

# Senate hears custody case

■ **Gonzalez relatives play public 'tug-of-war' in front of panel.**

WASHINGTON (AP) — Elian Gonzalez's Florida relatives squared off at a Senate hearing on Wednesday, with one cousin suggesting the boy's father is signaling he wants him to stay in the United States despite his protestations to the contrary.

A great uncle insisted the child be returned at once to Cuba.

Also weighing in on the side of those seeking to keep the boy in the United States was Alina Fernandez, an out-of-wedlock daughter of Fidel Castro, who fled the country in 1993 and is one of her father's fiercest critics.

"You cannot allow this unilateral victory on behalf of a dictator," she told the Senate Judiciary Committee.

As the tug-of-war played out in front of the Senate panel, lawmakers appeared as divided as ever on what to do about the 6-year-old, who survived a shipwreck and the death of his mother last November only to become the center of an international political storm

over his custody.

Marisleysis Gonzalez, a cousin who has been caring for Elian, told the committee she believes the boy's father, Juan Gonzalez, is trying to signal in frequent phone calls to Miami that the boy should stay put.

She suggested that Castro's government was not allowing him to state such views openly.

"He knows that his son is in a country of freedom where he is protected," she said, wiping tears from her eyes.

But Manuel Gonzalez, a great uncle who unsuccessfully sought temporary custody of the boy, countered: "Help return this child to his father, who needs him."

"The way I think is that that child is going through a shock. He doesn't know where he is. And one must act urgently and give this child the attention he needs," Manuel Gonzalez said.

Congress is considering legislation by Sen. Connie Mack, R-Fla., that would confer citizenship on the young refugee and block a ruling by the Immigration and Naturalization Service that he be returned to his father.

A federal judge in Miami will decide later this month whether to

intervene in the INS decision. Congressional leaders have agreed informally not to attempt to bring up the bill before the court has ruled.

Although Mack's bill enjoyed an initial burst of support, enthusiasm for it has waned as the boy's relatives play out their custody battle in public. Congress has the power to confer citizenship, but it has never done so for a minor child or against the wishes of a parent.

Mack said he only intended to prompt "a true discussion of what's in the boy's best interests." Wednesday's hearing helped accomplish that, he said.

Citing "dramatic testimony on both sides of the issue," Sen. Orrin Hatch, R-Utah, Judiciary Committee Chairman, said. "This problem needs to be resolved."

But Sen. Patrick Leahy of Vermont, senior Democrat on the panel, argued that Congress has no business dealing with the issue at all.

"A young boy belongs with his parent, not with distant relatives," Leahy said. The actions "of well-meaning people on both sides have only made (the situation) worse," he added.

# U.S. oil reserves to stay closed

WASHINGTON (AP) — With oil exporting nations apparently poised to increase production, the Clinton administration urged lawmakers Wednesday to let diplomacy work and not press for the emergency release of oil from government reserves.

"We have to play it smart" and not overreact, said Bill Richardson, energy secretary. He was optimistic the OPEC producers would boost production and ease what has become a worldwide 2-million-barrel-a-day oil shortfall.

"Let the results of our energy diplomacy work. So far the signs are good," Richardson told the House International Relations Committee. Many committee members said oil should be released from the federal emergency reserve to ease tight supplies and high prices.

Meantime, oil prices soared Wednesday on commodity markets, with the benchmark U.S. crude rising to a new nine-year high and heating oil, gasoline and natural gas contracts also rallying on the New York Mercantile Exchange.

Officials from Saudi Arabia, Venezuela and Mexico were to meet Thursday in London. They are reportedly seeking to work on a production increase proposal to be presented at a meeting of Organization of Petroleum Exporting Countries oil producers March 27. Mexico's oil minister said Wednesday in Paris that current world oil markets warrant more production.

The administration has made known it is ready to draw down oil from the Strategic Petroleum Reserve if gasoline costs continue to climb. Supply shortages caused a huge price jump in heating oil in January and February, but those prices are beginning to decline.

But when pressed by lawmakers Wednesday, Richardson said this was not the time to make available any of the 565 million barrels of oil in the government reserve.

"It's important that we be prudent, that we not overreact," Richardson said. Still, he noted that President Clinton has not ruled out using the reserve oil — probably in a swap where oil companies

*"It's important that we be prudent, that we not overreact."*

**Bill Richardson**  
energy secretary

would borrow oil and return it to the federal reserve later — if the supply crunch continues.

"I don't understand your hesitance," replied Rep. Sam Gejdenson, D-Conn. "We're being held hostage" by the oil cartel.

"Why has the administration sat idly by?" asked the committee chairman, Rep. Benjamin Gilman, R-N.Y. He introduced legislation Wednesday that would bar military assistance to any oil-exporting nation involved in price manipulation.

# Credit options may open for ebay

■ **Wells Fargo's stake in Internet company gives buyers, sellers more options online; transactions' speed may be increased.**

SAN JOSE, Calif. (AP) — Wells Fargo & Co., the nation's seventh-largest bank holding company, has taken a minority stake in online auctioneer eBay Inc.'s Billpoint subsidiary in a move that will allow a greater number of buyers to pay by credit card.

eBay, which brings together buyers and sellers for items as diverse as luxury cars and Pez dispensers, previously had offered links to outside companies who could process credit card transactions, though this will be the first time credit-card payments can go directly through eBay. Most transactions were being completed using money orders or checks.

Under terms of the deal, in which Wells Fargo takes a 35 percent stake in Billpoint, the bank's bill-processing technology could speed up transactions considerably. Deal closings, which can take a week or more, could become almost instantaneous if buyers and sellers switch.

"Sellers can instantly accept credit cards online, and buyers can now buy items with the ease, speed and protection to which they've

become accustomed," said eBay chief executive Meg Whitman.

Wells Fargo's stake in Billpoint, the cost of which was not disclosed, also could position the bank holding company as a key player in the race to process all forms of billing over the Internet.

Research has found consumers are clamoring for such services as they increasingly conduct business and personal transactions on the Web. Consumers also appear willing to pay a reasonable fee for such convenience, offering the potential for huge profits to the company or companies that capture the market.

"The real value we see in this is to be the Internet's payment processor," said Dick Kovacevich, president and chief executive of Wells Fargo. "Ninety percent of what we're doing is making sure that payments can be done fast and securely across the 'net."

Several smaller companies already offer third-party bill processing for consumer-to-consumer or consumer-to-small-business transactions. And several consortiums are rolling out services that allow banks or brokerages to receive merchant billing information and to debit payments from customer accounts in a seamless process for the consumer.

eBay said Wednesday it would be inviting certain groups of sellers to sign up for the program and then will

# Death-row inmate to be free Monday

HOUSTON (AP) — A man who has been on death row for 16 years in the stabbing death of his roommate was ordered freed within five days by a judge Wednesday because state lawyers missed a deadline in the case.

The inmate, Calvin Jerold Burdine, 46, is being held unconstitutionally, U.S. District Judge David Hittner ruled. However, Hittner gave prosecutors the option of re-trying Burdine.

Burdine's murder conviction was thrown out last year by Hittner because his lawyer allegedly slept through long segments of his 1984 trial.

The judge gave the state 120 days to give Burdine a new trial or set him free. That time ran out in late January.

In his ruling, Hittner said the state must adhere to the same rules as defendants.

"A similar procedural error by defense counsel in a capital case could result in a defendant's execution," Hittner wrote.

The state responded to the ruling by asking the 5th U.S. Circuit Court of Appeals to keep Burdine in prison.

Burdine's attorneys met the ruling with guarded optimism.

"He understands that this fight isn't over yet," attorney Robert L. McGlasson said after telephoning the news to his client. "But it was very nice to share a conversation with him about the meals he wants to have with his elderly parents."

Burdine was convicted of the 1983 stabbing death of W.T. Wise. Burdine told police he argued with

*"I don't want them to think I'm going to roar down those streets and in those bars. I'm not like that any more."*

**Calvin Jerold Burdine**  
freed inmate

Wise and moved out of their trailer because Wise, 50, wanted him to work as a prostitute. He claims another person stabbed Wise.

Burdine told The Associated Press in an interview last month that if released, he could make his home at Lake Livingston, 75 miles northeast of Houston, or go to Oklahoma.

"The state of Texas don't have to worry about Calvin Burdine. We've got 80 acres in Oklahoma, and I can get out there and fish and relax — out of sight and out of mind. I don't want them to think I'm going to roar down those streets and in those bars. I'm not like that any more."

Unless the appeals court steps in, Burdine must be freed by Monday. A spokesman for the Texas Department of Criminal Justice said the judge's orders would be obeyed.

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