

In the article in this morning's New York Times, Solzhenitsyn says:

I dispute not only that Mr. Kissinger has the life experience necessary to understand the psychology of Communist leaders, and as a result sits at the negotiating table as if blindfolded. I also dispute that he is on the high diplomatic intellectual level ascribed to him.

It is not diplomacy to negotiate with a preponderance of power behind one's back, with an abundance of material means in one's pocket, to submit to all participants in the negotiations, to pay them all off and thereby to create unbalanced and temporary grounds for transition to further concessions.

Mr. President, I commend to the earnest consideration of all of my colleagues who may happen to see it in the CONGRESSIONAL RECORD tomorrow morning this article, published this morning in the New York Times, by Alexandr Solzhenitsyn. I ask unanimous consent that this article be printed in the RECORD at the conclusion of these remarks.

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

From the New York Times, Dec. 1, 1975]  
SCHLESINGER AND KISSINGER  
(By Aleksandr I. Solzhenitsyn)

ZURICH.—I shall never forget, when President Kennedy was assassinated, the pain we felt for America and the bewilderment and disillusionment experienced by the many former soldiers in World War II and former inmates in Soviet camps and prisons.

It was all the worse because of the inability or the lack of desire by the American judicial authorities to uncover the assassins and to clear up the crime.

We had the feeling that powerful, open-handed and generous America, so boundlessly partial to freedom, had been smeared in the face with dirt, and the feeling persisted. Something more than respect was shaken—it was our faith.

Despite the dissimilarity of events, I had a very comparable feeling at the time of the abrupt dismissal of Secretary of Defense James R. Schlesinger, a man of steadfast, perceptive and brilliant mind. Once again, the feeling was that America had been insulted.

I realize that President Ford acted in full conformity with the Constitution. But woe betide a system in which it is sufficient and expedient to govern guided only by one's personal or party's election interests.

There is something higher than jurisdiction, and that is decency. There is something beyond juridical right, and that is good sense. There should at least be decency toward one's allies. After all, the Secretary of Defense is not merely a member of the American Government. He is in fact also responsible for the defense of the entire free world.

It would have been a friendly act first to have received consent from the allies. As for good sense, this involves the way things are handled. A leap-frog succession of officials in such a post can only impair the defense of the country. (It was noted who was pleased by the dismissal).

There were rumors that the dismissal was linked to another name. It is an irony of history that the two names almost rhyme.

When I was in the United States last summer, I avoided direct questions from the press on assessing the character of Secretary of State Henry A. Kissinger. But his present triumph and the blinding misinformation being spread to this day about his activities compel me to speak out bluntly.

Defending his policy of unending concessions, Mr Kissinger repeats the one and same argument almost like an incantation: "Let

our critics point out the alternative to nuclear war!" More than anything, it is this phrase that exposes the nature of Mr. Kissinger; in particular, it exposes that he is *least of all a diplomat*.

"Alter" in Latin means "other (of two)." An alternative is a choice between two possibilities. This is a scientific concept, but even scientific situations often allow a much broader choice. But diplomacy is not a science. It is an art, one of the arts concerning the nature of man. To construct diplomacy on an "alternative" is to put it on the lowest and crudest level.

An art does not recognize alternatives within itself; it would fall apart if it developed only on the basis of two possibilities. No, in every instance art has a thousand choices. Every art has a *spectrum*, a keyboard of possibilities. From ancient times to the present, the art of diplomacy has consisted of playing on this keyboard.

How many great diplomats of the past have won negotiations even with empty hands or backed by inadequate power, in circumstances of military weakness, conceding nothing and paying nothing, defeating the opponent only by intellectual and psychological means. That is diplomacy.

Mr. Kissinger endlessly deafens us with the threat ". . . but otherwise, nuclear war." He obscures the fact that this same nuclear war hangs *equally* over the head of his opponents (at least as of today, until new successes by Mr. Kissinger).

And in these equal circumstances, under the same threat, his opponents are always *winning* and he is always *yielding*. Let him learn something from his opponents—how is it that they operate so successfully in the nuclear age? The answer would be: They study the psychology of Mr. Kissinger.

What an absurdity: The United States was the first to introduce nuclear weapons to the world. Should it *because of this* have become weaker, and should it *because of this* surrender its positions in the world?

I dispute not only that Mr. Kissinger has the life experience necessary to understand the psychology of Communist leaders, and as a result sits at the negotiating table as if blindfolded. I also dispute that he is on the high diplomatic intellectual level ascribed to him.

It is not diplomacy to negotiate with a preponderance of power behind one's back, with an abundance of material means in one's pocket, to submit to all participants in the negotiations, to pay them all off and thereby to create unbalanced and temporary grounds for transition to further concessions.

The celebrated Vietnam agreement, the worst diplomatic defeat for the West in 30 years, hypocritically and very conveniently for the aggressor prepared the way for the quiet surrender of three countries in Indochina.

Is it possible that the prominent diplomat could not see what a house of cards he was building? (The Soviet press, in its rage against Andrei D. Sakharov, damned his Nobel Prize as "the ultimate in political pornography." The press aimed in the wrong direction and was three years too late. This abuse would have been more suitable for the Nobel Prize shared by the aggressor and the capitulator in the Paris agreement.)

A similar alarming feeling of shakiness is aroused by the Middle East agreements of Mr. Kissinger (as far as I know, many Israeli leaders do not regard them any higher), although there has not been the kind of open capitulation to which Vietnam was doomed by the same pen.

Mr. Kissinger does not concede that any concessions whatsoever are being made. Thus, it appears: "The Western countries have not set a goal of ideological détente" (that is, they have not even tried to eradicate the coldest aspect of the cold wars, so what is their goal?). Or as he said on Aug. 15, 1975:

"It is not we who were on the defensive in Helsinki." Three months have passed and we ask: If it was not you, who was it?

The very process of surrender of world positions has the character of an avalanche. At every successive stage it becomes more difficult to hold out and one must yield more and more. This is evident in the new conditions across entire continents, in the unprecedented encroachments by the Soviet Union in southwestern Africa and in votes in the United Nations.

Mr. Kissinger always has an emergency exit available to him. He can transfer to a university to lecture to credulous youngsters about the art of diplomacy. But the Government of the United States (just as those youngsters) will have no emergency exit.

There is another favorite argument by Mr. Kissinger: In the nuclear age, we shall not forget that peace, too, "is a moral imperative." Yes, that is true and not only in the nuclear age (indeed, this nuclear age is an obsession for Mr. Kissinger) but only if one correctly understands *peace as the opposite of violence* and does not consider Cambodian genocide and Vietnamese prison camps as the attainment of *peace*.

But a peace that tolerates any ferocious forms of violence and any massive doses of it against millions of people—just so long as this does not affect us for several years yet—such a peace, alas, has no moral loftiness even in the nuclear age.

Mr. HELMS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

#### PUBLIC BROADCASTING FINANCING ACT OF 1975

Mr. PASTORE. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 6461.

The Presiding Officer laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 6461) to amend certain provisions of the Communications Act of 1934 to provide long-term financing for the Corporation for Public Broadcasting, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. PASTORE. I move that the Senate insist upon its amendment and agree to the request of the House for a conference, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. THURMOND) appointed Mr. MAGNUSON, Mr. PASTORE, Mr. HARTKE, Mr. BAKER, and Mr. BEALL conferees on the part of the Senate.

Mr. PASTORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President,

I ask unanimous consent that the order for the quorum call be rescinded.

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

#### BEEF RESEARCH AND INFORMATION ACT

The Senate continued with the consideration of the bill (H.R. 7656) to enable cattle producers to establish, finance, and carry out a coordinated program of research, producer and consumer information, and promotion to improve, maintain, and develop markets for cattle, beef, and beef products.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that none of the time consumed following the vote on the treaties be charged against the time allotted to the Beef Research and Information Act.

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

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

(At this point Mr. GRIFFIN assumed the Chair.)

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

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

#### NEW YORK CITY SEASONAL FINANCING ACT OF 1975—S. 2725

Mr. TOWER. Mr. President, over the past several months, the financial plight of New York City has received a great deal of attention. Some people have argued that the Federal Government should choose a set of revenue and spending measures which New York would be required to accept in order to avoid bankruptcy. Now, however, New York State officials themselves have selected a financial plan embodying fiscal measures that will equate New York City's revenues with its spending.

The New York financial plan emphasizes debt restructuring and new taxes. Thus investors holding over \$4.4 billion of debt issued by, or on behalf of, New York City will experience a reduction in interest earnings and/or a delay in the repayment of their principal. New or increased taxes will be imposed in New York City on personal income, banks, cigarettes, personal services, and estates.

While the financial plan will enable New York City to equate spending with revenue over the course of a fiscal year, the city still will experience intra-year, cash-flow problems. These will arise because, during some months of each year, the city's expenditures will exceed revenues. But since the city's budget will be balanced on a fiscal-year basis, deficits in some months must be offset by surpluses in other months.

This cash-flow pattern is experienced by many cities. They, in turn, borrow funds in the credit markets during deficit months and repay the borrowings during succeeding surplus months. Credit mar-

kets view this type of borrowing as legitimate. But because of past financial irresponsibility, New York City cannot even go to credit markets for this type of legitimate borrowing.

Last week President Ford proposed Federal Government loans to New York City as a substitute for legitimate short-term borrowing in the credit markets to bridge intrayear, cash-flow discrepancies. This is an approach similar to that which Senator Brooks and I unsuccessfully supported as an alternative to the Federal bailout legislation reported by the Committee on Banking, Housing and Urban Affairs.

Today I am introducing legislation which would implement the President's proposals. This does not constitute a Federal bailout of New York City. A bailout would enable New York City to escape taking the tough steps needed to put its financial house in order immediately. A bailout also would enable investors to escape sharing the burden. I reject the bailout approach categorically.

Under the legislation I am introducing, short-term loans would be extended to New York City, or to a State agency for the benefit of New York City, only to enable the city to continue providing essential services to its citizens during those months when expenditures exceed revenues. All loans would mature no later than the last day of the city's fiscal year in which they are issued. This would prevent the loans from being used for any purpose other than meeting legitimate credit needs relating to intrayear, cash-flow problems.

The Secretary of the Treasury would be authorized to require such security as he deemed necessary for the loans. He also would be authorized to withhold payments from the Federal Government to New York City in order to offset any claims the United States might have against the city under the legislation. At no time could the outstanding loans exceed \$2.3 billion. Failure to comply with the terms of a loan would prevent the city from receiving additional loans. Authority to extend loans would expire on June 30, 1978.

Mr. President, I urge prompt acceptance of this legislation by the Senate.

I am submitting it in two forms, one in the form of an amendment in the nature of a substitute to S. 2615, which is already on the calendar, and the other in the form of an independent bill.

Mr. President, I ask unanimous consent that the bill and the section-by-section analysis be printed at this point in the Record.

There being no objection, the bill and analysis were ordered to be printed in the Record, as follows:

S. 2725

Whereas it is necessary for the City of New York to obtain seasonal financing from time to time because the City's revenues and expenditures, even when in balance on an annual basis, are not received and disbursed at equivalent rates throughout the year; and

Whereas the Congress finds that at the present time the City is or may be unable to obtain such seasonal financing from its customary sources; and

Whereas the Congress finds that it is necessary to assure such seasonal financing, in

order that the City of New York may maintain essential governmental services.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "New York City Seasonal Financing Act of 1975".

#### SEC. 2. DEFINITIONS.

The words and phrases used in the Act have the following meanings:

(a) The terms "City" and "State" mean the City and State of New York, respectively.

(b) The term "Financing Agent" means any agency duly authorized by State law to act on behalf or in the interest of the City with respect to the City's financial affairs.

(c) The term "Secretary" means the Secretary of the Treasury.

#### SEC. 3. LOANS.

(a) Upon written request of the City or a Financing Agent, the Secretary may make loans to the City or such Financing Agent subject to the provisions of this Act, provided that in the case of loans to a Financing Agent, the City and such Agent shall be jointly and severally liable thereon.

(b) Each such loan shall mature not later than the last day of the fiscal year of the City in which it was made, and shall bear interest at an annual rate determined by the Secretary at the time of the loan, based upon the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the maturities of such loans, adjusted to the nearest one-eighth of one percentum, plus one percentum per annum.

#### SEC. 4. SECURITY FOR LOANS.

In connection with any loan under this Act, the Secretary may require the City and any Financing Agent and, where necessary, the State, to provide such security as he deems appropriate. The Secretary may take such steps as are necessary to realize upon any collateral in which the United States has a security interest pursuant to this section to enforce any claim the United States may have against the City or any Financing Agent pursuant to this Act. Notwithstanding any other provision of law, the Secretary may withhold any payments from the United States to the City, either directly or through the State, which may be or may become due pursuant to any law and offset such withheld amounts against any claim the Secretary may have against the City or any Financing Agent pursuant to this Act.

#### SEC. 5. LIMITATIONS AND CRITERIA.

(a) A loan may be made under this Act only if the Secretary determines that there is a reasonable prospect of repayment of the loan in accordance with its terms and conditions. In making the loan, the Secretary may require such terms and conditions as he may deem appropriate to insure repayment. The Secretary is authorized, without regard to Section 9, to agree to any modification, amendment or waiver of any such term or condition as he deems desirable to protect the interests of the United States.

(b) At no time shall the outstanding amount of loans hereunder exceed in the aggregate \$2,300,000,000.

(c) No loan shall be provided under this Act unless: (i) the City and all Financing Agents shall have repaid according to their terms all prior loans under this Act which have matured, and (ii) the City and all Financing Agents shall be in compliance with the terms of any such outstanding loans.

#### SEC. 6. REMEDIES.

The remedies of the Secretary prescribed in this Act shall be cumulative and not in limitation of or substitution for any other remedies available to the Secretary or the United States.

#### SEC. 7. FUNDING.

For the purpose of making any loan or the payment of any expenses under this Act, the Secretary is authorized to use as a public