

for purposes of a certification under subsection (a).

(c) REPORTS.—(1) The Director of Operational Test and Evaluation and the head of the Ballistic Missile Defense Organization shall include in the annual reports to Congress of such officials plans to test adequately theater missile defense interceptor programs throughout the acquisition process.

(2) As each theater missile defense system progresses through the acquisition process, the officials referred to in paragraph (1) shall include in the annual reports to Congress of such officials an assessment of the extent to which such programs satisfy the planned test objectives for such programs.

(d) DEFINITION.—For purposes of this section, the baseline performance thresholds for a program are the weapon system performance thresholds specified in the baseline description for the weapon system established pursuant to section 2435(a)(1) of title 10, United States Code, before the program entered into the engineering and manufacturing development stage.

**SEC. 8102. ELIGIBILITY FOR DEFENSE DUAL-USE ASSISTANCE EXTENSION PROGRAM.**

Section 2524(e) of title 10, United States Code, is amended—

(1) in paragraph (3), by striking out “at least 25 percent of the value of the borrower’s sales during the preceding year” in the matter preceding subparagraph (A) and inserting in lieu thereof “at least 25 percent of the amount equal to the average value of the borrower’s sales during the preceding 5 fiscal years”;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following new paragraph (4):

“(4) A borrower that meets the selection criteria set forth in paragraph (2) and subsection (f) is also eligible for a loan guarantee under subsection (b)(3) if the borrower is a former defense worker whose employment as such a worker was terminated as a result of a reduction in expenditures by the United States for defense, the termination or cancellation of a defense contract, the failure to proceed with an approved major weapon system, the merger or consolidation of the operations of a defense contractor, or the closure or realignment of a military installation.”.

This Act may be cited as the “Department of Defense Appropriations Act, 1996”.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

**ORDER OF PROCEDURE**

Mr. DOLE. Mr. President, I say to the Democratic leader, I thought I would announce what I intend to propose. Maybe it is not doable. I would like to propose that the only amendments remaining in order to S. 1026 be those cleared by the two managers of the bill and the missile defense amendment, and that the vote occur on or in relation to the missile defense amendment begin at 9:30 a.m. Wednesday, immediately to be followed by a vote on passage of the Defense authorization bill, pursuant to consent agreement of August 11.

So what I am suggesting is that there is going to be a period of debate of two,

maybe 3 hours, and there will be a number of Members involved in that debate. In the meantime, unless there is some objection, if we could have that vote on that amendment and final passage at 9:30 tomorrow morning, other Members would be free to leave.

Mr. LEVIN. If the majority leader will yield, I had an amendment left on the list which I do not believe has yet been cleared. We are still hoping to clear that amendment.

Mr. DOLE. I will make it subject to that.

Mr. DASCHLE. Reserving the right to object—

Mr. DOLE. I have an amendment on welfare that probably will not be relevant, but it will be tomorrow when we take up welfare.

Mr. DASCHLE. If the majority leader will yield, I know that we have a list of amendments that may require rollcall votes. Does this anticipate then that other amendments, which would be offered either tonight or tomorrow morning, would still be in order and would be subject to a vote following disposition of the amendment?

Mr. DOLE. It is my understanding that there—I did not know about the amendment of the Senator from Michigan [Mr. LEVIN]. I have been told that, otherwise, everything had been dealt with. What we might do is suggest the absence of a quorum for a few minutes and see if we can work it out.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BROWN). Without objection, it is so ordered.

**UNANIMOUS-CONSENT AGREEMENT—S. 1026**

Mr. DOLE. Mr. President, I think we have an agreement. It is cleared with the Democratic leader and also the two managers, so I will make the request.

I ask unanimous consent that the only amendments remaining in order to S. 1026 be those amendments cleared by the two managers of the bill and one amendment to be offered by Senator THURMOND, relevant, and one amendment to be offered by Senator NUNN, relevant; and if a vote is required on or in relation to the Levin amendment, it occur first in the voting sequence beginning at 9:30 Wednesday, a.m.; further, that the vote occur on or in relation to the missile defense amendment second in the voting sequence, to immediately be followed by a vote on the passage of the Defense authorization bill, H.R. 1530, pursuant to the agreement of August 11.

So there could be as many as five votes; the votes could be as few as two votes. If the Senator from Georgia offers a relevant amendment, or the Sen-

ator from South Carolina, or the amendment of the Senator from Michigan or anything in relation—a motion to table—if that requires a vote, that could be three votes and then on the amendment itself and final passage.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DOLE. So I announce to my colleagues there will be no more votes this evening but there will be debate. There are a number of Members on each side interested in this issue, so I assume the debate will probably take at least 2 hours, maybe 3 hours.

So, I ask unanimous consent the vote at 9:30 Wednesday be 15 minutes in length, with second and subsequent votes being limited to 10 minutes in length.

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

**NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996**

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1026) to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, for military construction and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The distinguished Senator from Georgia.

AMENDMENT NO. 2425

(Purpose: To amend subtitle C of title II of the National Defense Authorization Act for fiscal year 1996)

Mr. NUNN. Mr. President, I believe there is an amendment, No. 2425, which is an amendment to the Missile Defense Act, pending at the desk. I ask that amendment be reported.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Georgia [Mr. NUNN] for himself, Mr. WARNER, Mr. LEVIN, and Mr. COHEN, proposes an amendment numbered 2425.

Mr. NUNN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 49, strike out line 15 and all that follows through line 9 on page 69 and insert the following in lieu thereof:

**SUBTITLE C—MISSILE DEFENSE**

**SEC. 231. SHORT TITLE.**

This subtitle may be cited as the “Missile Defense Act of 1995”.

**SEC. 232. FINDINGS.**

Congress makes the following findings:

(1) The threat that is posed to the national security of the United States by the proliferation of ballistic and cruise missiles is significant and growing, both quantitatively and qualitatively.

(2) The deployment of effective Theater Missile Defense systems can deny potential adversaries the option of escalating a conflict by threatening or attacking United