

tough decisions about the modalities and meaning of 2011. In theory, the six intervening years were intended to solidify connections between former enemies. But not enough was done to build those ties, and the death of South Sudan's most forceful voice for unity, Dr. John Garang, further diminished unity's prospects. For champions of separation, the time period meant a deferral of their dream of independence that has now come due. But this intervening period has also served one crucial purpose: It has demonstrated that North and South can live side by side in peace.

With January fast approaching and progress scant on the mechanisms for division, the two sides are almost out of time to craft a peaceful transition. To fulfill the full promise of the landmark 2005 peace agreement, they must negotiate terms of separation and prepare for a future in which they remain fundamentally connected.

Southern Sudan possesses most of the known petroleum reserves, but the pipelines to market for that oil run through the north. An estimated million and a half southerners displaced by the war live in Khartoum and may well remain there, and northerners will live in the South. Every dry season, herders from the north's Arab Misseriya tribes cross into what will likely become the country of Southern Sudan and then return. The Nile will continue to flow northward, irrespective of borders and politics. Boundaries must simultaneously be demarcated and accommodating. And the parties need to finalize the details fast enough to ensure that violence cannot fill the vacuum.

The last war between North and South lasted for decades and claimed millions of lives. And, earlier this year, then Director of National Intelligence Dennis Blair told Congress that, over the next five years, Southern Sudan is the place where "a new mass killing or genocide is most likely to occur."

America acted as one of the architects of the CPA in 2005, and has a moral obligation as well as a strategic interest in helping the parties to see it through. The Sudanese must make the decisions, but we—and others—can help them navigate this process. Failure to act now—whether by high level diplomatic engagement, scenario planning for a variety of potential outcomes, and pre-positioning humanitarian supplies in the region—may contribute to a larger crisis later.

While we try to prevent the next potential wave of genocide, we cannot ignore the fact that Darfur's tragedy remains unresolved. Even as America asks how it can help Southern Sudan prepare for the likely burdens of statehood, it must also consider the Sudan that remains and Darfur's need for peace, stability, and justice. Attention to Darfur must not be a casualty of our necessary fixation on the North-South crisis.

The goals of the legislation are:

1. To spell out clearly the objectives of U.S. policy and the bilateral and multilateral tools available to pursue them;

2. To emphasize the need for all parties to commit to see the CPA through the January referenda and beyond;

3. To underscore the importance of Darfur and to provide policy guidance on both the peace process and the humanitarian situation;

4. To lay the legal groundwork, spur the humanitarian planning, and shape the policy framework in the likelihood of secession; and

5. To strengthen both capacity building and accountability.

Our bill offers a number of specific prescriptions, including the designation of a senior official to work with the Special Envoy to Sudan by heading up the U.S. team in the Darfur peace process, much as Ambassador Princeton Lyman is currently doing in Juba in the South. The legislation also seeks to strengthen multilateral efforts to build capacity in the South and aid implementation of the CPA.

In approaching Sudan we are rightly concentrating for the moment on the things that the parties must do between now and January 9, 2011, from registering voters for the referenda to coming to terms on major issues such as citizenship, oil, debts, and the border territory of Abyei. But we must also look beyond January as well. Much has to be done between January and July 2011, when, under the terms of the CPA, Southern Sudan and Abyei are to become independent if that is the outcome of the referenda. But even more importantly, we have to think beyond that milestone, to what independence will mean for a new and fragile country in the south and a significantly changed country in the north, including for Darfur.

The United States helped to bring about the Comprehensive Peace Agreement. We have led the world in providing humanitarian assistance and in supporting the peacekeeping mission in Darfur. While the Sudanese must own their future, the United States can help the parties find a path forward to peace and stability.

#### EPA OVERSIGHT

Mr. INHOFE. Mr. President, I would like to take a few minutes today to speak about the importance of oversight.

As you may recall, on April 22, 2010, EPA's new lead-based paint, the lead, renovation, repair and painting rule, went into effect. At that time, offices on the Hill were inundated with intense public outcry from constituents—from homeowners to contractors to landlords to plumbers—all trying to get more information about a rule that, in most cases, they had just learned about. People were confused about the implications of the rule.

This rule affects anyone who owns or lives in a home built before 1978 and

looking to do a renovation. Specifically, the rule requires that renovations in these homes that disturb more than six square feet must be supervised by a certified renovator and conducted by a certified renovation firm. In order to become certified, contractors must submit an application—with a fee—to EPA, and complete a training course for instruction on lead-safe work practices. Those who violate the rule could face a fine of \$37,500 a day.

In my role as ranking member of the Environment and Public Works Committee, prior to implementation, I sent several letters to EPA expressing concern with the rate of training. I wrote on two separate occasions warning EPA that it seemed badly unprepared to properly implement the rule. In both cases, EPA said they were ready.

In a June 3, 2009 letter responding to my concerns, EPA wrote:

I agree that both EPA and the regulated community have a great deal of preparation in front of us as we approach next April's deadline. I am confident, however, that the ten months between now and April 2010 will allow us to meet this deadline....We are confident that all renovators subject to the requirements of the rule will be able to find a provider in advance of our deadline.

In a letter dated December 1, 2009, EPA wrote:

we are confident there will be enough training providers to meet the demand. EPA does not plan to revise the April 2010 effective date of the RRP rule....Currently, the capacity for training is in excess of the demand as several training courses have been cancelled for lack of attendance.

On implementation day, April 22, 2010, EPA had only accredited 204 training providers who had conducted just over 6,900 courses, training an estimated 160,000 people in the construction and remodeling industries to use lead-safe work practices. That number fell far short of the total number of remodelers who would be working on pre-1978 homes.

Let me say it again: on implementation day, EPA had only trained an estimated 160,000 people in the construction and remodeling industries to use lead-safe work practices.

I suspected that there wouldn't be enough contractors to even meet EPA's estimate of certifying 186,811 renovators by April 2010. So I sent a bipartisan letter to OMB requesting that they delay implementation of the rule until there was enough time for more people to be certified. Additionally, I spoke to Cass Sunstein, Administrator of the Office of Information and Regulatory Affairs at OMB, and was joined by some of my Oklahoma contractors, who relayed the difficulties they were facing. I appreciate Mr. Sunstein listening to the concerns of my Oklahoma constituents. He told us he recognized the economic impact of the implementation of the rule and explored ways to provide a 60-day delay, but, by April 23, we simply ran out of options.

The rule was in place, there were not enough renovators, and EPA argued that a delay in the rule would delay

protection for children and their families. But because the Federal Government failed to meet the demand for certified contractors, the Federal Government was already delaying the implementation of the rule.

I was proud that the Senate intervened to send a clear message to EPA. The Senate passed the Collins-Inhofe amendment, S. 4253, to the supplemental appropriations bill, H.R. 4899, by a vote of 60 to 37.

This amendment prevented supplemental funds from being used to implement the rule. The vote showed overwhelming bipartisan concern about EPA's disastrous implementation of the lead-based paint rule.

Fortunately, EPA got the message. On June 18, 2010, EPA's enforcement office issued a memorandum extending the lead rule deadline for renovators to enroll in training classes to September 30, 2010. Furthermore, it has extended the deadline for contractors to complete training to December 31, 2010, and most importantly, the agency agreed to work to provide additional trainers in areas of need.

EPA's concerns about extending additional time for renovators to become certified never materialized; in fact, instead of people continuing to delay signing up for classes, people flocked to them. EPA's most recent training numbers show that as of September 23, 2010, EPA has accredited 364 training providers who have conducted more than 21,400 courses, training an estimated 476,700 people in the construction and remodeling industries to use lead-safe work practices.

From just 160,000 people in April, to 476,700 people in September, more time has meant greater ability to take classes and come into compliance.

The delay has allowed another 160 training providers to be certified; an additional 14,500 courses to be held; and 316,700 people to receive training in lead safe work practices.

Unfortunately, we did not have one oversight hearing on this rule. There were numerous opportunities prior to the rule going final, but they were never taken. Nonetheless, I am pleased to have worked with Senators COLLINS, ALEXANDER, VITTER, COBURN and others to highlight this important issue and provide additional time for renovators to attend training classes.

#### LAW ENFORCEMENT OFFICERS SAFETY ACT IMPROVEMENTS ACT OF 2010

Mr. LEAHY. Mr. President, today, the House of Representatives passed the Law Enforcement Officers Safety Act Improvements Act of 2010, which passed the Senate unanimously in May. I applaud the leadership of the House for taking up this legislation, which is of great importance to the law enforcement community. Today's action brings to a successful conclusion the good work of Senators and Representatives who have helped move this legis-

lation through both Chambers and builds upon the bipartisan Law Enforcement Officers Safety Act that was enacted in 2004.

I want to recognize the longstanding efforts and strong support of the Fraternal Order of Police, the Federal Law Enforcement Officers Association, and the National Association of Police Organizations, along with many others in the broader law enforcement community. Their support and assistance contributed greatly to today's success. I also thank the Judiciary Committee's ranking member Senator SESSIONS, Senator KYL, and Senator CONRAD for their cosponsorship.

This legislation will assist qualified Federal, State, and local law enforcement officers in exercising their privileges related to the interstate concealed carry of firearms under existing law more easily and efficiently. The legislation will give active-duty officers and qualified retired officers more flexibility in obtaining the necessary credentials in several important ways and will overcome some of the challenges that retired officers have faced in the past in obtaining certification. The legislation will also remove some of the administrative pressure on law enforcement agencies by allowing the required firearms qualification testing of retired officers to be done by a private firearms instructor who is certified to test active-duty officers in his or her jurisdiction and at the officer's own expense. And it will give law enforcement agencies more certainty and authority when determining whether a retired officer suffers from mental health issues sufficient to disqualify that officer from certification under the law.

I have great confidence in the men and women in law enforcement who put their own lives on the line to serve their fellow citizens every day. This confidence extends to these men and women whether they are on the job or off duty. I trust in them and their proven ability to exercise the firearm privileges provided under the Law Enforcement Officers Safety Act responsibly and with the same solemnity with which they approach their official duties.

I have said many times that Congress's efforts to assist State and local law enforcement are a crucial part of our Federal policy and a policy that pays dividends in our overall capability to protect the citizens of the United States. State and local law enforcement officers are the first line of defense and support in America's communities, and for that they deserve the recognition and continued support of Congress. We must also recognize the men and women who serve as law enforcement officers throughout the Federal Government, for whom this legislation will also provide benefits. Federal officers play an indispensable role in the Federal system and in important partnerships with State and local officials around the country. I am glad

that the improvements we have worked for over the last several years will finally be enacted, and I look forward to hearing about the positive changes that will come.

#### PERSECUTION OF THE BAHAI'S

Mr. LEAHY. Mr. President, I want to take a moment to call the Senate's attention to members of the Baha'i faith who have and continue to suffer severe persecution by the Iranian Government.

Senators should be aware that seven prominent Iranian Baha'i leaders are currently in prison, facing sentences of up to 10 years, charged with espionage, establishing an illegal administration, and promoting propaganda against the Islamic order. These spurious charges are only the latest example of the mistreatment of the largest religious minority in Iran.

Ironically, the Baha'i faith originated in Iran during the 19th century, separating the Baha'is from their previous affiliation with Islam. The founder of the faith, known as The Bb, was then arrested, locked in a dungeon, and executed, as were some 20,000 of his followers. These atrocities devastated a religion whose tenets include global unity, peace and diversity.

Persecution of the Baha'is in Iran continued into the next century, with the Iranian Government's destruction of Baha'i literature in 1933, and in 1955 the demolition of the Baha'i national headquarters. Since the establishment of the Islamic Republic of Iran in 1979, the government has stepped up its active discrimination against the Baha'is. Children are prohibited or discouraged from receiving higher education, Baha'is are unable to practice their faith in public, they are prevented from opening businesses or advancing their careers, and Baha'i cemeteries are destroyed. Baha'is are slandered by the Iranian media, often called worshippers of Satan.

The arrests of the seven Baha'i leaders are the latest official Iranian abuse against members of this religious faith. These men and women led the "Friends in Iran," a Baha'i group working to meet the needs of the Baha'is in Iran. After their arrest, the group disbanded, reducing the much needed support to the Baha'is. The leaders were incarcerated in 2008, and were not brought before a judge for over 20 months.

The systematic abuses of the Baha'is by the Iranian Government are clear violations of provisions in the International Covenant on Civil and Political Rights, to which Iran is a signatory, on economic and educational opportunities, religious freedom, and due process. They are also violations of Iran's own laws.

Prominent global leaders are speaking out in support of the Baha'is in Iran, including Secretary of State Clinton, her British counterpart William Hague, and the President of the European Parliament, Jerzy Buzek. They