

doesn't say they avoid taxes forever. There is a capital gains tax in it. When there is a sale of the business or a sale of the land, when there is a taxable event, it gets taxed. That is how it ought to be. It should not be triggered by death and be a second tax on the same property.

I had a letter from a constituent who said, if we do the death taxes, isn't that going to increase the gap between the wealthy and the poor? That is a good question. The answer is, no. What we are working on is middle America, the workers, particularly the workers who have been building IRAs and 401(k)s and who have been participating in the growth of the stock market, taking their wage and investing a little bit of it. There are a lot of blue-collar workers across this country who are now millionaires. They took some of their wages and saved it. They aren't in some of the old exclusions we had on death taxes. They are saying: Wait a minute. I worked my lifetime to save this money. I took some risks to make this money. I didn't do it so I could have a great retirement with a lot of vacation places. I did it so my kids would have a better chance, so that my kids would have some advantages, so that my kids would start at a little different level in their job than I started in mine.

I want to make sure death taxes don't take it away. If we let middle America, which by the Democratic definition is anybody who pays taxes—no, that would be the rich. At any rate, if we let middle America keep their money instead of paying it in death taxes and move up into a little higher level, that is the way America has operated. That is why virtually all the people in Wyoming tell me: Eliminate the death taxes.

We did that. It is going to be heading down to the President to see if he agrees on it.

I hear a lot of the marriage penalty in Wyoming. Again, it is a fairness issue. They want the marriage penalty eliminated. The bill we sent down there was not the Senate bill. The Senate bill would have had a lot more marriage penalty elimination. We went with the House version for the most part. We increased it in the lower levels so the marriage penalty among those paying taxes but making the lower amounts would benefit from it and benefit the most. That is the way the bill is right now that is being sent to the President.

Again, we had a debate; we took the vote. That issue was resolved.

We hear a lot on taxes about the rich versus the poor and what we need to do with all the surplus. It is not surplus. It is excess taxes. It is tax money that got paid that is in excess of what we had anticipated and what we had planned to spend. There are a lot of exciting things we can do with excess. Everybody wishes they had some. The greatest thing would be to win a lottery. That is kind of an excess sort of thing, unanticipated money that you

got, with just a couple of bucks for expenditure. If we just give these out on all the new ideas for spending programs, that is what we will be doing—holding a national lottery.

Mr. DURBIN. Will the Senator yield for a question?

Mr. ENZI. I think your side had time and I patiently listened while I was in the chair. Your questions turn into statements. I would like to finish making my statement, if I might.

What we are turning into is a country that recognizes that the Federal Government can give us everything and we forget about where the everything came from.

It is pretty exciting to get a windfall. I figured out—and this is mostly from talking to my Wyoming constituents—that when a new program around here is proposed, there are people across this country who benefit from it. Maybe they get \$1,000. In fact, that turns out to be about the average a person in one of these programs gets—\$1,000. Of course, it employs some different people because they administer the program, and they get more than \$1,000 a year benefit out of it. They become the main lobbyists for the new program, and they get very excited about getting this new program in place and spending the money. You know, if a person gets \$1,000 or more, it is worth a letter or two—more than that, maybe it is worth a trip to Washington.

So we hear a lot about the importance of the new programs and everything. What we don't hear about is the taxpayers saying: Whoa, that isn't a program I like or a program I want to fund; that isn't where I want to put my money.

Do you know why we don't hear as much from those people? First of all, they are busy earning the tax money that we spend; secondly, it is only costing them about a quarter for a new program. How many letters can you write for 25 cents? You can't. So what we wind up with is a huge lobby for new programs.

The President, when he did his State of the Union speech, laid out several billion dollars a minute in new programs—new programs—that he would like to see done. In fact, there were about \$750 billion worth of expenditures listed there. Now, we have programs in this country that we are not funding adequately at the present time, programs that we have said are important, such as IDEA, that we bring up every once in a while to get additional funding. We don't do it, but we keep looking at new programs.

There are some things that need to be done in this country, and the best way is to get on with the appropriations process, to work through it in the kind of detail it deserves, and to quit throwing in peripheral things just because they can be brought up, which come with points of order and additional votes, each taking about an hour and using up the time of the Senate. It

is time we got on with the business of appropriations and visited with constituents about the details of how they think this country ought to run.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BROWNBACK. Mr. President, what is the present order of business?

The PRESIDING OFFICER. We are in morning business until 12:30.

THE LOOPHOLE IN COLLEGE GAMBLING

Mr. BROWNBACK. Mr. President, I want to make a few remarks on an issue very important to our young student athletes, as well as our colleges and universities. It is a piece of legislation that, if the appropriations continue to be held up on the other side of the aisle, I think we should consider. We should go to this piece of legislation.

The legislation is the Amateur Sports Integrity Act, which was passed out of the Commerce Committee by a 16-2 vote. There was strong bipartisan support for the legislation and introduction of the bill. Senator LEAHY and I introduced the bill. Basically, the legislation closes the one loophole on college gambling.

Presently, you cannot gamble legally in this country on college athletics. You can't bet on the Road to the Final Four, the NCAA basketball tournament, football and bowl games—except in one State in the country, and that is Nevada. That is what has led to a number of problems we have had of expanded sports gambling on amateur athletics and expanded cases where student athletes have fallen to the whims of people promising them some help if they will shave a point or two off the game. So we are trying to close that one loophole in Nevada so it is clear that it is illegal to bet on college sports in the United States.

This bipartisan legislation is in direct response to a recommendation made by the National Gambling Impact Study Commission, which last year concluded a 2-year study on the impact of legalized gambling on our country. The recommendation called for a ban on all legalized gambling on amateur sports and is supported by the NCAA, coaches, teachers, athletic directors, commissioners, university presidents, school principals, and family groups from across the country. Those groups are all strongly supportive of this legislation.

In my home State, Roy Williams, the basketball coach at the University of Kansas, considered taking the job at North Carolina but decided against it—happily, in my opinion. He is a strong proponent of this legislation. These are the people supporting this who know about the threat of gambling on amateur athletics. These are the people who are fighting the problem on the front lines 24 hours a day. These groups support our legislation which will prohibit all legalized gambling on high

school and college sports, as well as the Summer and Winter Olympic Games.

The Nation's college and university system is one of our greatest assets. We offer the world the model for post-secondary education. But sports gambling has become a black eye on too many colleges and universities.

Gambling on the outcome of sporting events tarnishes the integrity of sports and diminishes the esteem in which we and the rest of the world hold U.S. postsecondary institutions. This amendment would deal with that problem. It would remove the ambiguity that surrounds gambling on college sports and make it clearly illegal in all 50 States in the United States.

We should not gamble with the integrity of our colleges or the future of our college athletes. Our young athletes deserve legal protection from the seedy influences of the gambling, and fans deserve to know that athletic competitions are honest and fair.

Gambling scandals involving student athletes have become all too common over the past 10 years. In fact, there have been more gambling scandals in our colleges and universities in the 1990s than in every other decade before it combined. These scandals are a direct result of an increase in gambling on amateur sports.

It was just 2 years ago, during the Final Four, that we learned of the point-shaving scandal at Northwestern University involving their men's basketball team. This scandal involved both legal and illegal gambling on several Northwestern games. Kevin Pendergast, a former Notre Dame place kicker who orchestrated the basketball point-shaving scandal at Northwestern University, has stated—and I think this is clear, and it points to where we have a problem and why this is a problem and something we should take care of. In other States, it is illegal. Here is what the guy who masterminded that point-shaving case at Northwestern said:

My relationship with sports gambling continued off and on and ended with a \$20,000 bet placed in a sports book in Las Vegas. This was part of three basketball games that have been mentioned by Senator Brownback in the Northwestern point-shaving incident. The majority of the monies wagered in these games were legally wagered in Nevada. And by legally wagered, I mean you walk up to the sports book and place a bet on one team or the other. Now it was obviously illegal because of what was going on behind the scenes, but like I said, the majority of the monies wagered in this situation were wagered in a legal manner in sports casinos in Nevada.

That was the big case that broke 2 years ago. He went to a number of college athletes and said, "We are not talking about losing the game. Don't lose the game. We just want you not to win it by as much as the margin."

That is what we are talking about—the point spread. We will be able to wager money on the game, and if you are ahead by five points and the margin says six on it, just don't score. We

are learning, as we have gone through hearings, that you don't do this on offense; you do it on defense. If you want to shave points, it is not that you miss the free throw or the shot; you actually let your player get by you on an offensive move. It is less obvious to the other people watching that that is something that is going on. So actually people have thought this through quite a bit on how you allow shaving to take place.

That is what Kevin Pendergast said on this one particular case that broke 2 years ago.

In fact, the last two major point shaving scandals involved legalized gambling in Las Vegas sports books. The point-shaving scandal involving Arizona State University is believed to involve more money than any other sports gambling case in the history of intercollegiate athletics and involved legalized gambling and organized crime.

A study recently conducted by the University of Michigan found that 84 percent of college referees said they had participated in some form of gambling since beginning their careers as referees. Nearly 40 percent also admitted placing bets on sporting events and 20 percent said they gambled on the NCAA basketball tournament. Two referees said they were aware of the spread on a game and that it affected the way they officiated the contest. Some reported being asked to fix games they were officiating and others were aware of referees who "did not call a game fairly because of gambling reasons." Just a few months ago, newspaper articles from Las Vegas and Chicago detailed how illegal and legal gambling are sometime interconnected.

I get irritated sometimes at the referees in games. But if I thought there was anything going on where they were gambling on the games and that it was affecting their calls, imagine how poisonous this would be to them and to the integrity of the sport that is taking place.

The National Gambling Impact Study Commission Report recognized the potential harm of legalized gambling by stating that sports gambling "can serve as gateway behavior for adolescent gamblers, and can devastate individuals and careers." Some of its findings include:

More than 5 million Americans suffer from pathological gambling;

Another 15 million are "at risk" for it; and

About 1.1 million adolescents, ages 12 to 17, or 5 percent of America's 20 million teenagers engage in severe pathological gambling each year.

According to the American Psychiatric Association:

Pathological gambling is a chronic and progressive psychiatric disorder characterized by emotional dependence, loss of control and leads to adverse consequences at school and at home;

Teens are more than twice as vulnerable to gambling addictions than adults because they are prone to high-risk behaviors during adolescence; and

Ninety percent of the nation's compulsive gamblers start at an adolescent age;

According to the Minnesota Council on Compulsive Gambling, gambling on sporting events is a favorite preference of teenage gamblers.

We are talking about the gateway behavior, the pathological gambling, and 90 percent of it starts as teenagers. Where does it generally start? One of the favorite gateways is sports gambling.

Opponents of our legislation have tried to discredit our efforts by insisting that we should be focusing our efforts on curbing illegal gambling, not legal. I agree that we should be looking at ways to help law enforcement and institutions for higher education combat illegal gambling. The NCAA has undertaken numerous steps to combat gambling among student athletes and stated during the Commerce Committee hearing its intention to do even more.

I want to list some of the steps they proposed and are doing.

They are sponsoring educational programs for student athletes, including development of a sports wagering video; partnering with several professional organizations; assisting in bringing Federal and local enforcement officers to camps across the country; continuing to broadcast antisports gambling through public service announcements during NCAA championship games aired on CBS and CNN, most recently aired 18 times during the 2000 basketball championship games, and will continue to run during championship games this year.

They developed a "don't-bet-on-it booklet," created in partnership with the National Endowment for Financial Education to educate students about the dangers of sports gambling and to acquaint them with good financial management strategies.

They distributed these to at least 325,000 NCAA students.

The NCAA established policies that prohibit gambling on professional or college sports by college athletic personnel, student athletes, athletic conferences, and NCAA employees.

They prohibit student athletes from competing if they knowingly provide information to individuals concerning games.

They prohibit student athletes from competing if they solicit a bet on any intercollegiate game, or if they accept a bet on any intercollegiate team, or if they accept a bet on any team representing the institution, or participate in any gambling activity that involves an intercollegiate athlete through a book maker, or any other method employed by organized gambling.

They have instituted background checks on men and women basketball

officials to try to deal with the study that I just mentioned by the University of Michigan about the number of referees who have been involved in gambling.

The NCAA has been working in partnership with the National Association of Student Personnel and Administrators on implementation of on-campus surveys aimed at obtaining data related to gambling behavior of college students. The goal is to enlist 50 institutions to participate in the project. I hope the results will be available later this year.

The NCAA is working with several of the largest athletic conferences to assist in the development of comprehensive research on student athletic gambling behavior. They have other programs they are working with as well.

My point in mentioning all of that is there were charges made at the hearing in the Commerce Committee that the NCAA isn't doing enough. I agree. They are not. They are not stepping up and doing more. That should not be an excuse for us not doing what is right here, which is to ban the gambling on student sports. We shouldn't be subjecting our student athletes to this type of pressure.

Opponents have claimed that this is a state issue, not a federal one. This argument doesn't hold water. Congress already determined this is a federal issue with the passage of Professional and Amateur Sports Protection Act (PASPA) in 1992. Ironically, while Nevada is the only state where legal gambling on collegiate and Olympic sporting events occurs, Nevada's own gaming regulations prohibit gambling on any of Nevada's teams because of the potential to jeopardize the integrity of those sporting events.

If it is good for the goose, it is good for the gander. This should be banned everywhere.

During a press conference on my legislation earlier this year I encouraged colleges and universities from across the country to ask the Nevada Gaming Control Board to prohibit any wagers from being "accepted or paid by any book" on their respective athletic teams in Nevada. Unfortunately, the board refused the NCAA's request, stating that "the same level of protection is already extended within each of these states." What they failed to mention was that no state, except for Nevada, allows betting on college teams from other states. The frequency of gambling scandals over the last decade is a clear indication of legal gambling of college sports stretching beyond the borders of Nevada, impacting the integrity of States' sporting events in other places.

I said to the Nevada Gaming Control Board: If you take UNLV off the books, allow a way for the University of Kansas and Kansas State University to get off the books. Let our board of regents petition the Nevada Gaming Board that if they don't want to be on the books, Kansas State University can be

pulled off, the Governor can send a letter officially requesting, or the legislature can even pass a resolution saying the request be pulled off the books. Give us a way out to protect the integrity of our universities.

They denied the request. They said they would not do it because if we wanted out, there will be a whole bunch more who want out. Should that not tell us something right there, as well?

I am a strong advocate of States rights. However, States rights meet a State's authority to determine how best to govern within that State's own borders; they do not have a right to impact the integrity of Kansas sporting events. They do not have the authority to set laws allowing a State to impose its policies on every other State while exempting itself. Gambling on college sports, both legal and illegal, threatens the integrity of the game. That threat extends beyond any one State's borders.

I realize a ban on collegiate sports gambling will not eliminate all gambling on college sports. However, as Coach Calhoun stated in his testimony during the hearing: It is a starting point.

It is an important starting point. This is exactly what this legislation is about, a beginning. It will send a clear signal to our communities and, more importantly, a clear message to our kids: Gambling on student athletics is wrong and threatens the integrity of college athletes.

I believe it is important that every Senator voting on this legislation should ask him or herself this question: Is it unseemly and wrong to bet on kids? I think so. If enacted, there will be no ambiguity about whether it is legal or illegal to bet on college sports. As part of a broader strategy to resensitize the public to the problems associated with college sports gambling, this will make a difference. We should not wait for another point-shaving scandal in order to act. There will be another point-shaving case that will come down. Given the amount of money—over \$1 billion bet each year on college sports—there will be another point-shaving case that will occur.

Mr. President, if the minority, if the Democrat side, chooses to continue to hold up legislation on appropriations bills, I think this would be a good time to go take up this bill. I think it would be appropriate. I think it would be a good time to take it up.

I yield the floor.

The PRESIDING OFFICER (Mr. ENZI). The Senator from Tennessee.

Mr. THOMPSON. Mr. President, I ask unanimous consent I be given 10 minutes to speak in morning business.

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

A BIPARTISAN RESPONSE TO CHINESE PROLIFERATION

Mr. THOMPSON. Mr. President, today I want to talk about one of the

most serious issues facing the United States—the proliferation of weapons of mass destruction and the means to deliver them. I also want to talk about the legislation that Senator TORRICELLI and I have introduced—the China Nonproliferation Act—to address this growing threat.

The world is a more dangerous place today because key supplier countries like the People's Republic of China [PRC] continue to proliferate weapons of mass destruction to rogue states like North Korea, Iran, and Libya.

China has sold nuclear components and missiles to Pakistan, missile parts to Libya, cruise missiles to Iran, and shared a wide variety of sensitive technologies with North Korea.

Russia has provided nuclear weapons assistance to Iran, and missile technologies to North Korea.

North Korea has provided missile technologies to a variety of countries in the Middle East and Africa, and openly acknowledges these sales are one of its main sources of hard currency.

Many of these technologies are being used by rogue states to develop weapons of mass destruction and the means to deliver them—capabilities which are prompting many policymakers and defense experts in this country to call for the immediate deployment of a multi-tiered national missile defense system.

Two years ago, a bipartisan commission headed by former defense secretary Don Rumsfeld challenged the administration by concluding that rogue states like North Korea and Iran could develop an ICBM within 5 years of deciding to do so. In fact, the Commission reported that:

China also poses a threat to the U.S. as a significant proliferator of ballistic missiles, weapons of mass destruction and enabling technologies. It has carried out extensive transfers to Iran's solid-fueled ballistic missile program. It has supplied Pakistan with a design for a nuclear weapon and additional nuclear weapons assistance. . . . The behavior thus far of Russia and China makes it appear unlikely . . . that either government will soon effectively reduce its country's sizable transfers of critical technologies, experts, or expertise to the emerging missile powers.

Shortly thereafter, North Korea surprised our intelligence agencies by successfully launching a three-stage rocket—the Taepo Dong I—over Japan, demonstrating the technological know-how to hit the United States with a small warhead, and essentially confirming the Rumsfeld Commission's assertions.

In July 1999, the Deutch Commission, which was organized to assess the federal government's ability to address WMD proliferation, concluded that:

The U.S. Government is not effectively organized to combat proliferation, despite the fact that "Weapons of mass destruction pose a grave threat to U.S. citizens and military forces, to our allies, and to our vital interests in many regions of the world." The report also confirmed that China "is both a source and transfer agent for passing knowledge, technology, sub-systems, and entire