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# Federal judge blocks Internet indecency law

PHILADELPHIA — A federal judge Thursday banned the government from enforcing a new law that punishes anyone who makes "indecent" material available to minors over computer networks.

But in a ruling that seemed to perplex lawyers for both the government and the coalition of civil rights groups that sued to block the law, the judge upheld a separate section of the statute aimed at "patently offensive" material.

U.S. District Judge Ronald L. Buckwalter said his temporary restraining order would remain in effect at least until lawyers present their arguments before a panel including himself and two other judges. No date for that review was set.

The request to block the law was filed by the American Civil Liberties Union and 19 other groups on Feb. 8, immediately after President Clinton signed the Communications Decency Act into law as part of the wide-ranging telecommunications reform bill.

Buckwalter said the term "indecent" was unconstitutionally vague as defined in the new law, but he left the government free to prosecute those who make available to minors any on-line communication that "in context,

*"This is an enormously hopeful signal to our clients and hopefully a wake-up call to those in the federal government."*

**STEFAN PRESSER**

ACLU legal director in Philadelphia

depicts or describes in terms patently offensive as measured by contemporary community standards, sexual or excretory activities or organs."

Stefan Presser, the ACLU's legal director in Philadelphia, said that he believed the distinction between indecent and patently offensive was so small as to be difficult for the government to enforce.

The judge's decision can be appealed by either side immediately to the U.S. Supreme Court under provisions provided by the act itself.

The judge made no ruling on a segment of the Communications Decency Act which makes it illegal to

use computer networks to provide information about how to obtain an abortion. The Justice Department has said that it will not enforce that provision of the law.

"This is an enormously hopeful signal to our clients and hopefully a wake-up call to those in the federal government," Presser said.

"The word 'indecent' simply does not give the (computer user) enough information to avoid being sent to jail," Presser said.

The ACLU argued the law would violate privacy rights and strangle free speech by authorizing the government to prosecute people even for the private messages they send about AIDS, abortion, politics and science — any subject involving sex.

Supporters say the law, which carries fines up to \$250,000 and prison terms of up to five years, will protect children from pornography.

They denied the ban would affect general information about abortion and AIDS.

The judge also let stand a provision that allows the government to prosecute those who transmit material that is considered obscene on the Internet — an aspect of the law the ACLU did not challenge.

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**Huskers**

## GOP candidates exchange fire in heated debate

MANCHESTER, N.H. — Bob Dole and Pat Buchanan had several crackling exchanges over taxes and trade Thursday night as eight Republican presidential hopefuls offered competing conservative agendas in a debate five days before New Hampshire's pivotal primary.

Looking to revive his troubled campaign, multimillionaire publisher Steve Forbes said he had made a mistake airing negative ads. Yet in the next breath he labeled Dole a tax raiser and raised ethical questions about the financial dealings of former Tennessee Gov. Lamar Alexander.

Firing back, Alexander demanded that Forbes release his tax returns. "That is a diversion," Forbes said, refusing to comply.

Campaign tactics also were a hot topic, beginning at the outset when Buchanan and Alexander lashed out at Dole for launching ads critical of their views. Later, when Forbes was lamenting his negative ad barrage, Dole joked that he knew the reason: "too much money."

While they sparred over the tone and tactics of the campaign, the candidates were in broad agreement over why a Republican president would be better than a second Clinton term: the budget would be balanced, taxes cut and reformed, more power shifted to state and local governments.

With New Hampshire's primary looming Tuesday, Dole and Buchanan are in a tight race for first place, and some new polls suggest Alexander's

third-place showing in Iowa last week has him inching up. Forbes has fallen in recent days from challenging for first to fighting for third, and hoped the debate would halt his slide.

There was a spat over negative tactics at the outset, and then a period of calm as the candidates said replacing President Clinton was critical to enacting a conservative GOP agenda. But when the subject turned to the economy and trade, Buchanan and Dole had several short but pointed exchanges.

"Pat is off on this isolationist kick," Dole said at one point. At another, he said, "Pat has gotten carried away tonight" and turned to his rival and said, "Had a bad day?"

Earlier Thursday, Buchanan's campaign chairman took a leave of absence because of a report linking him to white supremacist and militia groups. Returning fire, Buchanan said Dole had supported tax increases, a point raised later by Forbes, too.

In the trade fight, Dole got plenty of help. Alexander, Forbes, and Indiana Sen. Dick Lugar warned Buchanan's protectionist views would kill many more jobs than they saved. The last time such views were popular, "We got a Great Depression."

When the candidates were asked to defend their advertising, Dole said he was under a negative assault from Forbes more than three months before responding.

"We've got a right to defend ourselves," he said.

## Cop killers

Continued from Page 1

said looking intently at each committee member. "Are you out at three o'clock in the morning when a woman screams for help and an officer pulls up and somebody steps out and blows him away?"

"Does a doctor respond to that? Does a garbage man?" he asked.

Omaha Police Chief James Skinner informed the committee that since the agency he now commands began 109 years ago, 22 officers had been killed in the line of duty — three during his tenure.

Skinner said the common theme he hoped the committee considered regarding the bill was that the officers were acting as representatives of the state government.

"They are enforcing state laws," he said. "The laws that all of you determine are appropriate for us to live under in this society."

"And when someone assaults or murders a police officer, it is an assault on our very form of government."

A similar bill, LB963, was introduced by Sen. Curt Bromm of Wahoo, and Bromm said he would support LB990.

Scott Wesely of Nebraskans Against the Death Penalty was the only person to testify against the bill.

"LB990 and 963 do nothing to stop cop killers," a written statement said, "and nothing to punish them that life without parole can't do more consistently, and with fewer negative consequences."

The committee did not conduct an executive session and took no action on the bill.

## Board halts live racing at Aksarben

OMAHA, Neb. — The Douglas Racing Corp. voted Thursday to suspend live horse racing for the 1996 season at the Aksarben race track.

It would be the first time in 65 years horses have not raced at the track.

The board voted to suspend racing after it failed to reach an agreement with a pair of Omaha businessmen, who had offered to borrow the county's \$1 million to fund the races.

Board members said they will consider their options and look for other ways to restart the track in the future.

Horse racing at the financially troubled track was expected to begin May 3.

However, the board did agree it would continue to provide simulcast races at the track.

The Horsemen Benevolent Association has offered \$600,000 to fund simulcast racing.

If racing at the Omaha track had continued this year, officials had estimated the shortfall would have been as high as \$1.6 million — including operating losses and payments on the bonds that financed the county's 1992 purchase of Aksarben.

**Daily Nebraskan**

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FAX NUMBER 472-1761

The Daily Nebraskan (USPS 144-080) is published by the UNL Publications Board, Nebraska Union 34, 1400 R St., Lincoln, NE 68588-0448, Monday through Friday during the academic year; weekly during summer sessions.

Readers are encouraged to submit story ideas and comments to the Daily Nebraskan by phoning 472-1763 between 9 a.m. and 5 p.m. Monday through Friday. The public also has access to the Publications Board. For information, contact Tim Hedegaard, 436-9253, 9 a.m.-11 p.m.

Subscription price is \$50 for one year. Postmaster: Send address changes to the Daily Nebraskan, Nebraska Union 34, 1400 R St., Lincoln, NE 68588-0448. Second-class postage paid at Lincoln, NE.

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