the State Department said. The group returned to the embassy and spent the night there, a State Department official said.

The State Department accused Moscow yesterday of engaging in "a scorched earth policy" as it prepared to meet a Feb. 15 deadline to remove all of its troops from Afghanistan.

Reuters reported from Kabul that after a Marine guard lowered the American flag at the fortified embassy, John Glassman, the charge d'affaires, departed.

"God bless the United States of America. We're going home. We are leaving for security reasons. We'll be back as soon as the conflict is over."

"It will become very unsafe"

As if to underline the danger faced by American diplomats in Afghanistan, Glassman also paid tribute to Adolph Dubs, the American ambassador who was killed after he was kidnapped on a Kabul street in 1979.

Jim Schumaker, another American diplomat, said "It will become very unsafe in Kabul in the near future, even though it looks very peaceful now." Reuters reported.

The decision to close the embassy was made last week by Secretary of State James A. Baker III.

The remaining American diplomats and staff members had intended to leave yesterday in a chartered Indian Airlines plane, but a blanket of fog and snow prevented their departure, State Department officials said.

Staff members had already dismantled or removed communications equipment and other material, destroyed papers and computer data, and See EMBASSY, Page 2A



John Glassman, the charge d'affaires, is escorted from the Kabul embassy

Bush exempt from testifying in North trial

Reagan is ruled 'subject to call'; diary subpoena could be renewed

By Pete Vost
The Associated Press

WASHINGTON — Oliver North's Iran-Contra trial will start today with President Bush free of a subpoena seeking his testimony. But former President Reagan may be "subject to call," the judge ruled yesterday.

Portions of Reagan's diary also may be required as evidence, U.S. District Judge Gerhard Gesell said.

However, Gesell rejected North's subpoena seeking Bush's testimony in the trial in which North faces 12 criminal charges.

When North, who was indicted last March, walks into the U.S. courtroom near the foot of Capitol Hill, he will become the first figure in the Iran-Contra affair to stand trial.

Some witnesses expected

Many of the same witnesses who testified in the nationally televised congressional hearings two years ago are expected to be called by the prosecutors, including former Attorney General Edwin Meese III and North's secretary, Fawn Hall.

At North's side will be Brendan Sullivan, an aggressive Washington lawyer who also represented North during the congressional investigation.

At a hearing last Friday, the government had sought to quash North's subpoenas seeking testimony from both Reagan and Bush, as well as records from Reagan. Gesell said North's lawyers have "made no showing that President

Gesell said North's lawyers have "made no showing that President Bush has any specific information relevant and material to the charges of the indictment which makes it necessary or appropriate to require his appearance."

Bush has any specific information relevant and material to the charges of the indictment which makes it necessary or appropriate to require his appearance."

but "President Reagan shall remain subject to call on the ... subpoenas" served on him by North in December, Gesell said in his order.

The judge said Reagan would be called as a witness "unless and until" the court issues another order after giving the Justice Department and Reagan's lawyers an opportunity to list their objections to a hearing.

Gesell quashed North's subpoena for Reagan's diary, except for what he described as a "narrow exception."

The judge said the diary subpoena would be "subject to renewal" if North's lawyers support a claim that "President Reagan ordered, directed, requested or, with advance

See NORTH, Page 4A

Steinberg guilty of manslaughter in girl's death

Aacquitted of murder charge in N.Y. domestic abuse case

By Samuel Maul
The Associated Press

NEW YORK — A jury yesterday convicted Joel Steinberg of manslaughter in the beating death of his illegally adopted 6-year-old daughter, Lisa, a death that refocused national attention on domestic violence.

Steinberg showed no emotion as each of the 12 jurors was polled on the verdict, which came on the eighth day of deliberations in the three-month-old trial. He was acquitted on the more serious charge of second-degree murder.

The verdict culminated a case that touched the nation's conscience, with witnesses providing wrenching detail of the physical and emotional havoc wrought by spousal and child abuse — and the failure of others to intervene.

Lisa's biological mother, Michelle Launders,

27, seemed to exhale a sigh of relief when the verdict was announced.

She was sitting next to Graceann Smolig, the grandmother of a young boy who was found in Steinberg's apartment when police and Emergency Medical Service paramedics removed Lisa's comatose body the morning of Nov. 2, 1987.

The boy, who also was illegally adopted by Steinberg, has since been returned to his biological mother.

The conviction on the charge of first-degree manslaughter carries a maximum sentence of 15 to 25 years. It was a charge that prosecutors at one time had considered dropping from the case. Sentencing was set for March 8.

In London, Steinberg's lawyer, said, "We do not consider this a win for Joel or a triumph for Joel."

One of the jurors, Helena Barthel, 26, who said she argued in favor of convicting Steinberg of murder, said the jury had "virtually ignored" the testimony of Brenda Nushbaum, Steinberg's battered live-in companion of 12 years.

Public attention was riveted on the trial during Nushbaum's seven days of testimony in December. Her story of abuse and psychological manipulation was broadcast live on New York's three television network affiliates and in part nationally on the Cable News Network.

Nushbaum, testifying under immunity from prosecution, said she was so dominated by Steinberg that she was unable to defend herself from virtually systematic beatings, or to protect Lisa.

She also said she was unable to bring herself to summon medical help on Nov. 1, 1987, after Steinberg told her Lisa was unconscious on the bathroom floor. The girl lay there nearly 12 hours by the time Nushbaum called an ambulance; she died of brain damage in a hospital three days later.

Defense lawyers said it was Nushbaum, Steinberg's live-in girlfriend, who fatally beat Lisa out of jealousy over the attention Steinberg paid the child. Prosecutors — pointing to Nushbaum's

See STEINBERG, Page 2A



Steinberg, right, and his attorney, in London, who said of the verdict: "We do not consider this a win for Joel."

Indians tell BIA's faults to senators

By Julia Anderson
States News Service

WASHINGTON — On the first day of hearings to investigate fraud and mismanagement in U.S. government Indian programs, a Senate panel yesterday heard Indian leaders criticize the Bureau of Indian Affairs.

Prompted by a 1987 series in the Arizona Republic that charged widespread corruption in federal Indian programs, a special investigative panel of the Select Committee on Indian Affairs is looking into a broad range of problems, including:

- Contractors taking advantage of federal programs by fronting as Indian-owned businesses.
- Gaming frauds.
- Tribal corruption.
- Child abuse.

The subcommittee has examined congressional reports, Interior Department audits and more than 800,000 pages of documents belonging to individuals, private contractors and natural resource companies.

"An anachronism"

Chief Wilma P. Mankiller of the Cherokee Nation in Oklahoma called the BIA "an anachronism which has barely changed since its enactment."

"(The BIA) does not support tribal governments and their revitalization," she said. "There needs to be some fundamental change in the way the agency runs its program."

Russell Means, a well-known Indian activist and co-founder of the American Indian Movement, went farther, calling for the abolition of the BIA.

The BIA, which is in the Department of Interior, regulates contracting on Indian reservations and mon-

See INDIANS, Page 2A

Raises for inactive judges prompt fairness question

By Richard Carroll
and Michael J. Siffren
The Associated Press

WASHINGTON — Observers in Congress, universities and public interest groups questioned the fairness and wisdom yesterday of giving big pay raises to dozens of senior federal judges who, like former Chief Justice Warren E. Burger, do no legal work.

All 306 senior federal judges — even those who no longer wield a gavel — will see their salaries increase by about 30 percent unless Congress rejects raises set to go into effect for top federal officials on Feb. 8.

Burger's salary, for example, will increase by \$60,000 to \$175,000 a year.

"We need to look into this much further," said Rep. Carlos J. Moorhead. "It doesn't seem fair."

Health-care plan spreads costs among everyone

By Christopher Scanlon

WASHINGTON — The National Leadership Commission on Health Care yesterday proposed a "public-private partnership" that would spread the \$15 billion annual cost of covering 37 million uninsured Americans among employers and workers.

The proposal is the latest effort to revive discussion of an idea written off as impractical and unaffordable a decade ago.

Formed in 1980 to explore health care reform, the bipartisan commission is led by former Iowa Gov. Robert Ray, a Republican, and former Rep. Paul Rogers, D-Pa. Former Presidents Jimmy Carter, Gerald Ford and Richard Nixon were honorary co-chairmen.

The commission's plan would abolish Medicaid, the federal health

Weather

Balmy days. Today will be mostly sunny, with the high in the lower 70s. The low tonight will be in the lower 60s. Yesterday's high was 71, and the low was 62. Details, Page 5A.

INDEX			
Accent	1-6D	Newsweek	3D
Bridge	3D	Money	2-10B
Classified	6-22B	Movie	3D
Costs	4D	Outbursts	3D
Commuter	18-11A	Public records	3D
Crowded	6D	Sports	1-4C
Dear Abby	2D	Tennis today	3D
Dr. Got	2D	TV	3D