

that person's cable service area. In other words, if you were in an area in which most families in the past had received TV signals using a regular rooftop antenna then you could be offered that same signal TV via cable. By having similar rules, satellite carriers will be able to directly compete with cable providers who already operate under the significantly viewed test. This gives home dish owners more choices of programming.

In the past, Congress got the job done. Congress worked well together in 1998 and 1999 when we developed a major satellite law that transformed the industry by allowing local television stations to be carried by satellite and beamed back down to the local communities served by those stations. This marked the first time that thousands of TV owners were able to get the full complement of local network stations. In 1997 we found a way to avoid cutoffs of satellite TV service to millions of homes and to protect the local affiliate broadcast system. The following year we forged an alliance behind a strong satellite bill to permit local stations to be offered by satellite, thus increasing competition between cable and satellite providers.

We also worked with the Public Broadcasting System so they could offer a national feed as they transitioned to having their local programming beamed up to satellites and then beamed back down to much larger audiences.

Because of those efforts, in Vermont and most other States, dish owners are able to watch their local stations instead of getting signals from distant stations. Such a service allows television watchers to be more easily connected to their communities as well as providing access to necessary emergency signals, news and broadcasts.

I hope we are able to work together to finish this important satellite television bill in the few remaining days of this Congress.

#### OMNIBUS APPROPRIATIONS

Mr. CAMPBELL. Mr. President, I rise to express my support for the conference report accompanying those appropriations bills which, because of our pending adjournment, have been included as an omnibus package.

I intend to vote for this omnibus bill knowing full well that, like all bills, it is not perfect in every Senator's eyes.

I want to thank Chairman STEVENS and Ranking Member Senator BYRD as well as the chairman and ranking members of the Subcommittees for including my requests which are vital to Colorado. As America's third fastest growing State, our burgeoning population has placed great stress on our schools, hospitals, universities and transportation. Federal monies, which I have sought to earmark as an appropriation for Colorado, are extremely important.

In this omnibus conference report over \$175 million will be flowing into Colorado.

Having said this, there is one section in the bill that concerns me. Partially because it affects my State, but more so because it was never considered in the committee of jurisdiction. Neither was it discussed in the conference committee on Wednesday, November 19 as we worked out the final House and Senate disagreements.

I did not know of the language as the bill came to the floor just before we adjourned for the year. In fact, in a multi-hundred page bill I was not aware of it until after it passed. But, as I understand it, this language is in keeping with a long standing practice of satisfying Native American land claims.

Let me give some historical perspective to this issue as I understand it. In 1971, the U.S. Congress passed a bill which was signed into law called the "Native American Claims Settlement Act". This was an effort to bring a degree of fairness to native tribes of America's newest State—Alaska—who had lost much of the use of their aboriginal land through the encroachment and settlement of non-natives.

As part of the settlement, the native peoples were given use of 44 million acres and a percentage of the royalties from oil and gas production thereon. They shared these royalties with State government and for the purposes of administering their tribal governments and revenues. Alaska natives and tribes became shareholders of Native Alaskan corporations. They also retained the same rights that tribes in the lower 48 States and as they pertained to the "trust responsibility" of the Federal Government.

As I understand the 1971 act, however, these tribal corporations around the city of Anchorage were not considered land based tribes and were treated differently in terms of rights and benefits they would have accrued had they been in control of aboriginal land. These native groups (corporations) were allowed to use their portion of the accumulated revenue, in the form of "bidding credits", to purchase either Federal or private land in Alaska or other States. I only know of four States where land was actually purchased. Alaska, California, Hawaii and Colorado are the four I am aware of, although there may have been others. I have never been able to find a comprehensive list of land purchased, if it even exists.

The Native Alaskan corporations were authorized in the 1971 act to "partner" with tribes in the lower 48 on business ventures. So, in effect, the lower 48 tribes became recipients of badly needed investment capital provided by the Native Alaskan corporations while their "partner" could petition the Federal Government to put the land into trust status.

One such purchase was in downtown Denver. It had been a piece of Federal

land, adjacent to the Federal courthouse and was being used as a parking lot for court employees. That lot was not put into trust, but was owned by the Native Alaskan Corporation.

There were, at the time, some preliminary discussions between one of the Colorado land based Ute Indian tribes and one Native Alaskan corporation on how best to use this "native" land for economic development purposes.

These purposes were limited by a variety of other laws such as the 1988 Indian Gaming Regulatory Act, which did not allow tribes to have casino gaming unless they reached a negotiated agreement called a "gaming compact" with the State in which they were located. In turn, court decisions further complicated the picture. An example of this was in the Seminole vs. the State of Florida case. In 1996, the Supreme Court ruled that States cannot be "forced" to negotiate a compact with tribes as required by the 1988 Indian Gaming Regulatory Act.

At the time, I voided the discussions concerning the downtown piece of property about which I have spoken by implementing a suggestion from the Federal courts to submit a line item request to appropriate funds to purchase that parking lot back from the Native Alaskan corporation. I did so and through subsequent appropriations secured the money to build a new Byron White Federal Court complex on that site.

Since I was not in the U.S. Senate in 1971, I can only give you my view of how that act affected this language in question. I don't know if it violates any existing statute, if my constituency would support or oppose it or if it is in keeping with the Native American Claims Settlement Act. This probably could have been flushed out through the hearing process had we seen it in bill form.

So, in closing Mr. President, because I was not aware of the language of this final conference report until about 2 hours ago and do not know the effect it would have on Colorado, I do not support that section. Since it is, however, included in a non-amendable conference report and, recognizing the importance of the money in this report to the State of Colorado, I will vote for the final report.

#### ADDITIONAL STATEMENTS

150TH ANNIVERSARY OF THE YMCA OF GREATER INDIANAPOLIS  
• Mr. LUGAR. Mr. President, I rise today to call to the attention of my colleagues a signal anniversary that has occurred in my home State of Indiana, the 150th anniversary of the YMCA of Greater Indianapolis.

Since 1854, the YMCA of Greater Indianapolis has been committed not only to providing Hoosiers with an outlet

for social, mental, and physical development, but also has maintained a consistent adherence to community service. As one of the first 50 YMCAs chartered in North America, this institution, whose humble beginnings originated in the basement of the Second Presbyterian Church on Monument Circle, has grown to tremendous proportions. Currently serving more than 140,000 Hoosiers, the YMCA of Greater Indianapolis has partnered with over 120 churches, schools and other community groups to reach out to both the urban community along with the surrounding counties. In 2003, 4,688 volunteers, under the direction of the YMCA of Greater Indianapolis, donated their valuable time and energy to provide nearly 98,000 hours of service. Additionally, YMCA branches in Indianapolis presented almost \$4 million for scholarships, program subsidies and varied community services.

I am pleased to take a moment to acknowledge the outstanding efforts the YMCA of Greater Indianapolis has afforded for the past century and a half, and I look forward to their future leadership in building stronger families and a stronger community.●

#### RETIREMENT OF GENERAL ED EBERHART

● Mr. ALLARD. Mr. President, today I would like to praise a man who for more than 36 years has served his country with honor and distinction. General Ralph E. Eberhart, or Ed his friends call him, will soon be retiring from the United States Air Force. He embodies that which we most value in our military leaders—visionary leadership, unwavering dedication, and mission accomplishment.

I would like to personally thank General Eberhart for his service to our great Nation. Not only do I remember our many discussions pertaining to national security, but I fondly recall sharing stories about Colorado. You see, General Eberhart started his long journey at the Air Force Academy in Colorado Springs. As fate would have it, he will soon be finishing his career where he started—in the great state of Colorado.

In the Spring of 1968, Ed Eberhart was sworn in as a Second Lieutenant in the United States Air Force. Since that day, General Eberhart has successfully mastered nine aircraft and totaled more than 5,000 flying hours in the cockpit. His service spanned tours of duty in Vietnam, Germany, Japan, and perhaps the toughest, at the Pentagon. General Eberhart's career was highlighted with numerous awards and decorations, and he has successfully attained four stars in the United States Air Force. In every job that the General has held, he has successfully fulfilled his obligations and made the advancements only a select few of his peers have made.

In February 2000, General Eberhart's success awarded him the honor of lead-

ing a combatant command for the United States, and he was soon confirmed as a triple-hatted commander. He was given the awesome responsibility of commanding not only the North American Aerospace Defense Command, or NORAD, but also U.S. Space Command and Air Force Space Command.

During his tenure as Commander of U.S. Space and Air Force Space Command, General Eberhart successfully led military space into a new era. The United States relies upon our space superiority and without it, we cannot maintain dominance of the battlefield. General Eberhart guided our spacelift operations to a 100 percent success rate, thus maintaining our assured access to space. Additionally, when he took command of U.S. Space Command, the United States had just begun to appreciate the value that space-based capabilities bring to the fight—especially after our air campaign in Kosovo. Because of General Eberhart's direction in the space arena—specifically regarding precision guided weapons—we were able to increase the effectiveness of our present capabilities by further integrating space capabilities with air, maritime and land assets. U.S. Space Command's contributions were later seen as the hallmarks of Operation Enduring Freedom in Afghanistan, which traces directly back to General Eberhart and his vision for the full integration of space and terrestrial units.

The general was also at the focus of our post-September 11 world while in command of NORAD. In 2001, Operation Noble Eagle saw NORAD go from having 14 military aircraft on alert around the Nation to more than 100 in a very short period of time. The response was necessary to protect our skies from internal threats that had manifested themselves in the most horrible of weapons—airliners filled with unsuspecting travelers. General Eberhart soon saw himself having to support continuous combat air patrols, including all the supporting logistics such as tankers and integrating NATO AWACS into that mission.

Ultimately, that fateful day of September 11 triggered not only a change in the focus of NORAD missions, but also showed the need for a unified command that focused on protecting our homeland. And who did the President of the United States trust to lead this new command? General Ed Eberhart. So again, Colorado was fortunate enough to be called home by General Eberhart as he began the challenge of building Northern Command while continuing to lead NORAD. As the combatant command charged with the defense of the homeland, Northern Command reached full operational capability ahead of schedule. Under General Eberhart's leadership, we have seen this unified command continue to fulfill its duties of protecting the American homeland.

It is apparent that while leading these commands, General Ed Eberhart

exemplified visionary thinking. He tackled transformation in the space arena by stressing joint integration of space capabilities and then transformed the way the U.S. military defends our borders and supports civilian agencies with Northern Command.

I cannot express enough gratitude to General Eberhart for his service to our country while in the United States Air Force. We in Colorado were proud to host him as a cadet at the Academy, and continue to be proud when he took command in our great State nearly 30 years later. It was in these roles that I was thankfully given the opportunity to know Ed Eberhart on a personal and professional basis. As General Eberhart prepares to fly off into the wild blue yonder of retirement, I would again like to thank him for his 36 years of blood, sweat, and tears to our Nation, and I wish him and his wife, Karen, the very best in the future.●

#### RICHARD D. "DICK" LLOYD

Ms. MURKOWSKI. Mr. President, there is a standing joke among longtime Alaskans that visitors who come to Anchorage to view our glittering skyline, set off against the grandeur of the Chugach Mountains and the placid beauty of the Cook Inlet, haven't seen the "real Alaska."

Whether one agrees with this observation or not, all will agree that one does not have to travel far from Anchorage to experience our unique natural beauty and abundant wildlife. About 45 minutes from downtown Anchorage, easily accessible on paved roads, there is an oasis in Chugach State Park called the "Eagle River Nature Center."

The Eagle River Nature Center nestled in the Chugach Mountains is home to interpretive programs all year around. It is the starting point for miles of well-groomed hiking trails from which one can view moose and occasionally encounter bear. It has been described in terms like "glorious, enchanting and captivating." A place to view snow covered mountains in hues of pink and orange illuminated by the alpenglow sunset. It is a place where John Muir and Theodore Roosevelt would feel right at home.

Born as the Chugach State Park Visitor Center, the facility was in danger of being lost to budget cuts. By 1996, the budget had dwindled to a mere \$14,000 from \$185,000 in 1981. The center needed a savior.

Then along came a remarkable individual, Richard D. "Dick" Lloyd. Dick recognized that volunteers can accomplish things that government agencies cannot and organized the existing volunteers into a non-profit organization to operate the facility. Dick and his wife Carole and Asta Spurgis formed the Friends of the Nature Center which took over and revitalized the visitor center and turned it into the world-class nature center it is today.

I have the sad duty of informing the Senate that Dick Lloyd passed away on