

## Flight 800 victims' families can sue

**Federal appeals court decision could open door for million-dollar lawsuits.**

NEW YORK (AP) — A federal appeals court ruled Wednesday that families of the TWA Flight 800 victims can seek millions of dollars in damages for pain and suffering because the crash was not in international waters.

The 2nd U.S. Circuit Court of Appeals ruled in a 2-to-1 decision that the 1996 crash eight miles off the coast of Long Island was not governed by the Death on the High Seas Act, which limits lawsuit damages.

In its majority opinion, the appeals court noted that President Reagan in

1988 extended the territorial sea of the United States from 3 miles to 12 miles offshore.

The appeals court's ruling affirmed a decision made in 1998 by a U.S. District Court judge.

The Boeing 747 exploded minutes into a flight from New York to Paris, falling in pieces to the Atlantic Ocean. All 230 people aboard were killed. The exact cause of the crash remains a mystery.

Families of the victims have sought millions of dollars in damages from Boeing, TWA and Hydro-Aire Inc., which made the plane's fuel pumps. The plaintiffs claim the companies were negligent in the construction and operation of the plane. A trial in the case is set to begin next Feb. 1.

Steve Pounian, a lawyer for the families, said the ruling meant families would not be limited to damage awards of as little as \$100,000 to \$200,000 for "pecuniary losses" or those calculated from an estimate of future earnings and other factors.

Instead, they may be able to seek damages for the loss of the care, comfort and companionship of loved ones as well as the pain and suffering their loved ones went through when the plane exploded.

Boeing spokesman Russell Young said the company was studying the ruling and did not expect to decide quickly whether to appeal again.

"Regardless of where we go, we're continuing with an active defense of the airplane, its design and its opera-

*"We're continuing with an active defense of the airplane, its design and its operation."*

Russell Young  
Boeing spokesman

tion," he said.

Julia Bishop, a TWA spokeswoman, said the airline would leave it to Boeing to decide whether to appeal "because it's more Boeing's issue than ours."

## Prayer debate divides Court justices

*Poll finds 66 percent of U.S. thinks students should be able to lead prayers in school*

WASHINGTON (AP) — Prayer in public schools, for 40 years a divisive issue, split the Supreme Court anew as the justices heard arguments Wednesday over letting students lead stadium crowds in invocations at high school football games.

"Where do we draw the line?" asked Justice Stephen G. Breyer, adding that the court must decide whether student-led prayers over the public address system "fall on the permissive side of the line."

In comments and questions on a Santa Fe, Texas, school district's now-suspended policy of allowing such

prayers, Chief Justice William H. Rehnquist and Justice Antonin Scalia were clearly sympathetic to students' free-speech rights.

But Justices David H. Souter and Ruth Bader Ginsburg repeatedly portrayed the policy as a breach in the constitutionally required separation of church and state.

If the court's decision, expected by late June, were to follow its ideological fault line, Justice Clarence Thomas would join Rehnquist and Scalia; Justices John Paul Stevens and Breyer would side with Souter and Ginsburg.

The court's newest venture into this

area of constitutional law comes as an ABC News poll says two-thirds of Americans think students should be permitted to lead such prayers.

Earlier this month in Texas' Republican primary, 94 percent of voters approved a non-binding resolution backing student-initiated prayer at school sporting events. Texas Gov. George W. Bush, the presumed Republican presidential nominee, filed a brief supporting student-led prayer.

As in many of the most divisive cases to confront the nine-member court, the pivotal votes would belong to Justices Anthony M. Kennedy and

Sandra Day O'Connor.

Both asked numerous questions Wednesday and appeared troubled by a policy that lets student-elected representatives give a "message or invocation."

Kennedy worried aloud that such elections might result in "schools becoming a forum for religious debates."

When Jay Sekulow, the school district's lawyer, said the policy leaves the message up to the speaker, O'Connor interrupted to say school officials had to be involved to "bring about the selection of the student by majority votes."

## Court eases process of banning nude dancing

WASHINGTON (AP) — The Supreme Court made it easier for local governments to ban nude dancing, the entertainment in about 3,000 adult clubs nationwide, ruling Wednesday that a performer's freedom of expression can be restricted by forcing her to wear pasties and a G-string.

Nude dancing can be banned in an effort to combat crime and other harms that adult entertainment clubs often attract, the justices said in a splintered decision reinstating a public-nudity ordinance in Erie, Pa.

Such dancing is "expressive conduct" but it falls "only within the outer ambit" of the Constitution's First Amendment protection, Justice Sandra Day O'Connor wrote in the court's main opinion. The ban promotes Erie's "interest in combating the negative secondary effects associated with adult entertainment establishments," and was not aimed at a dancer's message, O'Connor said.

Although the court's rationale was divided, the decision is sure to have broad impact. Nude entertainment is featured in about 3,000 adult clubs nationwide, the justices were told when the case was argued in

November.

"We're delighted," said Valerie Sprenkle, Erie's assistant city solicitor. "We didn't ban any expression. ... What's being regulated is the means of expression."

Sprenkle said dancers at a nude dancing club in the city "will be required to cover up to the extent required by the ordinance."

The ruling bolsters the effect of a 1991 Supreme Court ruling that let Indiana ban all barroom-style nude dancing under a state law generally prohibiting public nudity.

That decision was badly splintered, and when the Pennsylvania Supreme Court struck down Erie's ordinance, it said the 1991 ruling offered little guidance.

Wednesday's ruling was divided. The court voted 7-2 to allow nude dancing bans but voted 6-3 to reinstate the Erie ordinance.

O'Connor said even if the ordinance "has some minimal effect on the erotic message by muting that portion of the expression that occurs when the last stitch is dropped, the dancers ... are free to perform wearing pasties and G-strings."

## Judge says Clinton acted criminally

**Ruling states that the president committed a criminal violation.**

WASHINGTON (AP) — A federal judge ruled Wednesday that President Clinton "committed a criminal violation of the Privacy Act" by releasing private letters to cast doubt on the credibility of a woman who accused him of making a sexual advance in the White House.

U.S. District Judge Royce C. Lamberth ordered White House lawyers to answer questions they previously refused in a lawsuit brought by the conservative legal group Judicial Watch, which has filed numerous suits against the Clinton administration.

"This court finds that the plaintiffs have presented facts that establish a criminal violation of the Privacy Act," Lamberth ruled.

Such a violation is a misdemeanor. The judge, a Republican appointee, added that evidence "established that the president had the requisite intent for committing a criminal violation of the Privacy Act" when he authorized

the release of the letters in the midst of the criminal investigation that led to his impeachment and acquittal.

The White House released Kathleen Willey's letters the morning after a 1998 TV appearance in which she alleged the president made an unwanted sexual advance next to the Oval Office in 1993.

Aides used the letters to cast doubt on Willey's allegations, saying the letters showed she stayed friendly with Clinton after the alleged incident. Clinton has denied wrongdoing.

Lamberth's ruling comes in a lawsuit over the White House's gathering of hundreds of FBI background files on Republican appointees. The judge allowed Judicial Watch wide latitude in exploring the issue of whether the White House routinely gathered and released damaging information about its political opponents.

As part of the discovery process, the group was allowed to ask extensive written questions about the release of the Willey letters even though Willey is not a party to the suit. Presidential aides refused to answer some of those questions, prompting Lamberth's ruling.

### World and Nation Datelines

#### Japan

**Thousands evacuated; volcano eruptions expected**

TOKYO (AP) — Authorities in northern Japan evacuated thousands of residents Wednesday and wheeled patients from hospitals after scientists warned the Mount Usu volcano could erupt within the next two days.

More than 8,000 people from three towns were evacuated as increasingly powerful tremors shook snow-covered Mount Usu, an active volcano on Japan's northernmost main island of Hokkaido that last erupted in 1978.

The sudden buildup in seismic activity prompted experts to warn late Wednesday that the 2,416-foot volcano may erupt at any time.

#### North Carolina

**Rabbis OK option to preside at commitment ceremonies**

GREENSBORO, N.C. (AP) — Reform Jewish leaders on Wednesday overwhelmingly approved a resolution giving rabbis the option of presiding at gay commitment ceremonies.

With the vote, the Central Conference of American Rabbis became the most influential U.S. religious group to sanction same-sex unions.

The resolution applies to the 1,800 members of the CCAAF, who serve at least 1.5 million Reform Jews.

Rabbi Charles Kroloff, CCAAF's president, said the resolution shows the belief that "gay and lesbian Jews, and the committed relationships they form with their partners, deserve the recognition and respect due to people created in the image of God."

#### Washington, D.C.

**Astronomers find evidence of two planets orbiting stars**

WASHINGTON (AP) — In a discovery that takes astronomers a step closer to finding other earths orbiting other stars, researchers have found two objects slightly less massive than Saturn circling distant stars.

A team of planet-hunting astronomers announced Wednesday that they have found evidence of the smallest planets yet discovered to be in orbit of stars other than the sun.

Both planets are smaller in mass than Saturn, a solar system planet that is about nine times wider than Earth.

About 30 planet-sized objects have been found orbiting other stars, but all those were the size of Jupiter or bigger. The newly discovered planets are about a third the size of Jupiter.

The findings support a theory that planets formed around many stars in the universe.

#### Uganda

**Doomsday cult death count continues to increase**

RUGAZI, Uganda (AP) — The death count linked to a Christian doomsday sect climbed ever higher Wednesday — to nearly 700 — in what officials say is one of the largest mass murders in recent history.

The latest collection of bodies was uncovered in the fieldstone house of Dominic Kataribabo, an excommunicated Roman Catholic priest and a sect leader.

Wednesday's discoveries bring the number of dead that were found in three compounds in southwestern Uganda that once belonged to the sect to at least 673.

The sect had up to 1,000 members.

### Daily Nebraskan

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Fax number: (402) 472-1761  
World Wide Web: [www.dailyneb.com](http://www.dailyneb.com)  
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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### WEATHER

#### TODAY

Partly cloudy  
high 62, low 38

#### TOMORROW

Scattered showers  
high 59, low 38