The Senate met at 12 noon, on the expiration of the recess, and was called to order by Hon. Howell T. Herlin, a Senator from the State of Alabama.

PRAYER
The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Let us pray.

We believe in Thee, O God, for grace which restores the soul and for rest which reneweth the body. Thanks be to Thee for work to do and strength with which to do it. Make us fit and keep us fit workmen in this place for Thy kingdom.

Spare us, O Lord, from impatience and restlessness. But keep us unsatisfied until the correct solution is found for the most difficult and aggravating problems. Guide us by Thy higher wisdom—the President and his counselors and all in authority over the Nation. Help us to do now what must be done for the good of this Nation and the welfare of mankind. And may goodness and mercy abide with us all our days.

In Thy holy name, we pray. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. Magnussen).

The second assistant legislative clerk read the following letter:

U.S. SENATE
President pro tempore

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable Howell T. Herlin, a Senator from the State of Alabama, to perform the duties of the Chair.

Warren G. Magnussen
President pro tempore.

Mr. Herlin thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. Under the previous order, the majority leader is recognized.

THE JOURNAL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Journal of the proceedings be approved to date.

STATEMENT BY MAJORITY LEADER ROBERT C. BYRD AT MEETING WITH U.S.S.R. PRESIDENT LEONID BREZHNEV AT YALTA ON JULY 4, 1979

Mr. ROBERT C. BYRD. Mr. President. I ask unanimous consent to have printed in the Record a statement which constitutes my remarks that I made in my opening presentation during my meeting with President Brezhnev on last Wednesday, July 4.

By way of further explanation, this is the verbatim statement which I had prepared to that effect. The following is the statement by Mr. Brezhnev, with the exception of some sensitive material which I have deleted, the deletion of which is indicated by asterisks.

President Brezhnev interrupted my statement several times. I do not show what they consisted of.

I feel that, on behalf of my colleagues, I should present the Record the statement I made, as it was prepared, as I sought to represent their concerns as well as mine during my meeting with President Brezhnev.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY MAJORITY LEADER ROBERT C. BYRD AT MEETING WITH U.S.S.R. PRESIDENT LEONID BREZHNEV AT YALTA ON JULY 4, 1979

ROLE AS MAJORITY LEADER

I am here in my capacity as Majority Leader of the United States Senate, in which role I am deeply committed to seeing the Senate reach a sound decision about whether or not to approve the SALT II agreement.

I have not yet made up my own mind about the Treaty. I do not know if I shall support or oppose it.

I have served in the Senate 21 years. Thirteen years ago, I was elected by my Democratic colleagues to the Senate leadership. I am now in my third year as the Senate Majority Leader. So, I think it is not immodest of me to state that there are few who know the Senate better than I.

ROLE OF THE SENATE

As I am sure you know, the role of the Senate—as stated in the Constitution—is equal to that of the President in the making of treaties. The President negotiates treaties, but that is only the first half of the process. The other half is up to the Senate, and that is where the ball is now. The Senate's role is completely independent of the President's. It can approve or reject treaties—as it did with the Versailles Treaty—or it can amend the Senate zealously guards this independent prerogative.

CANDID APPRAISAL OF TREATY PROSPECTS

I want to give you today a candid appraisal of the prospects for the Senate. It is my opinion, that, if there were a vote today, the Senate probably would not approve the SALT II Treaty— voting two-thirds of the Members being needed for approval.

The Senate Foreign Relations Committee will begin hearings on the Treaty next week. The Senate Armed Services Committee will begin hearings during the week of July 23. All Committees are scheduled to submit their reports by September 30. I have scheduled the debate in the full Senate to begin by October 1. Much can happen between now and the final vote—which could occur in late November. It is possible that by then, there may be a two-thirds majority in favor of the Treaty, but this is by no means certain.

Events that transpire between now and then could affect the outcome.

MAJOR CONCERNS

I may be helpful now to refer to some of the major concerns and areas of possible Senate action on the Treaty. For example, verifiability as to compliance is a matter of concern to the Senate. In particular, the Treaty provision prohibiting any telemetry encryption which impedes verification is viewed by the Senate as being of very great importance.

It would also be a significant help in the area of verification if we could have an indication from you that you could agree to notification—on a voluntary basis—in advance of all ICBM test launches. Such a step would, undoubtedly, have a favorable impact on the Senate debate.

Let me turn to certain other areas of concern—areas in which the Senate may act to clarify specific points. Such action by the Senate may improve the likelihood for Treaty approval.

For example, the Protocol expires on December 31, 1981. The Senate will, likely, specify that the provisions of the Protocol do not constitute a precedent for future negotiations, and the Senate may also specify that there can be no extension of the Protocol, except by explicit consent of the Senate.

Furthermore, the parties have agreed on a non-circumvention provision in the Treaty. It is understood that this provision would not affect existing patterns of collaboration with our allies, and the Senate may want to reaffirm this point as well.

Moreover, the Soviet Government has given assurance that the production of the Tu-22M bomber (Backfire) will be limited to thirty per year, and that the Backfire's radius of action will not be increased so as to give it an intercontinental capability. The Senate may want to formalize its understanding that the United States enters into the SALT II agreement on the basis of the commitment contained in the Soviet statement, and that it considers the carrying out of these commitments to be essential to the obligations assumed under this Treaty. Finally, as we keep in mind that the Treaty is only at the halfway mark, I know that we both realize that the climate of
opinion is very important to any prospects for Senate approval of the Treaty. And there are ways in which the Soviet Government could assist in contributing to a more favorable atmosphere for Treaty consideration.

Another way the Soviet Government could assist in contributing to a more favorable atmosphere for the SALT II Treaty debate would be to refrain from objecting to a continuing U.N. presence in the Sinai as Israel withdraws. We know that you do not endorse the Egyptian-Israeli Treaty, but if your government could avoid opposing a continued U.N. presence, this would be favorably perceived by the Senate.

I genuinely mean the remarks I made. I think the majority leader has performed a service for the Senate. But I urge restraint in responding to any such rhetoric. Responding in kind can only be counterproductive.

Mr. BAKER. Mr. President, I thank the Chair.

Mr. BAKER. Mr. President, I have no need for the remainder of my time under the standing order, and if there are no requests for time to be yielded to Members I will be happy to yield it back.

Mr. President, I hear no such request. I am prepared now to, and I do, yield back the remainder of my time under the standing order.

Mr. BAKER. Mr. President, I yield back the remainder of my time.

ROUTINE MORNING BUSINESS

The Acting President pro tempore. Under the previous order, the minority leader is recognized.

Mr. BAKER. Mr. President, I thank the Chair.

I will shortly yield back my time.

WELCOME HOME TO SENATOR ROBERT C. BYRD FROM HIS JOURNEY TO THE SOVIET UNION

Mr. BAKER. Mr. President, I take this opportunity to greet my friend and colleague on the other side of the aisle at the time of the reconvening of the Senate to welcome him home from his journey to the Soviet Union.

We watched with great interest here as his travels were reported and as he himself reported to the country through television on Sunday. I must say that he conveyed a great deal of information. It will be highly useful not only to me, but I am sure to the Senate, and will once again prove that his journey in this respect was useful, not only to me, but to the Senate as well.

I wish to express my appreciation for his effort in that respect.

Mr. BAKER. Mr. President, I yield.

Mr. BAKER. Mr. President, I yield.

Mr. ROBERT C. BYRD. Mr. President, I thank the distinguished minority leader for his kind words.

My journey was a constructive one. I feel that it was useful. I think it will be useful to the Senate as well as useful to the leaders of the Soviet Union. I think it will prove to have been useful in the long run.

I will be talking with my colleagues privately about my meetings that were held with Mr. Gromyko and Mr. Brezhnev, and with other leaders in the Soviet Union. The distinguished minority leader will be one of those with whom I will be discussing the talks that were held.

I thank him. It is characteristic of him to do just what he has done.

Mr. BAKER. Mr. President, I thank the Senator.

Correction of the Record

The Record of June 27, 1979, at page 6794, incorrectly shows that the Senate on June 27, 1979, enacted amendments to the Magistrate Act of 1979 (S. 337). This inclusion in the Record was due to clerical inadvertence. At that point in the proceedings a message was laid before the Senate from the House of Representatives on Senate Joint Resolution 14, relating to family planning and population research, and the Senate agreed to the House amendments.

In the permanent Record of June 27, 1979, in lieu of the proceedings shown on page 6794 and the first column of page 6795, the following proceedings will be substituted:

Correction of Error in Public Law 95-513

Mr. ROBERT C. BYRD. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on Senate Joint Resolution 14.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the resolution from the Senate (S.J. Res. 14) entitled "Joint resolution to continue in the printing of Public Law 90-613", do pass with the following amendments:

Strike out all after the resolving clause, and insert: That (a) paragraph (3) (B) of section 2(a) (1) of the first section of Public Law 98-613 (92 Stat. 3093) is amended by striking out "$4,500,000" for the fiscal year ending September 30, 1979, and inserting in lieu thereof "$4,500,000 for the fiscal year ending September 30, 1980"; that (b) the amendments made by subsection (a) shall be effective as of November 8, 1978, and (c) subparagraph (2)(B) of the first sentence of section 2(a) (1) of the second section of Public Law 98-613 is amended by striking out ""and"" after paragraph (2)(B) of that section and inserting in lieu thereof ""or""; that (d) paragraph (1) of such Amendments is amended by striking out "section 1310 (b)" and inserting in lieu thereof "section 1310 (b) and (c)"; that (e) section 14(b) (1) of such Amendments is amended by striking out "organizations" and inserting in lieu thereof "organization"; that (f) section 1310 (e) (1) of the Public Health Service Act (42 U.S.C. 265a-9 (e) (1)) is amended by striking out "four million" and inserting in lieu thereof "$4,500,000".

Due to the time constraints of this hearing, the Senate and the House of Representatives approved the Public Health Service Act (42 U.S.C. 265a-9 and 265a-11) as amended by section 5 of such Amendments is amended by striking out "and" and inserting in lieu thereof "the".

That section 1310 (e) (1) of the Public Health Service Act (42 U.S.C. 265a-9 (e) (1)) is amended by striking out "four million" and inserting in lieu thereof "$4,500,000".

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