

indicated that, absent congressional action, the SEC would leave this matter to state authorities.

It seems to me that a lawyer with knowledge of managers' serious, material, and unremedied violations of federal securities law should have an obligation to inform the board of those violations. Particularly in view of the uncertainty surrounding current ABA and state rules, my view is that this obligation should be imposed as a matter of federal law or regulation. Recognition and enforcement of this important but limited obligation could prevent substantial harms to shareholders and the public.

I would appreciate receiving your answers to the following two questions at your earliest convenience:

1. Absent further congressional action, does the SEC plan to act to enforce a minimum standard of professional conduct for lawyers in securities practice along the lines I have suggested?

2. If your answer to the preceding question is no, would you be willing to assist me in carefully crafting legislation to impose this duty on lawyers?

I look forward to hearing from you.

Yours Sincerely,

JOHN EDWARDS.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15.

Thereupon, the Senate, at 12:30 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. BAYH).

The PRESIDING OFFICER. The Senator from Nevada.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that the vote now scheduled for 4:30 be set at 4:45 today, with the remaining provisions of the unanimous consent agreement in effect.

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

The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent that I may proceed for 5 minutes.

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

IN MEMORY OF DR. RICHARD J. WYATT

Mr. DOMENICI. Mr. President, it is with great sadness that I rise today to remember a man who played such an important role in mental health. I would like to make a few remarks to honor Dr. Richard J. Wyatt, a friend of mine and my wife and my family and a distinguished advocate for the mentally ill.

On Friday, June 7, 2002, the mental health community lost an inspirational researcher and leader in the field of mental health to a long battle with cancer. Throughout his career, Dr. Wyatt received numerous awards and honors and was highly respected among his colleagues. He served as the chief of the Neuropsychiatry Branch at the National Institutes of Mental Health.

For 33 years, Richard played a leading role in understanding the biological basis of mental illness. His work pioneered the view that Schizophrenia is not the result of bad parenting or frailty of character, but it is due to a diagnosable and treatable disorder of the brain. This creative understanding of the basis of brain disease led to new treatments with antipsychotic medicines easing the burden of the disease.

In addition, Richard and his wife, Dr. Kay Jamison, worked to end the stigma attached to mental diseases. Richard focused on research and the biological effects of Schizophrenia. Kay wrote books about her personal struggles with depression and how to overcome it. Together, they co-produced a series of public television programs that provided information on manic depression. All of their efforts helped to raise public awareness of brain disorders.

Not only did Dr. Wyatt receive praise for his work on mental health, but he was a strong and courageous individual who fought a lifelong battle with cancer. In a letter to a friend diagnosed with cancer, Dr. Wyatt candidly discussed his experiences and shared his insights into overcoming this disease.

Mr. President, I ask for unanimous consent that the February 13, 2001, Washington Post article entitled, "Words to Live By" be printed in the RECORD following my remarks. I believe this article is truly inspiring and exemplifies the qualities of this extraordinary individual.

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

(See exhibit No. 1.)

Mr. DOMENICI. From myself and my wife, Nancy, we wish to express our heartfelt condolences to Richard's friends and family. To his wife, Kay, we send our greatest sympathies for the loss of your husband, and we thank you for your work as well. Dr. Wyatt's strength of character, and his compassion and work on behalf of the mentally ill will truly be missed.

EXHIBIT No. 1

[From the Washington Post, Feb. 13, 2001]

WORDS TO LIVE BY

Drawing on knowledge born of hard experience, Washington psychiatrist Richard J. Wyatt penned this personal note of advice after a close friend and fellow physician was diagnosed with cancer. A cancer veteran himself, he underwent two years of aggressive radiation and chemotherapy to fight Hodgkin's disease in his thirties. When at age 60 he was diagnosed with Burkitt's lymphoma, he withstood another course of chemo and a bone marrow transplant. Since he wrote the letter, he's begun a third fight—this time against lung cancer. In the letter's introduction, he voices the hope that the "battle-won knowledge" he offers here "will help others facing this difficult journey."

DEAR JIM, I wouldn't have the audacity to write this if I hadn't fought cancer three times myself. But maybe you'll find the following advice helpful. I also offer the comforting and indisputable fact that I am here today to offer it.

Try not to sweat the big things. Once you have made the decision to put yourself in the

hands of a good oncologist, it is his or her job to fret. If you find that you are second-guessing him on big issues, you have the wrong person. Your job is to concern yourself with the small things. It also helps to find a treatment facility that makes you feel secure. I was treated at Johns Hopkins. The doctors, as I expected, were superb. And one cannot say enough about the quality of the nursing care at Hopkins. Everyone, including the housekeepers, takes pride in their work.

Finally, as you know from the adage, a doctor who is his own doctor has a fool for a patient. In short, despite the temptation, do not try to compete with your doctor. How to choose an oncologist: Carefully. Most people have no basis for choosing a specialist other than the recommendation of their internist or family physician. In most cases this works well. My internists are superb, and they could not have been more helpful at a number of important stages of my care. But they have only a limited number of people they know well enough to make referrals to.

The local oncologist is unlikely to have treated Burkitt's lymphoma or other unusual cancers, and even if he has some experience, it is likely to be slim. And he won't have the support team to deal with the many complexities that will arise.

You want to be at an academic center where there is a great deal of experience, and where nobody does anything without it being questioned. The local oncologist can work with the academic oncologist, particularly if there is a geographic distance involved. The question I would ask, probably of the local oncologist, is, "Who would you ask to treat your family member if he or she could go anywhere in the country?"

Do not be shy about this, and do not worry about offending your doctors by asking such questions. This may be among the most important questions you ever ask.

As an aside, when I went out to Stanford for my Hodgkin's treatment, the radiation oncologist there said he could do better than the other people I was considering when I asked him this question. The other oncologists I was considering were as good as they get. But the Stanford doc turned out to be one of the best physicians I have come across. His well-placed self-assurance probably saved my life.

Protect your veins. This is one of those small things I told you that you should worry about. Think of every venipuncture as a nosebleed where you must apply continuous pressure to the puncture wound for five minutes, even though the person drawing your blood will want to just put a bandage on it. Your arm will soon enough look like a maple tree in the fall, but there is no need to hurry the seasons. Try to get as much out of a single needle stick as possible. If you are going to need blood drawn twice in the same day, a device (a heparin lock) can be left in your arm which will prevent the need for a second stick. And start squeezing rubber balls. My arm veins have never been better.

A bad hair year. I have noticed that neither of us has high-maintenance hair. As far as I'm concerned, the only reason for having hair is to keep our heads warm. (If I were a woman, I might feel differently.) You have the wisdom to live in a warm climate, but when it does get cold, wear a hat. One of my fellow patients tied a bandanna around his head, which I thought looked pretty snazzy, but because of some medication-induced numbness and tingling in my hands, I was having enough trouble with buttons and shoelaces.

And there are some major benefits to hair loss. If all goes well, you have many months of not shaving. Just think of Yul Brenner and Michael Jordan. And James Carville. You will not be experiencing the radiation I

received for Hodgkin's disease. It burned up a lot of me. Twenty-seven years after my radiation treatments, I still do not have any inconvenient sweat glands. I can wear my shirts for weeks without any telltale signs. And since both of us are academics, not one will notice the wrinkles.

Get your finances in order. Make sure everything is in one place where your wife can find it, and in a form she can understand. I note that the night before Sen. John McCain had surgery for his melanoma, he said that his wife, Cindy, was going through their insurance policies. It got a laugh, but she was right. I have all my financial papers in a black three-ring notebook in plain sight, and I update it pretty often. Visit your accountant to see if you are over the limits you can leave a spouse and kids without it being taxed. Wills, powers of attorney and so forth are a must. Do not forget your friends.

Nausea and vomiting. This time the chemotherapy is mild and fairly innocuous. Even a year ago, despite undergoing rather rigorous treatment, I had very little nausea or vomiting—a big difference from 27 years ago. Today there are good medications to prevent nausea and vomiting. Most of the time last year I got an IV dose a few minutes before receiving the day's medications. The pill form also worked well, even when they were dumping Drano directly into my cerebral spinal fluid. Burkitt's cells are apparently scoundrels: If there allowed to, they hide in the brain.

I think you will want to start the pill form of anti-nausea medication about an hour before treatment, and take it about every eight hours for the next 24 hours. Your anti-cancer drugs may sit in the body longer than the ones I received, but I think most of them set on their target receptors within a few minutes.

An aside about spinal taps: If you need to have one, to prevent headaches, remember to lie on your back for two or more hours after each tap. Out of nine spinal taps, I had only one mild headache, but it did last about a week.

Although by previous standards there was essentially no nausea or vomiting, I recommend carrying a purple surgeon's glove in your pocket at all times, just in case. I am not sure why all the gloves have suddenly become purple, but Barney seems to have had a pervasive influence. I had to use the glove only once, but it saved my wife's car from that indelible stink. Since you have had much less practice and therefore probably do not have my Olympic-quality aim, you might want something larger than a surgeon's glove. Think leaf bag.

Tastes and foods. I developed strong aversions to many foods and tastes I normally like. One of the most surprising was my sudden dislike of chocolate. I have since learned that this reaction is quite individualized. I think I almost drove my wife to murder demanding that my food be prepared in specific ways and then rejecting it. Nor is this something that suddenly goes away. Fortunately, it appears to be in women's genes to be patient with us.

A year later, my appetite has yet to return. But then again there are not many men our age without a potbelly. You would be surprised by the number of friends who are slightly heavier than they would like, and who would be pleased to merge with you or offer to provide a transplant of their extra tonnage. They, and others, have offered many suggestions for increasing my appetite. One of my more endearing nurses advised me to have a beer before meals. Ensure, a "Sun Chip and Benecol [a special kind of margarine] diet," Remeron [an antidepressant], Megace [a hormone] and marijuana have all been strongly encour-

aged. Of these, I like the idea of marijuana the best, but it is illegal and, despite a real effort under a porch when I was 14, I never learned to inhale. No matter what I have tried, I find I am as good at pushing food around a plate as I was when I was a child.

Dry mouth. You will have it. Ice chips work well. A great gift was a Chap Stick. I have used it to its nubbins and it is the only one I never lost.

Amusement. Get a comfortable lounge chair for home, a high wattage light for reading and a good TV videotapes. These should not be in the bedroom (see below). The best gifts I received during this time were books on tape, so you will want a good headset and tape player. If you have not already done so, start with Harry Potter.

Apparently, flowers attack you when your immune system is down, so somehow you have to figure out a way to discourage friends from sending those large "get well soon" bouquets. Our cleaning lady got a lot of beautiful hand-me-down roses in the last year. They come pretty much only in the beginning, so she has no conflict of interest in seeing me get better.

Chivalry, sex and movies. Have a place you can go at 2 a.m. when you cannot sleep and do not want to disturb your wife. You may want to subscribe to an extra movie channel. In the early hours of the morning, you can never be sure what will pop up on cable TV, but the porn flicks went to waste—I, at least, lost any libido I might have had left.

My wife has been great about renting movies, and we usually have a large stack at anyone time. Make the most of whatever you can of political coverage and hope for a good scandal. My bout with Hodgkin's coincided with the Watergate hearings. Few people appreciate Richard Nixon like I do. A year ago I had John McCain and his exciting campaign. Actually, I suggest starting some sort (any sort) of rumor about one of our current or former Washington luminaries. How about something involving a randy act with one of the baby pandas at the zoo? Root for the absurdities of another Ken Starr, Bob Barr . . . the list is long.

Sleep. With the permission of your doctor, have a supply of sleeping pills on hand. I have always used Valium because it has been around the longest. Because it is now off patent, it is also cheap. I buy one large bottle every 10 years. I think you said you like Ambien. Let me warn you that in the last few years I have seen two people, although older than us, become pretty goofy on Ambien. You might warn your wife about your potential for goofiness, because it is a little hard to assess on your own.

Thinking. By the way, I am not sure most oncologists realize the extent of it, but the anti-cancer drugs affect one's cognition. The change is subtle and you will probably be the only one who knows it has occurred. This is not the time to expand your ideas on superstring theory.

While in the hospital with the bone marrow transplant, I received a great many medications. Just before they discharged me, I had a fever of unknown origin and one night became delirious. My wife and I are still arguing whether it lasted for a few hours or may more. You know which side she is on. My oncologist, who is generally pretty blunt, says he was not there and has refused to get involved in the discussion. In a more tactful manner than is usual for him, he did say that such deliriums usually last for days or weeks. The delirium did go away and has nothing to do with the more subtle cognitive change mentioned above.

Pain and enemas. I had some bone pain with the Hodgkin's and used small amounts of codeine with aspirin. When the pain was at its worst, I used Valium as well. My treat-

ment last year was fairly pain-free. The problem with opiates, which I enjoy otherwise (do not pass up a shot of Demerol if you are going to need a biopsy or surgery), is that they are constipating. Do not allow yourself to get constipated. Colace and sena work pretty well, but if you start getting bottled up, enemas (yuck!) have worked well for me. Fleet's or its generic equivalent has done the trick on a number of occasions. It's probably a good idea to have several around the house. Just don't leave them in the living room or where the dog can get at them.

Invisible shield. After chemotherapy, your chance of developing shingles will be pretty high (assuming, of course, that like most people our age, you have had chickenpox). There are now several antiviral agents available which, if started with the first symptoms, can greatly reduce the amount you will suffer from this scourge. Unfortunately, by the time you recognize the symptoms, describe them to your doctor, get a prescription, have that prescription approved by your HMO or insurance company and get the drug at your pharmacy, several days or more will have passed.

Aware of this problem, I asked my physician to write a prescription before the symptoms developed. My insurance company has been fairly generous throughout my illness, but it took more than two weeks for them to send the drug. It came a week before my symptoms developed.

If you want to know how worthwhile this exercise was, consider this. When I had Hodgkin's disease, shingles got the better of me for many weeks; it was on both sides of my body and spread vertically across all my ribs. I still get pain in these areas every winter when I go out into the cold. But this time, just one rib was involved. And it itched more than it hurt. I think I may be left with a small residual seven months later, but it is trivial. I have read that adding small doses of the antidepressant amitriptyline [Elavil] to the antiviral agents helps prevent the post-shingles pain.

The sporting life. To the degree you can, exercise. It may not be possible at first. But as soon as you feel up to it, give it a try, even if you only walk around the block. (Believe me, the first time you complete this herculean task, you will be very impressed with your physical prowess.)

I still try to get on the treadmill every day, as I have done most of my life, even if the workout isn't what you would call herculean. The only time I missed it recently was a two-week period last month when I contracted pneumonia and hadn't yet responded to antibiotics.

Before my latest cancer diagnosis, I got shoved out of bed every morning to be at the gym by 6:15. Mostly, while there, I was too out of breath and my pulse too rapid to do anything but read the newspaper, but I got on the treadmill every day even if I had to hold onto the rails for balance. I think the balance problem is related to weakness, but it could also have been the Drano.

Cancer talk. This issue is one that may be left over from our parents' generation. They did not talk much about cancer, but I have always been willing to talk about mine. This is a secret I did not want to try to keep. And just how do you explain sudden baldness, needle tracks and a great imitation of Casper the Ghost?

Some of my best discussions have been in oncologists' waiting rooms. There is almost always a wait, so there is plenty of time to meet others going through more or less the same thing. At least for me and my wife, the time spent in oncologists' waiting rooms has been an unofficial form of group therapy, and I have never met a person there I did not like. It is rather remarkable how being in

the same boat on a rather rough sea pulls people together. I believe all those studies that say that group psychotherapy improves the survival time of patients with cancer. My experience is that such therapy doesn't have to be formal; it develops spontaneously.

Spiritual issues. This has not been my strong suit, but despite living in a somewhat cynical society, you and I both have many friends who pray. For the most part they do so in private. Few have Joseph Lieberman's exuberance. As you will find out, however, when they perceive you need them, they let you know they are there for you.

And you will find that those friends who don't pray will also find wonderful ways of encouraging you.

One more thing. In case you have ever wondered why you got married and had kids, this is it. This is your best chance ever to get a lot of attention. Breakfast in bed is a good start.

Love,

RICHARD.

IN RECOGNITION OF LAS VEGAS, NEW MEXICO

Mr. DOMENICI. Mr. President, I rise today to bring attention to the special distinction of Las Vegas, NM, as recently highlighted by the Los Angeles Times. Perhaps more faithfully than any other community in the Southwest, this charming city continues to hold fast to its rich Hispanic and European heritage, and colorful "Wild West" history.

Firmly rooted in Hispanic traditions, Las Vegas was christened "Nuestra Señora de los Dolores de Las Vegas Grandes," or "Our Lady of the Sorrows of the Great Meadows," by sheep and cattle ranchers of Spanish heritage who settled there in 1835. Las Vegas prospered as a major trading point on the Santa Fe Trail, giving rise to a great proliferation of adobe homes and commercial buildings. As trade burgeoned, the trail and the nearby Atchison, Topeka, and Santa Fe Railroad brought in a larger variety of settlers and architecture, including other European influences, and the town grew to include a large number of Victorian buildings. As the Los Angeles Times points out, Las Vegas currently boasts over 900 structures listed on U.S. and New Mexico registries of historic buildings, an outstanding number of monuments to the varied cultural influences that have shaped the town for more than a century and a half.

The Los Angeles Times also noted that "this Las Vegas, in fact, has so much history, the town's not sure what to do with it all." Las Vegas has played host to both illustrious guests and infamous Wild West personalities. Theodore Roosevelt and his Rough Riders convened there for a reunion in 1899, a year after they stormed San Juan Hill. Both Ulysses S. Grant and Emperor Hirohito of Japan took advantage of the Montezuma Castle hot mineral springs resort outside town. The same vibrant traffic that made the town boom brought in some of the most colorful characters of the Old West: outlaw Billy the Kid and bank robber Jesse

James made appearances in Las Vegas, and controversial gunman "Doc" Holliday performed a stint as the town's dentist.

Though the town was established by a land grant from the Mexican government to several Spanish families, Gen. Stephen Kearny of the U.S. Army arrived on the scene in 1846 by way of the Santa Fe trail and sparked the Mexican American War by declaring the town's residents to be citizens of the United States. Henceforth, the town clung tenaciously to its roots, resulting in a vibrant and authentic Hispanic community unlike any other in the Southwest.

Although the boom begun by the railroad left Las Vegas behind, and stagnation sometimes haunted the town's economy, Las Vegas continued to embrace its home-grown values and place an emphasis on preservation as it sought other means of development. I believe Las Vegas, with its history and charm, is poised for a 21st century renaissance. It has the ingredients—a ready workforce, access to transportation and metropolitan services, a higher-education base, and the desire to be a prosperous and growing community. I have worked through my Rural Payday initiative to help bring new telecommunications-related jobs to Las Vegas, and we are working on other projects to bring more jobs to the area. The so-called information superhighway, like the railroads of the 1800s, can be the region's next conduit for growth.

The people of Las Vegas and San Miguel County hold a very special place in my heart. They make New Mexico particularly proud for staying true to their values and heritage. Possibly no other locale that so purely embodies the real historic and cultural elements that distinguish our state from any other. I commend Las Vegas' residents for their active preservation efforts, and congratulate this community on its remarkable place in New Mexico's cultural life.

Mr. President, I ask unanimous consent that the text of the Los Angeles Times article from June 16, 2002, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Los Angeles, Times, June 16, 2002]

NO SIN CITY, THIS VEGAS SAVORS ITS RICH HERITAGE

THE SMALL COMMUNITY IN NORTHERN NEW MEXICO TREASURES ITS OLD BUILDINGS, UNLIKE ITS GLITTERY NAMESAKE IN THE NEVADA DESERT

(By Tom Gorman)

This is the other Las Vegas—not where 40-year-old casinos are imploded because they're no longer fashionable, but where 140-year-old storefronts still have purpose.

The mob missed this place, but not the ruthless Billy the Kid, who was run out of town after pistol-whipping the sheriff, and bank robber Jesse James, who relaxed in its hot mineral baths. Probably neither visited the town dentist, "Doc" Holliday.

Nevada's Las Vegas may have its conventions, but it was here where Theodore Roo-

sevelt and his Roughriders held a reunion, attracting 10,000 admirers, a year after they stormed San Juan Hill in 1898. Hotel guests in Nevada's Vegas include flash-in-the-pan celebrities, but the old Montezuma Castle mineral springs resort here played host to Ulysses S. Grant and Emperor Hirohito of Japan.

This Las Vegas, in fact, has so much history, the town's not sure what to do with it all.

More than 900 buildings in this city of 15,700 are listed on New Mexico and U.S. registries of historic buildings. Most are clustered downtown, still used as homes, offices and storefronts, just as they were more than a century ago when this was New Mexico's boomtown.

But more buildings were constructed here from 1880 to 1900 than can be used today.

"In other cities, old buildings are torn down in the name of progress and are replaced with big new buildings," Mayor Henry Sanchez said. "But we were too poor to tear our buildings down poverty saved our History".

Now the city treasures its old buildings, and it has created a handful of preservation districts where the demolition of historic structures is banned.

The city is struggling to find tenants for the few dozen empty ones, in part because investors wary of water restrictions in the drought-ridden Southwest are afraid to launch businesses here and because of the cost of renovation.

Civic leaders also say they want to preserve the town's heritage and don't want to become another Santa Fe, 64 miles to the west, which is chided by Las Vegas as having forsaken its roots in favor of becoming a tony arts colony.

"Santa Fe is no longer a practicing Hispanic community," said Bob Mischler, an anthropology professor at New Mexico Highlands University here. "Santa Fe has been taken over by outsiders who have created a whole new environment. We don't want to do that."

The challenge here, Mischler said, is to preserve and capitalize on Las Vegas' Latino and European heritage.

Las Vegas was settled by Mexican sheep and cattle ranchers in 1835, attracted by the lush green meadows that gave the town its Spanish name.

Army Gen. Stephen Kearny, following the Santa Fe Trail, arrived here in 1846 and started the Mexican American War by proclaiming the town's residents to be American citizens. No shots were fired, and in time town commerce flourished by trading with nearby Ft. Union.

The economy that traders generated along the Santa Fe Trail through Las Vegas further enriched the town's merchants but was nothing compared to the arrival of the railroad in 1879, fostering 20 years of heated growth.

The town grew as two distinct halves—Latinos around the historic plaza, Easterners and Europeans around the rail district. Entrepreneurs from both cultures profited, and Las Vegas presented a confluence of architectural styles—from adobe and California mission to Queen Anne and Italianate—that grace the town to this day.

"Las Vegas has very few rivals in the West for frontier boomtown architecture," said Elmo Baca, until recently New Mexico's historic preservation officer.

But after the turn of the century, Las Vegas' fortunes waned as railroads expanded their reach to Albuquerque and other Western towns. Baca, a Las Vegas native, said the town still embraced its home-grown values.

"Ever since Kearny came here, we've had a healthy suspicion of outsiders," he said.