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State legislators get tax break

BOSTON (AP) — Looking for a tax break? You could have paid less — a lot less — if you were a state legislator living outside your state capital.

Thanks to an exemption Congress made to the federal tax code, state legislators living more than 50 miles from their statehouse can deduct up to \$139 each day their legislature is in session, even if they don't show up.

The deduction allows legislators to shave thousands off their taxable income each year, especially in Massachusetts, where the Legislature remains in session year-round. The situation is much the same in California, which rarely adjourns its state Assembly or its Senate.

The law ostensibly was created to cover travel expenses, but it applies to any day a legislature is in session, including weekends and days when neither the House nor the Senate meets formally.

It also covers recesses up to four days long and any days a legislator is called back for committee meetings after a body adjourns.

Lawmakers aren't even required to submit receipts for their expenses.

A spokesman with the Internal Revenue Service in Washington was at a loss to defend the measure.

"It was Congress that put that in there, not the IRS," said

spokesman Wilson Fadely. "I can't vouch for the rationale or the reasoning."

The deduction went into effect Jan. 1, 1976. It initially applied to all legislators nationwide. In 1981, Congress made it permanent as part of the Economic Recovery Act, and at the same time, limited the deduction to legislators living more than 50 miles from their state capitol building.

The deduction allows legislators to write off the higher of two amounts: the per diem rate their state pays its employees for meals, lodging and incidental expenses, or the federal government's rate for its employees traveling to a capital city.

The federal rate for Boston is \$139 per day, higher than the state's per diem. The federal daily rate for Sacramento, Calif., \$109, also takes precedence in that state. In Illinois, the federal rate for Springfield is \$81, the same as the state's per diem.

Legislators are reluctant to discuss the tax break. In 1990 it helped torpedo former Massachusetts state Rep. Steven D. Pierce when he challenged William F. Weld for the Republican gubernatorial nomination.

Pierce, who lives in Westfield, acknowledged using the write-off to sharply reduce his federal tax liability, even though he commuted the 90 miles to Boston.

Amid the controversy, Pierce also acknowledged filing his tax returns late for years. He was never penalized, however, because he qualified for a refund — in part due to the write-off.

Legislators in larger states defend it. They, like congressmen, say they have to keep two homes.

For instance, Lee Daniels, house speaker in Illinois, has homes in Elmhurst, the Chicago suburb he represents, and Springfield, the state capital, 250 miles away.

Congressmen are allowed to deduct up to \$3,000 annually for keeping a home in Washington, since most senators and representatives live beyond commuting distance from their home district.

One accountant who prepares tax returns for several western Massachusetts state legislators, speaking only on the condition of anonymity, said the write-off could reduce a legislator's tax bill in Massachusetts by up to \$4,000.

A national tax equity group says the tax break violates the idea of equal treatment under the law.

"If a deduction like this is good enough for state legislators, why isn't it good enough for businessmen and traveling salesmen?" said Pete Sepp, spokesman for the National Taxpayers Union in Washington.

Militant speech posted on Internet

(AP) — A primer explains how to train for Islamic holy war. A San Diego organization recruits Muslims to fight Russians in Chechnya and relays communiques from insurgents in Algeria. The Palestinian group Hamas defends killing Israeli civilians.

These messages aren't being whispered in clandestine corners or mailed to news organizations in envelopes with cut-and-paste letters: They're being posted on the Internet, in public forums accessible to millions of people.

Cyberspace has become a new front in the battle for control of the land known as Palestine and for strictly religious Islamic rule in Algeria, Egypt and other countries.

The other end of the Mideast political spectrum is on-line too. Statements from Kahane Chai, a right-wing Jewish group banned in Israel and deemed terrorist by the U.S. government, are transmitted in Judean Voice, a new electronic newsletter from New York.

"Like every other weapon [the Internet] can be used for good or for evil," a March 14 commentary said. "It is up to us to learn how to master every weapon better than our enemies."

In many countries, particularly the United States, most if not all of these activities are legal, covered by free-speech guarantees. And even in some countries where such speech is banned, it can get through via the Internet.

These militants join many other extremists trying to use computer technology to get their message across: neo-Nazis and other white supremacists, Holocaust deniers and activists who advocate killing abortion providers.

Jewish organizations and other targets of such speech are concerned their attackers now have a cheap and effective forum for propaganda. But free-speech advocates shun any attempts at censorship.

"The best way to counter hate speech is with more speech," said Eric Tachibana, on-line services coordinator for the Electronic Frontier Foundation, which fights for free speech and privacy in cyberspace.

The overwhelming majority of messages on Mideast and Muslim issues are devoted to more mainstream, if heated, discussions of politics and religion.

One frequent topic is criticism of stereotypical portrayals of Muslims as bearded terrorists. Another is the meaning of the Arabic word "jihad," which some translate as personal striving to do good deeds in the name of Islam.

Others view jihad as spreading Islam by force — holy war — and the Internet has become a virtual battleground. Among postings The Associated Press found recently in public Internet sites:

— A holy war primer urges Muslims to become proficient at firing and repairing guns, figure out how to smuggle weapons and people into battle areas and gain expertise with electronics.

The primer's author wasn't clear; it was sent in January 1993 to Palestine-Net, an electronic mailing list, apparently by a student at the University of Manitoba in Canada. It remains available in a number of public Internet archives.

— A library of official Hamas information available on a public "gopher," one type of Internet information-retrieval system, established by the Westlake, Ohio-based Alquds Organization.

— Fund-raising appeals for mujahideen, or Muslim "freedom fighters," in many countries, and for Sheik Omar Abdel-Rahman, a blind Egyptian cleric on trial for allegedly plotting to blow up New York landmarks.

"Supporting Jihad is an Islamic obligation. It is a must for Muslim survival these days. Please donate to Jihad and Mujahideen," implored the San Diego-based

American Islamic Group last June in its "Islam Report," sent nearly daily to about 15 e-mail lists and electronic bulletin boards known as newsgroups.

Frequently included in the newsletter is the group's bank account number for wire transfers. But in a telephone interview, Islam Report's publisher, Kifah Jayyousi, said his group's main focus is on disseminating news, not raising money, and he says he's doing nothing illegal.

— In March, Islam Report also published an appeal from Chechen President Dzhokar Dudayev for 10,000 Muslims worldwide to join the war against Russian troops trying to crush his regime.

Islam Report also regularly relays communiques from Algeria's Armed Islamic Group, including one threatening killings of female relatives of soldiers and police in the North African country. And the electronic newsletter publishes "Jihad News" — detailed accounts of insurgents' attacks against Algeria's military regime.

Watchdog groups and law enforcement officials say it's impossible to gauge the effectiveness of such militant postings.

And if the Internet is being used for specific plotting, it likely would be in private e-mail that is encrypted or sent through one of a number of computers that remails messages anonymously.

Some public messages — including the jihad primer — warn of the possibility of monitoring by intelligence agencies.

Governments and mainstream organizations also find a voice on the Internet. The Israeli government has a sophisticated computer server for official information, while the independent Jerusalem One gopher, based in Jerusalem, archives various critical reports about terrorism.