

Bomb suspects may claim entrapment



N - E W YORK (AP) — Was the FBI's inside man an agent

provocateur? Entrapment is a slender reed for most defendants, but it may be the only one available to those charged with plotting a bombing campaign in New York.

"Were these people doing nothing more than sitting around exchanging invective about the Great Satan? Did the agent provocateur provide the opportunity, the means or even the inspiration? You try to put him on trial for his crimes against the defendants — turn the trial on its head," suggested David Lewis, a New York defense lawyer.

"That looks like the first defense. And frankly, if they caught these guys mixing the chemicals, there is no second defense other than insanity."

The lawyers representing those accused of scheming to bomb the United Nations, the FBI's local headquarters and two commuter tunnels have yet to reveal a defense strategy. But legal experts say the attorneys probably will try to show that the government informer, Emad Salem, tried to incite criminal behavior toward which the suspects were not predisposed.

Salem, 43, is a former Egyptian military officer who was close to Sheik Omar Abdel-Rahman, whose incendiary preaching apparently appealed to some or all of those accused in February's World Trade Center bombing and in the second alleged bomb plot. Salem now is believed to be in a federal witness protection program.

Investigators say the plot's alleged mastermind, Siddig Ibrahim Siddig Ali, gave Salem \$300 to rent the hideout where agents arrested the conspirators last week as they allegedly were mixing bomb ingredients.

Salem also was said to have helped Siddig test a bomb detonator, buy guns, get explosives and conduct a test explosion in a remote section of Connecticut.

William Kunstler, who represents Siddig, called Salem "a thief and a con man" and says the FBI hired him to be an agent

provocateur.

M.T. Mehdi, a spokesman for the Arab-American community, has called Salem a traitor who lured others into the plot: "He's acting as a fireman who puts a little bush fire in a nearby warehouse and goes to put it out, and thereby appears as a hero."

The government's case could hinge on the distinction between an informer, the investigator's greatest asset, and an agent provocateur, the prosecutor's worst liability.

A provocateur says, "Let's blow up the Statue of Liberty!"; a mere informer sticks to an appropriately enthusiastic "Right on!"

A provocateur uses his special expertise or secret motivation to perform a task beyond the capacity or inclination of the other conspirators; an informer goes along with routine errands or tasks that could be done by any other conspirator.

Although entrapment is a common defense cry, it usually isn't successful: most narcotics convictions are obtained with testimony of those who were in on the drug deal.

In the bomb plot case, the government can negate the entrapment defense "just by showing the defendants had a predisposition (to commit the crime), and it doesn't look as if that would be too difficult," said William Greenhalgh, a Georgetown University law professor.

Last year the entrapment defense got a boost when the U.S. Supreme Court threw out the conviction of a Nebraska farmer whom postal agents had coaxed for more than two years to buy mail order pornography.

The man lacked a predisposition to commit a crime, and purchased the kiddie porn only after prolonged solicitation by the government, the court said. As such, he was denied due process of law.

But the facts of the case were so extreme, and the wording of the majority opinion so cautious, that federal law enforcers are proceeding as if nothing has changed, Greenhalgh said.

The weakness of many conspiracy cases is that talk is not a crime.

Hoppin' good time



Danielle Schneider and her foster dad Andy Papendieck meet a kangaroo Sunday afternoon at the annual Eugene Children's Services Picnic for foster families.

House votes to kill selective service

WASHINGTON (AP) — The House voted Monday to kill the Selective Service System that registers 18-year-olds for the draft, despite warnings that scrapping it would hurt the nation's ability to prepare in case of war.

The House voted, 207-202, not to restore \$20 million for the program, which had been stripped out of a spending bill by the House Appropriations Committee.

Under Monday's action, only \$5 million would remain, with that money directed for closing down the system at the end of this year. However, the Senate has not taken up the bill and could still restore the money.

The system keeps computerized data on 18- to 25-year-olds in case the nation needs to mobilize its forces quickly.

As the only superpower left in the world and amid wide-scale defense cuts, the United States no longer needs to go through the motions of registering young men, said opponents of Selective Service.

"What a waste," said Rep. Peter DeFazio, D-Ore. "Let's end this farce. The Cold War's over. Let's spend the money on some-

thing useful."

But supporters argued it was a way for the nation to protect itself.

"It's certainly an insurance policy of what could happen to us," said Rep. Sonny Montgomery, D-Miss.

"This world is crazy out there," Montgomery said, noting that just over the weekend the United States launched a missile attack against Iraq.

Still, opponents of the system said America, with its all-volunteer force, wouldn't need to ever draft young men again.

"No one would buy an insurance policy for a non-existent threat," DeFazio said.

Rep. Gerald Solomon, R-N.Y., sponsored the amendment to put the \$20 million back in. At one point, he interrupted one of the opponents who was arguing that America didn't need to register potential soldiers anymore.

"What if you're wrong and I'm right? There's no more America," Solomon said.

President Clinton requested \$29 million to continue the Selective Service, about the same level of funding it's getting this year.

Officials at the Selective Ser-

'Let's end this farce. The Cold War's over. Let's spend the money on something useful.'

— Rep. Peter DeFazio, D-Ore.

vice headquarters in Washington declined comment, saying they couldn't discuss matters pending before Congress.

The government ended the draft in 1973, when the nation went to an all-volunteer force. Two years later then-President Ford ended the registration requirement.

But over the next few years, with the Soviet invasion of Afghanistan and the Iranian hostage crisis, the government decided it needed to be mobilize quickly.

Former President Carter reinstated the registration in 1980, and since then the service has built up its computer system. There are about 14 million young men's names on file now.

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