

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 waterboarding.

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.●

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

IMPROVING EMERGENCY MEDICAL CARE AND RESPONSE ACT

• Mr. OBAMA. Mr. President, today I wish to discuss the Improving Emergency Medical Care and Response Act of 2007, which I introduced yesterday. I am joined in this effort by Representative HENRY WAXMAN, who introduced a companion bill in the House.

This bill focuses on improving communication systems used in emergency care response and provides financial support for research in emergency medicine. Disasters that strike our Nation, be it manmade or natural, can have catastrophic effects on the health and well-being of our citizens. The ability to provide adequate, timely health care following these “sudden-impact” events—or any emergency situation, for that matter—relies heavily on an effective and comprehensive emergency communication system. However, recent studies show that various emergency medical services throughout the country are struggling to efficiently handle just the day-to-day operations. Therefore, the concern is even greater when disaster does strike and the struggle becomes grossly amplified, ultimately exposing the gaps in our emergency care and response infrastructure. There was no clearer example of this than the flawed response to the devastating effects of Hurricane Katrina in 2005.

Patients waiting in the emergency department, ED, for extended periods of time or, potentially worse, patients leaving the ED before medical evaluation because of these long wait-times are both strong indicators that improved strategies and systems are needed to reduce the burden on our emergency medical services across the country. Extended offloading times and diversion of ambulances are also contributing factors to a slow emergency response, which can have a fatal impact on prehospital care. Unfortunately, we do not have to look far to see what tragedies will come from not addressing these issues. In fact, just months ago, tragedy struck Edith Isabel Rodriguez, a Los Angeles woman who made national headlines after she was ignored by hospital personnel, dismissed by 9-1-1 dispatchers, and denied immediate care despite vomiting blood and writhing in pain for 45 minutes until she died. How does this happen in a country that boasts one of the highest standards of living of any nation in the world? Ms. Rodriguez’s death is unacceptable and is a harrowing reminder of the ultimate penalty our citizens are paying for a fractured emergency care system.

For these reasons, my bill establishes demonstration programs designed to coordinate emergency medical services, expand communication and patient-tracking systems, and implement

a regionalized data management system. The types of information garnered from such demonstration programs will contain vital information such as the impact of emergency care systems on patient outcomes, program efficiency, financial impact, and identification of remaining barriers to developing regionalized, accountable emergency care systems. Of equal importance is the bill’s support for research in the field of emergency medicine and emergency medical care systems. Specifically, funds are requested to support research in the basic science of emergency medicine, model of service delivery, and incorporation of basic scientific research into day-to-day practice.

Improving and identifying the best practices of emergency medical care is necessary to ensure high-quality, efficient, and reliable care for all who need it. I ask my fellow colleagues to support this legislation so that we can better prepare for emergencies and future disasters. •

BOSTON CELTICS “HEROES AMONG US” AWARDS 2007

Mr. KENNEDY. Mr. President, all of us in Massachusetts are proud of the Boston Celtics. The team is one of the most storied franchises in NBA history, and its players are also impressive leaders in the community. Each year, the Celtics honor outstanding persons in New England as “Heroes Among Us”—men and women who have made an especially significant impact on the lives of others.

The award, now in its 10th year, recognizes men and women who stand tall in service to their community. The extraordinary achievements of this year’s honorees include saving lives, sacrificing for others, overcoming obstacles to achieve goals, and lifelong commitments to improving the lives of those around them. The winners include persons of all ages and all walks of life—students, community leaders, founders of nonprofit organizations, member of the clergy, and many others.

At home games during the season each year, the Celtics and their fans salute the efforts of various honorees in special presentation to them on the basketball court. So far, over 500 persons have received the “Heroes Among Us” award during the past decade.

The award has become one of the most widely recognized honors in New England. I commend each of the honorees for the 2006 to 2007 season, and I ask unanimous consent to have their names, their achievements, and their communities printed in the RECORD.

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

HERO AMONG US AWARD RECIPIENTS 2006–2007

Arnold “Red” Auerbach (Boston, MA) founded the Red Auerbach Youth Foundation in 1985 to encourage the healthy development of children.

Ayman Kafel (Sharon, MA) as a member of the Massachusetts National Guard, served on

the Military Police Headquarters’ Task Force and later on the Protective Service Security Squad during his one year tour in Iraq.

David Youngerman (Hudson, MA) was chosen to be the Child Ambassador for this year’s Miles for Miracles Walk for his recovery from Moyamoya Disease.

Catherine Pisacane (Hopedale, MA) is the founder and executive director of Project Smile, a non-profit organization that collects stuffed animals for police officers, fire fighters and paramedics to give to children.

Helen Ford (Cambridge, MA) worked 28 years in security for the Cambridge School Department.

Eric Christopher (Melrose, MA) has been with the Gloucester Fire Department for 8 years and in January went into a fire without protective gear to save the life of a woman trapped in a blaze.

Lawanda Myrick (Dorchester, MA) has been a committed parent, employee and advocate for the Massachusetts Society for the Prevention of Cruelty to Children.

Lynn Dadekian (Worcester, MA) volunteered to donate her liver for a chance for her ailing father to live.

Robbie and Brittany Bergquist (Norwell, MA) started the “Cell Phones for Soldiers” campaign, which has collected over \$1,000,000 and has sent more than 80,000 calling cards to troops in the Middle East.

Corp. Gregory M. Chartier (East Templeton, MA) upon returning from Afghanistan, volunteered to be deployed to Iraq to help create a local police force.

Brian Binette (Saco, ME) was born with cerebral palsy, but has overcome this challenge and will begin a career at the Saco Island School in Maine as a mentor, assistant teacher and head of the school’s monthly newsletter.

Clementina Chery (Dorchester, MA) co-founded the Louis D. Brown Peace Institute and also founded the Mothers’ Walk for Peace, an annual walk now in its tenth year.

Benjamin Smith (Springfield, MA) is the executive director of Dream Studios Inc., to introduce urban youth to the performing arts and provide mentoring to strengthen their academic skills.

Alan Borgal (Boston, MA) has spent the last 31 years with the Animal Rescue League of Boston, working tirelessly for the care and protection of animals.

Dick Arieti (Kingston, MA) has been the head basketball coach at Silver Lake Regional High School since 1970 and has instilled his values of sportsmanship, hard work and teamwork to all he has coached.

Dante Carroccia (Johnston, RI) single-handedly assisted a man injured in an automobile accident and saved his life.

Helen Lamb (Boston, MA) founded “Camp Jabberwocky” in 1953, which has brought the simple joys of childhood to thousands of children with disabilities.

Seth Lampert (Sudbury, MA) earned the Volunteer of the Year Award from Easter Seals for his fundraising efforts for the annual Easter Seals Shootout.

Kevin Sullivan (Carver, MA) moved his truck to absorb the impact of a speeding truck heading directly towards a highway work crew and a police officer on duty, probably saving their lives.

Jennifer Putnam (Wellesley, MA) a volunteer for Horizons for Homeless Children, has spearheaded the preparation of annual feasts for hundreds of homeless children and their families.

Danny Vierra (Somerville, MA) is a Transit Police Officer who pulled a man from the railroad tracks before a speeding train could hit him.

Brooke Rallis (Hampton, NH) is one of only seven people to have overcome the type of