

News Digest

By The Associated Press

Father wins custody of Baby M, mother denied rights

HACKENSACK, N.J. — A judge awarded custody of Baby M to her father Tuesday and stripped surrogate mother Mary Beth Whitehead of all parental rights to the child she bore under a \$10,000 contract.

In the nation's first judicial ruling on surrogate parenting, Bergen County Superior Court Judge Harvey R. Sorkow upheld the validity of the contract on the grounds that just as men have a constitutional right to sell their sperm, women can decide what to do with their wombs.

Immediately after William Stern won custody in the landmark case, his wife, Elizabeth, adopted the year-old baby, whom they call Melissa. The child has

been in their care while the case was argued.

Sorkow ordered Stern to pay Mrs. Whitehead the \$10,000 agreed to in the contract. That money had been held in escrow since the contract was signed.

Mrs. Whitehead, who had vowed to appeal, awaited the ruling at her home after visiting with the baby earlier in the day and then stopping at a church to light a devotional candle.

The Sterns held hands in the crowded, locked courtroom throughout the 2 1/2 hours it took the judge to read his ruling. They clutched each other when the custody decision was announced.

Sorkow said the Sterns had shown a stable, secure, loving relationship, the

ability to provide financially and psychologically for the future needs of the baby and "an ability to make rational decisions in the most trying of circumstances."

"The Sterns live a private, unremarkable life," the judge said. "Mrs. Whitehead seems not to have found the time for family therapy sessions while making herself and her children available to the media."

Sorkow also said the Sterns would better be able to explain to the child her unusual beginnings in the years to come.

The judge said the Whiteheads' life has been marked by domestic and mar-

ital instability and that Mrs. Whitehead has been shown to "impose herself" on her two other children.

"Too much love can smother a child," Sorkow said.

The judge, who made no provision for Mrs. Whitehead ever to see her daughter again, condemned her as impulsive and exploitive and said she either selectively omitted information or lied outright during testimony about aspects of her life.

"This inability to tell the truth establishes a tarnished . . . environment" for raising the child, the judge said.

Mrs. Whitehead, who was artificially

inseminated with Sterns' sperm, said she realized during the baby's birth March 27, 1986, that she could not give up her daughter.

She refused her \$10,000 fee and fled to Florida with the infant when the Sterns obtained a court order giving them temporary custody. For 87 days she moved from relative to relative, until authorities tracked her down and returned the chubby, blue-eyed girl to the Sterns.

Since the first birth under a surrogate contract in 1976, about 500 babies have been born under similar circumstances, but no state has regulated the practice.

In Brief

Offer to free hostages renewed

BEIRUT, Lebanon — Moslem kidnappers today renewed an offer to swap four hostages for 400 Arabs held by Israel, and claimed that the health of one captive American was "deteriorating day by day."

The statement said the health of American hostage Alann Steen, 47, of Boston, was "deteriorating day by day despite continuous medication."

Reinstated chief returns to Omaha

OMAHA — Police Chief Robert Wadman is happy to be back home after being reinstated in a court decision last week.

Wadman returned to Omaha Monday from Washington, D.C., where he worked before Douglas County District Judge Stephen Davis ruled Wadman should be given his old job back.

Wadman was fired for insubordination last October by Public Safety Director Keith Lant and then-Mayor Michael Boyle.

Tuesday was Wadman's first day back at work.

Movie awards beat b-ball in ratings

NEW YORK — Indiana may have eked out a win over Syracuse for the NCAA basketball championship, but the Academy Awards show was the big winner in the A.C. Nielsen ratings.

According to ratings from 13 major markets, the Oscars got a 33.8 rating and a 53 share Monday night.

The movie awards extravaganza on ABC was only head-to-head against the game on CBS after 9 p.m. EST. The game had started at 8 p.m.

U.S. adviser dies in El Salvador raid

EL PARAISO, El Salvador — Guerrillas raided a major army base before dawn Tuesday, killing at least 43 soldiers and a U.S. military adviser, the first to die during battle in the 7-year-old civil war.

El Salvador's military commander said the American, identified as Staff Sgt. Gregory A. Fronius, 27, of Greensburg, Pa., was killed by mortar fire near a command post.

The military said 35 soldiers were wounded by leftist rebels who assaulted the base behind a barrage of cannon, mortar and grenade fire. Base commander Col. Gilberto Rubio, who was slightly wounded, said the number of attackers had not been determined.

Officials said seven guerrillas died in the attack on the 4th Infantry Brigade garrison at El Paraiso in Chaleteango province, a rebel stronghold, and some penetrated the camp. El Paraiso is nearly 40 miles north of San Salvador, capital of this Central American country.

"Because of the seriousness of the injuries, the number of dead (soldiers) on the scene estimated government casualties at about 65 dead and more than 100 wounded.

According to U.S. policy, American advisers do not participate in offensive military action or enter areas where combat is occurring or likely, but may visit "carefully selected and secure sites" such as garrisons. They are armed and may respond if fired upon.

The United States has a self-imposed ceiling of 55 on

the number of advisers serving in El Salvador at one time, but fewer sometimes are on duty.

Tuesday's rebel attack was the largest since a June 1986 guerrilla assault on the army base at San Miguel, 86 miles east of San Salvador. The military said 50 soldiers were killed or wounded there, but the rebels claimed a total of 250.

U.S. Embassy spokesman Pen Agnew said Fronius was training Salvadoran troops at the El Paraiso garrison.

At the Pentagon in Washington, the Army said he had a wife and child and was assigned to the 3rd Battalion, 7th Special Forces Group, based in Panama.

Pentagon spokesman Robert Sims said the sergeant was part of the two-man team assigned to the area and his partner was not at the garrison when the rebels attacked.



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House overrides veto Highway bill includes 65 mph limit

WASHINGTON — The Democratic-controlled House voted 350-73 Tuesday to override President Reagan's veto of an \$88 billion highway and mass transit bill, sending the measure to the Senate for the final round of a bruising political struggle.

The margin was 68 votes more than the two-thirds needed to override the president's action on the bill, which couples more than 100 road projects made to order for individual lawmakers with a provision permitting the states to raise the speed limit to 65 miles per hour on most stretches of interstate highway.

The only suspense in the House was the margin of Reagan's defeat, where 248 Democrats and 102 Republicans — including GOP Leader Bob Michel of Illinois and Republican Whip Trent Lott of Mississippi — cast their votes to override the veto. Democratic Rep. Norman Sisisky of Virginia and 72 Republicans voted to sustain Reagan.

Michel noted the presence of funds in the bill

to complete a highway widening project in his district, and said he was making a "very difficult, agonizing decision for the first time in the Reagan presidency" to oppose him on a major bill.

Freshman GOP Rep. Arthur Ravenel Jr. of South Carolina reflected the political appeal of the bill when he said, "You can bet your spring petunias this Congress will override the veto. President Reagan, he ain't going to be running in 1988, but I am."

House Speaker Jim Wright, D-Texas, said the outcome was a "very gratifying victory in the House. Members stood up for their won conviction, standing up to blandishments and pressure" from the White House.

Democrats argued that the measure was under budget, and said a successful veto would cost 800,000 jobs in the coming construction season. A provision permitting states to raise the speed limit to 65 mph on rural portions of the interstates was also politically attractive to Western lawmakers.

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Medicare fund improves still faces bankruptcy

WASHINGTON — The Social Security fund that pays for Medicare hospital benefits improved over the past year but still faces bankruptcy shortly after the turn of the century, the fund's trustees said Tuesday.

While last year's report to Congress predicted the fund would be exhausted in 1996, the one this year says it can get by through 2002.

But given that the question is not whether but when the fund will expire, the trustees said, "Early corrective action is essential in order to avoid the need for later, potentially precipitous changes." The same language was used in the 1986 report.

The 1987 report calculates that making the Hospital Insurance Trust fund solvent over the next 25 years would require a 13 percent reduction in Medicare expenditures or a 15 percent increase in contributions.

The Medicare hospital program is financed by Social Security payroll taxes.

On the rosier side, the trustees reported that two other Social Security insurance funds — the old age and survivors fund and the disability fund — continue to be in good shape for the next 75 years.

And they noted that "although the supplementary medical insurance program is financially sound," the so-called Part B side of the Medicare program that pays doctor bills has been doubling in size every five or six years and shows no sign of slowing down.