

SOUTER, J., concurring

**SUPREME COURT OF THE UNITED STATES**

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No. 02–1606

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TENNESSEE STUDENT ASSISTANCE CORPORATION,  
PETITIONER *v.* PAMELA L. HOOD

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF  
APPEALS FOR THE SIXTH CIRCUIT

[May 17, 2004]

JUSTICE SOUTER, with whom JUSTICE GINSBURG joins,  
concurring.

I join in the Court’s opinion, save for any implicit approval of the holding in *Seminole Tribe of Fla. v. Florida*, 517 U. S. 44 (1996).