

Bob's story displays the problem with the current predicament in which most people with disabilities find themselves. This bill will address situations similar to that of Bob Neal. It will provide access to health coverage and provide employment assistance while creating incentives to work. It is important to allow Medicare coverage for people with disabilities while they are working so their health can continue to improve. It is no surprise this bill has such overwhelming support from both sides of the aisle.

Today, I will vote in support of this bill with pride for those who take advantage of this newly created opportunity. I urge my colleagues to vote in support of this bill and send the message that people with disabilities will no longer need to choose between working and remaining healthy.

MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2000

The Senate resumed consideration of the bill.

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to vote on S. 1205, which the clerk will read a third time.

The bill was read the third time.

Mr. ROTH. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass? The yeas and nays have been ordered.

The clerk will call the roll.

The legislative assistant called the roll.

Mr. REID. I announce that the Senator from Iowa (Mr. HARKIN) is necessarily absent.

I further announce that, if present and voting, the Senator from Iowa (Mr. HARKIN) would vote "aye."

The PRESIDING OFFICER (Mr. HUTCHINSON). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 97, nays 2, as follows:

[Rollcall Vote No. 168 Leg.]

YEAS—97

| | | |
|-----------|-----------|------------|
| Abraham | Campbell | Feinstein |
| Akaka | Chafee | Fitzgerald |
| Allard | Cleland | Frist |
| Ashcroft | Cochran | Gorton |
| Baucus | Collins | Graham |
| Bayh | Conrad | Gramm |
| Bennett | Coverdell | Grams |
| Biden | Craig | Grassley |
| Bingaman | Crapo | Gregg |
| Bond | Daschle | Hagel |
| Boxer | DeWine | Hatch |
| Breaux | Dodd | Helms |
| Brownback | Domenici | Hollings |
| Bryan | Dorgan | Hutchinson |
| Bunning | Durbin | Hutchinson |
| Burns | Edwards | Inhofe |
| Byrd | Enzi | Inouye |

| | | |
|------------|-------------|------------|
| Jeffords | McConnell | Shelby |
| Johnson | Mikulski | Smith (NH) |
| Kennedy | Moynihan | Smith (OR) |
| Kerrey | Murkowski | Snowe |
| Kerry | Murray | Specter |
| Kohl | Nickles | Stevens |
| Kyl | Reed | Thomas |
| Landrieu | Reid | Thompson |
| Lautenberg | Robb | Thurmond |
| Leahy | Roberts | Torricelli |
| Levin | Rockefeller | Voinovich |
| Lieberman | Roth | Warner |
| Lincoln | Santorum | Wellstone |
| Lott | Sarbanes | Wyden |
| Lugar | Schumer | |
| Mack | Sessions | |

NAYS—2

Feingold

McCain

NOT VOTING—1

Harkin

The bill (S. 1205) was passed, as follows:

S. 1205

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, family housing, and base realignment and closure functions administered by the Department of Defense, for the fiscal year ending September 30, 2000, and for other purposes, namely:

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$1,067,422,000, to remain available until September 30, 2004: *Provided*, That of this amount, not to exceed \$86,414 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$884,883,000, to remain available until September 30, 2004: *Provided*, That of this amount, not to exceed \$66,581,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$783,710,000, to remain available until September 30, 2004: *Provided*, That of this amount, not to exceed

\$32,764,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$770,690,000, to remain available until September 30, 2004: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as he may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed \$38,664,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$226,734,000, to remain available until September 30, 2004.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$238,545,000, to remain available until September 30, 2004.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$105,817,000, to remain available until September 30, 2004.

MILITARY CONSTRUCTION, NAVAL RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$31,475,000, to remain available until September 30, 2004.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts,

\$35,864,000, to remain available until September 30, 2004.

NORTH ATLANTIC TREATY ORGANIZATION
SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized in Military Construction Authorization Acts and section 2806 of title 10, United States Code, \$100,000,000, to remain available until expended.

FAMILY HOUSING, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, \$60,900,000, to remain available until September 30, 2004; for Operation and Maintenance, and for debt payment, \$1,098,080,000; in all \$1,158,980,000.

FAMILY HOUSING, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, \$298,354,000, to remain available until September 30, 2004; for Operation and Maintenance, and for debt payment, \$895,070,000; in all \$1,193,424,000.

FAMILY HOUSING, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, \$335,034,000, to remain available until September 30, 2004; for Operation and Maintenance, and for debt payment, \$821,892,000; in all \$1,156,926,000.

FAMILY HOUSING, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for construction, including acquisition, replacement, addition, expansion, extension and alteration, and for operation and maintenance, leasing, and minor construction, as authorized by law, as follows: for Construction, \$50,000, to remain available until September 30, 2004; for Operation and Maintenance, \$41,440,000; in all \$41,490,000.

FAMILY HOUSING REVITALIZATION TRANSFER
FUND

(INCLUDING TRANSFER OF FUND)

Notwithstanding any other provision of law, for expenses related to improvements to existing family housing; \$25,000,000, to remain available until expended: *Provided*, That the Secretary of Defense may transfer these funds only to family housing accounts, within this title: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same period, as the appropriation to which transferred: *Provided further*, That the

funds shall not be transferred to the Department of Defense Family Housing Improvement Fund.

DEPARTMENT OF DEFENSE FAMILY HOUSING
IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, \$25,000,000, to remain available until expended, as the sole source of funds for planning, administrative, and oversight costs incurred by the Housing Revitalization Support Office relating to military family housing initiatives undertaken pursuant to 10 U.S.C. 2883, pertaining to alternative means of acquiring and improving military family housing and supporting facilities.

BASE REALIGNMENT AND CLOSURE ACCOUNT,
PART IV

For deposit into the Department of Defense Base Closure Account 1990 established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991 (Public Law 101-510), \$705,911,000, to remain available until expended: *Provided*, That not more than \$426,036,000 of the funds appropriated herein shall be available solely for environmental restoration, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in Military Construction Appropriations Acts shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds appropriated in this Act may be used to begin construction of new bases inside the continental United States for which specific appropriations have not been made.

SEC. 105. No part of the funds provided in Military Construction Appropriations Acts shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or his designee; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds appropriated in Military Construction Appropriations Acts shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Military Construction Appropriations Acts.

SEC. 107. None of the funds appropriated in Military Construction Appropriations Acts

for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations.

SEC. 108. No part of the funds appropriated in Military Construction Appropriations Acts may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds appropriated in Military Construction Appropriations Acts may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations.

SEC. 111. None of the funds appropriated in Military Construction Appropriations Acts may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any NATO member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds appropriated in Military Construction Appropriations Acts for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Not more than 20 percent of the appropriations in Military Construction Appropriations Acts which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

(TRANSFER OF FUNDS)

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds appropriated to a military department or defense agency for the

construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were appropriated if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(TRANSFER OF FUNDS)

SEC. 118. During the 5-year period after appropriations available to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense" to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 119. The Secretary of Defense is to provide the Committees on Appropriations of the Senate and the House of Representatives with an annual report by February 15, containing details of the specific actions proposed to be taken by the Department of Defense during the current fiscal year to encourage other member nations of the North Atlantic Treaty Organization, Japan, Korea, and United States allies bordering the Arabian Gulf to assume a greater share of the common defense burden of such nations and the United States.

(TRANSFER OF FUNDS)

SEC. 120. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to be merged with, and to be available for the same purposes and the same time period as that account.

SEC. 121. None of the funds appropriated or made available by this Act may be obligated for Partnership for Peace Programs or to provide support for non-NATO countries.

SEC. 122. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the congressional defense committees the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(c) In this section, the term "congressional defense committees" means the following:

(1) The Committee on Armed Services and the Military Construction Subcommittee, Committee on Appropriations of the Senate.

(2) The Committee on Armed Services and the Military Construction Subcommittee, Committee on Appropriations of the House of Representatives.

(TRANSFER OF FUNDS)

SEC. 123. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 124. None of the funds appropriated in this Act or any other Acts may be used for repair and maintenance of any flag and general officer quarters in excess of \$25,000 without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 125. With the exception of budget authority for "North Atlantic Treaty Organization Security Investment Program", "Family Housing, Army" for operation and maintenance, "Family Housing, Navy and Marine Corps" for operation and maintenance, "Family Housing, Air Force" for operation and maintenance and "Family Housing, Defense-Wide" for operation and maintenance, each amount of budget authority for the fiscal year ending September 30, 2000, provided in this Act, is hereby reduced by five per centum: *Provided*, That such reduction shall be applied ratably to each account, program, activity, and project provided for in this Act.

SEC. 126. Not later than April 30, 2000, the Secretary of Defense shall submit to the congressional defense committees a report examining the adequacy of special education facilities and services available to the dependent children of uniformed personnel stationed in the United States. The report shall identify the following:

(1) The schools on military installations in the United States that are operated by the Department of Defense, other entities of the Federal government, or local school districts.

(2) School districts in the United States that have experienced an increase in enrollment of 20 percent or more in the past five years resulting from base realignments or consolidations.

(3) The impact of increased special education requirements on student populations, student-teacher ratios, and financial requirements in school districts supporting installations designated by the military departments as compassionate assignment posts.

(4) The adequacy of special education services and facilities for dependent children of uniformed personnel within the United States, particularly at compassionate assignment posts.

(5) Corrective measures that are needed to adequately support the special education needs of military families, including such

improvements as the renovation of existing schools or the construction of new schools.

(6) An estimate of the cost of needed improvements, and a recommended source of funding within the Department of Defense.

SEC. 127. The first proviso under the heading "MILITARY CONSTRUCTION TRANSFER FUND" in chapter 6 of title II of the 1999 Emergency Supplemental Appropriations Act (Public Law 106-31) is amended by inserting "and to the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code" after "to military construction accounts".

SEC. 128. (a) Notwithstanding any other provision of law, no funds appropriated or otherwise made available by this Act may be used to carry out conveyance of land at the former Fort Sheridan, Illinois, unless such conveyance is consistent with a regional agreement among the communities and jurisdictions in the vicinity of Fort Sheridan and in accordance with section 2862 of the 1996 Defense Authorization Act (division B of Public Law 104-106; 110 Stat. 573).

(b) The land referred to in paragraph (a) is a parcel of real property, including any improvements thereon, located at the former Fort Sheridan, Illinois, consisting of approximately 14 acres, and known as the northern Army Reserve enclave area, that is covered by the authority in section 2862 of the 1996 Defense Authorization Act and has not been conveyed pursuant to that authority as to the date of enactment of this Act.

SEC. 129. (a) Notwithstanding any other provision of law, no funds appropriated or otherwise made available by this Act or any other Act may be obligated or expended for any purpose relating to the construction at Bluegrass Army Depot, Kentucky, of any facility employing a specific technology for the demilitarization of assembled chemical munitions until the date on which the Secretary of Defense submits to the Committees on Appropriations of the Senate and House of Representatives a report on the results of the completed demonstration of the six alternatives to baseline incineration for the destruction of chemical agents and munitions as identified by the Program Evaluation Team of the Assembled Chemical Weapons Assessment program.

(b) In order to provide funding for the completion of the demonstration of alternatives referred to in subsection (a), the Secretary shall utilize the authority in section 8127 of the Department of Defense Appropriations Act, 1999 (Public Law 105-262; 112 Stat. 2333) in accordance with the provisions of that section.

This Act may be cited as the "Military Construction Appropriations Act, 2000".

Mrs. MURRAY. I move to reconsider the vote.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

WORK INCENTIVES IMPROVEMENT ACT OF 1999

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to vote on S. 331, which the clerk will report.

The legislative assistant read as follows:

A bill (S. 331) to amend the Social Security Act to expand the availability of health care