

the good with the bad. Most generic companies want to take advantage of this 180-day provision and deliver quality generic drugs at much lower costs for consumers. We should not eliminate the incentive for them. Instead, we should let the FTC and Justice look at every deal that could lead to abuse, so that only the deals that are consistent with the intent of that law will be allowed to stand. The Drug Competition Act accomplishes precisely that goal, and helps ensure effective and timely access to generic pharmaceuticals that can lower the cost of prescription drugs for seniors, for families, and for all of us.

The effects of this amendment will only benefit the effort to bring quality health care at lower costs to more of our citizens. The Drug Competition Act enjoyed the unqualified support of the Senate last year, and I hope my colleagues will recognize that it fits well within the framework of the Prescription Drug and Medicare Improvement Act of 2003. It will do nothing to disrupt the balance struck in the larger bill, while aiding the ultimate goal of that legislation. I urge all Senators to embrace this effort on behalf of Medicare recipients, and of all Americans.

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to a period for morning business.

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

TRIBUTE TO MAYNARD JACKSON

Mr. MILLER. Mr. President, I rise this evening to pay tribute to one of Georgia's finest, one of this Nation's finest. I pay tribute to the life and legacy of former mayor of Atlanta, Maynard Jackson. In a city known for its great civil rights leaders, Maynard Jackson was truly one of the greatest. The people of Atlanta and Georgia have lost one of our strongest and most articulate fighters. Indeed, the State of Georgia tonight is mourning the passing of one of our greatest citizens.

Maynard Jackson was such a positive presence in all that has happened in Atlanta and in Georgia over the past 30 years that I simply cannot imagine what our city and our State would be like if he had not come our way.

His impact stretched far beyond the red clay hills of Georgia. He touched the lives of many people all around this world. For me, Maynard Jackson was a good friend, a friend whose counsel I always sought because I knew he would give it to me straight. In Atlanta the City Hall and the State Capitol are right across the street from each other. He and I crossed that street to talk on many occasions.

Maynard's rise to prominence began at an early age. As a child prodigy he entered Morehouse College at age 14. He graduated in 1956 with a bachelor's

degree of political science and history. In 1964 he graduated from North Carolina Central University Law School. Maynard then returned to Atlanta as an attorney for the National Labor Relations Board followed by a time at the Emory Community Legal Services Center where he provided legal counsel for low-income Atlantans.

He ran for the Senate in 1968 and lost. But we all knew at that time the world would come to know the voice of this very remarkable, articulate, and passionate young man. In 1973, at the age of 35, he became mayor of Atlanta after winning nearly 60 percent of the vote in a runoff against incumbent mayor Sam Massell. This great-grandson of slaves served 12 years as mayor of the South's largest city. His tenure saw the construction of what would become the world's busiest airport, Hartsfield International.

He was a fierce advocate for those who thought they were forgotten. He became their voice. In him, they found a great fighter.

The *New York Times* wrote of Maynard's tenure as mayor it created "a political revolution in the heart of the South. Seemingly overnight, it transformed Atlanta into a mecca for talented, aspiring blacks from all across the country."

The *Washington Post* described Maynard's impact this way:

African Americans around the country looked at Jackson's win . . . and saw even greater possibilities. If they did it in Atlanta in the heart of the Confederacy, they could do it at home, too . . .

Vernon Jordan, himself a native of Atlanta, said his most dramatic awareness the South had changed and the city of Atlanta had changed was the day Maynard took the oath of office as mayor of Atlanta. Vernon said it was an unforgettable moment.

As the angels now sing the praises of Maynard Jackson on the other side of that river, I join the chorus of those who yet remain in glorious song to this glorious individual, his life and legacy truly an example for all of us. And he will not be forgotten anytime soon.

HONORING THE STUDENTS OF EUREKA, SOUTH DAKOTA

Mr. DASCHLE. Mr. President, I rise today to recognize an outstanding achievement of the town of Eureka, SD. Eureka has the honor of being the only South Dakota town where three students have won the National Discover Card Tribute Award Scholarship.

The Discover Card Tribute Award Scholarship is awarded each year to 9 outstanding high school juniors in each state and the District of Columbia. These students are selected based on their leadership skills, special talents, personal obstacles, and commitment to community service.

In South Dakota, the state winners for 2003 hail from such cities as Aberdeen, Brookings, Eureka, Milbank, Presho, Salem, Sioux Falls, and

Sturgis. Out of these winners, the top three students are selected to compete with students from across the country for 9 national-level scholarships, and it is in this category that the town of Eureka has excelled.

Since the award was first created 12 years ago, only 4 South Dakotans have won at the national level, beginning with Lori Heilman Leidholt of Bowdle, South Dakota, in 1994. The other 3 come from Eureka.

Sarah Anderson won her scholarship in 2000. Sarah is an award-winning photographer and a tireless advocate for diabetes education. Her renowned kitchen calendars sell throughout the state and help raise funds for the Juvenile Diabetes Foundation.

As a diabetic herself, she is able to draw from her own experiences as she speaks with adults and children across South Dakota about the disease. In 1999, she successfully lobbied the South Dakota Legislature to enact legislation expanding health insurance coverage for diabetic supplies and equipment.

Loni Schumacher was next in 2002. A member of her local chapter of Family, Career and Community Leaders of America, she was selected to visit Japan in 2001 on a 6-week exchange.

An only child, she has since adopted "sisters" from across the globe. Experiencing a new culture broadened her view of the world, and she has brought those ideals back home to Eureka where she and her family have opened their family farm to exchange students from Brazil and Germany.

Loni has also been closely involved in her school's "Teens Against Tobacco Use" organization, and teaches elementary school students about the hazards of tobacco use.

Amanda Imberi is Eureka's winner for 2003. I had the honor of meeting this young woman when I visited Eureka several weeks ago. Just last week, here in Washington, I presented her with the 2003 Tradition of Caring Jefferson Award.

At the age of 9, Amanda lost her mother to cancer. She had to grow up faster than any child should.

Even with all of her schoolwork, cooking, and managing the family's finances, she has still found the time to be active with the American Cancer Society, speaking at rallies across the state on the importance of cancer awareness and prevention, as well as producing a variety show style fundraiser at her high school.

Two more Eureka students have won the scholarship at the state level—John Ostrowski in 1997 and Alisha Lutz in 1998. For a town of approximately 1,200 people, that is a remarkable achievement. It is not only an indication of the desire to succeed shared by these students, it is also a testament to the quality of teachers and schools that produced such outstanding young adults.

I don't know what they are putting in the water in Eureka but, whatever it is, I hope they continue. These young

people are an inspiration to their communities and their fellow students. They have proven there is no obstacle you cannot overcome, and that you should always pursue your dreams.

I commend them and the entire town of Eureka for their achievement, and hope to see even more Discover Card Tribute Award winners from South Dakota in the future.

RECOGNIZING COURTNEY STADD

Mr. STEVENS. Mr. President, I would like to a moment of the Senate's time to recognize someone who has served our Nation with great dignity, humility and energy. For more than two decades, Mr. Courtney Stadd has worked tirelessly to secure America's future in technology, aeronautics, and space. His leadership as a team builder, policymaker, entrepreneur, and senior administration official are evidenced around this city, our Nation and in the horizons that surround the Earth.

In my home State of Alaska, Mr. Stadd helped guide the construction of Kenai and the Alaskan Spaceport Authority. As a board member, he played a critical role in enabling America's newest spaceport to serve the well-being of commercial, public sector, and military interests.

As a member of the Reagan and Bush administrations he was an active voice and proponent for creating commercial markets in geospatial imagery, launch services, information technology and other critical sectors that will advance America's economic far into the 21st century.

In his service to this President, Mr. Stadd led the transition team for NASA and ultimately assumed the role of National Aeronautics and Space Administration, NASA, Chief of Staff/White House Liaison. In this role, he served then administrator, Mr. Dan Goldin—working to support missions and nationwide personnel through the September 11th attacks and anthrax threat, which struck NASA Headquarters, just blocks away from this very body. He served Administrator Goldin until the end of his tenure in November 2001 and provided for a smooth and orderly transition for NASA's current administrator, my friend, Mr. Sean O'Keefe.

During his transition into NASA, Administrator O'Keefe found a valued partner and ally to support his vision and charge for fundamental management and financial reform within the agency. He asked Courtney to lead the Freedom to Manage Initiative, which focused on empowering NASA's extraordinary workforce to identify policies and regulations that impeded performance. The administrator also took advantage of Stadd's distinguished commercial background and asked for his assistance in restructuring NASA's accounting systems and management strategies. Both efforts have put NASA on solid ground and will enable the agency that revealed the secrets of the

heavens to once again soar without abandon.

His service to this administrator and its workforce know no boundary and for that reason, Mr. O'Keefe called upon Courtney's talents and energies for support during the Columbia accident and its subsequent investigation. His care for the crew, their families, and the entire NASA workforce truly distinguished itself during some very challenging days.

As my words have chronicled, Courtney Stadd has been a faithful and valuable colleague for Administrator O'Keefe and the NASA workforce to depend upon. He has been a model to his peers and colleagues at NASA, the aerospace community and throughout the administration of integrity and poise in service to the American public. We are blessed in a Nation as bountiful as this one to have people such as him who take upon the cloak of public service and perform so admirably.

In the coming days, Mr. Stadd will be departing from his position at NASA to return to private life. As he leaves public service, the Members of this body and administration should pause to recognize him for his distinguished service. He has contributed much in his distinguished career to better America and I am grateful to honor him today.

I wish him well in all of his endeavors.

SUPREME COURT DECISION IN MICHIGAN

Mr. DURBIN. Mr. President, I rise in praise of yesterday's Supreme Court decision in the Michigan case—the most important affirmative action case in a generation. I along with 11 of my colleagues—Senators DASCHLE, KENNEDY, CLINTON, CORZINE, EDWARDS, FEINGOLD, KERRY, LANDRIEU, LAUTENBERG, SCHUMER, and STABENOW—filed an amicus brief in support of the university's affirmative action programs.

I am disappointed that the Court struck down the undergraduate admissions program, but I believe that the opinion upholding the law school program represents a significant victory for affirmative action and for America.

The Court's decision reaffirms the compelling interest in racial and ethnic diversity—universities may continue to include race as one factor among many when selecting its students. Diversity programs promote the integration and full participation of all groups in our society. The core holding of *Grutter v. Bollinger*, the law school case, and *Gratz v. Bollinger*, the undergraduate case, boils down to this: universities must look at each applicant individually.

Michigan Law School's program was upheld because the law school performs an individualized consideration of every applicant. Race is considered, but not in a mechanical manner. The University of Michigan's undergraduate program was struck down because the Court said its point system

was too rigid and too mechanical. The bottom line is that university affirmative action—when done right—is alive and well in America. Not surprisingly, the law school opinion was 5-4 and, not surprisingly, Justice O'Connor was the swing vote. She has been the crucial swing vote in so many important Supreme Court cases over the past 20 years that she is now routinely referred to as “the most powerful jurist in America,” and indeed, as “the most powerful woman in America.” Both descriptions may well be true.

I would like to briefly discuss what I think are the three most important aspects of yesterday's decision.

First, the Court set out a clear roadmap for affirmative action. The question is no longer whether race can be used to further diversity, but how it can be used. The majority of universities are already practicing affirmative action the right way. As discussed in today's Washington Post, most universities currently have admissions programs that are similar to Michigan Law School's. And for those that don't, a quick fix would be to go out and hire more admissions officers. Many universities have large endowments, so I am confident they have the ability to hire a few more staff. As a result, they will be able to conduct the flexible, individualized analysis that the Court now demands.

I personally agree with Justice Souter's dissent in the undergraduate case—their point system is a far cry from the quota system that was struck down in *Bakke*. Underrepresented minorities automatically get 20 points out of a possible 150, but so do athletes, low-income applicants, and those who attended disadvantaged high schools. To me, this type of point system does not seem unconstitutional.

But in any event, universities now have clear guidance. I think Justice Scalia will be proven wrong in his dire prediction that the Michigan decisions will lead to an avalanche of new affirmative action litigation.

Another important aspect of yesterday's decision is that it recognizes the value of diversity not only on campus, but for other critical areas of our society as well. Eliminating affirmative action in universities would have harmful ripple effects for the nation.

For universities, the Court noted that “classroom discussion is livelier, more spirited, and simply more enlightening and interesting” when the students have “the greatest possible variety of backgrounds.”

For society at large, diversity has even more tangible benefits. Citing to an amicus brief filed by a large number of Fortune 500 companies, Justice O'Connor wrote that “American businesses have made clear that the skills needed in today's increasingly global marketplace can only be developed through exposure to widely diverse people, cultures, ideas, and viewpoints.”