allow employer contributions to count for meeting the catastrophic cap on beneficiary spending.

This means, in understandable terms, that retirees with employer-provided coverage will get less of a benefit than other seniors. In fact, under the Senate bill, retirees would need closer to $10,000 in drug costs before the stop-loss protection would apply, well after the $5,800 cap that applies to all other beneficiaries. And employers that choose to wrap around the Medicare benefit would be subject to a gap in coverage that doesn't end.

As a result, the Congressional Budget Office has estimated slightly more than one-third of retirees will lose their employer coverage, making more than 4 million Medicare beneficiaries worse off at a time when we are trying to make them better off.

Although Congress may claim this formula will save money for Medicare, any provision that encourages employers to drop their retiree benefits will only end up costing the Federal Government more and hurt millions of seniors in the process. Seniors who have retiree benefits have worked a lifetime and have made wage concessions over the years with the expectation that they would have retiree benefits in exchange. To change the rules of the game at this point and give them less than the other Medicare beneficiaries is, in a word, unfair.

Congress must now enact a drug benefit that recognizes employers that are doing the right thing, continuing to provide their retirees these very important benefits, because to do otherwise will further threaten retiree coverage and will drive millions more seniors to Medicare for the coverage they used to get from their employers. This is a choice that might be put before us, but this is not a choice we should make. We should not have to decide between Lee and George and Mary and John. These are not decisions that this Congress should be forced to make. There are solutions.

I am encouraged when I hear the conferees are looking at these solutions, but I encourage, in the most dramatic way possible, that they not only continue to work, but they find solutions that are workable, because without that the choice is an impossible one and I think threatens whether or not this body will pass a Medicare plan that provides prescription drugs for retirees.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Nevada is recognized.

PRISONERS OF WAR PROTECTION

Mr. REID. Mr. President, a brave Nevadan by the name of LTC Jeffrey Tice was in the first Iraq war. He was flying an F–16 when it was hit by enemy fire. The plane went down. He was initially captured by Iraqi troops who were roaming the desert. He was, shortly thereafter, taken to the Iraqi authorities, which began 46 days of terror. He was held in captivity and tortured by the Iraqis for these 46 days.

During the time he was there, he endured brutalities that are difficult to describe. They intended to break his spirit and his body. For example, he was forced to play Russian roulette. You know that Russian roulette only is a valid game when the revolver has bullets in the chamber. And, of course, he was forced to play Russian roulette with a loaded weapon. With the same pistol, he was beaten about the head. Among other things, his jaw was dislocated, his eardrum was punctured, and on other occasions he was beaten on the head. His legs were beaten with a wooden plank until he could not walk. He had an electric wire tied around his head. The shocks received were so severe that his body curled up in a fetal position violently, with every muscle in his body contracting in pain.

These are only some of the things the Iraqi regime did to Colonel Tice. They did not break his spirit, but they did harm his body. Today, these many years later, he still suffers physical problems as a result of the torture. Not only does he have physical problems, he still suffers pain as a result of the torture.

In 1996, we passed the Foreign Sovereign Immunities Act, which allowed State Department-designated terrorist states, including Iraq, to be held liable for personal injuries suffered by torture victims, including American POWs. In November of 2002, President Bush signed the Terrorism Risk Insurance Act, which included a provision designed to ensure that Americans could collect court-ordered damages from the frozen assets of terrorist states. During this time, 17 gulf war POWs and their families sued the Republic of Iraq. Saddam Hussein was also sued, as well as the Iraqi Intelligence Service.

They filed these actions to seek justice for themselves—like Colonel Tice, those people who were brutalized—and to prevent future torture of others. In July, Judge Richard Roberts of the Federal district court ruled against Iraq, Saddam Hussein, and the Iraqi Intelligence Service, and found them liable for the torture of these POWs. In his opinion, Judge Roberts said, among other things, the importance of his decision was to deter the future torture of American POWs.

His judgment was correct. It was appropriate. But the State Department and Justice Department have refused to honor it. Earlier this year, the President confiscated the $1.7 billion in Iraqi assets that have been held in private banks since 1990. The money was sent back to Baghdad for use in the reconstruction, a move which effectively blocked the efforts of tortured POWs to collect judgments in their favor. The administration has continued to spend this money knowing full well this judgment is pending.

At the same time, the Department of Justice asked Judge Roberts to allow it to intervene in the case, stating its intention to have the judgment erased. Judge Roberts, in his wisdom, declined to allow this.

These brave POWs made great sacrifices to protect the freedoms we have, the ability we have to salute the flag and to do things we take for granted. They now need our help.

I am pleased to report the Senate took action last week to uphold the rights of the POWs and all Americans to be free from torture, hostage-taking, and acts of terrorism committed by foreign dictators and tyrants. My amendment, which was accepted as part of the supplemental Iraqi budget request, makes perfectly clear the longstanding intent of Congress that those who torture and abuse U.S. citizens can and should be held accountable.

Saddam Hussein was a tyrant who committed despicable acts. He committed atrocities against his own people and against Americans. In fact, as we speak, many believe he is behind the continuing attacks that are taking place in Iraq today.

Now, in a real irony—or, perhaps better stated, an unreal irony—our Justice Department is trying to shield Saddam and his former regime from the accountability American law demands. My amendment, which was accepted, would have protected the rights of private citizens, including three brave Nevadans who were captured, taken hostage, and used as human shields by Saddam Hussein during his first gulf war. All of these brave heroes who were tortured at the hands of Saddam Hussein are merely seeking to hold Iraq accountable for its crimes and deter the torture of any American citizen by a terrorist state in the future.

The civilized world cannot let such crimes go unpunished. The perpetrators must be held to account. I hope the conferees and the President will accept this amendment in the conference and not let the current system go forward.

Justice must prevail, and if these people are not allowed to go forward with the judgment they have obtained and the protection they demand, it would not be a good day for American justice.

The PRESIDENT pro tempore. The Senator from Kansas.

ORDER OF PROCEDURE

Mr. ROBERTS. I ask unanimous consent to speak out of order for 10 minutes. I know it is the minority's time.

Mr. REID. We have no one in the Chamber so that would work out fine. Certainly the request by the Senator from Kansas is one that is fair, and I ask unanimous consent that the Chair approve his request.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Kansas is recognized.

PETE DORN'S RETIREMENT FROM SELECT COMMITTEE ON INTELLIGENCE

Mr. ROBERTS. Mr. President, it is a personal privilege for me to rise today to recognize the contributions and many accomplishments of Mr. Peter Dorn, a valued and long time professional staff member of the Senate Select Committee on Intelligence. Pete will be leaving our staff this month after 33 years of dedicated service to our Nation.

Pete Dorn is the epitome of the professional staffer and he has served the Senate and the Intelligence Committee in an outstanding exemplary manner since he joined the committee's staff in 1991. From advising, if not educating Members, as their professional liaison to drafting legislation or conducting special investigations and projects to implementing and improving the intelligence budget, he and his work will be sorely missed.

Pete Dorn's service to our country is quite a pedigree. In 1971, following his graduation from the State University of New York, Pete began serving his country as an officer in the U.S. Marine Corps. He spent 6 years in the infantry and special operations arena before transferring to Marine Corps Intelligence. It was a perfect military occupational and operational fit. For the rest of his Marine career, he honed his skills as an intelligence analyst and staff officer serving the Pacific Joint Intelligence Center, the Overseas Military Air Groups, the Commander of the Pacific Fleet, Headquarters, Marine Corps and the Pentagon's Defense Intelligence Program staff.

He could not have been better prepared to continue his service in intelligence work and he did so as he continued his career in the White House as a budget and legislative analyst at the Office of National Drug Control Policy. He then served as program and budget analyst at the Director of Central Intelligence's Crime and Counter-narcotics Center.

In 1991, Pete's budgeting, intelligence and military experience made him a prime candidate for a professional staff position on the Senate Select Committee on Intelligence. He has served us as a budget monitor and as a staff liaison to Senator RICHARD SHELBY and to myself and currently, Senator SAXBY CHAMBLISS. Pete also serves the committee as staff director for research and analysis.

As in the case of many staff members and for that matter, Senators and Members of Congress as well, the laundry list of positions and titles does not tell the real story. The real story regarding Pete Dorn is that he is truly a patriot, has made a real difference in intelligence work, budgeting and legislation and as a consequence helped make our country a safer Nation. After 9/11, it was Pete Dorn who helped me to realize that although the Intelligence Community possessed great collection assets, we had a long way to go in terms of our analytical capability. It is our analytical product that is then turned over to the decision makers that contained mixed and delayed reporting. It has been my goal as chairman to see that this is changed. In this regard Pete Dorn has been my adviser. Personally, he has made a difference in my life and how I look at public service. He believes the role of intelligence is absolutely crucial to our national security, and when he sees things that should be corrected or a miscarriage of justice or something awry in his family—i.e., the intelligence community—he will not stop until he does everything possible to set things right.

The case of our ''captured and whereabouts unknown'' gulf war Navy pilot, CAPT Scott Speicher, is a classic example. We will not rest until the fate of this pilot is known. The person who did not rest and who pressed for better intelligence and honest answers was Pete Dorn—not only for Scott Speicher and his family but for every warfighter who wears the uniform.

We now have legislation that changes the way we handle our prisoners of war and those missing in action. The credit for that legislation goes to Pete Dorn.

There are many other examples I could outline, some classified and some not. Simply said, Pete Dorn's perseverance and commitment to our country and fellowman has been remarkable. Thank you, Pete, for putting up with and educating me, from a new member of the Senate Intelligence Committee to my current position as chairman. Thank you for your friendship and advice.

Vice Chairman ROCKEFELLER and the members of the Intelligence Committee, both past and present, who have enjoyed and benefited from their association with Pete extend their personal thanks for his exceptional dedication, his loyalty, his integrity, and his distinguished service. We wish all the best to Pete and his wife Kathleen, and to the entire Dorn family.

So, thanks again, Pete. And, from one marine to another, well done, and Semper Fi.

I yield the remainder of my time, Madam President.

The PRESIDING OFFICER (Ms. MURKOWSKI). Who yields time?

Mr. COLEMAN. Madam President, how much time do we have?

The PRESIDING OFFICER. There remain 23 minutes 47 seconds.

The Senator from Minnesota.

JOBS

Mr. COLEMAN. Madam President, I wish to talk about jobs. I am a former mayor. As mayor, I learned a long time ago that the best welfare program is a job; the best housing program is a job; access to health care comes through a job. With jobs and with work, there is a sense of dignity and a sense of worth.

People would often ask me as a mayor, What are you doing for kids? My response would be, One of the best things I could do for kids was to make sure that mom and dad had a job. Jobs are fundamentally important.

The reality is that the American economy over the last few years has taken some very big hits. A lot of people have found themselves out of work. When you are out of work, the anxiety level rises, the sense of security in your family is challenged. It hurts, and it hurts a lot. Certainly the recession that began before President Bush was elected—the recession began just as he took office—had an impact on jobs. America took that terrible blow of terrorism on September 11, which shook the foundations of the economy. You can't have economic security without national security; People are in fear. There was a great loss to the economic activity, certainly in New York and Washington and throughout this country. The impact of 9/11 cannot be underestimated.

On top of that, we faced corporate America acting in a way that upset a lot of us, as it should have. Scandals within Enron and WorldCom undermined the trust, undermined the confidence that the average American had in our economic system, in the market. The stock market, by the way, I don't think is a valuer of the economy; it is an indicator of confidence in the economy or lack thereof.

The fact is, Americans were not very confident when they looked at the corporate greed and the excess and the manipulation and a few folks at the top making money and folks at the bottom being hurt. That is a bad thing.

In this Congress, before I got here, we acted on that. I praise the folks who stepped forward. But the reality was a great undermining of confidence in the economy and the economy suffered and Americans suffered.

Then this President stepped forward and said the way to change what has happened in the economy is to cut taxes. Goodness gracious, there were a lot of folks—my colleagues on the other side, they were just outraged. Cutting taxes, how can you do that? How can you cut taxes at a time of economic need? How can you cut taxes at a time the economy is suffering? It will just plunge us further into debt.

The President's commonsense perspective, and one that I share, is that the things we do should put money in the pockets of moms and dads. Then they spend that money. If they spend that money on a good or on a service, the person who is producing that good or providing that service has a job. So by cutting taxes, having moms and dads spend money, is better than the Government spending money. It is better than creating another program.

This President thought we had to do those things to incur business investment. The last tax cut we passed—Madam President, I was sitting in that chair when the budget was passed, when we first got in office this year. We passed it by a 50-to-50 vote, and the Vice President had to come and step