

When the Supreme Court in the *Grove City* case carved a hole below the waterline in laws banning discrimination in Federal programs, Ralph Neas played an indispensable role in developing the two-thirds majority needed to pass the Civil Rights Restoration Act of 1988 over President Reagan's veto.

When President Reagan nominated Judge Robert Bork to the Supreme Court, Ralph Neas assembled and led an extraordinary nationwide coalition which successfully opposed the nomination because of Judge Bork's hostility to protecting the constitutional rights and liberties of all Americans.

When the Supreme Court in 1989 issued a series of rulings severely reducing protections for job discrimination, Ralph Neas worked closely with Republicans and Democrats to fashion legislation to restore the protections, and after one unfortunate veto by President Bush, Congress enacted the Civil Rights Act of 1991.

Under Ralph Neas' leadership, we gained ground on several other important fronts during those years as well. In 1988, Congress passed the Fair Housing Act Amendments to strengthen the law banning housing discrimination and extend its reach to ban discrimination against families with children and persons with disabilities.

In 1990, we enacted the landmark American With Disabilities Act, providing comprehensive new protection for the rights of 43 million disabled Americans. Because of that law, fellow citizens across the country are finally learning that "disabled" does not mean "unable."

Ralph Neas' enormous energy, and his extraordinary talents as an advocate, strategist, and spokesperson, helped make each of those victories possible. Now he is leaving the Leadership Conference to practice law and to serve as a visiting professor at Georgetown University Law School.

Ralph Neas is being honored at a gala dinner tomorrow evening, when he will receive the Hubert H. Humphrey Award for his outstanding achievements in making America a better and fairer land. Every citizen committed to the constitutional ideal of equal justice under law owes Ralph Neas a debt of gratitude for his brilliant public service.

Truly, through all these years, Ralph Neas has been the 101st Senator for civil rights. As he leaves the Leadership Conference, I congratulate him on his outstanding accomplishments, and I extend my best wishes to Ralph and his wife Katy for continuing success in the years ahead.

#### U.S./CUBA MIGRATION AGREEMENT

Mr. PELL. Mr. President, today President Clinton has announced the conclusion of a new migration agreement with the Government of Cuba. This new agreement treats the more than 15,000 Cuban migrants currently

detained at Guantanamo in a very humane manner, while putting in place safeguards to ensure that a similar flood of migrants is not encouraged at some future date. I want to commend the President for his decision to enter into, what I believe is a fair and balanced approach to handling the Cuban migrant issue.

Under the terms of the agreement, Cuban migrants currently being detained at Guantanamo will now be eligible to be paroled into the United States, provided they qualify under United States immigration laws. Those paroled from Guantanamo will be counted in the annual 20,000 migration ceiling set last September in the context of the resolution of last year's Cuban migration crisis. This will mean that people at Guantanamo who have been in limbo since last year will now have the possibility of getting on with their lives. To continue to detain these people indefinitely was really inhumane, but nothing else could be done for them until this new agreement was reached with the Government of Cuba.

In contrast to the treatment of those currently at Guantanamo, any future Cuban rafters intercepted at sea will be returned to Havana. Cuban authorities have committed to accepting these migrants back without reprisal, and will allow for the monitoring of such individuals to ensure that this is the case. Obviously, any individual who might qualify for refugee status will be able to apply for asylum at the U.S. Interest Section in Havana.

Finally, those Cubans who may successfully evade interdiction and reach the United States will be subject to the same deportation procedures any other alien would face upon entering the United States illegally.

Mr. President, as you know I am in profound disagreement with our overall policy toward Cuba. I have said many times in the past that I believe that policy is outdated and ineffective and should be altered to enhance communications and contacts between the United States and Cuba. In my view this is the best way to facilitate the peaceful transition to democracy on that island.

Unfortunately, President Clinton has not yet decided to alter the overall framework of our policy toward Cuba. However, I believe that the agreement announced today is one step in the right direction toward a more enlightened Cuba policy. I hope there will be many more steps in that same direction in the very near future.

#### IS CONGRESS IRRESPONSIBLE? THE VOTERS HAVE SAID YES!

Mr. HELMS. Mr. President, there's an impression that simply will not go away—that the \$4.8-plus-trillion Federal debt is a grotesque parallel to the energizer bunny we see, and see, and see on television. The Federal debt keeps going and going and going—up, of course!—always to the misery of the American taxpayers.

So many politicians talk a good game—when, that is, they go home to take—and talk is the operative word—talk about bringing Federal deficits and the Federal debt under control.

But, oddly enough, so many of these same politicians regularly voted for one bloated spending bill after another during the 103d Congress. Come to think about it, this may have been a primary factor in the new configuration of U.S. Senators as a result of last November's elections.

In any event, Mr. President, as of yesterday, Friday, May 1, at the close of business, the total Federal debt stood—down to the penny—at exactly \$4,860,333,100,308.86 or \$18,449.91 per person. *Res ipsa loquitur*.

#### THE RETIREMENT OF NORMAN PODHORETZ

Mr. MOYNIHAN. Mr. President, on the occasion of his retirement after 35 years as editor-in-chief of *Commentary* magazine, I would like to offer my concurrence with the sentiments expressed in this morning's *New York Post*, *Wall Street Journal*, and *Washington Times* honoring the career and the person of Norman Podhoretz. As a *New York Post* editorial notes: "the ideas advanced in *Commentary*—thanks to Podhoretz's editorial gifts—make it a forum for the key policy questions confronting the Nation." David Brooks of the *Wall Street Journal*, offers a similar accolade:

If there is one thing Mr. Podhoretz and his magazine have stood for all these years, it is the joy and value of ideas.

Thirty-four years ago, I first appeared as a contributor to *Commentary*. The article, entitled "Bosses and Reformers," dealt with conflict within the Democratic Party—a subject still alive and well today.

Norman Podhoretz and *Commentary* have contributed much of value to modern political discourse. We owe them both great thanks. Mr. President, I ask unanimous consent that the full text of the above cited articles be reprinted in the RECORD.

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

[From the *Wall Street Journal*, May 2, 1995]

NORMAN PODHORETZ, NEVER RETIRING,  
RETIREES

(By David Brooks)

Hundreds will gather tonight in a New York hotel ballroom to honor Norman Podhoretz, who is retiring after 35 years as editor of *Commentary*. There will be toasts from Henry Kissinger, Daniel Patrick Moynihan and Cynthia Ozick—and if the thing were done in true *Commentary* style, then there would be rebuttals and the whole ballroom would break into discussion groups, debating until morning "The Podhoretz Question."

If there is one thing Mr. Podhoretz and his magazine have stood for all these years, it is the joy and value of serious discussion. He

develop a prose style, instilled in the magazine, that is decisive, clear and authoritative, the sort of style that begs for response. Commentary has a letters section that is rivaled in length only by *Penthouse* and in quality by no American magazine. The monthly can be seen as an effort to create an ideal community, a group of people who are prone to sitting up late at the kitchen table, wrapped up in discussions about politics, culture or Judaism.

This is the sort of community that Mr. Podhoretz entered as a young man, having studied literature at Columbia and Cambridge. He called it *The Family*, the group of New York intellectuals centered around *Partisan Review* in the 1950s—Mary McCarthy, Sidney Hook, Saul Bellow. They were on the left, but anti-communist for the most part, which meant they were tough-minded and disputatious, because the verbal battles against American communists were like hockey games—every few minutes people would throw off the gloves.

Mr. Podhoretz was a young star, published in the *New Yorker*, editor of *Commentary* when he was 30, close friends with such leading writers as Norman Mailer, James Baldwin and Lionel Trilling. He drifted to the radical left in the early 1960s, publishing in *Commentary* the work of Paul Goodman, who laid out what would later become the standard New Left critique of American life. Mr. Podhoretz was an early opponent of the war in Vietnam.

But as the decade wore on, he discovered that the ideas that were provocative and subtle in *Commentary* in 1961 turned dumb and platitudinous when turned into clichés by Tom Hayden and the student radicals. Also, he discovered that teachings about Vietnam were not the sort of serious discussions that he cherished, but rather occasions for shouting down anyone who was deemed insufficiently outraged. In 1967, as he was turning away from the left, he published "Making It," which, typical of his writings, was a book that made everybody talk, not always in calm tones.

"Making It" is a memoir about life in *The Family*, but with a point—that literary people are not motivated simply by a desire for truth but by a passion that dare not speak its name, worldly ambition. Look at me, he said: I am successful because I am ambitious.

The New York intellectuals expended a lot of typewriter ribbon on the subject of the American identity. Not only were many of them, like Mr. Podhoretz, poor Jewish kids from Brooklyn, but they were also intellectuals, not a profession featured often on the cover of the *Saturday Evening Post*. But the thinkers in the Podhoretz camp decided that they approved of and identified with American culture, and were attacked by others for not being sufficiently alienated. "Making It" can be read as an attempt to show that just because its author is an intellectual doesn't mean he is not involved in the central activity of American life, making it.

Apparently there were no celebrations in Topeka, Des Moines and Fort Worth when the *Partisan Review* crowd announced it approved of American life: "Look, Eloise—They approve of us!" But it turned out to be important. Because those who like Mr. Podhoretz did approve turned out to be essential to the growth of the conservative movement, bringing to conservatism, when they made the jump in the late 1970s, an intellectual self-confidence that had been in short supply.

It's usual to say that Mr. Podhoretz and *Commentary* started out on the left and ended up neoconservative. But that's not quite right. Mr. Podhoretz has been consistent in his love for rigorous argument (and so was appalled by the Dionysian tone

of the radical left). He has also remained consistent, for the most part, in his sympathy for mainstream American life, and in his staunch anti-communism. Furthermore, neither *Commentary* nor Mr. Podhoretz has reached a resting point. Neoconservatism looks like a transitional phenomenon that may even today be extinct.

The term was once used to denote those who were hawkish in foreign policy but were sympathetic to the current structure of the welfare state. But Scoop Jackson has passed on, and the so-called neoconservatives are now among the most devastating critics of the welfare state. In what sense, for example, are William Bennett and Jeane Kirkpatrick neoconservative? Both made their reputations in the pages of *Commentary* but are now mainstream Republican figures.

These days, the people who seem most insistent on preserving the distinction between neoconservatives and regular conservatives are certain liberals on either coast. Possibly, that is because they see people like Norman Podhoretz and Irving Kristol—who are urbane, literate, and have wives who are equally accomplished—and they insist there must be a huge gulf between this sort of person (who by cultural measures looks like a liberal ideal) and the yahoos who they know (for they have read about it) make up the rank and file of American conservatives.

One of the legacies of *Commentary* in the Podhoretz era was that it enhanced the intellectual respectability of conservatism. In the 1960s, conservatives were shooting up at the liberal agenda. Now, liberals tend to be shooting up at the conservative agenda. Thanks to the passion and urgency of those earlier fights, those who travel in Mr. Podhoretz's footsteps can afford to be a little more benign.

[From the *New York Post*, May 2, 1995]

#### NORMAN PODHORETZ RETIRES

At a gala dinner tonight in New York, Norman Podhoretz will be honored on the occasion of his retirement after 35 years as editor of *Commentary* magazine. A monthly long published under the auspices of the American Jewish Committee (AJC), but without AJC editorial control, *Commentary* established itself under Podhoretz as America's leading journal of ideas.

Its circulation has never been large and it doesn't make a profit. But the core readership consists of influential Americans, and the ideas advanced in *Commentary*—thanks to Podhoretz's editorial gifts—make it a forum for the key policy questions confronting the nation.

Norman Podhoretz's tenure saw him start out as a seminal figure on the left during his early days at *Commentary*. But by the late 1960s, Podhoretz had moved significantly rightward. And he'd taken *Commentary* with him.

His decision to "Break Ranks," as he described the phenomenon in a late '70s memoir—Podhoretz's early intellectual compatriots remained wedded to the left—made *Commentary* a leading American voice for foes of Soviet communism, for advocates of a strong national defense, for critics of affirmative action and for supporters of Israel's security.

The pages of the magazine were filled with essays by then-U.N. Ambassador Daniel Patrick Moynihan—who called on the U.S. to conduct itself as an opposition party functioning within a hostile international arena—and by then-Georgetown Professor Jeane Kirkpatrick, who deplored the Carter administration's tendency to employ "double standards" in dealing with left-wing dictatorships (toward whom it showed some sympathy) as distinct from rightist authoritarian regimes.

*Commentary*—under Norman Podhoretz—played a central role in arguing the need for an aggressive posture vis-à-vis Soviet expansionism, for a re-evaluation of failed Great Society programs and for a recognition of "anti-Zionism" as the principal contemporary manifestation of international anti-Semitism.

In the last analysis, the most striking fact about *Commentary* consists in the fact that over the last 35 years—thanks to Norman Podhoretz's leadership—the magazine has always been important to the national intellectual discourse. That's a claim few journals can make for anything like that duration.

Eventually, many followed Podhoretz's rightward lead, resulting in a circumstance where the magazine he edited came to speak for a whole movement: neo-conservatism, an important intellectual tendency that can be defined loosely as the conservatism of people who were once liberals.

Norman Podhoretz, we're certain, has much left to say—as his magazine goes forward, he'll undoubtedly produce important books and articles. But it seems appropriate to pause and consider one of the most extraordinary careers in 20th-century American intellectual life. Podhoretz will deserve the tributes he receives tonight from Henry Kissinger, Irving Kristol, Daniel Patrick Moynihan, Rupert Murdoch and many others.

For some years a columnist for this newspaper, Podhoretz is a man who proved, above all else, that ideas matter. The *Post* joins in saluting him.

[From the *Washington Times*, May 2, 1995]

#### THE 35 REMARKABLE YEARS OF NORMAN PODHORETZ

(By Arnold Beichman)

This is the story of the little magazine that could and still can. Launched as a monthly half a century ago by the American Jewish Committee with a guarantee of editorial independence, *Commentary* became a magazine of enormous influence. Its articles on politics, particularly foreign policy, and culture over the years have had an enormous multiplier effect.

The editor of *Commentary* for the last 35 years, Norman Podhoretz, has reached the retirement age of 65. He is retiring to his Manhattan apartment-office to figure out with his wife, Midge Decter, author, publicist and editor in her own right, what his next major effort will be. Midge, however, who is semi-retired, has figured out what to do next. She found a neighborhood health club and is doing what she has wanted to do for years and never had time for—swimming every day. It is doubtful that such a future, however temporary, awaits Mr. Podhoretz, who has just been appointed a senior fellow at the Hudson Institute.

While Mr. Podhoretz, whose new title is *Commentary* editor-at-large, seeks implementation of several inspirations, he is being honored at a farewell dinner tonight—at New York's Hotel Pierre for four hundred friends, contributors, editors of other magazines, relatives and even critics.

The remarkable feature of *Commentary* is that an examination of its issues from the time Mr. Podhoretz took over as editor in 1960 shows the current relevance and readable topicality of so many of the articles published what seems to be so long ago. Here are some of the titles:

Was the Holocaust Predictable? Was Alger Hiss Guilty? The Return of Islam; On Returning to Religion; Vietnam: New Light on the Question of American Guilt; Are Quotas Good for blacks? The War Within the CIA; Reagan and the Republican Revival; What

Happened to the Schools; Totalitarianism and the Lie; Education in Defense of a Free Society; The Political Dilemma of American Jews; AIDS: Are Heterosexuals at Risk?; Against the Legalization of Drugs; How Good Was Leonard Bernstein?; The Professors and the Poor; Intermarriage and Jewish Survival; The Liberated Women; Authenticity and the Modern Unconscious; The Problem of Euthanasia.

And the authors—Irvig Kristol, Midge Decter, Thomas Sowell, Bernard Lewis, Lionel and Diana Trilling, Gertrude Himmelfarb, James Q. Wilson, Glenn C. Loury and dozens of other leading intellectuals and scholars. Mr. Podhoretz set a high standard for content. That standard obtained in the articles and also in the letters to the editor feature, which was as widely read as the articles. In fact, some readers who never managed to get articles accepted (and paid for) by Commentary got in anyway by writing long letters—for which there was no writer's fee but the satisfaction at least of being published in Commentary.

Commentary's overwhelming achievement was its leadership in the world of culture in the fight against communism and the Soviet Union, one undertaken by the magazine's first editor, Elliot Cohen. It is no exaggeration to say that Commentary in time became the scourge of the left, especially in culture. Major analyses of communist foreign policy by writers like Jeane J. Kirkpatrick, Sidney Hook, Lexzesek, Kolakowski, Richard Pipes and other scholars and by Mr. Podhoretz himself filled its pages. They were widely discussed and were read in Congress and the White House. And all this, mind you, by a magazine whose circulation never exceeded 80,000.

It is a truism that few editors leave behind successors who deserve the promotion. Mr. Podhoretz, however, is the exception. His successor as editor-in-chief is Neal Nozodoy. He has been the leading member of the team which transformed a Jewish magazine with deep involvement in Jewish and Israeli affairs into a publication which without compromising its cultural and ethnic roots became an important part of the resistance to those who sought and still seek the perversion of Western civilization in the name of new revolutionary slogans.

#### AUTOMOBILE TRADE WITH JAPAN

Mr. LEVIN. Mr. President, as the United States-Japan framework negotiations in autos and auto parts accelerate over the next few weeks, I want to bring to my colleagues attention a New York Times op-ed by Thomas L. Friedman published on April 16. Mr. Friedman describes the problems American auto and auto parts manufacturers face when trying to sell their products into Japan's closed market and our limited chances of opening these protected markets unless we are willing to impose reciprocal treatment on Japan's products in this country.

Regarding the likelihood of concluding a market opening deal in the framework negotiations with Japan anytime in the near future, Mr. Friedman says:

Don't hold your breath. The Japanese will literally do anything to preserve their domestic car monopoly, even though it is one of the major causes of the massive trade imbalance between the U.S. and Japan that is, in turn, causing the yen to soar in value against the dollar.

In fact, the higher the yen goes the less likely Japan is to open its auto market. With the yen rising against the dollar, Japan's cars become more expensive and difficult to sell in the U.S., so Japanese auto company profits are squeezed. That makes it all the more important for Japanese auto makers to protect their home market from competition, so they can charge higher prices there and run up profits they need to cover losses abroad.

What the U.S. is seeking is an end to Japan's barriers. For instance, only 7.4 percent of Japanese car dealers, who are manipulated by the manufacturers, sell foreign cars alongside Japanese models. Almost 80 percent of U.S. dealers sell foreign models alongside their domestic brands.

The U.S. is also seeking better access to Japan's huge market for replacement auto parts, which has been largely closed to foreigners through Japanese regulations, customs codes and cartels. U.S. manufacturers have 3 percent of Japan's \$27 billion replacement parts market, while foreigners have 18 percent of the U.S. replacement market and 22 percent of Europe's.

Mr. Friedman believes we should be willing to take reciprocal action against Japan in an effort to get Japan to open its markets to United States autos and auto parts. Doing so will not result in retaliation. Mr. Friedman says:

Maybe, just maybe, the Japanese need us more than we need them.

For starters we should charge Japanese auto manufacturers a distribution tax on every car they sell in the U.S.—a tax that will be reduced in proportion to how many Japanese manufacturers open their showrooms to foreign cars. We should also inspect every Japanese car and part that comes into this country, and take our sweet time doing it, which is just what Japan does.

He goes on to say:

Hold on, the Japanese will say, that is a violation of the rules of the World Trade Organization. Rules? Did somebody say rules? Does anyone think that Tokyo shrank the U.S. share of the Japanese auto market from 60 percent in 1953 to 1 percent in 1960 by playing by the rules? We'll only win equal opportunity in the Japanese market when we play the game by their rules—which are no rules at all.

Mr. Friedman has hit the nail on the head. Decades of painful history have proven that Japan will open its markets only when forced to do so. Now is the pivotal moment in auto and auto parts negotiations with Japan and the administration seems prepared to do so what no other administration has done for 25 years: tell Japan that it faces equivalent restrictions on its goods if it does not open its market to our autos and auto parts.

Mr. President, I ask unanimous consent that the op-ed be printed in the RECORD.

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

[From the New York Times, Apr. 16, 1995]

#### WHERE DO CARS COME FROM?

WASHINGTON.—The other day I was playing the computer game "Where in the U.S.A. Is Carmen Sandiego?" with my 9-year-old daughter, Orly. It's a wonderful geography-teaching tool. You have to follow clues to different cities to trade down vile criminals.

The clues we were given for one trip were all clearly pointing to Detroit. But instead of giving my daughter the answer, I wanted to see if she could figure it out herself, so I asked her: "Where are cars made?" And without missing a beat she answered: "Japan."

From the mouths of babes.

Where have I failed as a parent? I guess it's the same place that we've failed as a nation. We have so blithely surrendered so much of the car market to the Japanese that my own daughter thinks cars come from Japan as surely as pizza comes from Italy and babies from the stork.

My daughter, of course, was only part right. Roughly 25 percent of cars sold in the U.S. today are Japanese models. But if we were living in Tokyo she would be dead right, since only 1.5 percent of the cars sold in Japan are American.

This week U.S. and Japanese negotiators will once again try to work out a deal for opening the closed Japanese auto market. Don't hold your breath. The Japanese will literally do anything to preserve their domestic car monopoly, even though it is one of the major causes of the massive trade imbalance between the U.S. and Japan that is, in turn, causing the yen to soar in value against the dollar.

In fact, the higher the yen goes the less likely Japan is to open its auto market. With the yen rising against the dollar, Japan's cars become more expensive and difficult to sell in the U.S., so Japanese auto company profits are squeezed. That makes it all the more important for Japanese auto makers to protect their home market from competition, so they can charge higher prices there and run up profits they need to cover losses abroad.

What the U.S. is seeking is an end to Japan's barriers. For instance, only 7.4 percent of Japanese car dealers, who are manipulated by the manufacturers, sell foreign cars alongside Japanese models. Almost 80 percent of U.S. dealers sell foreign models alongside their domestic brands. It's hard to sell a car by mail order. You need a showroom and U.S. cars don't have many in Japan. And the old America-makes-the-wrong-cars line doesn't wash anymore. U.S. companies now make eight different right-hand-drive vehicles tailored for Japan.

The U.S. is also seeking better access to Japan's huge market for replacement auto parts, which has been largely closed to foreigners through Japanese regulations, customs codes and cartels. U.S. manufacturers have 3 percent of Japan's \$27 billion replacement parts market, while foreigners have 18 percent of the U.S. replacement market and 22 percent of Europe's.

Clinton officials claim they are finally ready to tell Tokyo that either it enters into a meaningful agreement to open Japan's auto market, with measurable results or the U.S. will impose punitive tariffs.

(If this is true, it means the White House has rejected the brain-dead advice of the Pentagon that we must not allow "trade friction" to undermine our security ties with Japan. Nonsense. We're Japan's largest export market and we provide Japan with its security umbrella. We should use both as levers to promote our trade interests. Would somebody get the Pentagon a map. The last time I checked, North Korea and China were a lot closer to Tokyo than Washington. Maybe, just maybe, the Japanese need us more than we need them. How about a little less Keynes and a little more Machiavelli?)

For starters we should charge Japanese auto manufacturers a distribution tax on every care they sell in the U.S.—a tax that will be reduced in proportion to how many