

when he stated during President Bush's announcement of his nomination, that this could have only happened in America. Only in America, gentlemen, can a citizen be recognized for his or her achievement, regardless of their background, race or religion. Only in America, gentlemen, can a role model like Clarence Thomas show our children that, if they work hard enough, there is a better tomorrow and there is a pot of gold at the rainbow.

Finally, only in America, gentlemen, can an African-American such as myself have the honor of sitting before you today testifying on behalf of not only my good friend, but an individual whose credentials are above reproach and whose experience uniquely qualifies him to serve on the Supreme Court.

Lastly, I think it is important to say, when we get to the question, that I am truly, without a doubt, within the 1960 group that benefited from affirmative action programs, and I accept that fully. But I will say to you today that I practice affirmative action for my children by paying for their education.

I have a daughter that is an honor student at the University of Texas, who got there on her merits, who graduated third in her class, from one of the best prep girls schools in this country, and that is affirmative action, to me. I have a daughter who is in the top of her class at one of the leading prep schools in the country, and that is affirmative action.

I truly believe that we must practice affirmative action, but it must be for those who are most in need, not my children. Therefore, I say to you that I fully ascribe to Clarence Thomas' belief that affirmative action is important, but those of us who have made it must stop relying on excuses and begin to produce.

I close lastly by saying simply this: I am happy to be here. Last year, African-Americans in this country consumed \$380 billion. Anglo-Americans did not tell us how to spend one penny of that. I am saying to you today, some responsibilities we must take for ourselves.

Thank you.

The CHAIRMAN. Thank you.

There are about 7 minutes left to vote. Rather than interrupt your testimony in the middle, because I am going to have to go vote, Reverend, I think maybe it would be wise for us to recess and come back.

Let me ask you, because we may start before I get back, because whoever comes back first will start, let me ask you a question, Mr. Jackson. I am a little confused by your testimony. You talk about the fact that there is this cycle of despair and expectation of the Government to help, that is, in the African-American community, that has been spawned by affirmative action programs and those kinds of programs. Then you say those of you who made it should stop relying on affirmative action. I don't imagine that is where the despair is, is it, among those of you who have made it?

Mr. JACKSON. Sure, I think the despair is between those of us who have made it, who consistently create excuses for others not making it. My position is simply this, that I practice affirmative action by making sure that my two daughters are educated well. There are others that are not in the position that either one of us at this table are in. Those persons clearly must receive affirmative

action, whether they be Anglo, Hispanic, African-Americans. There are a lot of poor people in the world, and when we discuss the largest—

The CHAIRMAN. Well, if they have affirmative action based on that basis—you said you are a beneficiary of affirmative action. I don't know in what circumstance, whether it was law school or college.

Mr. JACKSON. Law school, specifically.

The CHAIRMAN. Law school. You wouldn't have gotten into law school, even on affirmative action back in those days, if it had been a pool, not of merely black Americans and Hispanic Americans, but if it had been a pool of all Americans in need, because I expect my financial circumstance wasn't any better than your financial circumstance—I don't know that to be true. My father made \$12,000 a year, so I don't know what that was, with four children.

Mr. JACKSON. That is about what mine made.

The CHAIRMAN. So, I imagine we would have been competing with one another for affirmative action, along for every one of you, there were 15 of me or 10 of me, because there are ten times as many white folks as there are black folks, 10 times as many poor white folks as there are poor black folks. So, how would you have gotten into school?

Mr. JACKSON. I think at the time that affirmative action was being practiced, it is clear that there were very few African-Americans in this country that could afford the kind of education that exists today. That is not the case. I think that Mr. Woodson made it clear that our income has gone up over 300 percent.

The CHAIRMAN. I am not talking about that. I am talking about the black folks and minorities who can't afford it.

Mr. JACKSON. And I am saying that those are the people that we are speaking in reference to which should be given the opportunities, without a doubt.

The CHAIRMAN. But it should be in a pool—

Mr. JACKSON. That has not been the case, though.

The CHAIRMAN. But it should be in a pool of all Americans, not just black Americans.

Mr. JACKSON. All low-income Americans.

The CHAIRMAN. All low-income Americans. Well, you all know, in low-income Americans, you are outnumbered in a big way, don't you?

Mr. JACKSON. No, Senator, the very fact—

The CHAIRMAN. You are.

Mr. JACKSON. We are disproportionately represented there. Therefore, we will be disproportionately beneficiaries of whatever is done to that group of people.

The CHAIRMAN. As you know, that is not true, if you are talking about absolute numbers. If there are 100 spots open and, for the sake of argument, let's assume 80 percent of class A is disadvantaged and only 10 percent of class B is disadvantaged. If class B is 20 times as big as class A, you are still going to find yourself out of those 10 slots, most of them going to the folks in class B. That is the only point I am making.