

ANTI-TERRORISM ACTIVITIES, DEFENSE  
(INCLUDING TRANSFER OF FUNDS)

For anti-terrorism activities of the Department of Defense, \$14,000,000 for transfer to appropriations available to the Department of Defense for operations and maintenance, for procurement, and research, development, test, and evaluation: *Provided*, That the funds appropriated by this paragraph shall be available for obligation for the same period and for the same purpose as the appropriation to which transferred: *Provided further*, That the transfer authority provided in this paragraph is in addition to any other transfer authority contained in this Act.

On page 88, between lines 7 and 8, insert the following:

SEC. 8099. The Secretary of Defense shall establish, beginning in fiscal year 1997, a program element in the Office of the Secretary of Defense, for the purposes of funding emergency anti-terrorism activities. The fund shall be in addition to funds appropriated under other provisions of this Act for anti-terrorism, and is intended to allow the Secretary of Defense to respond quickly to emergency anti-terrorism requirements identified by the Commanders, of the Unified Combatant Commands or Joint Task Force Commanders that arise in response to a change in threat level.

SEC. 9000. None of the funds appropriated in title III of this Act may be obligated or expended for more than six new production F-16 aircraft.

LEVIN AMENDMENT NO. 4578

(Ordered to lie on the table.)

Mr. LEVIN submitted an amendment intended to be proposed by him to the bill, S. 1894, supra; as follows:

On page 26, line 10, strike out "\$6,630,370,000" and insert in lieu thereof "\$6,582,370,000".

On page 34, between lines 14 and 20 insert the following:

ANTI-TERRORISM ACTIVITIES, DEFENSE  
(INCLUDING TRANSFER OF FUNDS)

For anti-terrorism activities of the Department of Defense, \$14,000,000, for transfer to appropriations available to the Department of Defense for operations and maintenance, for procurement, and for research, development, test, and evaluation: *Provided*, That the funds appropriated by this paragraph shall be available for obligation for the same period and for the same purposes as the appropriation to which transferred: *Provided further*, That the transfer authority provided in this paragraph is in addition to any other transfer authority contained in this Act.

On page 88, between lines 7 and 8, insert the following:

SEC. 8099. It is the sense of the Congress that (1) the Secretary of Defense should establish, beginning in fiscal year 1997, program element in the Office of the Secretary of Defense for the purposes of funding emergency anti-terrorism activities, (2) funds appropriated for the program element should be in addition to other funds available under this Act for anti-terrorism, and is intended to allow the Secretary of Defense to respond quickly to emergency anti-terrorism requirements identified by the commanders of the unified combatant commands or Joint Task Force Commanders that arise in response to a change in threat level."

SEC. 9000. None of the funds appropriated in title III of this Act may be obligated or expended for more than six new production F-16 aircraft.

ADDITIONAL STATEMENTS

TRIBUTE TO DR. THOMAS J.  
BALSHI

• Mr. SANTORUM. Mr. President, I rise today to pay tribute to a constituent and fellow Pennsylvanian, Dr. Thomas J. Balshi. For almost a quarter of a century, Thomas J. Balshi, a fellow of the American College of Prosthodontists, has enhanced the health of thousands of individuals worldwide by contributions to research, education, and the clinical practice of prosthetic dentistry.

Dr. Balshi is a pioneer in the field of implant prosthodontics and operates a state-of-the-art dental clinic in Fort Washington, PA. Dr. Balshi and his staff of 23 have touched the lives of many, replacing countless lost, damaged, or diseased teeth with secure, permanent prosthetic smiles. Dr. Balshi specializes in saving dental cases diagnosed as hopeless and has renewed dental health, nutritional health, and self-confidence for many.

Dr. Balshi is a recent recipient of the prestigious George Washington Medal of Honor from the National Freedoms Foundation at Valley Forge, PA. This award was bestowed to honor Dr. Balshi's contributions to dental science through education. The Freedoms Foundation honors Americans whose lives reinforce and exhibit the patriotic values of our country's Founding Fathers.

In his youth, Thomas Balshi was an Eagle Scout. He later graduated from the Villanova University in 1968, and, following graduation from Temple University School of Dentistry in 1972, became a fellow of the American College of Prosthodontists [FACP] in 1976.

A former captain in the U.S. Army, Dr. Balshi was chief, Department of Fixed Prosthetics, Mills Army Dental Clinic, Fort Dix, NJ. He received the Army Commendation Medal for Extraordinary Service.

Today, he is a clinician, teacher, mentor, researcher, public educator, and devotee of health care. He welcomes students from around the world to his clinic, teaching them not only his clinical skills, but also his business skills as well. He is committed to making the public aware of quality dental care.

Dr. Balshi has trained a specialist from Bosnia-Herzegovina to bring healing and restoration to the war-torn population where United States military service personnel are now keeping the peace. He has championed the benefits of prosthetic care throughout India, Uruguay, and Colombia, and has spoken before the Royal Society of Medicine in London.

Serving as editor of the International College of Prosthodontists Newsletter for its inaugural 10 years, Dr. Balshi actively participated in establishing worldwide communication among practitioners of his specialty. He recently published a cookbook for dental pa-

tients entitled "From Soup to Nuts." The book offers soft and nutritious gourmet recipes for healing patients, as well as keys to returning to dental fitness and the recipes that accompany that opportunity.

Dr. Balshi continues a very giving and philanthropic presence in the community awarding scholarships as the chair of educational foundations as well as giving countless time and dental care resources to charity.

Mr. President, I wanted to share Dr. Balshi's background and experiences with my Senate colleagues today. I hope you will all join me in honoring and recognizing his presence and contributions.●

AUTHORIZING SENATE LEGAL  
COUNSEL REPRESENTATION

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of a Senate resolution submitted earlier today by Senators LOTT and DASCHLE.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 278) to authorize testimony, production of documents and representation of Senate employee in State of Florida versus Kathleen Bush.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, the case of State of Florida versus Kathleen Bush is a criminal prosecution brought by the State attorney for Broward County, FL, alleging aggravated child abuse and organized fraud. The case, which has received significant publicity, presents allegations that the defendant deliberately made her child ill to obtain attention from medical personnel, the media, and others. The State asserts that the defendant engaged in a letter-writing campaign to numerous government officials as part of her fraudulent and abusive activities. Indeed, the public record reflects that, through the defendant's efforts, the defendant and her daughter had personal meetings with Mrs. Clinton and Senator GRAHAM, among others.

The State intends to introduce into evidence at trial the letters that the defendant wrote to government officials about her daughter. The prosecutor has requested that Senator GRAHAM's office provide testimony to authenticate the correspondence between the defendant and the office. This resolution would authorize an employee on Senator GRAHAM's staff to testify and produce documents in this case, with representation from the Senate Legal Counsel.

Mr. GORTON. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to

the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution was agreed to.

The preamble was agreed to.

The resolution (S. Res. 278) and its preamble are as follows:

S. RES. 278

Whereas, in the case of *State of Florida v. Kathleen Bush*, Case No. 96-6912 CF10(A), pending in the Circuit Court for Broward County, Florida, testimony and document production has been requested from Mary Chiles, an employee on the staff of Senator Bob Graham;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony or documents relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

*Resolved*, That Mary Chiles, and any other employee from whom testimony may be required, are authorized to testify and to produce documents in the case of *State of Florida v. Kathleen Bush*, except concerning matters for which a privilege should be asserted.

SEC. 2. That the Senate Legal Counsel is authorized to represent Mary Chiles, and any other employee from whom testimony or document production may be required, in connection with *State of Florida v. Kathleen Bush*.

#### PUBLIC HEALTH SERVICE ACT AMENDMENTS

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H.R. 248 received from the House.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A bill (H.R. 248) to amend the Public Health Service Act to provide for the conduct, expanded studies and the establishment of innovative programs with respect to traumatic brain injury, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. GORTON. I ask unanimous consent that the bill be deemed read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 248) was deemed to have been read three times and passed.

#### DEVELOPMENTAL DISABILITIES ASSISTANCE AND BILL OF RIGHTS ACT AMENDMENTS

Mr. GORTON. I ask unanimous consent that the Labor Committee be discharged from further consideration of S. 1757 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

A bill (S. 1757) to amend the Developmental Disabilities Assistance and Bill of Rights Act to extend the act, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. GORTON. I ask unanimous consent that the bill be deemed read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1757) was deemed to have been read three times and passed, as follows:

S. 1757

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1996".

#### SEC. 2. REAUTHORIZATION OF ALLOTMENTS FOR STATES.

Section 130 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6030) is amended by striking "the fiscal years 1995 and 1996" and inserting "the fiscal years 1995 through 1999".

#### SEC. 3. REAUTHORIZATION OF AUTHORITIES RELATING TO PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS.

Section 143 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6043) is amended by striking "the fiscal years 1995 and 1996" and inserting "the fiscal years 1995 through 1999".

#### SEC. 4. REAUTHORIZATION OF AUTHORITIES RELATING TO UNIVERSITY AFFILIATED PROGRAM.

Section 156(a) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6066(a)) is amended by striking "the fiscal years 1995 and 1996" and inserting "the fiscal years 1995 through 1999".

#### SEC. 5. REAUTHORIZATION OF AUTHORITIES RELATING TO PROJECTS OF NATIONAL SIGNIFICANCE.

Section 163(a) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6083(a)) is amended by striking "the fiscal years 1995 and 1996" and inserting "the fiscal years 1995 through 1999".

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. GORTON. I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the Exec-

utive Calendar: No. 590, the nomination of W. Craig Broadwater, of West Virginia, to be U.S. district judge for the Northern District of West Virginia; No. 681, Andrew Effron, to be a judge of the U.S. Court of Appeals for the Armed Forces.

I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

W. Craig Broadwater, of West Virginia, to be United States District Judge for the Northern District of West Virginia.

Andrew S. Effron, of Virginia, to be a Judge of the United States Court of Appeals for the Armed Forces for the term of fifteen years to expire on the date prescribed by law.

#### STATEMENT ON NOMINATION OF CRAIG BROADWATER

Mr. BYRD. Mr. President, during my years as a United States Senator, I have had the opportunity to speak in support of the confirmation of many outstanding West Virginians who have sought to serve on our Federal judiciary. On this occasion, I am pleased to urge my colleagues to swiftly confirm W. Craig Broadwater to serve as a Federal District Judge for the Northern District of West Virginia.

Since 1983, Craig Broadwater has served on the First Judicial Circuit of West Virginia, most recently as Chief Judge. His path to the state judiciary included experience with a general law practice, service as a special prosecuting attorney, and a stint as a hearing examiner for state government.

Craig Broadwater has also demonstrated a special concern for children and families in distress. He chaired the Committee formed to develop child abuse and neglect rules for the West Virginia Supreme Court of Appeals, as well as guidelines for family law masters in West Virginia. He has written articles and taught on the subject of domestic violence and prevention, and he is widely regarded and respected for the expertise and sensitivity he has demonstrated in this particularly poignant area of the law.

After graduating Phi Beta Kappa from West Virginia University in 1972, Craig Broadwater entered the United States Army and even today continues to serve his country as a Lieutenant Colonel in the West Virginia Army National Guard.

Mr. President, I am proud to lend my support to this exceptional West Virginian. I believe Craig Broadwater's experience, keen legal mind, and personal integrity embody the qualities envisioned by the first Senate when the Judiciary Act created the third branch of Government. I am confident these talents will serve him well on the Federal bench.