



Elian's family says father unfit

BY LAURA MECKLER
ASSOCIATED PRESS

WASHINGTON — With a deadline looming and legal options narrowing, relatives of Elian Gonzalez on Sunday pressed arguments 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 concern," 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.

Justice 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 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."

Supportive members of Congress backed up the

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Attorney for Juan Miguel Gonzalez

attorneys' theories.

"They do take kids away from fathers and keep them away from them where there's child abuse or problems. We don't know what the situation is," Rep. Dan Burton, R-Ind., said on CNN.

"All the facts should come out in a family court. That's the only way to know for sure that this boy's going to be safe going back to Cuba with his father."

Gap too wide to settle Microsoft antitrust suit

BY LARRY MARGASAK
ASSOCIATED PRESS

WASHINGTON — Talks between Microsoft Corp. and government lawyers failed after the company insisted on its own proposal to settle the antitrust lawsuit and not because of disputes between state and federal officials, persons familiar with the negotiations said Sunday.

The talks broke down Saturday, sending the case back to U.S. District Judge Thomas Penfield Jackson in Washington, who last fall issued a finding of fact that Microsoft used its monopoly powers to thwart competition. A decision on the lawsuit is expected any day, and if Jackson sides with the government, he will begin the lengthy process of determining a penalty that could include a breakup or restructuring of the company.

Sources said government lawyers no longer were insisting on a breakup, but that Microsoft refused to accept proposals submitted by the Justice Department and 19 states who sued the company.

Even before the states made new proposals Friday, "It was clear Microsoft was rejecting the government's proposal and insisting on their own approach," said an

individual familiar with the government's position, who would not be quoted by name.

"That approach had a lot of loopholes and would not have been effective," Microsoft Chairman Bill Gates contended Saturday that "it became impossible to settle because the Department of Justice and the states were not working together. Between them, they appeared to be demanding either a breakup of our company or other extreme concessions ..."

He did not provide details of the company's offer to settle the case.

Attorney General Richard Blumenthal of Connecticut rejected Gates' claim.

"The differences between the states and the Department of Justice are minimal when compared to the divergence between our side and Microsoft," he said.

Describing the negotiations as "very complex," Iowa Attorney General Thomas Miller said "many factors" led to the breakdown but "the position of the states was not the cause of the failure."

Microsoft officials — including Gates — negotiated with government attorneys just days before the Justice Department filed its original complaint in 1998. An

agreement appeared likely until government lawyers complained that Gates reconsidered details in an offer he made. The deal fell through, and the government filed suit.

Last November, Jackson issued a finding of fact. He said Microsoft was a monopoly in the market for computer operating system software, and that the company used its power to put the squeeze on competitors' products.

He assigned a mediator — Chief Judge Richard A. Posner of the U.S. Court of Appeals in Chicago — to try to broker a settlement. Four months of talks produced no agreement, and Jackson was expected to issue a ruling last Tuesday.

He postponed the decision and gave the sides until April 7 to reach a settlement, but the talks ended Saturday when Posner issued a statement saying the divisions were "too deep-seated to be bridged."

"Microsoft is sailing into dangerous and uncharted waters," said Rich Gray, an antitrust attorney in Menlo Park, Calif., who has watched the case closely. "Judge Jackson has shown that he has a pretty strong bent toward the government's case."

Georgia flag foes, watching S.C., keep quiet in 2000

BY RUSS BYNUM
ASSOCIATED PRESS

ATLANTA — Keeping one eye on the fall elections and another on the turmoil in South Carolina, Georgia lawmakers, who want to strip the Confederate battle emblem from the state flag, kept quiet this year while predicting a fight in 2001.

"Next year I believe that the flag issue is going to emerge as a major issue," said Senate Majority Leader Charles Walker, D-Augusta. "If we're ever going to resolve that issue, that's the time it will happen."

Efforts to change the flag have fizzled in Georgia since then-Gov. Zell Miller led a losing battle on the issue in 1993. The fight almost cost Miller re-election, and many lawmakers still consider it political poison.

But a tourism boycott by black activists in South Carolina, which flies the Confederate flag over its Capitol, has legislators and business leaders here wondering if Georgia could be next.

"It's certainly crossed our mind," said Bill Howard, spokesman for the Atlanta Convention and Visitors Bureau. "To have this kind of action would be very damaging to our image, nationally and internationally."

Though flag foes introduced three

bills to change the banner during the 1999-2000 legislative session, the proposals died without a titter of debate. Georgia officials gave themselves plenty of cover for ignoring the issue.

Confronted with an image of the flag on NBC's "Meet the Press" last month, Gov. Roy Barnes said a flag fight would disrupt the Legislature's focus on reforming education.

"We have higher priorities right now, and one of them is education," Barnes said.

And Walker, the Senate Democratic leader, said lawmakers wanted to avoid the issue in 2000 so Republicans couldn't seize it for campaign attacks in the November elections.

"We'd end up winning the flag and losing the General Assembly," said Walker, who is black and refuses to display the current flag in his Capitol office. "I think we dodged a cannon."

The Confederate battle emblem — crossed blue bars with white stars on a red background — was added to the Georgia flag in 1956. Opponents say the flag is racist, while supporters see it as a historic symbol of Southern heritage.

A recent poll by Georgia State University showed nearly 56 percent of

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Bush, Gore focus on reform; parties go after big donations

BY JOHNATHAN D. SALANT
ASSOCIATED PRESS

WASHINGTON — While their likely presidential nominees advocate campaign finance reform, the political parties are eagerly courting individuals, corporations and unions willing to contribute \$250,000 or more.

The Republican National Committee already reports 51 contributions of at least \$250,000 in the 1999-2000 election season, twice as many as during the 1995-96 political campaign. Figures for the Democrats are incomplete because of a different reporting system, but their top donor category is the same.

The contributions are legal and involve unregulated money — known as soft money — that cannot be used directly for candidates in federal elections. Such money is increasingly used, however, for "issue ads" that support the parties' nominees.

"There was greater incidence of \$100,000 donors four years ago," said Herbert Alexander, professor emeritus of political science at the University of Southern California. "Now \$250,000 seems to be the standard."

Both parties court top-dollar donors, offering special opportunities to meet politicians and obtain other benefits. Americans will elect a new president, and control of Congress also is at stake.

"Every record in the book, if it hasn't already been broken, will be broken before November," said Larry Makinson, director of the Center for Responsive Politics, a nonpartisan research group that studies money and campaigns. "So much is at stake. There is not a corner of the economy that's not going to be affected by the new regime, whoever that regime may be."

Both parties' likely nominees — Republican George W. Bush and Democrat Al Gore — are pressing for a crackdown of sorts on the unlimited soft money donations to political parties.

Vice President Gore wants an outright ban; Texas Gov. Bush says individuals, but not corporations or unions, should be able to write unlimited checks.

Known as "Regents," the Republicans' donors of at least \$250,000 win opportunities to meet with top GOP politicians and VIP treatment at this sum-

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Herbert Alexander
Political science professor

mer's Republican National Convention in Philadelphia. Members of the party's fund-raising staff are assigned to recruit them. By the end of March, the RNC had increased its \$250,000 club from 25 in 1995-96 to the current season's 51, according to its finance chairman, Mel Sembler.

"It's like giving to the church," veteran Republican fund-raiser Ted Welch said. "A lot of people have a tremendous amount of money, and they're willing to give part of it for what they think will be in the best interests of the long-term well-being of this country."

The Democratic National Committee, which had 30 \$250,000 donors in 1995-96, also is receiving big checks this year. In January 1997, stung by criticism of its fund-raising practices during the 1996 elections, the DNC announced a \$100,000 cap on party donations. The following November, with debts of more than \$14 million, the party removed the limitation.

Both parties raise money from corporations and individuals with interests before Congress.

The RNC's big corporate donors include the tobacco and food giant Philip Morris and the long-distance and cable company AT&T.

President Clinton has asked Congress to give the Food and Drug Administration authority to regulate tobacco, which would affect Philip Morris. AT&T has opposed efforts to open its cable lines to competing Internet providers and has fought requests by the Bell operating companies to offer long-distance telephone service.

On the Democratic side, \$250,000 givers include the Communications Workers of America, which opposes efforts to restrict the use of union dues for political purposes, and Carl Lindner, whose Chiquita bananas are at the center of a trade dispute between the United States and Europe.

Legislators reeling from allegations against justices

BY NORMA LOVE
ASSOCIATED PRESS

CONCORD, N.H. — A crisis involving allegations of ethics violations at New Hampshire's Supreme Court kept lawmakers at work during the weekend, researching impeachment procedures or trying to arrange a less drastic solution.

While some worked to persuade Chief Justice David Brock to resign and avoid a protracted and damaging legislative battle, others questioned whether a clean sweep of the court wouldn't be better.

Legislative leaders wouldn't comment on whether Brock or the two others should resign, but several rank-and-file legislators said that may be the only way to restore public confidence in the court.

"If nobody trusts that group of people — whether it's fair or not — that may be the only thing we can do, though I wouldn't favor it," said state Rep. James Craig. "It may be the only way to save the integrity of the judicial branch."

State Rep. Paul Mirski said Saturday he would file a bill to impeach or otherwise remove Brock, and state House leaders researched the mechanics of such a move.

"We're looking to see how it's done in the event we need to go forward," House Speaker Donna Sytek said Sunday. "What's at stake is the people's confidence in the court."

On Friday, Justice W. Stephen Thayer resigned after being accused of criminal ethics violations. In return, Attorney General Philip McLaughlin promised not to prosecute.

McLaughlin issued a 25-page report that not only detailed Thayer's transgressions but also accused the entire court of ethics violations. He said it was an "institutional practice" for judges who had excused themselves from cases to review and discuss draft decisions in those cases.

McLaughlin said the chief justice broke the law just by listening to Thayer. He said Thayer, 54, tried to influence the selection of substitute judges when his own divorce case came before the high court.

McLaughlin is expected to release investigators' reports this week and sources say material in them could be more damaging than the report released

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James Craig
State representative

Friday.

In addition, the Judicial Conduct Committee will be conducting an ethics investigation of Brock, Justice Sherman Horton, Justice John Broderick and retired Justice William Johnson.

Horton had stunned lawmakers Saturday by saying the situation was overblown, and on Sunday several lawmakers said his comments revealed an arrogant and cavalier attitude on the court.

"I read the comments by Horton and I wasn't happy. I think it might be more than one judge" whose job is at risk, said state Sen. Mary Brown. "If this is true, this is institutional. If you have a judge who says it's not a big deal, that bothers me."

Sytek said political leaders would meet Monday to go over options.

"We want to be sure whatever we do is done correctly and expeditiously," said Sytek.

Members of the state Senate had been warned not to comment on the specifics of the charges since they may be asked to sit in judgment in impeachment proceedings.

Deputy Speaker Donnalee Lozeau, who has worked closely with the judicial branch during her legislative career, said she felt betrayed.

"We all have an obligation to the public's trust and nobody's above the law," she said.

Investors spend \$604 million on PMSC

Policy Management Systems Corp. has agreed to sell almost all of the company to a New York investment firm in a \$604 million deal that will help fuel a changing focus to Internet business, Chairman and Chief Executive Larry Wilson said Friday.

Welsh Carson Anderson and Stowe will acquire 75 percent to 93 percent of PMSC in a deal announced late Thursday. PMSC will remain a public company under current management. No layoffs are planned, Wilson said.

Blythwood-based PMSC is a publicly traded company that provides software to the insurance and financial services industries. It employs nearly 5,700 worldwide, including more than 2,000 people in the Columbia area.

PMSC's stock closed up \$3.25 a share at \$12 on the New York Stock Exchange. The deal gives PMSC shareholders the option of selling their holdings for \$14 a share, or holding onto their stock.

The sale was announced after PMSC reported a \$72 million loss for 1999 because of write-offs on older software products. The company has fought a sharp drop in its stock price and shareholder lawsuits in the past year. It also plans to change its name to Mynd to reflect its changing focus to Internet business.

Negotiator: Israel's vision of a Palestinian state is unacceptable

RAMALLAH, WEST BANK (AP) — Israel accepts the inevitability of Palestinian statehood, a top Palestinian negotiator said Sunday — but it envisions the state as unnatural "islands in an Israeli ocean," an outcome that would be unacceptable to Palestinians.

Yasser Abed Rabbo, who is leading talks with Israelis in Washington, said there has been little progress in bridging gaps that led to a breakdown in negotiations in February. The renewed U.S.-sponsored talks aim for an outline of a final agreement by May and a full-fledged agreement by September.

Abed Rabbo said he has ascertained through the talks that Israel hopes for a Palestine without natural borders and totally surrounded by Israel, save for an outlet onto the Mediterranean Sea in Gaza.

Abed Rabbo said Israel's insistence on limited statehood, as well as its refusal to accommodate Palestinian refugees, "is the most dangerous issue we are facing."

Israel has not formally proposed such a state, and Israeli Cabinet Minister Haim Ramon described Abed Rabbo's perception of Israel's position as "extreme."

Drug policy office rewards magazines with right message

WASHINGTON (AP) — The White House drug policy office offered financial incentives to at least six magazines that ran stories discouraging drug use, an arrangement similar to one with television networks.

The drug office and the publications say there were never any attempts to influence the content of articles. Under the deal with the networks, which drew public attention earlier this year, programs that carried anti-drug messages could be exempted from requirements to run anti-drug ads.

Stephen G. Smith, editor of *U.S. News & World Report*, one of the six named in a report by the online magazine *Salon*, told The Associated Press that people on the editorial side were "utterly ignorant of any kind of arrangement or even the hint of any kind of arrangement."

Serbs to participate in Kosovo government as observers

GRACANICA, YUGOSLAVIA (AP) — Kosovo's Serbs pledged to take part in the province's interim U.N. government Sunday in an effort to press Western governments to do more to help refugees return and stop ongoing ethnic violence against Serbs.

The Serb National Council's decision to send representatives as observers came despite the absence of the most radical Serbs, who boycotted the session at a 16th century monastery five miles from Kosovo's capital of Pristina.

"The international community will help us to help them implement the peace agreement," said Father Sava Janjic, one of the Serb leaders who will become an observer.