

rough, rather than a happy, holiday. I do not know how the House could have done that, at least for these long-term unemployed.

But the victims, Mr. Speaker, are also in this body and in the Senate. The Republicans themselves are going to have to face the music when they go home to face the 8 million who will lose their overtime pay and be informed of it just in time for Christmas. It is going to be some Christmas for them. This Republican House voted decisively to eliminate their overtime pay, but they must have heard from them because when it came time for the motion to instruct, all of a sudden we had a majority with us against the provision to eliminate overtime pay. What happened? Their own majority reversed them. So now they have got to go back home and try to say, I was for you, but I am in the party that was against you. How do you explain that?

On the Senate side, there are any number of provisions, which is why this conference report is likely to go nowhere before Christmas. Let me just pluck one analogous example. The Senate has surely heard from the American people on vouchers. They just did not have the votes to do anything on D.C. vouchers. Why? Because everybody's school district is being cut because of 3 years of a poor economy under this President. Because our promise to fund disabled children is an unkept promise of the decades. Because our promise to fund No Child Left Behind is \$9 billion in the hole. The Senate was not about to vote for any D.C. vouchers. What happened? Passed one House, never passed the other, pops up in this bill. You think that is democracy? If it happened only one time to one or two bills, that would be one thing. Sprinkled throughout, this bill is just strewn with this kind of undemocratic authoritarian dealing, more typical of countries that we criticize. But the villain in this piece has seldom been spoken of because it is not only the Republican majority, Mr. Speaker; it is the Republican President. We do not see his face here, but we have felt his big footprint, his one-man approach to this bill; and he has offended many members of both parties, especially in the Senate.

I predict this day that this bill will not get through the other body. I do not think the Senate is about to bless a bill that imposes the will of one man of the majority on the House and the Senate alike. This term we have changed the very character of this House. We need to come back no longer seeking comity and bipartisanship. We need to make the goal of the House to return to its ancient democratic traditions.

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#### MARKING THE PASSING OF JOHN LENNON AND ACCLAIMING THE ACCOMPLISHMENTS OF BOB SEGER

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Michigan (Mr. McCOTTER) is recognized for 5 minutes.

Mr. McCOTTER. Mr. Speaker, I rise today to mourn and mark the passing of John Lennon and to acclaim the accomplishments of Bob Seger, both of them musicians and artists, performers and poets.

First, on a sorrowful note, today observes the 23rd commemoration of the murder of John Winston Ono Lennon, M.B.E. Let us mark and continue to mourn his passage not merely with words but with his music and then with every agonizing echo of the deafening silence left in the wake of his senseless loss. Our heartfelt condolences go out to his widow and his sons.

On a joyous note, however, I also rise to celebrate the achievements of one who has followed and honored Mr. Lennon's legacy, Michigan's own Bob Seger. Rising from his working-class roots, Bob Seger has reached the pinnacle of the rock and roll world. For after his loyal fans conducted a petition drive and collected nearly 4,500 signatures, Mr. Seger is finally being duly recognized and inducted into the Rock and Roll Hall of Fame. He could not be more deserving.

Mr. Seger's life's work, his art, has been a celebration of working Americans, our lives, our loves, our losses and, most importantly, the little victories which hearten and heal and lead us all ever onward in this arduous journey of life. He is a musician, an entertainer, and a poet who speaks not only to our ears but also to our hearts.

Once the romantic poet William Wordsworth explained the essence of artistic virtue: "And then a wish: My best and favorite aspiration mounts with yearning toward some philosophical song of truth which cherishes our daily lives."

For over 30 years, Mr. Seger has sung this philosophical song of truth, cherishing our daily lives. Let us now honor his.

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#### SENIORS ARE LOSERS IN MEDICARE BILL SIGNED TODAY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. First, just a moment to my friends from New Mexico just to indicate my deepest sympathy for the loss of Joe Skeen.

I believe that there is an opportunity in this Congress to work together. I am disappointed that what we have done today clearly indicates that we have missed our chances on some occasions, missed a chance to come together as a House and Senate; and certainly over the last couple of weeks the story that will be written in history will be one that will raise a question as to whose interests have been promoted in this body.

As I look at this article from Robert Novak, "GOP Pulled No Punches in Struggle for Medicare Bill," even with-

out reading the entire text, it tells the story. My concern about the Medicare bill that was signed today is the fact that seniors are the losers. Seniors in my district when I came home during the Thanksgiving break, not understanding what we had just done, were looking for relief. They did not understand that this bill does not take place for financial reasons until 2006. They did not understand why hundreds of thousands, or at least tens of thousands of seniors in Texas would lose their retirement benefits. Or some of the seniors that use the Medicaid resources will also lose those resources.

They did not understand why they could not have a guaranteed prescription drug benefit under Medicare. They did not understand why they would be forced ultimately to go into a privatized HMO. And they certainly did not understand why the government would be forced to not negotiate the lowest price for prescription drugs which makes common sense. In this time of friendly Christmas shopping and holiday shopping, everybody is looking for a deal. They cannot understand why we have a law that says that the government cannot look for a deal. And so it saddens me that a bill was signed that really does not help our seniors and that we have captured the essence of a disregard for House rules with a 4-hour vote open almost and that in essence the GOP decided to pull no punches. Whether it means putting up another Member against a wall, whatever it meant, it meant that the interests of our seniors was not handled.

Mr. Speaker, I hope that we will come back in January in 2004 and we will get down to work and we will actually put on the table a reform, a revision to what has been signed. Because, frankly, I believe that we are digging ourselves a deep hole. And 2006 will not come soon enough for that hole to get bigger and bigger and bigger. This is not a good bill. Good intentions, but certainly not a good bill.

Mr. Speaker, I said that there were several things that I wanted to mention this evening, and I briefly want to mention the fact that a Texan, certainly somebody that we all know and certainly we know of his great expertise, Jim Baker, has been asked to help in the Iraqi debt. I will be sending out a letter and asking my colleagues to join me that we have a similar envoy to help relieve the debt of the nation of Haiti that in the early years of our historical beginnings fought in the revolution against the French. Haiti is almost crumbling under the weight of debt. I believe what you can do unto one you can do unto another, particularly one that is in this hemisphere. We cannot tolerate any longer the kind of burden that Haiti is facing, and it seems inequitable that you would help Iraq and not help Haiti. And so I hope the President will join me and welcome that opportunity and be able to do so.

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Let me just briefly say that in Texas today we funeralized a very great Federal judge, and I want to give my deepest sympathy to the family of Judge John Hannah for his great service and leadership, and I hope to pay him tribute in the days to come when we return back to Washington.

I want to finish, Mr. Speaker, on something that is really very devastating. We fought very long and hard all the way to the Supreme Court to preserve the understanding that affirmative action was not quotas, it simply was an outreach, and we were affirmed by a United Supreme Court in the Michigan case that race can be a factor in helping to diversify in this Nation and give opportunity. Lo and behold, Texas A&M decided in the last couple of days in the face of the Michigan case to slap the face of the United States Supreme Court and eliminate the element of race in their decisions for admissions. This is a university that has 82 percent white, 2 percent black, 9 percent Hispanic, and 3 percent Asian American in a State that is increasingly diverse, the State of Texas. My challenge to Dr. Gates, the chancellor, is to reform this misdirected policy, come back to the 21st Century, engage those of us who understand what affirmative action is, an outreach and not a handout, and begin to accept the law of the land that affirmative action is the law, and that we can use race as an element. It is time to address the question of these outrageous numbers: 2 percent black, 9 percent Hispanic, and 2 percent Asian American. I hope that we will resolve this crisis in Texas.

Mr. Speaker, I rise today in dismay, disappointment, and ashamed as an American and as a Representative of the State of Texas—the “Lone Star State.” As a Member of the House Judiciary Committee and as Representative of Texas’ 18th Congressional District, I must remark at the proposal made by Texas A&M University President Robert Gates last Thursday to remove race as a factor in granting admission or scholarships to the institution. I am extremely disappointed that Texas A&M voted to adopt this policy change and that it even considered not following the landmark precedent set by the *Grutter v. Bollinger* [University of] Michigan decision. Refusing to follow the positive precedent of this case marks the maintenance of a de jure racially imbalanced system, which is the wrong kind of message to send.

This large and prominent university already suffers from a significantly disparate racial student body ratio—for Fall 2003, the ratio was 82 percent white, 2 percent black, 9 percent Hispanic, and 3 percent Asian-American. Changing its admissions policy to remove race as a factor will almost certainly yield even lower diversity. It would take a tremendous amount of outreach and quite a few “special scholarships” to correct this trend. When this Nation’s highest court pronounced that race could be used as one of many factors in admissions and scholarships, the University of Texas, Rice University, and several other Texas institutions quickly implemented this

policy because of its clear beneficial effects on equality in education. Given that Texas A&M Board of Regents has opted to incorporate President Gates’ proposal, the university will stand in a minority position with respect to its express commitment to creating a more diverse student body.

It took some time for this nation to advance the principles that came from the great *Brown v. Board of Education* decision to the clear statement set forth in the University of Michigan case. To ignore the forward progress made by this court is a slap in the face of the Civil Rights Movement.

## TAMU ADMISSIONS MEMO

In a memo dated December 7, 2003, the University’s new admissions policy is summarized. Instead of using the standards that have been set forth by the nation’s highest Court—responsible for pronouncing the law of the land, Texas A&M claims that:

[g]ains in minority enrollment will come through enhanced outreach, not changes in admission policies, requirements and standards. Every student now and in the future can be confident he or she arrived at Texas A&M on his or her own individual merits.

Furthermore, the University promises that

[it] will work aggressively to increase the number of minorities from all backgrounds who apply to Texas A&M, and . . . [intends] to be far more aggressive in trying to persuade those [they] admit actually to enroll—to join the Aggie family. And, [they promise to] continue [their] efforts to ensure that once they arrive, they find a welcoming campus and remain [there] to graduate.

I find it interesting that while this University has promised to do all of the above things to create a welcoming environment and to ensure that minorities who are admitted will actually enroll, it has sat idly while its current student body has done just the opposite—students hold campus-wide “bake sales” where they give disparate prices to ethnic minorities—“brownies, 25 cents for whites, \$2.00 for negroes—however, you can receive a rebate by way of outreach and special scholarships.”

Its plan to increase its minority enrollment profile from the paltry ratio of 82 percent white, 2 percent black, 9 percent Hispanic, and 3 percent Asian-American consists of outreach programs, identifying former students from targeted high schools, and a scholarship for first-generation college students whose family income is \$40,000 or less. Again, it shocks me that such a non-aggressive strategy is chosen when the highest Court in America has made the statement that affirmative action is the most effective way to correct the banes of disparate enrollment percentages. The problem and the ugly imbalance that we see today was caused, in part, by the very philosophy that disagrees with the benefits of using race as a factor in admissions.

Ironically, the clearest case of ignoring this Nation’s efforts to eradicate racial injustice in education has occurred in the State of Texas. In Orlando, Florida, Governor Bush’s “One Florida” plan, an admissions policy program that eliminates quotas for minority college enrollment, fell short of being an effective replacement for race-based admissions, according to a study conducted by Harvard University. The study showed that the number of minority students enrolled in Florida’s colleges and universities had mostly stayed the same or increased slightly since the 1999 initiative went into effect.

At Harvard College, the Class of 2007 is comprised of: 65.1 percent Caucasian, 17.4 percent Asian-American, 8.4 percent African-American, 3.0 percent Hispanic-American, 3.6 percent Mexican-American, 0.8 percent Native American, 1.2 percent Puerto Rican, and 0.5 percent Other. Of the 5,300 undergraduates at Yale College, 30 percent are students of color. Its 2002 class profile was: 74 percent Caucasian, 13 percent Asian, 7.5 percent African American, 5 percent Hispanic-Latino, and < 1 percent Native American. These Ivy League institutions, which have historically had lower percentages of minority enrollment, can boast improved numbers and can say that these numbers will continue to improve with the legal precedent set by *Grutter v. Bollinger*. These institutions have not abandoned this country’s commitment to establishing diversity.

Historically, Texas public universities have fallen behind in issues of racial segregation. For example, the Texas Constitution mandated segregated schools until 1954 and the UT Law School had scholarships “for whites only” until 1969. Similarly, this State has struggled to comply with legislative attempts to correct the negative trend. In 1950, the Court in *Sweatt v. Painter* ruled that Texas could not satisfy its Fourteenth Amendment responsibilities by creating a separate law school for blacks. These developmental shortcomings led to an investigation by the federal Office of Civil Rights (OCR) in 1973 as to the State’s efforts to eliminate all vestiges of a de jure racially dual education system.

Unfortunately, the Texas A&M policy marks a return of the vestiges of de jure educational discrimination consistent with *Hopwood v. Texas*. We now must form a new Civil Rights movement to ensure that the de facto contravention of a Supreme Court decision does not hinder the progress of this Nation.

## THE EUROPEAN UNION’S UNITED STAND AGAINST DRUG ABUSE

The SPEAKER pro tempore (Mr. RENZI). Under a previous order of the House, the gentleman from Indiana (Mr. SOUDER) is recognized for 5 minutes.

## AN UNPRECEDENTED YEAR OF ACCOMPLISHMENT BY CONGRESS

Mr. SOUDER. Mr. Speaker, first before I make the basic remarks I came down to the floor to make, I think it is important to make a couple of comments on the appropriations process that has been, I believe, somewhat misrepresented in some of the comments we have heard today.

I want to thank the gentleman from California (Chairman LEWIS) and his subcommittee, the gentleman from Florida (Chairman YOUNG) of the full committee, our esteemed late colleague Mr. Skeen, who all understood that the appropriations process is extremely difficult. We all come in with all these requests. We believe that everybody else’s requests are pork except for ours. We try to have a budget resolution that we try to hold everybody in. This year we were fairly successful, but when we have the war in Iraq and other pressures, we inevitably go over. I had been a staffer for many years and then a Member of Congress. I do not