

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-years-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.

"We've held on dearly to our cultural heritage, perhaps at the expense of economic development."

The frontier buildings were neither razed nor improved as the city's economy stagnated during the last century. Few businesses moved here; a factory made parachutes during World War II, and today the biggest employer is the government.

Not that progress isn't being made.

The city is renovating the railroad depot, at a cost of \$500,000; the Montezuma Castle resort was renovated and is now used as one of 10 Armand Hammer United World College campuses around the world.

And the citizens committee for historic preservation purchased an 1895 mercantile building for its own use, investing about \$500,000 to turn it into a Santa Fe Trail interpretive center.

Slowly, building owners are renovating their structures, although some remain empty. Among them: two century-old storefronts owned by the Maloof family, which settled here in 1892 and became wealthy New Mexico business owners and bankers. Today, one branch of the family owns the Sacramento Kings professional basketball team and a Las Vegas, Nev., casino hotel.

Among the town's boosters is Anne Bradford, who moved here from Carlsbad, Calif., nine years ago and spent \$150,000 to turn a 109-year-old home into a bed-and-breakfast inn.

Her guests, she said, enjoyed this Las Vegas for what it is. "People will always recognize our Las Vegas," she said. "It'll always be a little bit behind. That's part of its charm."

PAYING TRIBUTE TO DR. FRANK C. HIBBEN

Mr. DOMENICI. Mr. President, today I rise to pay tribute to Dr. Frank C. Hibben who passed away this past Tuesday, June 11, in my State.

Dr. Hibben was a world-renowned archaeologist, anthropologist, big-game hunter, author, and philanthropist. He also held the title of Professor Emeritus of Anthropology at the University of New Mexico.

As a lifelong hunter and conservationist, Dr. Hibben played a key role in many of New Mexico's conservation and restoration programs. For 30 years, Dr. Hibben served on the New Mexico Fish and Game commission, including 28 years as chairman. In this capacity, he spearheaded efforts to introduce endangered, and exotic new species to the State of New Mexico in an effort to protect these dwindling game herds from around the world.

As an archaeologist and professor, Dr. Hibben wrote numerous articles and books with an emphasis on big-game hunting and the American Southwest. For his work, he was awarded the University of New Mexico's Zimmerman award, a notable award given by the university to honor an alumnus who has contributed significantly to the university and the world at large.

However, in spite of his many achievements in archaeology and conservation, I believe Dr. Hibben will be most remembered for his philanthropy. He was the founding Director of the UNM Maxwell Museum of Anthropology and played a key role in its de-

velopment. In addition, he has been the lead advocate for the development of the Hibben Archaeological Research Center which is currently in development. Dr. Hibben donated \$4 million of his own funds to construct this new center which would showcase the 1.5 million artifacts from the Chaco Culture National Historic Park.

New Mexico has lost an invaluable treasure in a man whose accomplishments cannot be overstated in their importance both to UNM and the State of New Mexico. I join with his friends and family in mourning their loss.

Mr. President, I yield the floor.

Mr. SPECTER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

TERRORISM RISK INSURANCE ACT OF 2002—Continued

AMENDMENT NO. 3862

Mr. SPECTER. Mr. President, I call up amendment No. 3862.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER] proposes an amendment numbered 3862.

Mr. SPECTER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The amendment is as follows:

(Purpose: To provide for procedures for civil actions, and for other purposes)

On page 29, strike line 1 and all that follows through page 30, line 17, and insert the following:

SEC. 10. PROCEDURES FOR CIVIL ACTIONS.

(a) FEDERAL CAUSE OF ACTION.—

(1) IN GENERAL.—There shall exist a Federal cause of action for claims arising out of or resulting from an act of terrorism, which shall be the exclusive cause of action and remedy for such claims, except as provided in subsection (f).

(2) PREEMPTION OF STATE ACTIONS.—All State causes of action of any kind for claims arising out of or resulting from an act of terrorism that are otherwise available under State law, are hereby preempted, except as provided in subsection (f).

(b) GOVERNING LAW.—The substantive law for decision in an action described in subsection (a)(1) shall be derived from the law, including applicable choice of law principles, of the State in which the act of terrorism giving rise to the action occurred, except to the extent that—

(1) the law, including choice of law principles, of another State is determined to be applicable to the action by the district court hearing the action; or

(2) otherwise applicable State law (including that determined under paragraph (1), is inconsistent with or otherwise preempted by Federal law.

(c) FEDERAL JURISDICTION.—

(1) IN GENERAL.—Notwithstanding any other provision of law, not later than 90 days

after the date of the occurrence of an act of terrorism, the Judicial Panel on Multidistrict Litigation shall assign a single Federal district court to conduct pretrial and trial proceedings in all pending and future civil actions for claims arising out of or resulting from that act of terrorism.

(2) SELECTION CRITERIA.—The Judicial Panel on Multidistrict Litigation shall select and assign the district court under paragraph (1) based on the convenience of the parties and the just and efficient conduct of the proceedings.

(3) JURISDICTION.—The district court assigned by the Judicial Panel on Multidistrict Litigation shall have original and exclusive jurisdiction over all actions under paragraph (1). For purposes of personal jurisdiction, the district court assigned by the Judicial Panel on Multidistrict Litigation shall be deemed to sit in all judicial districts in the United States.

(4) TRANSFER OF CASES FILED IN OTHER FEDERAL COURTS.—Any civil action for claims arising out of or resulting from an act of terrorism that is filed in a Federal district court other than the Federal district court assigned by the Judicial Panel on Multidistrict Litigation under paragraph (1) shall be transferred to the Federal district court so assigned.

(5) REMOVAL OF CASES FILED IN STATE COURTS.—Any civil action for claims arising out of or resulting from an act of terrorism that is filed in a State court shall be removable to the Federal district court assigned by the Judicial Panel on Multidistrict Litigation under paragraph (1).

(d) APPROVAL OF SETTLEMENTS.—Any settlement between the parties of a civil action described in this section for claims arising out of or resulting from an act of terrorism shall be subject to prior approval by the Secretary after consultation by the Secretary with the Attorney General.

(e) LIMITATION ON DAMAGES.—

(1) IN GENERAL.—Punitive or exemplary damages shall not be available for any losses in any action described in subsection (a)(1), including any settlement described in subsection (d), except where—

(A) punitive or exemplary damages are permitted by applicable State law; and

(B) the harm to the plaintiff was caused by a criminal act or course of conduct for which the defendant was convicted under Federal or State criminal law, including a conviction based on a guilty plea or plea of nolo contendere.

Conviction under subparagraph (B) shall establish liability for punitive or exemplary damages resulting from the harm referred to in subparagraph (B) and the assessment of such damages shall be determined in a civil lawsuit.

(2) PROTECTION OF TAXPAYER FUNDS.—Any amounts awarded in, or granted in settlement of, an action described in subsection (a)(1) that are attributable to punitive or exemplary damages allowable under paragraph (1) of this subsection shall not count as insured losses for purposes of this Act.

(f) CLAIMS AGAINST TERRORISTS.—Nothing in this section shall in any way be construed to limit the ability of any plaintiff to seek any form of recovery from any person, government, or other entity that was a participant in, or aider and abettor of, any act of terrorism.

(g) EFFECTIVE PERIOD.—This section shall apply only to actions described in subsection (a)(1) arising out of or resulting from acts of terrorism that occur during the effective period of the Program, including any applicable extension period.