

been internally displaced as a result of political and drug-related violence and the aerial spraying of chemical herbicides to eradicate coca. They are the second largest displaced population in the world after Darfur, Sudan. An average of 18,000 Colombians are uprooted every month, with more than 1 million forced to flee in the past 5 years alone, according to the United Nations High Commissioner for Refugees.

To put that in perspective, if the same ratio were applied to the United States, a country of roughly 300 million people, there would be over 20 million internally displaced Americans. That is a staggering number when you consider the burden they would place on public services and the environment. Colombia by comparison is a relatively poor country, and many of these people, the majority of whom are women and children, lack access to basic health care, sanitation, education, adequate shelter, or employment.

It is my understanding that Colombia has suitable laws for addressing the needs of the internally displaced, but the laws are too often ignored or poorly implemented. Insecurity and inadequate public services in isolated areas, where many of the displaced are located, hinder return to their homes and contribute to further displacement.

Recently, the House of Representatives passed a resolution calling on the Colombian Government and the international community to prioritize the needs of displaced persons, and recommending that the United States increase funding for emergency and long-term assistance.

The Senate version of the fiscal year 2008 State-Foreign Operations bill provides \$40 million for assistance for displaced persons in Colombia. This is a \$5 million increase above the President's budget request, which was woefully inadequate. As the White House urges Congress to continue funding aerial eradication programs which, despite billions of dollars, have failed to make an appreciable dent in the amount of coca under cultivation, one would like to think that at some point they will exhibit the same zeal for meeting the basic needs of Colombia's most vulnerable people.

#### RETIREMENT OF DAVID DEMAG

Mr. LEAHY. Mr. President, I wish to take a moment to recognize the career of a real-life hero who stands tall as one of the bravest and most dedicated public servants we have in Vermont if not anywhere—Police Chief David Demag of the town of Essex Police Department. After 36 years in law enforcement, Dave will hang up his uniform early next month and enter a well-earned retirement.

Dave comes from a family dedicated to police service—he is the fourth generation in his family to serve as a police officer. In fact, his great-grand-

father and namesake, Chief David Demag, was the first chief of police of the Village of Essex in the early 1900s. It seems to me that it is only fitting that Dave will finish his law enforcement career in Essex, where his roots grow deep.

I am proud to be able to call Dave not only an accomplished Vermonter but also a good friend. We have known each other for years, having both started our careers in law enforcement in the city of Burlington. Dave began in 1971 as a patrol officer for the Burlington Police Department, and was promoted through the ranks as corporal, detective, sergeant, lieutenant and, finally, commander. In 1996, he was appointed chief of police in St. Albans, a post he held until May 2001, when he was named to Chief of Police in Essex.

When he began his law enforcement career in the early 1970s, Dave worked undercover on drug cases. One of the cases we worked together on—he as an undercover agent and me as the State's attorney for Chittenden County—set up a successful sting to catch Paul Lawrence, a corrupt cop who framed dozens of narcotics suspects. The Lawrence case remains the first item Dave cites as the most memorable moments of his professional life.

Known for his ability to earn and command respect from his employees and the public he serves, Chief Demag has led the Essex Police Department with a steady hand and a calm presence. He is credited with revitalizing the Essex Police Department and changing the way it trains and promotes officers. As chief, he has emphasized continuing education for members of the force and required promotions to be based on ability rather than length of service.

Dave's leadership was especially apparent last August when a gunman went on a shooting spree at three sites across Essex, including an elementary school, leaving two dead and three wounded, including the gunman himself. Taking swift and deliberate action, Dave and his officers ushered dozens of teachers and several children away from the chaos at Essex Elementary School and to safety as tactical-response officers wearing body armor and carrying automatic weapons moved in and surrounded the building.

As a U.S. Senator, I have been privileged to work with Chief Demag and have his vocal support on an array of initiatives—from bulletproof vests to first responder funding—that have helped make the lives and work of Vermont's and our Nation's police officers a bit easier. But what stands out most in my mind is his unwavering support for the Hometown Heroes Survivors Benefits Act, which became law in 2003 and expanded the Public Safety Officer Benefits, PSOB, Program by allowing survivors of public safety officers who suffer fatal heart attacks or strokes while acting in the line of duty to qualify for the Federal survivor ben-

efits. Dave understood how important it was for that bill to become law because his father, special Deputy Sheriff Bernard Demag of the Chittenden County Sheriff's Office, suffered a fatal heart attack within 2 hours of his chase and apprehension of an escaped juvenile whom he had been transporting. The Demag family spent nearly two decades fighting in court for workers' compensation death benefits to no avail. What Dave and his family went through left no doubt in my mind that we should be treating the surviving families of officers who die in the line of duty with more decency and respect. Although Dave knew that his family would not receive survivor benefits under the PSOB law, he did not want other survivors of public safety officers to endure what his family suffered. It was a great day when I told Dave that the Hometown Heroes Act had finally been signed into law.

In 2001, Chief Demag was appointed on my recommendation to serve on the 11-member U.S. Medal of Valor Review Board, which selects and recommends to the President public safety officers to receive the Public Safety Officer Medal of Valor. The Medal of Valor is the highest national award for valor by a public safety officer and is designed to recognize the extraordinary heroism of our police, firefighters and correctional officers. As a board member, Dave has worked faithfully to award the medal to his public safety officers who demonstrate extraordinary valor above and beyond the call of duty.

I wish Dave and his wife Donna nothing but the best as they head into the next phase of their life together. I will say, however, that whoever Essex appoints as its next police chief will have the biggest of shoes to fill, as Dave Demag is the best kind of leader a community can hope for and he will be missed. Thank you, Dave, and congratulations for your service and commitment to the people of Essex and all Vermonters.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

#### IRAN DIVESTMENT

• Mr. OBAMA. Mr. President, I want to bring to the attention of the Senate an important article that appeared in today's Baltimore Sun. It describes the progress States are making in passing laws that divest their pension funds of companies that invest heavily in Iran's oil and gas industry. As highlighted in the article, Florida enacted a significant law along these lines, and other States, including my State of Illinois, are on the verge of doing so.

The need for these laws is clear. Iran uses the revenue it generates from its energy sector to finance its pursuit of nuclear weapons and support for terrorist groups like Hezbollah and Hamas. Along with a sustained diplomatic effort and toughened multilateral sanctions on Iran, divestment is a

useful tool that State and local governments can use to increase economic pressure to persuade Iran to end its dangerous policies.

But, as the article points out, past Supreme Court decisions have called into question whether States have the constitutional authority to pass such laws. For that reason, Congress needs to pass the Iran Sanctions Enabling Act, S. 1430, which I introduced in May. This bill would clarify that States have the authority to pass divestment legislation with respect to Iran, and it would provide information from the Federal Government to make it easier for them to do so. I am proud that 14 of my colleagues have cosponsored this bill so far, but Iran's seemingly unbridled drive for nuclear weapons makes this a matter of considerable urgency. I urge the rest of my colleagues to join us in working to pass this legislation without delay.

I ask unanimous consent that the article in today's Baltimore Sun be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From baltimoresun.com, July 26, 2007]

#### LET STATES DIVEST FROM IRAN

(By Jonathan Schanzer and Howard Slugh)

Last month, Florida Gov. Charlie Crist signed a bill ordering his state to divest its pension fund from businesses that work with Iran's energy sector. The legislation, led by Adam Hasner, Republican majority leader of Florida's House of Representatives, passed unanimously in both chambers of the Legislature.

Unfortunately, the state legislation is unconstitutional. Only new federal legislation can legally allow states to divest from Iran.

In 1996, Massachusetts restricted state businesses from working with companies that dealt with Myanmar, formerly called Burma. Massachusetts sought to press Myanmar's military junta to take steps toward democracy and provide better treatment for dissidents. In 2000, the Supreme Court unanimously struck down the Massachusetts law in *Crosby v. National Foreign Trade Council*.

The problem was that the state legislation conflicted with a federal statute that enabled the president to impose sanctions on Myanmar. The court argued that the president "has less to offer and less economic and diplomatic leverage as a consequence" of the Massachusetts law. According to the Constitution's supremacy clause, federal sanctions must trump state law.

Florida's sanctions against Iran could face a similar fate. Under federal law, only Congress and the president can implement federal tools—such as the Iran Freedom Support Act—to deter Iran from nuclear proliferation and terrorism. As in the Myanmar case, the Florida divestment plan conflicts with federal sanctions.

Florida has attempted to distinguish its statute from Massachusetts' by adding wording claiming that the law aims to lower fiduciary risk, not create an alternate foreign policy. But just because a state claims its law doesn't conflict with federal law doesn't make it so. The Florida law could be struck down if challenged—unless Congress does the right thing.

The House and Senate are considering the Iran Sanctions Enabling Act to authorize states to pass divestment laws aimed at

Iran's energy sector. The bill would cure any constitutional conflict. It would integrate the state sanctions as an element of congressional sanctions, rather than leaving them outside the congressional framework.

Broad bipartisan support of this bill is a sign that Congress sees sanctions—on both the state and federal levels as an important tool to weaken Iran. It also shows that Congress understands that divestment is a tool that Americans broadly support. Indeed, the growing "terror-free investing" movement is gaining traction nationwide. It echoes grassroots efforts to divest from South Africa in the 1980s, which eventually brought the apartheid regime to its knees.

Despite the bill's wide popularity, some in Washington oppose it. William Reinsch, former commerce undersecretary in the Clinton administration and current president of the National Foreign Trade Council, claims that "a unified U.S. foreign policy—not multiple state sanctions or divestment laws—is best suited to address" the Iran challenge. Those who join Mr. Reinsch in opposing the bill claim that divestment would create economic tensions with our allies, making it more difficult to act multilaterally.

Opponents of the bill fail to understand that the lack of enforcement of federal sanctions in the past is exactly why the American people have taken matters into their own hands. They have lobbied their state legislatures because they want to punish Iran. They do not care whether their states offend our allies who continue to do business with Iran.

A handful of states are considering their own divestment bills, including Maryland, where Del. Ron George, an Anne Arundel County Republican, has proposed legislation that would bar the state pension fund from investing in companies tied to Iran. Other states are weighing different divestment options. In Ohio, state Rep. Josh Mandel reports that he and his colleagues led an effort for "state pension funds to divest the retirement dollars of policemen, firefighters and teachers from an Iranian regime that is calling for the destruction of America and Israel."

The House and Senate have deliberated over the Iran Sanctions Enabling Act since May. It is imperative that Congress pass the bill quickly, to ensure that these state efforts are constitutional.

This is an effective way to push Iran to cease developing nuclear weapons and to encumber its efforts to support terrorism.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

#### COMMON ARTICLE 3

• Mr. OBAMA. Mr. President, like much of the Senate, I was taken aback to hear what the Attorney General had to say—and what he refused to say—before the Judiciary Committee this week. It is the latest in an effort to obfuscate and avoid accountability on issues of vital importance to this country's well being.

I fear the same was true on Friday, when the President signed an Executive order on Geneva Conventions Common Article 3 as Applied to a Program of Detention and Interrogation.

A year and a half ago, the Congress overwhelmingly adopted the McCain amendment to ensure that no prisoner in our Nation's custody is ever subjected to torture or cruel treatment.

Since then, all agencies of our Government have been abiding by the humane and professional standards in the U.S. Army's Field Manual on interrogation, and getting, by the administration's own account, excellent intelligence in the war on terror.

I am deeply concerned that President Bush may now be trying to reopen the door to cruelty that Congress shut. While the Executive order appears to rule out unlawful treatment, the administration has said that the order allows the CIA to resume at least some elements of its "enhanced interrogation" program, and to use methods beyond those that our military employs. The administration still refuses to rule out torture techniques such as water boarding.

As our own military leadership repeatedly warns, if we say we can lawfully use an interrogation technique on enemy prisoners, what is there to prevent our enemies from employing the same interrogation technique on captured American military personnel? On Sunday, Director of National Intelligence Admiral McConnell acknowledged that the CIA can now use techniques to which he would not want to see American citizens subjected.

A policy that permits cruel and inhumane treatment at the hands of any U.S. Government personnel—whether referred to as "enhanced interrogation" techniques or any other name—is simply counterproductive to an effective war against terrorists. As General Petraeus put it in his recent directive to those under his command in Iraq:

Some may argue that we would be more effective if we sanctioned torture or other expedient methods to obtain information from the enemy. They would be wrong. Beyond the basic fact that such actions are illegal, history shows that they also are frequently neither useful nor necessary.

These words are no less applicable to practices of the CIA.

Beyond the fact that they are neither useful nor necessary, torture and cruel and inhumane treatment of those in U.S. custody diminish the moral authority our country needs to wage an effective war against terrorists, and are simply used by al-Qaida as a recruitment tool to enlist more enemies faster than we can take them off the battlefield.

Every agency of our Government should be held to the same interrogation standards that our military lives and swears by. No one should be subject to treatment that would outrage us if inflicted on an American. Whenever America has been threatened in the past, there has been a divide in our country between those who believe that our liberties and laws make us weaker, and those who believe they make us stronger. I believe that our commitment to the rule of law is our greatest strength. We will win this war as we have won every great conflict in our history—by staying true to who we are and to the values that distinguish us from our enemies.●