

Case catches Clinton's eye

Nebraska's partial-birth abortion case draws federal attention

WASHINGTON (AP) — The Clinton administration is asking the Supreme Court to let it join a Nebraska doctor's fight against a restrictive state abortion law.

Justice Department lawyers asked the nation's highest court this week to let them participate when the closely watched Nebraska case is argued before the Court on April 27. They said the law violates some women's constitutional right to end their pregnancies.

The court's decision in the case, expected by late June, may determine the fate of 30 states' bans on a surgical procedure opponents call "partial-birth abortion." The medical name of the procedure is a dilation and extraction.

President Clinton twice has vetoed a federal ban enacted by Congress. The court has not yet said whether it will let

the administration participate in the argument, but in a friend-of-the-court brief made public Thursday that government lawyers called the Nebraska law "unconstitutional for three reasons."

The brief says the law challenged by Bellevue, doctor Leroy Carhart is written so broadly it could be enforced against more than one abortion procedure and is too vague to let doctors know just what abortion techniques are outlawed.

Even if the law is limited to a single procedure, the brief says, it unduly burdens a woman's right to abortion because "it fails to provide an exception to preserve the pregnant woman's health."

The only exception to Nebraska's ban is if the outlawed procedure is nec-

essary to save a woman's life.

"The statute therefore prohibits the ... method even when a physician concludes that that method is best suited to preserve the health of a particular woman," the brief says. "The ban therefore forces at least some pregnant women to forego a safer abortion method for one that would compromise their health."

The surgical procedure at issue involves partially extracting a fetus, legs first, through the birth canal, cutting the skull and draining its contents. Partial-birth abortion is not a medical term.

Doctors call the method dilation and extraction, or D&X.

Although the Nebraska law and legal dispute focuses on the D&X procedure, far more may be at stake.

Abortion-rights advocates say the court's decision could broadly safeguard or dramatically erode abortion rights, depending on what state legislatures can consider when regulating abortions.

The Supreme Court has not issued a major abortion ruling since 1992 when it reaffirmed the core holding of its 1973 decision in a case called Roe v. Wade. That landmark ruling said women have a constitutional right to abortion.

A federal appeals court struck down the Nebraska law along with those in Iowa and Arkansas. But nearly identical laws in Illinois and Wisconsin were upheld by another federal appeals court.

The Nebraska case is Stenberg v. Carhart, 99-830.

Cuban boy's father plans U.S. visit

The father of Elian Gonzalez applied for travel visa in fight for son.

WASHINGTON (AP) — On Thursday, the father of Elian Gonzalez applied for a visa to travel to the United States from Cuba to regain custody of his son, as the U.S. government and the 6-year-old boy's Miami relatives resumed talks to end the 4-month-old legal dispute.

Attorney Gregory Craig submitted the visa application on behalf of Juan Miguel Gonzalez, his wife and other family members.

"The only person that has the legal and moral authority to speak for Elian Gonzalez is his father," Craig told reporters. "Juan Miguel Gonzalez is ready at a moment's notice to come to the United States."

Craig said Elian's father would travel to the United States as soon as he

is assured that he will be given custody of his son. "The time has come for the INS (Immigration and Naturalization Service) to make those assurances," Craig said.

The attorney said U.S. officials had negotiated patiently with the boy's Miami relatives to arrange a prompt, orderly transfer of custody to the father.

"We fear that the negotiations have failed," he said. "The relatives in Miami do not speak for Elian. The lawyers in Miami do not speak for Elian."

The government has demanded that the Miami relatives agree to surrender Elian if they lose their court fight to keep him.

Both sides met for five hours late Wednesday, then resumed talking this morning. There was no comment from either side today.

Late Wednesday, the INS delayed the revocation of Elian's temporary

"The only person that has the legal and moral authority to speak for Elian Gonzalez is his father."

Gregory Craig
attorney

residency status 24 hours, until 9 a.m. Friday.

When Juan Miguel Gonzalez receives word that he will be able to take custody of his son, Craig said, he also would seek permission to allow the boy's classmates, teacher and doctors to travel to the United States to "help smooth the transition."

The attorney also accused the Miami relatives of exploiting the boy's case in the media.

"The circumstances that now surround Elian's life in Miami, including the decision to allow camera crews into

Elian's bedroom, the decision to permit a network news program to film a two-day interview with Elian without the father's permission, and the decision just last night to parade Elian in front of demonstrators in the streets of Miami, make it clear that Elian's best interests lie with his father," Craig said.

Elian has been living with his great-uncle, Lazaro Gonzalez, who has said he would be willing to release Elian to his father if Juan Miguel Gonzalez came to Florida from Cuba. He said he would not deliver the boy to the INS.

Study traces finger length to homosexuality

Researchers find masculine finger traits in gay men, lesbians.

THE ASSOCIATED PRESS — A provocative study of finger lengths found that lesbians are more likely than other women to have a subtle masculine trait, while gay men may display that same characteristic more than heterosexuals.

The research adds to an expanding

body of evidence that sexual orientation is at least partly a matter of biology — and not simply a choice or a result of cultural or psychological influences.

It also provides evidence for the theory that exposure to higher levels of male sex hormones in the womb can help make a person lesbian or gay, despite the stereotype of effeminate gay men, the researchers say.

The researchers at the University of California at Berkeley built their study on an already known quirk of human

anatomy: Men tend to have shorter index fingers than ring fingers. In women, those two fingers tend to be about the same length.

Scientists believe that men's higher levels of androgens — the male sex hormones such as testosterone that are found in both sexes — produce this and many other sex differences.

In the study published Thursday in the journal Nature, the Berkeley researchers interviewed 720 adults at three street festivals in San Francisco, asked them their sexual orientation and measured their fingers.

The fingers of lesbians were closer to the typical male configuration — with the shorter index finger — than the fingers of other women. The finding points to higher levels of male sex hormones in early life for lesbians, the researchers said.

The researchers also found indirect evidence of a similar trait in gay men.

They found that, in keeping with earlier research, men with more older brothers were more often gay, possibly from escalating levels of androgens in the womb for successive boys. The researchers then went a step further,

showing that those same men with older brothers also had relatively shorter index fingers — the hormonal male pattern — than other men.

The researchers suspect that if they had looked at larger numbers of people, they would have found that gays overall indeed show a more masculine finger pattern than other men.

Some earlier researchers have also tied male homosexuality to unusually strong masculine traits.

"This calls into question all of our cultural assumptions that gay men are feminine," said psychologist Marc Breedlove, who led the Berkeley study.

He cautioned that finger-length differences hold up only as averages in large populations, not for individuals. The differences involved just fractions of an inch.

Paula Ettelbrick, an activist at the National Gay and Lesbian Task Force, said some gay men would welcome such findings because "they argue very strenuously that their sexual orientation is very well-defined and biological." But she said ultimately the question of cause should not bear on the equal rights debate.

Daily Nebraskan

Editor: Josh Funk
Managing Editor: Lindsay Young
Associate News Editor: Diane Stuckney
Associate News Editor: Diane Broderick
Opinion Editor: J.J. Harder
Sports Editor: Sam McKewon
A&E Editor: Sarah Baker
Copy Desk Co-Chief: Jen Walker
Copy Desk Co-Chief: Josh Krauter
Photo Chief: Mike Warren
Design Co-Chief: Diane Broderick
Design Co-Chief: Tim Karstens
Art Director: Melanie Falk
Web Editor: Gregg Stearns
Asst. Web Editor: Jewel Minarik

Questions? Comments?
Ask for the appropriate section editor at
(402) 472-2588
or e-mail dn@unl.edu.

General Manager: Daniel Shattil
Publications Board Chairwoman: Jessica Hofmann, (402) 477-0527
Professional Adviser: Don Walton, (402) 473-7248
Advertising Manager: Nick Patsch, (402) 472-2589
Asst. Ad Manager: Jamie Yeager
Classified Ad Manager: Nichole Lake

Fax number: (402) 472-1761
World Wide Web: www.dailyneb.com
The Daily Nebraskan (USPS 144-080) is published by the UNL Publications Board, Nebraska Union 20, 1400 R St., Lincoln, NE 68588-0448, Monday through Friday during the academic year, weekly during the summer sessions. The public has access to the Publications Board. Readers are encouraged to submit story ideas and comments to the Daily Nebraskan by calling (402) 472-2588.
Subscriptions are \$60 for one year.
Postmaster: Send address changes to the Daily Nebraskan, Nebraska Union 20, 1400 R St., Lincoln NE 68588-0448. Periodical postage paid at Lincoln, NE.
ALL MATERIAL COPYRIGHT 1999
THE DAILY NEBRASKAN

WEATHER

TODAY	TOMORROW
Mostly cloudy high 56, low 36	Mostly cloudy high 63, low 43



■ Detroit Three men sentenced in 'date-rape drug' trial

DETROIT (AP) — Three men were sentenced to up to 15 years in prison for manslaughter Thursday in one of the nation's first trials involving a death linked to a "date-rape drug."

A fourth man received a shorter term for his part in the death of 15-year-old Samantha Reid of Rockwood, Mich. All four were convicted March 14.

In January 1999, Samantha asked for a drink at a party and was given a soft drink spiked with the drug known as GHB. She became violently ill, lost consciousness and died the next day. A friend also ingested the drug and was briefly in a coma, but survived.

GHB has been linked to at least 58 deaths since 1990 and more than 5,700 recorded overdoses, according to the Drug Enforcement Administration.

■ Washington, D.C. Senior female Army officer files harassment complaint

WASHINGTON (AP) — The Army is investigating a complaint by its most senior female officer that she was sexually harassed by a fellow general, defense officials said Thursday.

The accusation was made by Lt. Gen. Claudia Kennedy, 52, the Army's deputy chief of staff for intelligence. She is the first female three-star general in the history of the Army and is due to retire this summer.

The matter was first reported in Thursday's editions of the Washington Times, which said it had not learned the identity of the accused general. The Times did not say when Kennedy lodged her complaint, but it said the allegation stemmed from an incident in her Pentagon office in October 1996 when she was a two-star major general and was in the post of assistant deputy chief of Army intelligence.

The newspaper quoted an unidentified Army source as saying Kennedy accused the general of "inappropriate touching."

■ China Tensions could force U.S. to sell arms to Taiwan

BEIJING (AP) — A senior aide to President Clinton told Chinese leaders that tensions could force Washington to sell the Taiwanese military more weapons, a U.S. official said Thursday.

On a mission to counsel restraint following the recent Taiwanese presidential election, National Security Adviser Sandy Berger also "reaffirmed in very clear terms" that Washington still acknowledges China's claim to Taiwan and wants a peaceful, negotiated solution, the senior administration official said on condition of anonymity.

In talks Wednesday and Thursday with China's president, premier and foreign policy team, Berger discussed arms proliferation, U.S. efforts to censure Beijing before a U.N. human rights panel and a pending congressional vote on Chinese trading rights. But Taiwan consumed the talks, often provoking passionate Chinese responses.

The exchanges underscored Washington's delicate role in an unfinished civil war between China and Taiwan.