

(2) in section 318, in subsection (e) as in effect on the day before the date of the enactment of Public Law 103-183, by redesignating the subsection as subsection (f);

(3) in subpart 6 of part C of title IV—

(A) by transferring the first section 447 (added by section 302 of Public Law 103-183) from the current placement of the section;

(B) by redesignating the section as section 447A; and

(C) by inserting the section after section 447;

(4) in section 1213(a)(8), by striking "provides for" and inserting "provides for";

(5) in section 1501, by redesignating the second subsection (c) (added by section 101(f) of Public Law 103-183) as subsection (d); and

(6) in section 1505(3), by striking "nonprivate" and inserting "private".

(c) MISCELLANEOUS CORRECTION.—Section 401(c)(3) of Public Law 103-183 is amended in the matter preceding subparagraph (A) by striking "(d)(5)" and inserting "(e)(5)".

(d) EFFECTIVE DATE.—This section is deemed to have taken effect immediately after the enactment of Public Law 103-183.

SEC. 402. CERTAIN AUTHORITIES OF CENTERS FOR DISEASE CONTROL AND PREVENTION.

(a) IN GENERAL.—Part B of title III of the Public Health Service Act is amended by inserting after section 317H the following section:

"MISCELLANEOUS AUTHORITIES REGARDING CENTERS FOR DISEASE CONTROL AND PREVENTION

"SEC. 317I. (a) TECHNICAL AND SCIENTIFIC PEER REVIEW GROUPS.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, establish such technical and scientific peer review groups and scientific program advisory committees as are needed to carry out the functions of such Centers and appoint and pay the members of such groups, except that officers and employees of the United States shall not receive additional compensation for service as members of such groups. The Federal Advisory Committee Act shall not apply to the duration of such peer review groups. Not more than one-fourth of the members of any such group shall be officers or employees of the United States.

"(b) FELLOWSHIP AND TRAINING PROGRAMS.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall establish fellowship and training programs to be conducted by such Centers to train individuals to develop skills in epidemiology, surveillance, laboratory analysis, and other disease detection and prevention methods. Such programs shall be designed to enable health professionals and health personnel trained under such programs to work, after receiving such training, in local, State, national, and international efforts toward the prevention and control of diseases, injuries, and disabilities. Such fellowships and training may be administered through the use of either appointment or nonappointment procedures."

(b) EFFECTIVE DATE.—This section is deemed to have taken effect July 1, 1995.

SEC. 403. ADMINISTRATION OF CERTAIN REQUIREMENTS.

(a) IN GENERAL.—Section 2004 of Public Law 103-43 (107 Stat. 209) is amended by striking subsection (a).

(b) CONFORMING AMENDMENTS.—Section 2004 of Public Law 103-43, as amended by subsection (a) of this section, is amended—

(1) by striking "(b) SENSE" and all that follows through "In the case" and inserting the following:

"(a) SENSE OF CONGRESS REGARDING PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case";

(2) by striking "(2) NOTICE TO RECIPIENTS OF ASSISTANCE" and inserting the following:

"(b) NOTICE TO RECIPIENTS OF ASSISTANCE"; and

(3) in subsection (b), as redesignated by paragraph (2) of this subsection, by striking "paragraph (1)" and inserting "subsection (a)".

(c) EFFECTIVE DATE.—This section is deemed to have taken effect immediately after the enactment of Public Law 103-43.

SEC. 404. TECHNICAL CORRECTIONS RELATING TO HEALTH PROFESSIONS PROGRAMS.

Part G of title VII of the Public Health Service Act (42 U.S.C. 295j et seq.) is amended by inserting after section 794 the following section:

"SEC. 794A. RECOVERY.

"(a) IN GENERAL.—If at any time within 20 years (or within such shorter period as the Secretary may prescribe by regulation for an interim facility) after the completion of construction of a facility with respect to which funds have been paid under section 720(a) (as such section existed one day prior to the date of enactment of the Health Professions Education Extension Amendments of 1992 (Public Law 102-408))—

"(1)(A) in the case of a facility which was an affiliated hospital or outpatient facility with respect to which funds have been paid under such section 720(a)(1), the owner of the facility ceases to be a public or other nonprofit agency that would have been qualified to file an application under section 605;

"(B) in the case of a facility which was not an affiliated hospital or outpatient facility but was a facility with respect to which funds have been paid under paragraph (1) or (3) of such section 720(a), the owner of the facility ceases to be a public or nonprofit school; or

"(C) in the case of a facility which was a facility with respect to which funds have been paid under such section 720(a)(2), the owner of the facility ceases to be a public or nonprofit entity;

"(2) the facility ceases to be used for the teaching or training purposes (or other purposes permitted under section 722 (as such section existed one day prior to the date of enactment of the Health Professions Education Extension Amendments of 1992 (Public Law 102-408)) for which it was constructed, or

"(3) the facility is used for sectarian instruction or as a place for religious worship, the United States shall be entitled to recover from the owner of the facility the base amount prescribed by subsection (c)(1) plus the interest (if any) prescribed by subsection (c)(2).

"(b) NOTICE.—The owner of a facility which ceases to be a public or nonprofit agency, school, or entity as described in subparagraph (A), (B), or (C) of subsection (a)(1), as the case may be, or the owner of a facility the use of which changes as described in paragraph (2) or (3) of subsection (a), shall provide the Secretary written notice of such cessation or change of use within 10 days after the date on which such cessation or change of use occurs or within 30 days after the date of enactment of this subsection, whichever is later.

"(c) AMOUNT.—

"(1) BASE AMOUNT.—The base amount that the United States is entitled to recover under subsection (a) is the amount bearing the same ratio to the then value (as deter-

mined by the agreement of the parties or in an action brought in the district court of the United States for the district in which the facility is situated) of the facility as the amount of the Federal participation bore to the cost of construction.

"(2) INTEREST.—

"(A) IN GENERAL.—The interest that the United States is entitled to recover under subsection (a) is the interest for the period (if any) described in subparagraph (B) at a rate (determined by the Secretary) based on the average of the bond equivalent rates of ninety-one-day Treasury bills auctioned during that period.

"(B) PERIOD.—The period referred to in subparagraph (A) is the period beginning—

"(i) if notice is provided as prescribed by subsection (b), 191 days after the date on which the owner of the facility ceases to be a public or nonprofit agency, school, or entity as described in subparagraph (A), (B), or (C) of subsection (a)(1), as the case may be, or 191 days after the date on which the use of the facility changes as described in paragraph (2) or (3) of subsection (a); or

"(ii) if notice is not provided as prescribed by subsection (b), 11 days after the date on which such cessation or change of use occurs,

and ending on the date the amount the United States is entitled to recover is collected.

"(d) WAIVER.—The Secretary may waive the recovery rights of the United States under subsection (a)(2) with respect to a facility (under such conditions as the Secretary may establish by regulation) if the Secretary determines that there is good cause for waiving such rights.

"(e) LIEN.—The right of recovery of the United States under subsection (a) shall not, prior to judgment, constitute a lien on any facility."

SEC. 405. CLINICAL TRAINEESHIPS.

Section 303(d)(1) of the Public Health Service Act (42 U.S.C. 242a(d)(1)) is amended by inserting "counseling," after "family therapy,".

SEC. 406. CONSTRUCTION OF REGIONAL CENTERS FOR RESEARCH ON PRIMATES.

Section 481B(a) of the Public Health Service Act (42 U.S.C. 287a-3(a)) is amended by striking "\$5,000,000" and inserting "\$2,500,000".

SEC. 407. REQUIRED CONSULTATION BY SECRETARY.

The Secretary of Health and Human Services, regarding the programs under parts B, C, D, and E of title VII, and parts B, C, and D of title VIII, of the Public Health Service Act, as amended by this Act, shall—

(1) publish in the Federal Register a general program description for the funding of awards under such parts;

(2) solicit and receive written and oral comments concerning such description, including the holding of a public forum at which interested individuals and groups may provide comment; and

(3) take into consideration information received under paragraph (2).

ORDER OF PROCEDURE

Mr. LOTT. Mr. President, we are continuing to work in an effort to get consideration of the FAA reauthorization bill. This is very important legislation. It does have a number of provisions related to the trust fund and to airport safety. It is vital to this country that we get this legislation completed.

There has been an objection by Senator FEINGOLD, a Senator from Wisconsin, to this very important legislation,

making it necessary for us to find a way to bring it to a conclusion, perhaps filing cloture, and get a cloture vote. I am satisfied we can win a cloture vote. There is overwhelming bipartisan support. This legislation has been developed very carefully from the Commerce Committee, with the aid and assistance of Senator STEVENS of Alaska, Senator FORD from Kentucky, Senator HOLLINGS has been involved, Senator MCCAIN managed the bill on the floor. It has passed the House, and now because of one provision that labor does not like, the Senator is prepared to take down the entire FAA reauthorization bill. I just do not understand that. We are willing to be reasonable and we are going to as far as we can.

Now because of our effort to advise Members that we would not have further recorded votes today, an effort is being made to take advantage of that, to block a cloture vote on Monday. I feel like that is not acting in good faith and we are not going to be able to accept that. We will force this to a vote. When a vote occurs, this legislation will pass because it does have bipartisan support.

I call on Senators that have reservations to give us an opportunity to at least get this to a vote without inconveniencing the entire Senate. We are willing to be reasonable in terms of time for discussion and a vote, but unless we get some cooperation, it appears that the entire Senate would be delayed in completing its work.

We also are continuing to hope we can find a way to move the so-called Presidio parks bill. The Senator from Alaska and the Senator from Washington have been very much involved in that. There have been good-faith efforts on that one, up and down the Hill, the whole package, a very small package of three or four items, maybe half that number, half the full omnibus bill. Surely there is a way we can get this major legislation completed in a fair way. It is not fair to have something agreed to that does include some very important items that the chairman of the Energy and Natural Resources Committee, the Senator from Alaska, Senator MURKOWSKI, has a right to be consulted and involved in selecting the project. I know Senators and Congressmen from all over America have parks heritage trails, scenic areas, areas that need to be preserved, and yet we have continued to have an objection to moving this forward.

I hope the next time we make an effort to get a unanimous-consent request to move the omnibus parks bill, the Presidio bill, that there would not be objection to that, and the technical correction that needs to be made could be dealt with in conference, and we can move this legislation through, legislation that has been in the making for, actually, many years, to my own personal knowledge, at least 4 years. It will be a real sad thing if we leave the Senate on Monday for the year without completing the parks bill.

You have the Presidio that has bipartisan support. It is a Federal burden in terms of costs. This is a plan to make use of the Presidio and not have the Federal Government have to continue to bear these costs. It does have the Sterling Forest project in New Jersey and New York, and projects all over America. In short, we need to get this done. I hope we can get a correction here, when we move next to get unanimous consent to take that bill back to the conference and have the correction made or to pass something before we leave.

I want to read a letter I just received from the President of the United States, apparently he dictated this while in Providence, RI, with regard to the agreement that was worked out on the omnibus appropriations bill. The letter says:

Dear Mr. Leader:

I commend the leadership for their fine work in negotiating a workable Omnibus Appropriations Bill that demonstrates fiscal responsibility and preserves those investment priorities important to the American people.

I urge the Congress to expeditiously pass the Omnibus Appropriations Bill. I intend to sign it if presented to me in its current form.

This is signed by the President of the United States.

This has been a bipartisan effort, bicameral effort, an effort working between the Congress and the White House. I think it is a good product. There are a lot of Senators and House Members that are not totally happy with it, and there are some provisions in it that I am sure the White House is not totally happy with. But that is the art of legislating. It involves some bipartisan, commonsense compromise. I think that is what we have in this legislation.

We asked for the President to indicate his support. He has now done so. I think that is helpful, and I think the American people will appreciate the kind of cooperation we have had.

I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE, WASHINGTON
Providence, RI, September 28, 1996.

Hon. TRENT LOTT,

Majority Leader, U.S. Senate, Washington, DC.

DEAR MR. LEADER: I commend the Leadership for their fine work in negotiating a workable Omnibus Appropriations Bill that demonstrates fiscal responsibility and preserves those investment priorities important to the American people.

I urge the Congress to expeditiously pass the Omnibus Appropriations Bill. I intend to sign it if presented to me in its current form.

Sincerely,

BILL CLINTON.

CONFERENCE REPORT ON ILLEGAL IMMIGRATION REFORM

Mr. LOTT. Mr. President, while I am awaiting the return of the distinguished minority whip, I observe that one of the issues that I am fixing to bring up is the so-called Gallegly im-

migration bill. This had been a part of the illegal immigration bill that had been passed and was in conference between the House and the Senate. It was the provision that the President objected to strenuously. And the administration and the Democratic leadership indicated that they would never allow us to pass the conference report through the Senate that contained this Gallegly language.

This language would allow States, on a prospective basis, if I understand it, to not be required to have to provide free education for the children of illegal immigrants. There are many States now that have a financial burden of being told by the Federal Government, "We can't control our borders, we can't control illegal immigration into this country, but in spite of our failure, you have to provide free education."

In the State of California, I think we are talking about well over 300,000 children, at a cost to that State of \$2 billion for the education of the children of illegal immigrants. Should we not allow the States to have options here? As I understand it now, any children now in the schools could stay until they are through. But in the future, illegal aliens would be told they are not going to be able to get free education forever for their children in the school system. It is a magnet. It draws illegal immigrants into this country to get access to this free education system.

Somebody has to worry about the taxpayers in the State of California or Texas or Arizona, or in America. I thought that this was a very important part of the illegal immigration legislation. But it was so strenuously objected to, and a filibuster was threatened in the Senate. The President said he was going to veto it. So it was removed from the illegal immigration bill.

So then we find that the administration found new provisions to object to. They, for instance, said that they would take down the entire illegal immigration bill and maybe not agree to the omnibus appropriations conference report, unless the language in there that was removed, which said that we had to accept illegal immigrants, even though they were HIV positive, which leads to a cost of well over \$100,000 and maybe even more, for HIV-positive illegal immigrants. I find that inexplicable. Again, it is a magnet. You get an HIV-positive problem, what is your solution? Come into America illegally and your medical needs will be taken care of by the taxpayers of America. But it was so important to the administration, until it threatened to take down the entire effort of negotiations on illegal immigration and on the continuing resolution.

I think it is a terrible policy. But again, to try to get an agreement, that provision was removed. A lot of effort went into this legislation by Senator SIMPSON, Senator KENNEDY, Congressman BERMAN, Congressman LAMAR SMITH. They felt very strongly about