

great sorrow that I tell our colleagues that Stanley was vigorous to the end, of course, with his great and powerful intellect, benefiting all of us to the end.

His plan was to retire in the fall. That was not in the cards for him. God took him sooner. But I want his family to know that many of us in the Congress mourn his passing, and I hope it is a comfort to them that so many people share their grief, but also their great pride in California Justice Stanley Mosk.

PLIGHT OF PUBLIC HOSPITAL SYSTEMS IN NATION

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, this evening I would like to talk about the plight of the public hospital systems in this Nation, and use as an example my own public hospital system, the Harris County Hospital District.

First of all, let me applaud the district for being such a vital part of our community, both in times of need and in times of tragedy. In particular over the last couple of weeks, it is the Harris County Hospital District that has stood up under the burden of Tropical Storm Allison. When any number of our private hospitals were closed, the Harris County Hospital District had its doors open. The trauma center, the Trauma 1 Emergency Center, was available for those who were in need. Now this hospital district is in need, and we need to rally around it to support it.

First of all, there is an enormous nursing shortage, as we well know, throughout this Nation. We must find ways to enhance and grow nurses, as well as provide opportunities for existing nurses who are immigrants to come in and provide assistance.

Furthermore, we must address the funding issue that plagues the Harris County Hospital District as it relates to the formula utilized for Medicaid dollars in this Congress. I hope that my colleagues on several committees that I will be approaching, along with Members of the United States Senate, can help us assist in obtaining additional funding, at least providing some minimal relief to the Harris County Hospital District, but addressing the need across the Nation for our public hospital systems. I applaud them and thank them for their service to the health needs of America.

TRIBUTE TO THE LATE JUSTICE STANLEY MOSK

(Mr. FARR of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARR of California. Mr. Speaker, I rise tonight to speak on the memorial

of Justice Stanley Mosk. Many of you know that as a fifth-generation Californian, born in San Francisco, where Stanley Mosk died, that he was a giant among supreme court Justices in the United States. He left a legacy of justice in California, having served on the supreme court in that State for 37 years.

I knew him as a lawyer. My father was in the State legislature and was very close to the Mosk family and to the Pat Brown family. Governor Pat Brown appointed him to the bench.

The tragedy of his loss is that one of the greatest legal minds of this century served in all of that time when California was emerging as a State, growing to be the incredible nation-state that it is, and the California Supreme Court rose to, I think, in respect probably the highest among all State supreme courts in the United States. Stanley Mosk led that drive. It is a great tragedy that we lost him before we could totally record all of his memories, but his legacy will live on in the history of California. He was one of the men that matched our mountains.

SPECIAL ORDERS

The Speaker pro tempore. Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

REMEMBERING THE HONORABLE STANLEY MOSK

The Speaker pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

Mr. SCHIFF. Mr. Speaker, I want to thank my colleagues for their kind remarks.

Mr. Speaker, I rise today to pay my deepest respects to the memory and legacy of California State Supreme Court Justice Stanley Mosk, a long-standing champion of civil rights and free speech, who passed away in his home on June 19, 2001, at the age of 88. Justice Mosk loved serving on the court and had very reluctantly decided to retire due to his advancing age. Sadly, Justice Mosk died on the day he was to submit his resignation to the Governor of California.

I first learned of Justice Mosk as a law student in the 1980s when I studied his opinions as required reading at Harvard Law School, along with the opinions of Justices Tobriner and Traynor. Traynor, Tobriner and Mosk were the giants of the California courts. They were the three gentlemen who made the California court, in many people's view, many scholars around the country, truly the highest court in the land.

Justice Mosk served 37 years on that court, the longest of any justice, and served with remarkable productivity, authoring 1,688 rulings. Smart, eloquent and principled, he had a magnificent record of upholding and expanding the rights of individuals.

Born on September 4, 1912, in San Antonio, Texas, Stanley Mosk was educated in public schools in Rockford, Illinois, and attended the University of Chicago Law School, earning his J.D. from Southwestern University in Los Angeles.

He was elected to serve as California attorney general in 1959 after campaigning in which he overcame tactics making his religious faith as a Jew an issue, and won by more than a 1-million-vote margin over his opponent, the largest majority in any contest in America that year. He was overwhelmingly reelected in 1962.

As attorney general for nearly 6 years, he issued approximately 2,000 written opinions, appeared before the U.S. Supreme Court in the *Arizona v. California* water case, and other landmark matters. He served on numerous boards and commissions, handled antitrust matters, constitutional rights, consumer fraud, investigative fraud, authoring some of California's most constructive legislative proposals in the field of crime and law enforcement.

□ 1900

He established the Attorney General's Civil Rights Division and fought to force the Professional Golfers Association to amend its bylaws denying access to minority golfers.

Governor Pat Brown appointed Mosk to the California Supreme Court in 1964. I note with pride that the late Senator Sam Ervin of North Carolina, on the floor of Congress on August 5, 1964, referred to Mosk as "one of the finest constitutional lawyers in the United States." While on the court, Justice Mosk authored decisions that presaged decisions later reached by the U.S. Supreme Court. Mosk, as a superior court judge in 1947, overturned a restrictive covenant that had prevented African Americans and other minorities from moving into particular neighborhoods a year before the United States Supreme Court voided such covenants. He wrote a 1978 decision barring prosecutors from using preemptory challenges to eliminate minority or female jurors in criminal cases, a trailblazing ruling that later became Federal constitutional law when the U.S. Supreme Court reached the same conclusion 8 years later.

Mosk, as commentators have noted, was consistent in upholding the rights of individuals. He detested quotas and led the court majority in striking down admission formulas used by the medical school at the University of California at Davis. "Originated as a means of exclusion of racial and religious minorities, a quota becomes no less offensive when it serves to exclude a racial majority," he wrote. Personally opposed to the death penalty, Mosk nonetheless upheld the law in capital cases.

As the Sacramento Bee columnist Peter Schrag has eloquently noted, Justice Mosk exhibited a "combination of judicial creativity and practical sense that produced a string of imaginative legal departures." Among those

imaginative legal departures, as Schrag notes, are decisions that handicapped parents could not be stereotyped and automatically ruled unfit to raise their children; that victims of a pharmaceutical drug who could not identify the specific maker of the pharmaceutical product they consumed could collect damages from all manufacturers in proportion to their market share when injured; and upholding State law requiring private owners of tidelands to permit public access.

As the Sacramento Bee recently editorialized, "Mosk's greatest contribution to the law and rights was pioneering the theory of 'independent state grounds.' The rights of the people were lodged not just in the Bill of Rights and transitory interpretations of the Supreme Court majority," Mosk argued. "They were embedded as well in State Constitutions, which sometimes offered greater protection to individuals than the minimum required by the Federal courts. The doctrine, widely adopted by State courts around the country, is the source of many path-breaking privacy rulings and has given States the chance to become agents for legal change."

Justice Mosk is survived by his wife, Kaygee Kash Mosk; his son, Richard; and his grandson, Matthew Mosk, is in attendance in the House gallery here tonight. To them, I want to extend my sincere condolences and, as the gentlewoman from California (Ms. PELOSI) indicated, all of our sincere pride in the work of that great man. As the Sacramento Bee editorialized so appropriately, Justice Mosk was "California's brightest beacon of liberty." While his life has ended, his legacy shines brightly for all Californians and for our great Nation.

CRISIS IN KLAMATH RIVER BASIN

The SPEAKER pro tempore (Mr. OSBORNE). Under a previous order of the House, the gentleman from Oregon (Mr. WALDEN) is recognized for 5 minutes.

Mr. WALDEN of Oregon. Mr. Speaker, I rise tonight to again talk about the saga of the Klamath Basin and the farmers who have lived there and tilled the ground and fed the Nation.

As my colleagues know, Mr. Speaker, on April 6, they cut off the water. They said, no water for the farmers this year; the suckerfish would prevail. Mr. Speaker, word is finally getting out about this crisis. There have been stories in The New York Times, and today in the Washington Post there is a story. It has been on Fox News and other networks, CNN and others, who are beginning to cover this story and the tragedy that is occurring at ground zero of the Endangered Species Act debate.

Today, in the Washington Post, Michael Kelly, a columnist, writes, "The Endangered Species Act has worked as intended, but it has been exploited by environmental groups whose agenda is

to force humans out of lands they wish to see returned to a prehuman state. Never has this been made more nakedly, brutally clear than in the battle of Klamath Falls."

Mr. Speaker, I want to read today from a couple of letters I have received from constituents. These folks, Bill and Ethel Rust wrote, "We have not written sooner as shock and disbelief have kept us almost immobilized and so sick at heart.

My husband is 76 years old and a Navy veteran of World War II, having lost a brother in this war. We have been ranchers our entire life and depended on this for our livelihood. We are still in shock that our own government has taken this away from us. We recently retired to a small 75-acre alfalfa ranch that was just perfect for us to handle at our age, and you have just destroyed it. Without water, our alfalfa is dying. What are we to do to replace this income? Is the suckerfish more important to you than we are? Having raised nine children to be hard workers and contributors to our society, are we now to apply for welfare or live off our children?

"We have sold our cattle. We are in the process of selling our horses. After a lifetime of getting up in the morning to care for our livestock and ranch chores, what would you suggest we do with our mornings? What reason do you give us to get out of bed?

"We need the help of our government. Will we get that?"

Mr. Speaker, this is typical of hundreds, if not thousands of letters I have received from the people of Klamath Falls.

Mr. Speaker, as my colleagues know, this House, prior to the July 4 recess, passed \$20 million in aide to the farmers and ranchers of Klamath Basin, and the Senate has now approved that. It will be in conference next week, and soon it should be on the President's desk.

Mr. Speaker, today I had the opportunity to speak with President Bush personally about the crisis in the Klamath Basin and he offered his help and urged me to continue to contact and work with Secretaries Norton and Veneman. So later this afternoon, I spoke with Secretary Veneman, Agriculture Secretary, about the problem. Because, Mr. Speaker, the word is getting out, and now the help must get in. Good people are being urged to do bad things, as frustration levels rise in the Klamath Basin. Twenty million dollars, Mr. Speaker, that will be available to these farmers and ranchers in the Klamath Basin sooner rather than later if the U.S. Department of Agriculture acts expeditiously to get these funds that we have approved in this Congress into the hands of farmers whose fields are drying out.

The land, instead of green, is parched and brown. Wind is stirring up the dust. The costs continue. Mortgages have to be paid. Equipment payments have to be met. Bankers are knocking

on the door. People are scared. Their livelihoods are at stake.

We need also to work with USDA to get feed and water for livestock. Literally, a crisis is at the doorstep. We also need in the long term, which has to be shorter, rather than longer, to improve water quality, but moreover, improve water quantity; to get biological opinions for next year's operations plan that are above question that have been blind peer-reviewed so we know the science is valid but, moreover, the conclusions are sound, so that we can open the gates legally and get water into the fields and the farms for the people of the Klamath Basin.

Mr. Speaker, we have a crisis on our hands, a crisis that is getting worse, not better, as people's frustration levels rise, not fall. They need our help, Mr. Speaker. They need help in us changing the Endangered Species Act. They need help financially; but most of all, they need the water they were promised so that next year they can plant the crops like they have for the past 85 years.

Mr. Speaker, I want to thank my colleagues in the Oregon congressional delegation, members of both parties, for working with me on this issue, for helping secure the \$20 million. It is a start, but it is not the end. It must be distributed rapidly and not parceled out over the months. We need to act.

It took an overnight to cut off the water; it cannot take months to get relief to these same people.

Mr. Speaker, these people who settled this country were invited there by this Federal Government with the promise of land and water if they would simply homestead the land and produce food for the country. People who were invited to this area were the very people who fought for our freedom in a far-off land. Veterans of America's Armed Forces were given priority. It is our turn now, Mr. Speaker, to step up and take care of those people.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

PROBLEMS IN AMERICAN AGRICULTURE

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

Mr. SMITH of Michigan. Mr. Speaker, today we passed an appropriations bill for agriculture. Let me first spend a second giving my impressions of the predicament that American agriculture is now facing.

On a level playing field, American agriculture could compete favorably with most any other country in the