the Homeland Security and Governmental Affairs Committee that focuses on contracting oversight. I can stand here with certainty and tell my colleagues and America and Missourians that contract problems in the Federal Government are substantial, they are expensive, and they have to be fixed.

While we are all focused right now on trying to make the Federal Government spend less money and be more efficient, there are times that contracting problems have significant consequences beyond that of money being misspent or wasted. Sometimes contracting problems have human consequences. One example would be some of our soldiers who were electrocuted because of substandard contracting work as it relates to showers in Iraq when they were standing up for us in a military conflict.

Last summer, a problem surfaced relating to Arlington National Cemetery, and this was a contracting problem. So last summer, my subcommittee held a hearing on the contracting incompetence at Arlington and what the consequences of that incompetence were. As heartbreaking as it is, we learned that because of mismanagement of contracts at Arlington, graves had been misidentified and remains had been buried someplace other than where families had been told they had been buried. Obviously, this is a breathtaking revelation when we think about what Arlington National Cemetery means to the veterans of this country and to our Nation. It is sacred ground. It is the kind of place that America needs to know is being run well and that the remains of our heroes are being handled with the utmost deference, respect, and dignity, and certainly Americans have the right to know we are burying our heroes exactly where their families are told they are being buried.

In the committee hearing last summer, I estimated, based on what we knew at that time, that as many as 6,600 graves had been misidentified. The Army responded quickly and forcefully. I wish to recognize that Kathryn Condon, the Executive Director of the Army National Cemeteries Program, and Pat Hallinan, the Superintendent of Arlington National Cemetery, have been responsive and I think have been working hard to clean up this mess. However, we now have recent reports which indicate that maybe I underestimated the significance of this problem and maybe this problem is much larger than I even anticipated. At the time, when I used those numbers, people seemed to think I was exaggerating.

So we introduced a bill to make sure there is accountability as it relates to Arlington, with a number of cosponsors, including Senator BROWN, who was the ranking member of the committee at the time, along with Senator COLLINS and Senator BURR and Senator LIEBERMAN.

We introduced a bill that would aim at accountability at Arlington, requiring some reporting to us in 9 months, requiring that the Secretary of the Army continue to be held accountable on this huge problem at Arlington National Cemetery.

I think now is the time to get some interim information because information has now surfaced that potentially many more graves have been mishandled. There is now a criminal investigation because we had eight urns discovered in one grave site last fall as we were working on this legislation.

While I am glad the legislation has become law, that doesn't change the urgency of the situation. I have today written to the Secretary of the Army, Secretary McHugh, and I have asked for immediate information on an interim basis about what has happened to clean up this mess at Arlington, where they are in the process, and what is the truth about graves that have been identified, have not been identified, and potentially never will be identified.

I have asked the following information of Secretary McHugh:

First, I want to know the number of grave sites that have been physically examined to identify the remains there. I want to know how many grave sites have been determined to be incorrectly identified, labeled, or occupied, and the methodology used to make that determination. I want to know immediately how many families have been contacted regarding problems with the grave sites and the number of families who have requested that those grave sites be physically examined. I want to know what the procedure is for contacting families regarding actual or potential problems with the grave sites and how these procedures have been implemented since our hearing last July. I want to know from the Army how they will be able to correctly identify all grave sites by the end of the year and the estimated costs and time required to complete an examination of that nature.

I have asked the Secretary of the Army to respond to this letter in a week. I have asked what progress they have made. This is not something we can sweep under the rug and say we have done the best we can. This is not that kind of problem. I have veterans all over Missouri who walk up to me when I am in the grocery store, when I am at the mall, wherever I am, and say: Don't give up on fixing Arlington; it is too important to all of us.

I do not want this cloud hanging over Arlington National Cemetery. I have been honored to attend funerals at Arlington National Cemetery. I compliment the Army for the job they do in terms of the Honor Guard and the dignity those services embrace. But management has a challenge. I want to make sure this does not go off the radar screen in terms of a problem that has to be fixed. It has to be fixed because of the values we embrace in this country.

I look forward to the response from the Secretary of the Army. I look forward to continuing to work with Kathryn Condon and Patrick Hallinan, who I do know are trying, but this is something we have to continually be transparent about in terms of reporting to the public the progress we are making so every family member and every American, when they go to Arlington National Cemetery, doesn't ever have to wonder if they are showing respect to the hero at the grave site that is identified on the marker.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EPA AUTHORITY

Mrs. BOXER. Mr. President, I rise today—and I am staying close to the floor today—because I am very concerned that the Senate is going to vote on some very detrimental proposals for the American people which have to do with, for the first time that I can tell in history, telling the Environmental Protection Agency it no longer can enforce the Clean Air Act as it relates to carbon pollution. We know carbon pollution is dangerous, insidious, and we know that if, in fact, the EPA is stopped from enforcing the Clean Air Act, our families will suffer, they will get asthma, they will have more heart attacks and strokes, they will miss work days, and they will die prematurely. That is the primary reason I rise this morning.

GOVERNMENT SHUTDOWN

Mrs. BOXER. Mr. President, I also wish to take some time to talk about a real crisis looming in front of us, which is the possibility of a Federal Government shutdown.

I have lived through a Federal Government shutdown, and I can tell you, whether you are someone who is trying to get on Social Security or Medicare, whether you are living near a toxic waste dump that suddenly doesn't get cleaned up, whether you are concerned about enforcement at the border—I could go on and on—there will be a lot of suffering.

If you are a Federal employee who works for a living, you will not get paid. Mr. President, for me, the issue is, if Federal employees do not get paid, then why on Earth should Members of Congress get paid? We are Federal employees. We work for the government at the pleasure of the people. Sometimes they are not so happy about it and they don't get much pleasure, but the fact is that we are elected and we work as U.S. Senators, and our paychecks come from the Federal Treasury. Why should we get paid if we

fail to reach an agreement to do the basic work of keeping this government open?

Years ago, when we faced this, it was with Speaker Gingrich, who brought it on. I hate to say that, but I am very concerned that we are going to see a repeat from the Republican House. Let me tell you the reason. We had an election—and, boy, I noticed that one in 2010 because I was in it. My Republican friends in the House are fond of saying ''we won.'' They did take back the House. They did. They won the House. Guess what. They did not take back the Senate. The Democrats have a clear majority here. The President is still the President, and he is a Democrat. People will have their say, and we will get to that in 2012.

Here is the point. There are three parts of the government that are involved in the budget showdown, the budget dialog. Those three parts are the House—and we know where they are. They came up with $60 billion worth of cuts. And then you have a bill that they wrote, H.R. 1, that not only had $60 billion worth of cuts but all of these extraneous legislative riders that proclaimed the EPA has to stop the cleanup of the Chesapeake Bay; that EPA can no longer enforce the Clean Air Act relating to certain types of pollution; that there will be no more money going to Planned Parenthood—no matter that they serve 5 million people and do all the necessary things to stop women's health problems, such as STDs—no, they are zeroed out. So there is a vendetta against them and against National Public Radio. That is what is in H.R. 1.

H.R. 1 was voted on here, and it did not pass. Now we are sitting down with our colleagues to try to work on the budget, not these extraneous riders. If you want to repeal the Clean Air Act, have the guts to come here, put it on the floor, send it through the committees, and let's see where you get. You won't get very far. That is why they are trying to do it through the back door. Let's have a budget bill.

I believe that the Democrats, although we control two-thirds of the government—a third is the House, a third is the Senate, and a third is the White House—we are willing to meet them about halfway. Well, that is fair. That is more than fair. But we have rallies by the extreme rightwing. They have every right to do it, and I welcome them with open arms, but they do not speak for the majority of the people.

I want to get back to why I think it is important that these Members of Congress who are talking very openly about a shutdown have some skin in the game. Let them have to suffer no paychecks. Why should others suffer no paychecks, whether you are someone who works the parks or someone who works at Social Security or Medicare or someone who cleans up toxic waste sites or someone who works on the border. There isn't going to be any penalty for them.

I can only say that it has been 30 days—here it is on the chart—since the Senate passed a bill that said: No budget, no pay. No raising the debt ceiling, no pay. That is what it said. We sent it over to the House, and what has Mr. BOEHNER done with that bill? Nothing. Now, that is plenty of time to talk about doing away with Planned Parenthood and about all these things they want to do to harm women's health. They want to repeal the entire health care bill. I guess now they want to refund the money or get back the money the seniors got to help them pay for prescription drugs. I guess they don't think it is good to be able to keep your kid on your policy until they are 26. I guess they think it is fine for the insurance companies to kick you out when you get sick. When it comes to saying we will not get paid if there is a shutdown, he has not taken up this bill. Thirty days.

I intend to be on this floor every day—31, 32, 33, whatever the days are. That is plenty of time.

By the way, there is a bill by Congressman MORAN. ERIC CANTOR said we should not get paid. I don't know if you know what they did, Mr. President. They wrote a bill that said we won't get paid, but in that bill, it says H.R. 1 will be deemed having passed if the Senate doesn't pass it by April 6. So they have taken the most extreme bill in American history, with cuts that experts say—including Mark Zandi, a Republican economist—will lose us 700,000 jobs, a bill that is so extreme that it tells the EPA it can't enforce the law, and then they attach to it the ''no budget, no pay.'' Not good enough. H.R. 1 is not passing. They can say they deem it passed. That is like my saying I deem every bill that I write passed.

I have written a lot of bills, including the Violence Against Children Act. Bills that I have passed give tax breaks to people who work at home. I have had bill upon bill. I would love to say that if we don't act on it, I deem it passed. What are they talking about over there? It is odd behavior. It is odd. I don't know what else to say.

By the way, we have 15 people on our bill. They are: Senators CASEY, MANCHIN, TESTER, NELSON of Nebraska, BENNET, WARNER, WYDEN, COONS, HARKIN, HAGAN, MENENDEZ, STABENOW, MERKLEY, ROCKEFELLER, and you, Mr. President, SHERROD BROWN of Ohio. We are willing to say, if there is no budget deal, we should not get paid.

I do not know whether the American people understand this, but if they did, I think they would be very upset because we have a special statute that protects our pay. Our staff is not protected. To my knowledge, the people who work here are not protected. Members of Congress and the President are protected in the case of a shutdown. There is a special statute. They get paid.

All we are saying is that is wrong. If this government shuts down, that is wrong or, if we fail to raise the debt ceiling and we start not making our payments and defaulting and America goes into a cycle we have never seen before, we do not deserve a penny of pay.

By the way, our bill says no retroactivity either. The American people have a right to expect us to work. Social Security checks must continue to arrive. Veterans must receive their benefits. Passports have to be issued. Superfund sites have to be cleaned. Oil wells have to be inspected. Export licenses must be granted. Our troops must be paid. If we fail to keep the government open because of politics, because some group is rallying—I do not care what end of the spectrum they are from—if we cave to that kind of pressure, we do not deserve to be paid. It is as simple as that. We should be treated like any other Federal employee—no better, no worse.

This is so deja vu because, in 1995, similar legislation passed the Senate. But guess what. It never passed the House.

We have a Member of Congress complaining that he does not make enough money. Let's talk about that, I say to everybody. In a video, tea party-described Republican Congressman SEAN DUFFY of Wisconsin said he could not pay his bills on his $174,000 salary.

Now listen, he has a lot of compassion for himself, but he does not seem to have that compassion for people who earn $50,000 or $60,000 or $40,000 or $20,000—a lot less than he makes. But he says it is real tough to live on $174,000. I know he has a big family. God bless each and every one of them. But let us not be so selfish. If you have compassion for yourself, have it for your fellow human beings. No budget, no pay, Mr. DUFFY. I am sorry.

If our colleagues over there who are very extreme—and I know there was a big article that Democrats are calling the budget proposals over there extreme. They are. If they are going to stand on that far right line and hurt the women of this country and hurt the families of this country and hurt the children of this country and hurt the seniors of this country and they are not willing to meet us halfway when they only control one-third of the government and they do not agree and this government shuts down, yes, Mr. DUFFY, you should not get your pay. We need to have the same pain inflicted on us as is inflicted on others.

The Speaker and ERIC CANTOR can say anything they want over there. They can say whatever they want. Free speech, absolutely. But their actions speak louder than their words. When they say, oh, they don't think they should get paid, but they fail to pass a freestanding bill as we did, they are not serious at all. They put it in a bill that is ridiculous on its face. I never heard of passing a bill that says another bill is deemed law. Yes, it is hard for me to explain that.

Anyone who studies how the Federal Government works knows we pass

these bills and then we send them to the President and then they are the law. What he says is, even though we already voted down H.R. 1, if we do not pass something else, H.R. 1 is deemed to have passed and then it goes to the President. This makes no sense. It is a new way of passing bills that is made up by the Republicans in the House.

It is interesting that the Members whose paychecks the Speaker is protecting are the same ones who are saying we should have a government shutdown. Today we know the tea party is holding a rally demanding a government shutdown if H.R. 1, with all its political vendettas against women and children and families—that, in fact, there ought to be a shutdown if H.R. 1 does not pass, even though a leading Republican economist, Mark Zandi, said it would cost us 700,000 jobs.

The Senate voted down H.R. 1. It only got 44 votes. Wake up and smell the roses. It is gone. H.R. 1 will never rear its head again. So if you are rallying for a bill that only got 44 votes, that makes no sense. Why not rally to call on us to come together, to meet in the middle, to compromise? That is what the American people want. Do you think I want to meet the Republicans in the middle and slash the type of programs we have to slash? No; I am very unhappy about it, but I am willing to do it for the good of the country. Then let the American people decide in the next election if these are the priorities they share.

H.R. 1 would kick hundreds of thousands of kids out of Head Start. It would stop tens of thousands from getting grants to go to college. How does that make us stronger? It does not.

Representative TOM ROONEY, a Republican from Florida, said: I don't see how we can avoid a shutdown. I have news for him. We can by working together, by crafting a budget where the numbers are right in the middle, and then any of these political vendettas should come back in the form of other legislation.

Congresswoman MARTHA ROBY said yesterday the tea party ''would not settle for a split-the-baby strategy,'' which I guess means she is not for compromising. It is my way or the highway. I want to ask the American people rhetorically: Is that fair? The people who run one-third of the government want 100 percent of it their way. I do not think so. I do not think it would work that way in a family. That is not right. They control one-third of the government and they want 100 percent of what they want. It is not right on its face.

Seventy-three percent of the American people say a government shutdown would be a bad thing for our country. So when the tea party says: Shut down the government if we don't get 100 percent of what we want, they are out of touch.

We will do our part. I am glad Speaker BOEHNER is back at the negotiating table, but I have to say, we are not going to get anywhere if anyone says at that table: My way or the highway. That is over.

H.R. 1 is gone—because you pass a bill that says if the Senate does not act and pass the bill it is deemed law sounds like an April fool's joke. Today is the 31st. Maybe that is what it is, an April fool's joke. Again, I do not know how they came up with this idea.

Where we are is very clear. We are in a situation where we hope the government will not shut down, but yet there are Members in the House who are threatening a shutdown. We have a situation where 30 days ago we passed no budget, no pay for Members of Congress and the President, and they still have not taken it up.

We sent a letter to Speaker BOEHNER. I ask unanimous consent to have printed in the RECORD the letter to Speaker BOEHNER.

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

U.S. SENATE,
Washington, DC, March 30, 2011.

Hon. JOHN BOEHNER,
Office of the Speaker,
Washington, DC.

DEAR SPEAKER BOEHNER: Nearly one month has passed since Democrats and Republicans in the Senate came together and unanimously passed S. 388, legislation to prohibit Members of Congress and the President from receiving any pay during a government shutdown.

Despite the Senate's bipartisan effort, and requests from members for immediate action, you have taken no steps to hold a vote on this important legislation.

As you know, in the event of a government shutdown, Members of Congress and the President would be treated differently from millions of other Federal employees. While Federal employees would not get paid, Members of Congress and the President would still receive a paycheck because we are paid through mandatory spending, rather than through annual appropriations.

Recently, a number of House Republicans have publicly stated that a government shutdown is unavoidable, and have gone so far as to significantly downplay the negative impact it would have on our economy.

Since members of your caucus are openly predicting a government shutdown, the time to pass this bill is now. Members who want to shutdown the government should not continue to receive a paycheck while the rest of the nation suffers the consequences. Members of Congress and the President should be treated no differently than every other federal employee; we too should have to face the consequences of our actions.

While appearing on the CNN program ''Crossfire'' in 1995, you offered your support for a bill that is identical to S. 388, so it is unclear why you have not scheduled a vote. The closer we get to the expiration of the Continuing Resolution without passage of this legislation, the more it becomes apparent that your primary interest is in protecting the paychecks of your colleagues.

It is essential that we work together to avoid a government shutdown, but if we cannot do our jobs and keep the government functioning, we should not get paid.

We again request that the House immediately take up and pass this legislation in the same bipartisan spirit demonstrated by the Senate. We ask for your immediate response.

Sincerely,

Barbara Boxer; Debbie Stabenow; Jon Tester; Ron Wyden; Michael F. Bennet; Sheldon Whitehouse; Robert P. Casey, Jr.; Robert Menendez; Joe Manchin, III; Jeff Merkley; Claire McCaskill; Daniel K. Inouye; Barbara A. Mikulski; Mark Begich; Jeanne Shaheen; Richard Blumenthal.

Mrs. BOXER. Mr. President, we call on him and say: It has been 30 days, let's get our act together. We need to feel the pain ourselves just as all the others will feel the pain.

CLEAN AIR ACT

Mrs. BOXER. Mr. President, the reason I am staying close to the floor today, more than any other reason, is the fact that, for the first time in history, Congress is going to play scientist, Congress is going to play doctor, Congress is going to decide what to do in terms of enforcing the Clean Air Act. This runs counter to the American people.

Leading public health groups are saying: Please do not stop the EPA from enforcing the Clean Air Act. They are the American Lung Association. I ask: When we think of the American Lung Association, what do we think about? We think about doctors who want to help patients, who do not want to see little boys, such as this boy, gasping for air. It is our job to stand for the health of the people.

If I ever had any other reason for being here—and I have been here a while, thanks to the good people of California—it is to make sure our people are protected to the best of our ability. We look at Japan, at what is happening there, and we know how it felt when we had the BP oilspill and how we all did everything in our power to make things better.

One way we have made things better over these years, since the Clean Air Act passed—and I will show a graph of Los Angeles—one way we have made things better for the people is the Clean Air Act. We all know we do not always do things perfectly around here. We are only human, and we make mistakes. But I have to say, I was not here when the Clean Air Act was signed. It was signed by Richard Nixon. I have a lot of issues with Richard Nixon on a lot of other issues, but Richard Nixon set up the EPA. That was a Republican effort, and now our Republican friends are literally taking a dagger to the Clean Air Act.

The Clean Air Act is supposed to be based on science, not politics. If the scientists tell us and the health experts tell us carbon pollution is a danger to our families and they pass an endangerment finding and the Supreme Court says, once an endangerment finding is passed, you must act to clean up the air, if that is what happens, Congress should keep its nose out of it for two reasons: One, it will lead to little boys, such as this little boy, having to