

Gonzalez family fights for boy

■ Boy's relatives say his father is unfit, but elder Gonzalez and White House dispute the claim.

WASHINGTON (AP) — With a deadline looming and legal options narrowing, relatives of Elian Gonzalez on Sunday argued that the boy's father is unfit as they battled to retain custody of the 6-year-old.

The White House responded that there is no evidence of the sort, and the father's lawyer said the "outrageous" allegations were a sign the Miami relatives are getting desperate.

"There is no doubt this father loves his boy very, very much," said Gregory Craig, who represents Juan Miguel Gonzalez.

Three of the relatives' attorneys, appearing separately on three Sunday talk shows, suggested that the father is not fit to raise Elian. Attorney Manny Diaz said the legal team has submitted evidence to federal court and to the government, although he declined to detail it Sunday.

"One of the lawyers on our team met with the attorney general at the beginning of this process and raised those types of concerns," Diaz said on ABC's "This Week."

But Craig said the family is just now raising the issue after months of allowing that Gonzalez was a loving man.

"It's outrageous that at this point in this discussion... they're raising these kinds of questions," he said on CNN's "Late Edition."

The family's arguments, backed up by members of Congress who want Elian to remain in the United States, come as the Justice Department insists that the relatives agree to surrender Elian if they lose their pending court case.

The Justice Department has given the relatives until Tuesday to sign such a promise and has threatened to revoke the boy's permission to be in this country if they do not agree. That deadline has been extended twice already.

Family members want to preserve their option to keep up the legal fight even if they lose their case in federal court, which enforces immigration law. They also want a family court, which considers a child's best

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lawyer for Juan Miguel Gonzalez

interests, to hear the case.

The Miami relatives have said they will surrender the boy if Immigration and Naturalization Service officers show up at their door and demand him. Federal officials hope to avoid that.

All sides professed that the boy's welfare is their primary interest. Diaz said turning Elian over to his father would cause "further irreversible trauma."

But John Podesta, the White House chief of staff, stressed that the Clinton administration believes Elian should be with his father, who wants him back in Cuba.

"A child belongs with his natural parent unless that parent's unfit," he said on CBS's "Face the Nation." "We have no indication that Elian's father is an unfit parent."

Still, attorney Linda Osberg-Braun continued to push that theory. She said that the father told Elian on the phone that his mother was alive and waiting for him in Cuba when, in fact, his mother died in the effort to reach the United States. In November, Elian was left clinging to an inner tube until he was rescued.

Osberg-Braun speculated that Elian's father was under the influence of the Cuban government when he misled his son.

"That's cruel, and we understand that that's because of the forces in Cuba coaching him and coercing him to say these horrible things to his son," she said on CBS. "That needs to be discussed. It needs to be explored."

Microsoft, U.S. talks fail to reach common ground

CHICAGO (AP) — Talks between the federal government and Microsoft broke down Saturday as a judge, trying to mediate a settlement in the antitrust lawsuit against the software giant, said he was ending his effort.

Last week, the judge hearing the case in Washington postponed his ruling to give the two sides more time to talk.

Federal appeals court Judge Richard Posner in Chicago said since accepting the task, he had tried to find a common ground that might enable the two sides to settle their differences.

"After more than four months, it is apparent that the disagreements among the parties concerning the likely course, outcome and consequences of continued litigation, as well as the implications and ramifications of alternative terms of settlement, are too deep-seated to be bridged," Posner said in a statement.

Posner said he won't make any comment on the merits of the litigation, or on the negotiating positions of the parties involved.

"It's unfortunate that a settlement wasn't possible," Microsoft Chairman Bill Gates said in a conference call.

"Microsoft certainly went the extra mile."

Gates said the Microsoft mediation team had devoted more than 3,000 hours to the settlement effort over the four months of talks and that the company had offered "significant concessions."

But Gates reiterated that he believes the company has a strong legal case and dismissed suggestions that the breakdown of talks represented a "corporate death penalty" for Microsoft.

"We are long-term players in the judicial process," said Bill Neukom, Microsoft executive vice president and general counsel.

In Washington, Joel I. Klein, the assistant attorney general in charge of the Justice Department antitrust division, said in a statement: "We would have preferred an effective settlement to continued litigation. But settlement for settlement's sake would be pointless."

Klein said if the ruling goes against Microsoft, the Justice Department "will seek a remedy that prevents Microsoft from using its monopoly in the future to stifle competition."

At issue is a lawsuit filed by the federal government and 19 states alleging that Microsoft repeatedly engaged in illegal anti-competitive behavior by using monopoly power.

U.S. District Judge Thomas Penfield Jackson in Washington, D.C. agreed with nearly all the allegations in an initial finding in November. He said the company's aggressive use of its monopoly status stifled innovation and hurt consumers by limiting choices.

On Tuesday, Jackson postponed his verdict in the case to give both sides more time to hammer out details of a possible out-of-court settlement.

Jackson has encouraged the parties to make a deal, attorneys have said. A statement from the state attorneys general said they regretted that mediation talks didn't work out.

"The states, together with the Department of Justice, exerted their best efforts to make this process succeed," the statement said.

Both sides have reason to reach a settlement. For Microsoft, a harsh ruling could be used against the company in dozens of class-action lawsuits it faces from both rivals and clients.

World and Nation

Datelines

■ Tokyo

Japan's prime minister hospitalized

TOKYO (AP) — Japanese Prime Minister Keizo Obuchi was hospitalized Sunday after complaining of fatigue and underwent tests, officials said, adding that he was alert and had not been taken to the hospital in an ambulance.

Details of the 62-year-old leader's condition were not immediately known.

NHK, Japan's state-run TV network, reported that Obuchi has a chronic heart condition, though it was unknown if that was related to his hospitalization.

■ Uganda

Neighbors of slain cult members gather

KANUNGU, Uganda (AP) — Thousands of townspeople gathered on a hilltop soccer field Sunday to mourn the mass murder of neighbors they barely knew.

Dignitaries joined the residents of Kanungu and nearby villages to deplore the deaths of 924 members of a reclusive doomsday sect who authorities say were murdered by their leaders.

A March 17 blaze inside the chapel of the sect's secretive compound in Kanungu burned 530 sect members alive.

Authorities initially termed the deaths a mass suicide, but the discovery of the bodies of six slain men in a compound latrine soon shifted that assessment to murder.

■ South Carolina

March protests Confederate flag's presence

CHARLESTON, S.C. (AP) — More than 600 people set out Sunday on a five-day, 120-mile protest march to Columbia to urge state lawmakers to move the Confederate flag from the state house dome.

"Take it down!" chanted some marchers. "The people of South Carolina — white and African-American — want the flag to come down," said Charleston Mayor Joseph P. Riley Jr., who had the idea for the march.

"The purpose is to say the people of South Carolina are in step, and we want the Legislature to get in step with the people of South Carolina."

■ London

Account of Beatles' music career to be published soon

LONDON (AP) — Thirty years after they split up, the three surviving Beatles have written a book setting the record straight about the "Fab Four," Sir Paul McCartney's spokesman said Sunday.

McCartney, George Harrison and Ringo Starr have spent six years writing the 360-page "Beatles Anthology," to be published in Britain and the United States in the fall.

The book will provide the frankest account of how the band ruled the pop world in the 1960s.

"We're talking a huge volume of work, it's encyclopedic — it weighs something like two kilos (4.4 pounds)," said Geoff Baker, McCartney's spokesman.

"It goes across the board, everything is in there. It is about the Beatles as a band, the music, but it deals with everything else — the tours, the drugs, the disputes," Baker said. "This book answers all the questions."

WEATHER	
TODAY	TOMORROW
Windy high 47, low 26	Mostly sunny high 53, low 35

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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.
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THE DAILY NEBRASKAN

Volcano leaves survivors worried about future

DATE, Japan (AP) — Every April after the snow melts, Katsumi Miki has gone out on his tractor to till his vegetable farm on the slopes of Mount Usu.

But this spring, he's sitting in sweatpants and slippers in a cramped emergency shelter, surrounded by hundreds of others who fled the eruption of the volcano on whose slopes they make their living.

Although 2,200 people were allowed to return to their homes Sunday for the first time since Usu exploded back to life last week, the lives of more than 15,000 others in this scenic corner of northern Japan remain on hold.

And like Miki, most aren't as worried about their lives as they are worried about their livelihoods.

"It's been five days since I came here, and I have no idea how my crops are doing," Miki said. "I don't care if I die, I just want to go check on the farm."

After days of seismic rumbling, Mount Usu coughed up gas and debris two miles into the sky Friday for the first time in 22 years.

More eruptions opened several new craters, and on the edge of Abuta, a town of 13,000 that was evacuated

before the eruptions began, plumes of smoke continued to swell into the sky Sunday.

In the cluttered shelter where Miki was staying, children ran in and out of the entryway, announcements blared over a loudspeaker and drying laundry hung on every available surface.

The facilities were clean and basic needs were met, but many seem wearied by the tight quarters. Still, it was the future, rather than the present, that was most troubling.

With rich soil, hot springs and natural beauty, the area at Usu's feet, home to about 51,000 people, is a paradise for farmers, fishermen and hoteliers.

While some have been escorted back home by authorities to quickly feed livestock and pets, people worry about what will happen to farms while the farmers are away.

The latest volcanic activity has also changed the shape of the land itself. It created cones of ash 35 feet high and cut craters and fissures into the earth. In the last eruption, in 1978, the mountain drastically changed its shape — from a jagged point to a squat and rugged lump.