

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