

Donovan faces 137 counts

WASHINGTON (AP) — Administration sources said Mon-

day that Secretary of Labor Raymond Donovan has been indicted by a county grand jury in New York in connection with a subway project by the construction company he formerly serv-

ed as executive vice president. NBC News reported that the indictment alleges one count of grand larceny, 125 counts of false documents and 11 counts of false statements. Federal authorities were asking Donovan to surrender at 8 a.m. today at the Bronx courthouse, the network said.

Six officials of the Schiavone Construction Co. of Secaucus, N.J., were also named in the indictment, one source said. The source spoke on condition he not be identified.

Labor Department and White House spokesmen declined to comment on the matter.

In Biloxi, Miss., traveling with Pres. Ronald Reagan, White House deputy press secretary Peter Roussel said, "We have not received any information or been informed" about the indictment.

The source said Donovan was flying to Houston on Monday to make a series of speeches when the indictment was handed up.

"The secretary was notified by telephone during an airport stopover" in Atlanta, and immediately headed back to Washington, this source said. He said the secretary planned to meet with his attorney, Dean Burch.

The grand jury in the Bronx was investigating charges that the Schiavone Co. falsified records in a federally-funded subway project in New York City.

Donovan, who was a part-time owner as well as executive vice-president of the construction company before he joined the Reagan cabinet in 1981, had been investigated for nearly a year by a special prosecutor in 1982.

In two separate 1982 reports on allegations that Donovan, as a construction executive, had ties to organized crime figures, special prosecutor Leon Silverman concluded there was "insufficient credible evidence" on which to prosecute the secretary.

Donovan had testified before the grand jury for 4 hours on Sept. 24. At that time, he released the results of a lie-detector test that the secretary said cleared him of any involvement in an alleged scheme — before Donovan joined the Cabinet — to misrepresent the work of a minority subcontractor on the subway project.

"It is my hope that my appearance today and the presentation of the polygraph results will put an end once and for all to the baseless allegations that have unfairly plagued me throughout my public life," Donovan had said after emerging from the courthouse.

The focus of the Bronx grand jury probe was the relationship

between the Schiavone Co. and the Jopel Construction and Trucking Co. of the Bronx.

In its work at subway excavations in New York City, Schiavone hired Jopel to assist in hauling dirt. Under federal regulations, 10 percent of the contract had to go to minority-owned companies. Jopel was co-owned by a Bronx politician and by a reputed organized crime figure.

The investigation involved allegations that Schiavone overstated the amount of work that Jopel performed.

The lie-detector test on Donovan was performed at the secretary's request on Sept. 11 by Joseph Buckley of John Reid and Associates of Chicago.

Donovan described the firm as "one of the premier lie-detector experts in the country."

"I answered during that test all of the specific questions" raised by the district attorney and "needless to say I was not surprised that I had passed it with flying colors," he said last Monday.

In his report, Buckley said Donovan had denied that he knew about the circumstances of the hiring of Jopel or any illegal arrangements between the two companies. Buckley also said that Donovan denied any participation in Jopel's hiring and denied that Schiavone gave incorrect information about Jopel's work or misrepresented it.

The Schiavone Co. had sought to quash the grand jury investigation, charging that it was politically motivated and noting that Bronx District Attorney Mario Merola is a Democrat. But a judge refused the request, leading to Donovan's testimony and indictment.

High court begins term

WASHINGTON (AP) — The Supreme Court Monday agreed to decide whether states may empower local public school boards to fire teachers who advocate, encourage or promote homosexuality.

The justices, tackling a case involving gay rights for the first time in 17 years, said they will review a federal appeals court ruling that such an Oklahoma law violated teachers' free-speech rights.

The Oklahoma law stated that a teacher could be fired or otherwise denied work for engaging in "public homosexual conduct or activity."

In other orders issued in a

flood of actions on the first day of the 1984-85 term the justices:

- Refused to reinstate the attempted murder conviction of socialite Claus von Bulow, who had been accused of trying to murder his wife in order to inherit \$14 million and marry his ex-actress lover.

- Agreed to consider making it easier for the federal government to recover potentially hundreds of millions of dollars in education aid allegedly misspent by the states.

- Refused to bar manufacturers from using favorable reviews from Consumer Reports magazine in their advertising.

- Agreed to decide if the states may force an individual to have his or her photograph on a driver's license if that violates the individual's religious beliefs.

- Left intact federal regulations aimed at providing consumers more information about prices in the funeral industry and barring unfair and deceptive practices by funeral home operators.

- Barred U.S. businesses from answering questionnaires used by Arab nations to help carry out their trade boycott of Israel.

Cosmonauts return today

MOSCOW (AP) — Three Soviets will return to Earth today, the official Tass news agency said, completing a 238-day voyage that set an endurance record for space travel.


Leonid Kizim, Vladimir Solovyev and Oleg Atkov hold the endurance record for space flight, having been in space since Feb. 8, when their Soyuz T-10 capsule was launched from Baikonur.

The cosmonauts "have fully accomplished the program of scientific research on board Salyut 7 and return to Earth tomorrow," Tass said Monday.

Radio Moscow said the cosmonauts' research had concentrated in the fields of medicine, biology, environmental protection, space technology and astrophysics.

Tass did not say where the cosmonauts' Soyuz T-11 re-entry vehicle would land or when it would separate from the orbiting Salyut 7 space complex, where it has been docked. Soviet space officials rarely release such information in advance.

The previous endurance mark in space, 211 days, was set in 1982 by cosmonauts Valentin Lebedev and Anatoly Berezovoy.



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