

4733, the Energy and Water Development Appropriations Act, 2001:

Trent Lott, Pete Domenici, Frank Murkowski, Pat Roberts, Jesse Helms, Larry Craig, Ted Stevens, Kit Bond, George Voinovich, Kay Bailey Hutchison, Chuck Grassley, Sam Brownback, Don Nickles, Mike Crapo, Slade Gorton and Orrin Hatch.

Mr. LOTT. Mr. President, this cloture vote will occur on Thursday unless we are in a postcloture situation on the Treasury-Postal Service appropriations bill, the intelligence authorization bill, or on the energy and water appropriations bill under some other agreement.

I ask unanimous consent that the mandatory quorum be waived.

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

Mr. LOTT. I now withdraw the motion to proceed. I believe I have that right.

The PRESIDING OFFICER. The Senator has that right.

MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to a period for morning business for 90 minutes, equally divided in the usual form.

Mr. DOMENICI. How much time?

Mr. LOTT. Ninety minutes. I believe Senator KENNEDY reserved the right to object.

Mr. KENNEDY. I will not object. Mr. President, I will not object to that. I want to gain recognition to explain my position.

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

Mr. LOTT. We are now in a period for morning business.

The PRESIDING OFFICER. We are in a period for morning business.

Mr. LOTT. I know Senator KENNEDY seeks recognition at this time to explain his position. I will stay in the Chamber and will be glad to respond to questions he wants to ask.

The PRESIDING OFFICER. The Senator from Massachusetts.

ELEMENTARY AND SECONDARY EDUCATION ACT

Mr. KENNEDY. Mr. President, I thank the majority leader. I made the point earlier that we did have before the Senate the pending business, which is the Elementary and Secondary Education Act. It did seem, since it was the pending business, that under the rules generally, after the time expires under morning business, we would go back to that legislation.

I know the majority leader has attempted to work out a process with the minority leader to move forward the business of the Senate. The education bill has been the pending business since May of this year. That has taken us through May, through June, and through July.

I still think we can complete the ESEA prior to recessing this week. If

we are unable to get agreement on these appropriations bills—I know they are important and generally, as the year goes on, they receive a higher priority, but it does seem to me that education has a high priority as well. I had thought we were going to have an opportunity to deal with the education legislation during the evenings of last week. We were unable to do so. We got caught up in the Agriculture appropriations bill.

I am wondering whether the majority leader can give us any indication whether he has an intention of getting back to the Elementary and Secondary Education Act and, if so, when that might be because with the successful motion the Senator has made and with the invoking of cloture, as I understand, the elementary and secondary education bill is returned to the calendar and will not be before the Senate as the pending business. With those actions, we are returning the elementary and secondary education bill uncompleted to the calendar. It does seem to me to be a priority. I am wondering what assurances the leader might be able to give us on the issue.

Mr. LOTT. Mr. President, if I can respond to the Senator's questions and comments, he knows a major effort was made last Thursday evening to come up with an agreement on how to proceed further on the Elementary and Secondary Education Act.

One of the problems we had then, and we continue to have, is Senators on both sides of the aisle have non-germane, noneducation issues they want to get into or, conversely, amendments they do not want to be offered. I know there had been some suggestion that maybe the NCAA gaming issue would be offered, and there was a feeling on the Democratic side that should not be included in the package of what we proceed to consider.

There is at least one Senator on this side who is interested in being able to offer an IDEA amendment which, in fact, relates to education, but there was resistance to that Senator being able to offer his amendment.

Then it got into immigration, and we were close to working out an agreement that connected, in a way, this bill with H-1B. In the end, we could not get the agreement. A lot of time was put in on that by Senators on both sides. Senator DASCHLE and I worked very hard on it. We were up the hill, down the hill.

We will keep trying to find a way to go back to this legislation this year and get it completed. I have another idea I am considering right now that will get us back on it in a way that will actually get it to completion. That is my goal. I am not interested in only going back to it and playing games with it and having nongermane, non-education issues poured on this bill. I want to stick to education. I think we can have a good debate and a lot of amendments that are strictly related to elementary and secondary edu-

cation. I realize the ingenuity of Senators can stretch the idea of related amendments to education.

That is the way I would like to proceed. Right now we are having trouble getting agreement to do appropriations bills and the intelligence authorization bill. I am even worried about being able to go forward with the commitment to begin the proceedings on the China PNTR tomorrow, which I still hope to be able to do, but it is going to take some concessions, again, as to how we proceed to get that done.

I will be glad to keep working with Senator KENNEDY, Senator DASCHLE, Senator REID, Senator GREGG, and Senator ASHCROFT. I like the bill. I would like to get it done. I would like to vote on it just as it is myself. I do not think we need to fix it up anymore. It does not need more bells and whistles. Let's just vote. I know others have amendments, and we will try to find agreement.

Mr. KENNEDY. If the Senator will yield for one more observation.

Mr. LOTT. Yes.

Mr. KENNEDY. We do know children start back to school in late August and early September. Time is moving along. There were allocations of resources in appropriations bills where there has been absolutely no authorization or statement of policy. It does seem to me that parents, school boards, and schoolteachers are entitled to a full debate and discussion on these issues and for the Senate to work its will.

I appreciate what the Senator has said. I hope he understands we are going to continue to raise this issue as we move along because I do think it is a top priority. The American families who have 58 million children in schools across this country are entitled to a response. I thank the majority leader.

Mr. LOTT. I thank Senator KENNEDY, and I thank Senator DOMENICI for allowing us to have an exchange. I know he is anxious to get his bill done. It is an important bill, the energy and water appropriations bill. It means a great deal to our country. I know he is trying to find a way to proceed.

At this point, this is the only option I have. I yield the floor so he may comment on that.

The PRESIDING OFFICER. The Senator from New Mexico.

ENERGY AND WATER APPROPRIATIONS

Mr. DOMENICI. Mr. President, I might suggest—and I do this in the presence of my good friend from Massachusetts; I wish the distinguished Senator from Nevada, Mr. HARRY REID, were here. I have an observation. Maybe I am 2 weeks ahead of time, but I believe the plan is that the Democrats are not going to let us do anything of significance, literally nothing, unless and until they get everything they want.

The truth is, for this little period in history—I have been here 28 years, and

it is a small piece of that—the Republicans have controlled the Senate and the House. But the Democrats are bound and determined this year, in an election year, that we are not going to pass the regular appropriations bills, period. They call us “do nothing,” but they are obstructionists of the highest order.

I will just talk about one bill, then I will talk about the appropriations bill on education. I am just going to talk on one appropriations bill. We have heard from the beginning platitudes about working together to get all the appropriations bills done. The distinguished occupant of the chair has heard they want to get the Interior bill finished; they want to get the Treasury bill finished. For the American people, these are the bills you have to pass every year in order to keep certain big parts of our Government open. It comes down to October 1st, and if they aren't passed, you get the President of the United States talking about who is closing down the Government.

I am going to refer to just the energy and water bill. I am going to beg the Senator, the minority leader from the other side, in the same way he pleads with us to get something done that is right. This energy and water bill was not drafted by Senator PETE DOMENICI; it was drafted by Senator PETE DOMENICI and Senator HARRY REID of Nevada, who spends a great deal of time on the floor of the Senate and, I might say, for one who worked with him for years before he got to spend all his time on the Senate floor, he has been a very solid performer. I praise him for his leadership on the floor. I believe he has been fair, and I believe he has been nonpartisan. But I believe what he is seeing he can't even speak about because right down deep in that Senator's mind and heart he knows it is wrong to hold up appropriations bills for the reasons being stated by his colleagues and his leader who compel him to do it.

This energy and water bill is being held up. We can't even bring it up because the minority leader wants a provision that is within it taken out. He wants assurance we won't vote on it in the Senate. Who has ever heard of that? Take a provision out of a bill that is in a bill that has been voted in by a committee. And if you want that bill to see the light of day in the Senate, you take out a provision and you don't vote on it in the Senate.

I am not familiar with the contents or substance of the amendment, except it has to do with a dispute between the upper Missouri River and the lower Missouri River. But it is most interesting, that the provision that the minority leader speaks of has been in the appropriations bills at least two times. The President has signed it, and it has gone out of the Senate. Maybe something dramatically changed in the meantime, but it has been in the bill. It has been signed. Some who know more than I say it has been in more

than two times. I can tell the Senate, since I have been writing this bill, it has been in 2 years in a row.

All of a sudden, it isn't enough to have an up-or-down vote in the Senate. The only thing that will suffice is that we take it out and agree not to vote on it. That means if you don't want to do that, you don't get an energy and water bill for this fiscal year.

We are getting close because we still have to do this bill. It is different from the House bill. We need to get some new resources assigned to the committee on the House side. We might not be able to make it by the October deadline.

This little innocuous title, “energy and water,” is a very misperceived title. Energy doesn't mean energy. Energy means all of the nuclear weapons programs in the nuclear laboratories in America. By a strange coincidence, they are in the energy part of this bill. We have been asked by the Department of Energy to put \$100 million in new money in that bill to take care of production facilities in three cities, cities such as Kansas City, Missouri; Amarillo, Texas; Oak Ridge, Tennessee; and Aiken, South Carolina; where we have production facilities that are desperately in need of repair. We have cleanup in the State of the occupant of the chair that is ongoing because of our previous nuclear weapons reactor work. We have hundreds of millions of dollars in for that kind of cleanup.

We have all the water projects and dredging projects and flood protection programs in this country in this bill. We have all of the national laboratories and their special effort and all their employees' pay in this bill. I could go well beyond that.

Now I come to the conclusion: Why can't we take this bill up? Frankly, if ever there was an issue where there was something besides this bill that somebody has in mind, I have not heard of it. This has to be as bad as it is. What is it?

Is there some political issue we don't understand that has nothing to do with the fundamental needs this bill addresses in water, water safety, in dams, in diversions, in the dredging of harbors and, over on the nuclear side, all the safety programs for our nuclear weapons designs, for stockpile stewardship, which is an entire program aimed at making sure our nuclear bombs are safe and sound without us doing any underground testing? We can't turn that on and off and say, wait an extra month, close down the buildings, close down the people for a month or so because we have a little problem about the Missouri River that somebody doesn't even want to let you vote on. It is not a question of whether that provision is right or wrong, it is simply a question of whether you will vote on it.

I wonder, if we would have left it out and we would have brought it to the floor and this bill was rocking right along here on the floor and somebody offered an amendment to do just what

the committee did because it had done it 2 years before, what would the response have been? Would it have been, you can't do the amendment and you can't move on with the bill? I assume that would be the case. I think we would have a chance of convincing Senators that is not right.

I understand there are some other appropriations bills that are being held up. I am not aware of the specific reasons why, so I won't make the same kind of argument or evidence the same kind of concern as I have about the energy and water bill.

The Senator from Massachusetts talked about getting our education programs funded. We are talking about two things. We are talking about an elementary and secondary education authorization bill which has gotten tied up in all kinds of problems from both sides of the aisle on amendments. When can we pass it? Can we get agreement?

But over there in those new offices beneath the Senate, that are called “SC”—those offices out there that are really nice to work in—there is a whole batch of House Members. I was in there. I made up a very large group of Senators working on the Labor-Health and Human Services appropriations bill. I just have a hunch, from the little bit I have participated, that the White House does not intend to sign that bill no matter what we do. We have already put in that bill resources amounting to \$106 billion, the largest appropriations for those functions in the history of the Republic.

In fact, there is now in that bill, to be spent on education and other things, \$12 billion more than the Budget Committee contemplated. While our numbers aren't binding, the Senator who occupies the Chair knows we reported out a budget resolution, and we assumed all these pieces would fit together. We assumed about \$96 billion—\$94 billion or \$96 billion—for Labor, Health and Human Services. We have now gotten to the point where we have taken from others and we put \$106 billion in.

From what I gather in that committee, there is little we can do to convince the Democrats to be for that bill. My guess is if it rocks along as it is, it is going to be a partisan bill, and then no matter what we try to do, the President is going to say, “I want more,” and the President is going to say, “It is not a good enough bill”; and he will find some reasons to say it doesn't fund this enough or that enough. We are moving toward a real shipwreck. The issue is going to be, at some point, why are we where we are when we come to that shipwreck point?

I am going to start today, and I will watch everything I can, and I will come to the floor. But I am starting today taking just one bill and saying it would appear to me that on the energy and water bill, for some political reason, we can't take it up, and as time passes and moves on, whether or not we can get a bill and do all the things I have alluded

to or not will be in the hands of the Democrats and the President, and then we will see who is to blame.

I want to suggest that to the extent we are called "a Senate that doesn't do anything," I believe we have to put another mantra on somebody else and we have to talk about the marvelous obstructionism that is going on by the other side of the aisle. It is being done with such dignity, such ease, with such platitudes about "we are all working together," and "we are trying to get there," and "we are not trying to delay things." It really is that, unless they get their way on everything, there will be nothing moving in the Senate.

Now I never saw it run quite like that, and I have never seen anyone ever win an argument on a claim that the other group wasn't doing anything. We will see how it comes out. In the meantime, we ought to try to work together one more time, and I beg the minority leader on this bill—it is \$23 billion, not one of the biggest. I literally beg that he reconsider and let us vote and let us have our 2 days of debate. There are about five very serious problems in this bill that will be debated. But they will be debated and done with, just as the Missouri River issue will be debated and finished if they will let us do it.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. REID. Mr. President, my mind has been reflecting on the fact that now would be the time Senator Coverdell would come in. When we would have a real problem, he would wander in and help bring everything together. As we know, that will not be the case. We attended Paul's funeral on Saturday, and he is not here to help with the problems we are having here.

Let me just say to my friend, Senator DOMENICI, for whom I have the greatest respect, he is someone in this body who has great power. He is chairman of the Budget Committee, one of the senior members of the Appropriations Committee. He is chairman of the Energy and Water Subcommittee, and he is someone with whom I have had the pleasure of working for my entire time here in the Senate—on a very close basis in recent years on Energy and Water. He has been chairman and I am the ranking member. It has been our bill. He is right. The chairman always has, as we know, a little more latitude, as he should have. But I have had input on the bill, and I feel very comfortable with the bill we have.

I say to my friend from New Mexico, for whom I have the greatest respect, we have a problem with this bill that could be resolved just like that. The fact of the matter is that no one is compelling me. We are all free agents in the Senate, and we have that right. We are elected in our home States, and while Senators are very persuasive in helping us and trying to get us to go along with what they want, no one compels us to do things, and they should not. In spite of the fact that

this is a good bill, I think it could be made better. I will not go into detail, but I will explain the problems we have.

We have two leaders in the Senate, Senator LOTT and Senator DASCHLE. They both do tremendously good work under very difficult circumstances. An overused saying is that they both have a job of herding cats, trying to put jello in a bowl that doesn't have sides. They have a lot of problems, and we understand that. Very rarely in legislative matters do we have one of the leaders step forward.

The measure we have before us, the energy and water bill, is very important to this leader. There is a provision in it that is extremely bad for the upper Missouri basin States. One of those States, of course, is South Dakota. My friend from New Mexico stated—and rightfully so—that the provision is causing problems in the upper basin States not only to the minority leader, but it has been in the bill two times, on two different bills. Of course it has. But the fact is that it was meaningless in the bills initially because what this is all about is the Fish and Wildlife Service rewriting a manual, reissuing and having a new manual. It was first issued before World War II ended, in the early 1940s. They did a little revision in the 1970s—minor revisions. So for almost 60 years they have had the same manual. They have decided to rewrite it, and they are ready to publish this new manual. What this legislation does is prevent them from doing so.

Well, the fact of the matter is that is wrong; it is bad. The legislature should allow the administrative body to go forward and do their thing to control the Missouri River. The administrative agency is prevented from doing that. What Senator DASCHLE and others have said is: Take that provision out of the bill, and when that is taken out of the bill, we will move forward on the legislation. This is a bill involving \$23 billion, a very important bill. But this provision is something that should not prevent this bill from going forward. It should be removed from the bill, and there are all kinds of different steps. We are going to have conferences on this bill. We are going to revisit it at that time.

Let me also say that the history of the Senate is such that the interest of the minority is always protected. We talk about this great country of ours and we brag about our country, and we should do so. It is an imperfect country, but the best set of rules ever devised to rule the affairs of men and women comes from the U.S. Constitution.

What is the Constitution all about? The Constitution is not about protecting the rights of the majority; it is about protecting the rights of the minority. Where are those rights protected in our constitutional framework more than any other place? It is in the Senate. That is why the small State of

Nevada has as much right to do things in this Senate—Senators REID and BRYAN—as do Senators MOYNIHAN and SCHUMER from New York, or BOXER and FEINSTEIN from California, even though they have millions and millions more people than we have in the State of Nevada. That is what the Senate is all about. What Senator DASCHLE and others are trying to do with this bill is nothing that hasn't been done in centuries past, decades past.

So I say to my friend from New Mexico, take that out and we will move forward with this legislation and then deal with a few controversial issues. We don't have many controversial issues. This is a very good bill, and I think we can finish it in a day.

Let me also say this. We believe there should be certain rights protected. Also under this Constitution, we have a situation that was developed by our Founding Fathers in which Senators would give the executive branch—the President—recommendations for people to serve in the judiciary. Once these recommendations were given, the President would send the names back to the Senate and we would confirm or approve those names.

One of the problems we are having here is it is very difficult to get people approved, confirmed. We have one Senator from the State of Michigan, Mr. LEVIN, who for 1,300 days has been waiting to have a hearing for a very qualified, competent woman who wants to be confirmed and whose name has been sent to the White House by Senator LEVIN.

He wants a simple hearing before the Judiciary Committee. Senator HARKIN from Iowa is also waiting for a nominee to be reported out of the committee. We think that should be done. This has nothing to do with the energy and water bill. It does, however, have something to do with the other bills. We could have moved forward on the energy and water bill on Friday until this glitch came up.

There is lots and lots of work to do around here. We believe it would be extremely and vitally important to move the provision that allows the Fish and Wildlife Service to publish its manual, and not have a legislative roadblock for the management of the rivers in an appropriate fashion. The Fish and Wildlife Service is not for the upper basin States or against the lower basin States. They try to be an impartial ruler. That is what they are trying to do.

I say to my friend: Let the Fish and Wildlife Service go ahead and do what they need to do and get the energy and water bill brought before this body.

Mr. President, I have a parliamentary inquiry.

THE PRESIDING OFFICER. The Senator will state his parliamentary inquiry.

Mr. REID. Mr. President, tomorrow the cloture motion on the motion to proceed to the Treasury-Postal bill will ripen 1 hour after we convene. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. Mr. President, during the 1 hour prior to the cloture vote, a motion to proceed to the China PNTR legislation is in order tomorrow morning. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. Mr. President, we look forward to the majority leader making that motion, and filing cloture, as he indicated he would. We will have to wait and see when that cloture vote occurs—either this week or when we get back after the break.

I apologize for taking so much time. The Senator from Nevada wishes to speak, but the Senator from New Mexico would like to be heard.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I want to respond. The Senator from Nevada does so well that I was almost going to come over and sit beside him and say he is right. The fact is, he is not right.

At this late stage—when he knows there is hardly a risk of our being able to get appropriations bills finished in a timely manner to keep the Government open—to tie appropriations bills up because a judge has not been appointed is not right. It might be that there is an argument about the judicial appointment, but is it right in the waning days of Congress, when we have about 25 working days left, for somebody to come along and say: Now it is my turn. I will not let any appropriations bills be approved by the Senate unless certain people are appointed to the judicial and judge positions in this country? I think it is not.

Second, this is not a partisan issue. I don't know if it is a minority versus majority party issue, because I think in the final analysis there are some people on that side of the aisle who would like to vote on their issue and who may not agree with the distinguished minority leader as to their interests for their respective States.

My last point is that we protect minority rights. But I wonder in this case, when it is obvious that Missouri River upper and lower groups are going to argue about this, if it is a question of protecting minority rights. It stands in the way of getting a vote on the issue. If it is important enough to the upper Missouri that they think it is very important but it is also similarly important to those on the lower Missouri, it would seem that the way to settle it is to let our colleagues understand the issue—that is what this Senate is all about—and let us vote. I don't quite understand why we can't vote. I wonder what is worrying people. The Senate expresses its views on many things. It resolves disputes such as this regularly.

But, in this case until some future date, who knows when we will not be permitted to express the collective

Senate will by voting on this issue—which in 30 minutes could be known by all sides and all parties, and a good decision could be made by the Senate.

I thank the distinguished Senator for yielding.

The PRESIDING OFFICER. The distinguished Senator from Nevada is recognized.

Mr. BRYAN. I thank the distinguished occupant of the chair. Mr. President, I wish to change the focus of the discussion on the floor from the previous colloquy between the senior Senator from Nevada and the senior Senator from New Mexico.

ILLEGAL WAGERING ON COLLEGE SPORTS

Mr. BRYAN. Mr. President, earlier today, the Senator from Kansas, Mr. BROWNBACK, took to the floor and argued on behalf of a piece of legislation that would affect only my State and affect it in a very profound and negative way. The ostensible purpose of the legislation I think all of us can agree upon. I wish to put the discussion in context as I see it. We are talking about the illegal wagering on college sports, particularly wagering by underage college students, including student athletes. I think there is no disagreement that there is a serious problem and one that we recognize ought to be addressed in a very serious way.

The National Collegiate Athletic Association (NCAA) testified before the Commerce Committee, as they did before the National Gambling Impact Study Commission (NGISC), that there are illegal student bookies on virtually every college campus in the country, including some individuals with links to organized crime. I do not disagree with that assessment. The matter is so serious that some students have actually been threatened with bodily harm to collect gambling debts owed to illegal student bookies. I do not disagree with that assessment.

The NCAA has known at least since the three-part investigative series published by Sports Illustrated in 1995 that the illegal gambling problem on America's college campuses was widespread and growing. A recent University of Michigan survey found that nearly half of all male student-athletes nationwide—45 percent—gambled illegally on college and professional sports. A nationwide survey of NCAA Division I male basketball and football student-athletes conducted for the NCAA by a University of Cincinnati research team found that over one-fourth gambled in college sports. Sadly, a small number in each survey gambled on games in which they played. They were wrong.

Beyond the broader issue of the extent to which student-athletes, and students generally, gamble on sports illegally, there are the troubling cases of improper influence being exerted on student-athletes by those who seek financial gain from placing sports wagers on "fixed" games. This reprehensible

conduct has reared its ugly head on occasion since at least the 1940s, particularly in the context of college basketball.

While the NCAA's recent rhetoric leaves the impression that such "point-shaving" or "fixing" of games is rampant, we can be thankful that the record belies the rhetoric. The two recent scandals of this type (those at Northwestern University and Arizona State University) took place over five years ago in the mid-1990s. The integrity of virtually all those who compete in college athletics is verified by the fact that there were a handful of such scandals in the 1990s out of the thousands of games played. While not a single sports bribery scandal should be tolerated, we need to know why they occur and by what means. The record is clear for those student-athletes who have violated the trust of their teammates and school by engaging in illegal sports wagering. As a result of their illegal wagering, they put themselves in debt to the point where they committed heinous acts of betrayal to pay off those debts to illegal bookies.

If merely passing laws prohibiting unregulated sports gambling were enough to stop it, the practice would not be so widespread today. Sports gambling has been illegal for decades in almost every state, and Congress acted in 1992 to prevent states from adding sports-based games to their state lotteries. The same statute, the Professional and Amateur Sports Protection Act, also prohibits persons from engaging in sports-based wagering schemes, contests, and sweepstakes.

Similarly, wagering on sports of any kind, college or professional, is already a violation of NCAA bylaw 10.3. A review of the NCAA's publicly available computer database of rules infractions cases indicates that, as of 1998 (the last year for which cases are posted), enforcement of bylaw 10.3 is infrequent and spotty at best.

The database reveals that the NCAA brought only 23 enforcement actions against student-athletes from 1996 to 1998, even though the University of Michigan and University of Cincinnati studies indicate that thousands of violations occurred. In some of the 23 cases, the violations centered on such routine practices as students wagering team jerseys with each other. In the face of organized student bookmaking operations with links to organized crime handling large sums of cash wagers, such an enforcement "strategy" is at best misplaced.

Against this backdrop of a serious national problem with illegal sports gambling, the legislation to which I referred, S. 2340, takes the very peculiar approach of targeting the only place in America where sports wagering is legal, regulated, policed, taxed, and confined to adults over age 21—the State of Nevada. Furthermore, the facts are that legal wagering in Nevada amounts to only about one percent of all sports gambling nationwide, 99 percent of which is already illegal. The