

Visa granted for Elian's father

Cuban officials say father will not make trip unless guaranteed custody.

WASHINGTON (AP) — American diplomats in Havana issued visas Tuesday to Elian Gonzalez's father, but Cuban officials said he will call off his proposed trip to the United States unless he is assured of temporary custody of his 6-year-old son.

An attorney for the boy's Miami relatives, who are fighting to retain custody of Elian, said negotiations aimed at reuniting Juan Miguel Gonzalez with his son appeared to be breaking down without agreement. However, the talks resumed in late afternoon.

"We have not heard from the attorneys for the relatives in Miami that they consider the talks to have been broken off," Justice spokesman Myron Marlin said at midday. "We continue to hope that we can all work together to resolve this in a fair, orderly and prompt manner."

Outside the Miami home where Elian has lived since he was rescued

from a Thanksgiving shipwreck that killed his mother, about 200 angry protesters broke down a barrier and formed a human chain.

"Elian is not leaving!" they chanted.

Olga Hernandez said the protesters "saw a bus, and they thought (Immigration and Naturalization Service officials) were coming to take him."

Immigration officials have spent the past two days negotiating with the Miami family over how to transfer temporary custody of Elian from Lazaro Gonzalez to Elian's father. U.S. officials raised the possibility that Juan Miguel Gonzalez could travel to Miami to get his son.

Absent an agreement, a Justice Department official said a letter could be sent to Lazaro Gonzalez announcing that temporary custody would be transferred from him to Elian's father. A follow-up letter would provide instructions on how and when the transfer would take place, said the official, asking not to be identified.

In Havana, Vicky Huddleston, the chief of the U.S. Interests Section,

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delivered visas to Cuba's Foreign Ministry for Juan Miguel Gonzalez, his wife and their infant son, as well as a male cousin, a kindergarten teacher and a pediatrician.

In late March, a federal judge affirmed an INS ruling that Elian belongs with his father in Cuba. The Miami relatives have asked the 11th U.S. Circuit Court of Appeals in Atlanta to overturn the lower court ruling; opening arguments are set for the week of May 8.

If arrangements can be worked out for a transfer of custody, Juan Miguel Gonzalez would stay at the home of the head of the Cuban diplomatic mission

in Washington, Fernando Ramirez.

Entering the State Department on Tuesday afternoon for a meeting, Ramirez said the elder Gonzalez's U.S. travel depends on "the assurance he will get temporary custody."

U.S. officials are reviewing 22 additional visa requests, including 12 from Elian's classmates. Ramirez said his government believes all visa requests should be approved because the additional 22 compatriots will help facilitate Elian's "recovery" after four months away from home. He stopped short of saying their approval was a precondition for the father's visit. Ramirez lives in suburban Maryland.

House blocks Clinton organ donation plan

WASHINGTON (AP) — Taking on an issue that means life or death to transplant patients, the House voted Tuesday to block a Clinton administration effort to move more hearts, livers and kidneys to those who are closest to death.

The legislation would strip the Department of Health and Human Services of its power to set transplant policy and comes after years of tension between HHS and the United Network for Organ Sharing, the private firm that has long run the transplant system under a government contract.

The House approved the measure, 275-147, shy of the 290 votes needed to override a promised presidential veto. It also agreed, by voice vote, to an amendment that would kill HHS regulations directing more organs to the sickest patients — even if they live far from the donor.

The legislation also encourages

organ donation, something all sides support. It calls for financial assistance for living donors who give away a kidney or part of a liver and offers grants for states to encourage donation.

The basic problem is supply and demand. Only about half of families asked to donate organs say yes, and many families are never asked. Meanwhile, nearly 5,000 people die each year waiting for organ transplants, and 68,530 people are waiting for transplants today.

The legislation would give the transplant network total control over the rules governing how to distribute more than 20,000 organs that are donated each year.

Under the network's system, patients who live in the same area as donors have first chance at organs.

The Clinton administration wants to eliminate those geographic barriers.

Microsoft awaits uncertain future

Judge still to decide punishment

WASHINGTON (AP) — The judge overseeing Microsoft's antitrust case must now decide what punishment to mete out: Slice the software giant into Baby Bills? Impose a hefty fine? Force Microsoft to reveal its secret software code to rivals?

U.S. District Judge Thomas Penfield Jackson will spend the next few months trying to determine the best way to craft a remedy that won't hamper the company's ability to innovate in an industry changing at warp speed.

Unlike the judge's ruling Monday — a sweeping verdict that handed the government a powerful but anticipated victory after nearly two years of legal wrangling — the punishment Jackson will dispense is uncertain. He will hold hearings to explore the options, taking into consideration recommendations from Microsoft, the Justice Department and 19 states involved in the case.

"The dilemma for the judge and for the Justice Department is how to make the remedy effective without making it overly regulatory," said Warren Grimes, an antitrust expert who teaches law at Southwestern University School of Law in Los Angeles.

Joel Klein, who heads the Justice Department's antitrust division, offered few hints at what remedy the government would seek, other than one "that will protect consumers, innovation and competition by putting an end to Microsoft's widespread and persistent abuse of its monopoly power, and to rectifying its unlawful attempt to monopolize the Internet browser market."

The options before Jackson include items as diverse as breaking up the company that made founder Bill Gates a billionaire and ordering Microsoft to change its business tactics.

Among the milder options: prohibiting Microsoft from using price as a way to punish clients who deal with competitors and forcing the company to relinquish control of the first screen most people see when they turn on their computers. Microsoft also could be ordered to license, if not completely surrender,

"The drastic is the most effective and the most conservative approach to dealing with a monopoly."

Glenn Manishin
attorney

the lucrative blueprint, the so-called "source code," for its Windows software.

While the government reportedly dropped its pursuit of a company breakup during recent settlement attempts, Jackson's ruling may have emboldened Justice attorneys to ask for the toughest penalty possible.

There are several scenarios for breaking up the company, said attorney Glenn Manishin, who helped write a study for a prominent trade association that endorsed a divestiture.

The judge could split Microsoft into companies selling separate products, such as Windows software and Internet content, or break it into several "Baby Bills" or "Mini-Microsofts" each with identical products.

"The drastic is the most effective and the most conservative approach to dealing with a monopoly," Manishin said.

The alternative is a set of court-enforced provisions that rarely curb behavior effectively, he said. Such an injunction, Manishin said, would be a "black hole of judicial regulation."

"Black holes suck up everything around them — it would suck up all the resources of the Justice Department, all the time of the judge, and all the competitors would be focused on one courtroom in Washington where they would run when they had a complaint about Big Brother Bill," he said.

World and Nation Datelines

Japan

Political leaders expected to replace prime minister

TOKYO (AP) — Japanese political leaders were expected to name top ruling party official Yoshiro Mori as the new prime minister today, replacing Keizo Obuchi, who is on life support after suffering a massive stroke.

The entire Cabinet resigned Tuesday, paving the way for the quick selection of a Liberal Democrat to the country's top post. After the new leader is named, a Cabinet could be installed late today.

Government ministers promised to move swiftly to avoid a political vacuum after Obuchi's collapse. The 62-year-old prime minister suffered a stroke Sunday and lapsed into a coma.

Uganda

Tests show cult members alive when chapel burned

KAMPALA, Uganda (AP) — The 530 people whose charred bodies were recovered after a doomsday cult's fiery climax were still alive when their gasoline-soaked chapel exploded in flames, forensics tests showed Tuesday.

The doors and windows of the chapel were bolted from the outside, the preliminary investigation findings confirm.

"It was an attack from the inside," said A.B.M. Lugudo, deputy commissioner of Uganda's forensics agency.

Investigators have yet to determine if whoever set the fire died with the victims, but their suspicions have been aroused by three, less badly burned corpses found in a separate room of the sect church at Kanungu, Lugudo said.

Maryland

State House, Senate approve handgun lock regulations

ANNAPOLIS, Md. (AP) — The Maryland House sent the governor legislation that would make the state the first to require new handguns to be equipped with built-in locks, allowing no one but authorized users to fire them.

The locks will be required by 2003 under the bill approved Monday night by the House.

Until then, all guns sold will have to be equipped with external trigger locks, beginning in October.

No other state has approved such a measure. Gov. Parris Glendening is eager to sign the bill, already approved by the Senate.

Yugoslavia

Eleven U.S. troops injured in NATO, Serb clash

RISTINA, Yugoslavia (AP) — Kosovo Serbs angry over the arrest of a Serb for illegal weapons possession clashed Tuesday with NATO peacekeepers, leaving 11 Americans and one Pole injured, the U.S. military said.

The independent Yugoslav news agency Beta said 14 Serbs were also hurt, including 10 who were struck by rubber bullets fired in an attempt to break up a Serbian crowd.

However, the U.S. military said it could not confirm the number of Serbs injured in the melee — reportedly involving shoving, clubs, dogs and rubber bullets — which began Tuesday in a southeastern mountain region near the Macedonian border.

At the Pentagon, spokesman Air Force Lt. Col. Vic Warzinski said the most serious injury to U.S. troops in the incident was a broken hand.

WEATHER

TODAY

Windy
high 76, low 40

TOMORROW

Partly cloudy
high 67, low 42

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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.

Postmaster: Send address changes to the Daily Nebraskan, Nebraska Union 20, 1400 R St., Lincoln NE 68588-0448. Periodical postage paid at Lincoln, NE.

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