

avoid even the perception that the National Indian Gaming Commission proposed regulations and changes in critical definitions could create this scenario. Hence, we must take action to ensure continuation of the current distinctions between those gambling activities that are now regulated by tribal-state compacts and those that can be regulated by the National Indian Gaming Commission. These distinctions are essential to maintain if we expect continuing public and Congressional support for IGRA.

Please allow me to explain further. Perhaps the most significant definition in IGRA is the definition of "class III gaming." Class III games are commonly understood to be casino style gaming such as poker, blackjack, roulette, and slot machines, with some variations depending on state laws. Class II games are understood to be the original bingo games and pull tabs that are allowed without the necessity of reaching a compact agreement with state governments, but they are games that are regulated by the National Indian Gaming Commission.

The distinctions between class II and class III games are made in IGRA and are more precisely defined by regulations promulgated by the National Indian Gaming Commission and published in the Code of Federal Regulations at 502.7 and 502.8. The final rules were published on April 9, 1992 (57 FR 12392).

The National Indian Gaming Commission (NIGC) has the statutory authority to regulate class II games and to distinguish between class II and class III gaming under statutory guidance. The definitions it has published have served to determine which games fall into class III and hence into the realm of compacts between tribes and states. Without these compacts, casino gaming (class III) would be illegal under IGRA.

New Mexico tribes are well aware of these distinctions as they have gone through an arduous process of negotiating with the Governor and the State legislature. They have finally resolved this issue after two New Mexico Supreme Court decisions and Federal district and circuit court decisions which eventually led to the state legislative solution. The scope of class III casino gaming that is legal in New Mexico is now defined under the compacts which relied on current definitions of class II and class III gaming. Not once during this long and difficult process did the tribes or the state question the type of gambling that would be negotiated in the compacts. They relied on the NIGC definitions when they negotiated the compacts.

Now comes a disturbing new scenario. In the guise of up-dating the current definitions of class II and class III gaming to take into account technological changes and computer advancements of the past few years, the National Indian Gaming Commission is now reopening the question of gam-

bling devices to be placed into these two critical categories.

What is disturbing is the distinct and likely possibility that this reopened process could result, after tribal consultation and public comment, in the placing of slot machines into class II rather than class III gaming, thus removing slot machines from the more strict regulation and control of the tribal-state compacts.

There is a distinct and negative outcome if the new rule-making by the National Indian Gaming Commission results in removing slot machines or any other highly profitable gambling device from the legal protections of the required compacts and places them under the control of the National Indian Gaming Commission, and hence subject only to tribal ordinances. This result would be a clear set-back for public support of the current law and could rapidly lead to the deterioration of the carefully balanced system we now have.

I am not accusing the National Indian Gaming Commission or the tribes of intending to reach this outcome. I am alerting both to the perception by many Senators that re-opening the definition process in the latest proposed rule-making is clearly aimed at the section of national law defining gambling devices and hence invites such tampering possibilities. I believe we have enough difficulty reaching gambling agreement, as we have seen for several years in New Mexico, under current law and regulations. Adding the new possibility of removing the most profitable gambling device from close legal scrutiny in the compacting process is a dangerous move. Once this potential is understood by the public, I believe opposition to Indian gambling will justifiably multiply. The relatively stable situation we now have under current law and regulation will become volatile.

Thus, I cannot agree with the seemingly innocent claim that the National Indian Gaming Commission is simply doing its job by up-dating these critical definitions. The technical changes we all see in computer technology are being used as an excuse to re-open the most critical line drawn by the Congress in IGRA—the line between gambling that can be simply regulated by the National Indian Gaming Commission (headed by three commissioners appointed by the President) and gambling that must come under the close scrutiny of state law and local voters.

Mr. President, I opt for the close scrutiny and local control by the states through our current compacting process. I would also like to remind my colleagues and my Indian friends in New Mexico that slot machines were understood to be part of the compacting negotiations, and agreements have been reached which allow the legal operation of slot machines in Indian casinos in New Mexico. While I understand that there are problems with the compacts from both the State and the trib-

al viewpoints, at least the ground rules were understood, and agreements are now in place.

If we now raise the specter of allowing these most profitable gambling devices being removed from the purview of these compacts by redefining them to class II gaming, I predict we will have even more turmoil in the Indian gaming debate than we have had to date.

I sincerely hope my New Mexico Indian friends and leaders are not in support of the new rule making by the National Indian Gaming Commission because of the possibilities this rule-making process holds for removing key elements of casino gambling from the compacts. I hope they would oppose even the perception that this was their motive. I frankly doubt that New Mexico Indian leaders have even discussed this possibility, but as their Senator and friend, I want to avoid a controversy we do not need in Indian gambling law and regulation.

I support Senator REID's efforts to avoid this new firestorm in Indian gambling. By adopting his amendment and withholding the funds from the regulatory process changes I have just described, we can avoid the clear potential this rule-making process has for unraveling rather than stabilizing Indian gambling in America.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 1228) was agreed to.

Mr. REID. I move to reconsider the vote.

Mr. GORTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business for 3 or 4 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

TRIBUTE TO RED SKELTON

Mr. REID. Mr. President, I rise today to pay tribute to someone I knew and cared a great deal about.

I had the good fortune to consider Red Skelton a friend. I first met Red Skelton when I was Lieutenant Governor of the State of Nevada. He and I went to a rodeo together. At that time I found him to be jovial, a real gentleman, and not taken with his celebrity status.

He has been tremendous to the State of Nevada. He has performed in the north and the south. He has been involved in many charitable functions. We in Nevada consider Red Skelton part of Nevada.

Charlie Chaplin once said, "I remain just one thing, and one thing only—and that is a clown. It places me on a far higher plane than any politician."

This morning on public radio, Mr. President, Red Skelton was heard

again. I heard from one of his prior performances. In that broadcast he talked about why he felt being a clown was something that he always wanted to be remembered as—being a clown. He proceeded to tell everyone there how important it was that we remain, in many respects, in our childlike status—lots of energy, trusting other people.

So today I rise to ask politicians all over America and especially in this body to pay tribute to America's favorite clown, Richard Bernard Skelton, better known to us as Red Skelton. He passed away yesterday at age 84.

He was the son of a grocer, who later became a circus clown. Mr. Skelton died 2 months before his son Red was born. His widowed mother worked as a cleaning woman and elevator operator to support her four sons.

Red Skelton started being a professional clown at age 10. So for almost 75 years—three-quarters of a century—he has been making people laugh.

He did not ask people to laugh. You had to laugh at Red Skelton. He became part of a traveling medicine show where he picked up vaudeville skills which served him so well for the rest of his life. His debut on radio was in 1937, and Broadway the same year. His first movie was in 1938 entitled "Having a Wonderful Time." He became a Hollywood star appearing in almost 50 films over the course of his life.

Skelton often said that he was a "man whose destiny caught up with him at an early age."

His destiny, Mr. President, was to make America laugh.

"I don't want to be called 'the greatest' or 'one of the greatest.' Let other guys claim to be the best. I just want to be known as a clown," Red said, "because to me, that's the height of my profession. It means you can do everything—sing, dance, and above all, make people laugh."

Mr. President, last March I went to Palm Springs to present Red Skelton a Presidential commendation. We had a date set that the President of the United States was going to give that to him in the White House. But his ill-health prevented him from flying, so I proceeded to Palm Springs on behalf of the President to give Red Skelton this commendation from the President.

It was a wonderful luncheon that we had. He was very weak of body but alert of mind. For example, at that time even though he was confined to a wheelchair, he wrote seven stories every week, and he would pick the best out of the seven and put it in a book, and every year he produced 52 short stories. That was Red Skelton up to the time he died.

We had a wonderful time that day in March. I will never forget it. We were able to videotape that. He cracked jokes, and we had a great time. He is somebody that I will remember, the people of Nevada will remember, and this country will remember.

Let me repeat the words of President Clinton, who honored Red Skelton with

a Presidential certificate commendation, signed on April 1, 1996, in fitting tribute to America's favorite clown.

A natural-born comic who got his first laugh from an audience at the age of 10, Red Skelton has devoted a long and productive life to entertaining people of all ages. Moving from the vaudeville stage to radio, the movies and television, he became America's favorite clown, creating characters like Clem Kadiddlehopper and Freddie the Freeloader, whom generations of Americans looked forward to seeing every week. Red Skelton served his country well. From his days in World War II and Korea as a soldier and an entertainer for the troops, to his many years on the large screen and small, he has given to all those lucky enough to see him perform the gift of laughter and joy.

When I walked into the room to present Red with this certificate, he still remembered me from our days attending rodeos together in southern Nevada. He was deeply touched by this honor because more than anything, Red Skelton loved his country.

Red Skelton could have never been America's favorite clown if he wasn't already one of America's greatest patriots. Red fought for his country in World War II and Korea.

His definition of the true meaning of the Pledge of Allegiance will always remain with me. I would like to repeat it for you today:

I, me, an individual, a committee of one.
Pledge, dedicate all my worldly goods to give without self pity.

Allegiance—my love and devotion.
To the Flag—our standard, Old Glory, a symbol of freedom. Wherever she waves, there is respect because your loyalty has given her a dignity that shouts freedom is everybody's job.

of the United—that means that we have all come together.

States—individual communities that have unites into 50 great states. 50 individual communities with pride and dignity and purpose, all divided with imaginary boundaries, yet united to a common purpose, and that's love for country.

of America
and to the Republic—A state in which sovereign power is invested in representatives chosen by the people to govern. And a government is the people and it's from the people to the leaders, not from the leaders to the people.

for Which It Stands.
One Nation—Meaning, so blessed by God.
Indivisible—Incapable of being divided.

With Liberty—Which is freedom and the right of power to live one's own life without threats or fear or some sort of retaliation.

and Justice—The principle or quality of dealing fairly with others.

for All—Which means it's as much your country as it is mine.

Red Skelton always signed off every shown "Goodnight and God Bless," Yesterday Milton Berle, Red's closest friend told his old friend "Farewell and God Bless."

Mr. President, on behalf of the citizens of Nevada, Red's wife, Lothian, Red's family and friends, I say farewell, Red, and God bless.

I am grateful that the Senate of the United States is paying tribute to America's favorite clown.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The Senate continued with the consideration of the bill.

Mr. BUMPERS. Mr. President, I ask unanimous consent that my distinguished colleague and friend from Montana, Senator BAUCUS, be recognized for 10 minutes, without my losing the right to the floor, and that I immediately be recognized following the conclusion of his remarks.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BAUCUS. Mr. President, first I want to thank my very good friend and colleague, Senator BUMPERS, for yielding the time. It is very gracious of him. He has waited a good period of time to offer his amendment.

Mr. President, I rise today to call on Congress to complete the New World Mine acquisition and protect Yellowstone National Park. Now that the administration and congressional leadership have reached a budget agreement that allows for the acquisition of the New World lands, we need to move decisively. We have belabored this matter much too long and now is the time to finish the job.

Yellowstone National Park was created 125 years ago. "For the Benefit and Enjoyment of the People." Indeed, this is the entrance at mammoth Yellowstone Park. You probably cannot read the inscription over the arch but it says "For the Benefit and Enjoyment of the People." And of course, immediately to my right is the Old Faithful geyser.

Every year, Mr. President, 3 million people visit the park, bringing their children and grandchildren to enjoy the unspoiled beauty that is Yellowstone—from the Roosevelt arch, which I am pointing to here on my right, at the original entrance, to the breathtaking grandeur of Old Faithful, to the spectacular wildlife which calls this unique place home.

During the month of August, I was fortunate to be present to celebrate Yellowstone's 125th anniversary with Vice President AL GORE. As I entered the park, I remembered my first trip to Yellowstone many years ago. The noble and majestic geysers, the boiling paint pots, and the vast scenery were the stuff of magic to a small child—and remain so today.

These wonders cannot be seen anywhere else in the United States or, for that matter, in the world. I guarantee you there is not one Montanan, young or old, that does not fondly remember his or her first visit to the park, or anybody in our country for that matter. Finishing the New World acquisition is critical so our children may witness the wonders of nature, much as we have over the past 125 years.

For the past 8 years, America has lived with the threat that a large gold mine could harm Yellowstone, our Nation's first national park. This mine,