

Johnson (WI)	Merkley	Shaheen
Kerry	Mikulski	Shelby
Kirk	Moran	Snowe
Klobuchar	Murkowski	Stabenow
Kohl	Murray	Tester
Kyl	Nelson (NE)	Thune
Landrieu	Nelson (FL)	Toomey
Lautenberg	Paul	Udall (CO)
Leahy	Portman	Udall (NM)
Lee	Pryor	Vitter
Levin	Reed	Webb
Lieberman	Reid	Whitehouse
Lugar	Rockefeller	Wicker
Manchin	Sanders	Wyden
McConnell	Schumer	
Menendez	Sessions	

NOT VOTING—12

Ayotte	DeMint	Risch
Blunt	Hutchison	Roberts
Burr	McCain	Rubio
Coats	McCaskey	Warner

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

NATIONAL SCHOOL LUNCH AND BREAKFAST PROGRAM

Mr. MORAN. Mr. President, 2 weeks ago, I spoke on the Senate floor about some of my concerns with the pending legislation that we have been talking about now—a number of appropriations bills—including the committee report on agriculture. The last time we visited about this, I talked about the GIPSA rules. I wish to focus on one more area of concern in this appropriations bill; that is, that the Department of Agriculture has proposed a rule to revise the nutrition requirements for the National School Lunch and Breakfast Program.

In its current form, the rule contains some impractical nutrition standards and goals. I don't think there is any question that all of us in the Senate, and certainly every parent I know, would want—we all want our children to have nutritious food and we want them to have nutritious food at home and at school. That is not the point. It is not the question. What I question is whether the Department of Agriculture's rule is realistic for schools, and for those who provide food to the schools, whether they are able to comply with this new rule.

For example, as written, the rule would exclude many nutritious vegetables in school meal programs. Appropriately,

the Senate adopted an amendment offered by Senator COLLINS of Maine, which I supported, that allows school nutritionists to continue to make their own recommendations based upon the most recent dietary guidelines for Americans, rather than having to follow the mandates issued in this latest USDA rule. In my view, that is exactly where these decisions should be made: in schools around our country by nutritionists—not mandated by our government in Washington, DC.

Furthermore, we must keep in mind the impact this rule will have on school budgets and food suppliers. Unfunded mandates such as this one will make it even harder for schools to provide healthy lunches for students.

The Department of Agriculture estimates that the cost of compliance over a 5-year period will reach \$6.8 billion. The Federal reimbursement already does not cover the full cost of preparing a meal in many schools across our country. This new USDA rule will further drive up the costs of providing lunches and school districts will have to make up the difference. This doesn't seem like a reasonable approach when many school districts are already struggling to make ends meet.

Let me give an example of what is in this rule. Once finalized, schools would be required to reduce sodium content in breakfasts by up to 27 percent and school lunches by up to 54 percent. There are a couple problems with this requirement. There is no suitable replacement for sodium that can maintain the same functions of flavor and texture. Also, reducing sodium is not just a function of limiting raw salt content. Many ingredients have sodium in them that occurs naturally.

School food suppliers have been working for years to reduce the amount of sodium in their food products. However, they need additional time to come up with a solution that balances nutritional value with taste so kids will eat the school lunch.

This rule would also change how nutritional content is measured—rather than measure nutrition based on density, the Department of Agriculture rule proposes to measure nutritional content based on volume. For example, tomato paste is nutritionally dense, but the Department of Agriculture says it must meet the same volume as a fresh tomato. That doesn't make much sense. Why would we take a metric to be the arbitrary volume requirement instead of just measuring the nutritional value?

The bottom line is, kids can still get the right nutrients from food products if they are measured by nutritional content.

A more sensible approach to making sure children have healthy options for breakfast and lunch would be to work together with scientists, nutritionists, and industry representatives toward a set of intermediate goals. Food costs, service operations, and student partici-

pation rates could then be more closely evaluated before moving on to the next goal. This would give school districts and food suppliers the chance to make changes in a more reasonable timeframe.

Our colleagues in the House included a provision in their version of this legislation that directed the Department of Agriculture to issue a new proposed rule that would not add unnecessary and costly regulations to the school lunch and breakfast programs. Unfortunately, this language was not included in the Senate version of the bill. In conference, I will continue to work with my colleagues to make sure the Department of Agriculture is not making it harder for schools to provide healthy lunches but instead is working alongside local schools and their officials to develop better nutritional goals.

TRIBUTE TO MR. EMMETTE THOMPSON AND MISSION OF HOPE

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to one of the finest charitable organizations serving the people of Kentucky, Mission of Hope, and its executive director, Mr. Emmette Thompson. Mission of Hope, located in Knoxville, TN, has been providing the impoverished children and families in the rural Appalachian communities of southeastern Kentucky and elsewhere with food, clothing, and other necessities for over 15 years.

Mission of Hope was founded in 1966 in response to a television broadcast entitled "Hunger for Hope," in which anchor Bill Williams informed viewers of the destitution and poverty that affected families in the mountains and hills of southeastern Kentucky. The "Hunger for Hope" broadcast inspired founder Julie Holland to enlist the help of her church, Central Baptist of Bearden, to aid in handing out children's coats that had been donated by a local department store.

Since that first donation, Mission of Hope has grown to serve more than 17,000 people throughout more than 80 schools and organizations in Kentucky, Tennessee, Virginia and West Virginia. Over 85 percent of the population in this region suffers from hunger and joblessness due to a depleted coal mining economy.

Mission of Hope's objective is to provide, every year, the hunger-stricken families of Appalachia with hope and the chance at a better life through evangelical Christian charitable ministries. By partnering with school family-resource centers and small community ministries, Mission of Hope is able to provide assistance to those children and families most severely impoverished, and donates new clothes, food, toys, and school supplies through organized programs and events.

In addition, Mission of Hope assists in the repairing of homes, and provides a \$2,500 scholarship to 11 qualified students from schools in the region. They

operate basic health-care clinics thanks to the volunteer efforts of local medical professionals, and assist in the development of literacy and other skills in order to create new jobs.

Most importantly, however, the countless volunteers who work tirelessly to provide Mission of Hope's services receive the greatest possible reward for their efforts. The sense of gratitude that is visible in thankful children's eyes is what motivates the volunteers each and every day, and it is the satisfaction from this "personal touch" that drives the people of Mission of Hope and their cause.

"What we do wouldn't work in today's business world," says Mr. Emmette Thompson, who is fundamental to the organization's success. "Our business model and the way we distribute our harvest wouldn't work in corporate America because it defies logic . . . I'd love to tell people that I speak to that we're working ourselves out of a job, but that would be a bold-faced lie."

Mr. President, the charitable work that Mr. Emmette Thompson and Mission of Hope provide to the impoverished families of Kentucky and the Appalachia region is extremely honorable. I commend Emmette and the organization for their selfless devotion to this important cause. Organizations and people such as these embrace the spirit of Kentucky and continue to provide hope to the people of our great Commonwealth.

BUDGETARY ADJUSTMENTS

Mr. CONRAD. Mr. President, on October 20, 2011, I filed a statement regarding a revision to committee allocations and budgetary aggregates pursuant to section 106 of the Budget Control Act of 2011. Specifically, I adjusted the allocation to the Committee on Appropriations for fiscal year 2012 and the budgetary aggregates for fiscal year 2012.

Two of the tables detailing the changes to the allocation to the Committee on Appropriations and the budgetary aggregates that are customarily provided for such an adjustment were inadvertently omitted and are provided here.

I ask unanimous consent that the following tables be printed in the RECORD.

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

BUDGETARY AGGREGATES—PURSUANT TO SECTION 106(b)(1)(C) OF THE BUDGET CONTROL ACT OF 2011 AND SECTION 311 OF THE CONGRESSIONAL BUDGET ACT OF 1974

[\$s in millions]		
	2011	2012
Current Spending Aggregates:		
Budget Authority	3,070,885	2,983,770
Outlays	3,161,974	3,047,206
Adjustments:		
Budget Authority	0	475
Outlays	0	62
Revised Spending Aggregates:		
Budget Authority	3,070,885	2,984,245

BUDGETARY AGGREGATES—PURSUANT TO SECTION 106(b)(1)(C) OF THE BUDGET CONTROL ACT OF 2011 AND SECTION 311 OF THE CONGRESSIONAL BUDGET ACT OF 1974—Continued

[\$s in millions]		
	2011	2012
Outlays	3,161,974	3,047,268

FURTHER REVISIONS TO THE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS TO THE COMMITTEE ON APPROPRIATIONS PURSUANT TO SECTION 106 OF THE BUDGET CONTROL ACT OF 2011 AND SECTION 302 OF THE CONGRESSIONAL BUDGET ACT OF 1974

[\$s in millions]			
	Current Allocation/Limit	Adjustment	Revised Allocation/Limit
Fiscal Year 2011:			
General Purpose Discretionary Budget Authority	1,211,141	0	1,211,141
General Purpose Discretionary Outlays	1,391,055	0	1,391,055
Fiscal Year 2012:			
Security Discretionary Budget Authority	814,744	0	814,744
Nonsecurity Discretionary Budget Authority	363,806	475	364,281
General Purpose Discretionary Outlays	1,327,942	62	1,328,004

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT

Ms. KLOBUCHAR. Mr. President, I rise today to speak about the proposed rules issued by the U.S. Department of Agriculture, USDA, regarding tomato product crediting. I believe we must provide our children with healthy meals and ensure they have access to nutritious foods not only for their own well-being, but for the well-being of our Nation.

Given that a significant number of children rely on school lunch programs for meals every day, I am concerned that provisions in the rule regarding tomato paste crediting could have unintended consequences.

Tomato paste contributes dietary fiber, potassium—a nutrient of concern for children—as well as Vitamins A and C. It is delivered to kids in popular school menu items they enjoy eating and drives National School Lunch Program and School Breakfast Program participation. The proposed rule changes a technical crediting issue, effectively mandating the use of three times as much tomato paste or other tomato product. For example, under the proposed rules, the crediting of tomato paste would be based on the volume served as opposed to "single-strength reconstituted basis" as outlined in the Food Buying Guide for Child Nutrition Programs. To achieve one vegetable serving, an estimated three times the current quarter cup volume of tomato product—like tomato paste, tomato sauce, or salsa—would be required. This increased amount is unrealistic for many single foods and combination foods and would make the weekly vegetable serving requirement more difficult for schools to achieve.

Under this rule, a plate of spaghetti with three times the normal amount of sauce becomes more of a soup than a pasta dish, and a slice of whole grain pizza with three times the amount of sauce could be equally excessive. This becomes a problem for schools hoping to feed their students healthy meals that kids like.

The Institute of School Meals report does not recommend a change in the way tomato products are calculated. This change does not bring a nutritional benefit, and it was not called for by schools, nutritionists, or the Institute of Medicine. Constituents in Minnesota have said that this would result in increased volumes of foods consumed, increased costs to schools, and the virtual elimination of many foods served in school lunch, because of altered formulas and proper ratios that no longer allows for proper preparation or consumption.

I am not suggesting that USDA stop action on the rule—but, I believe we must focus on increasing fruits and vegetables rather than decreasing specific foods that provide an important source of essential nutrients. And because of that, I suggest that USDA refrain from changing the current tomato paste crediting levels. We need to make sure that we promote nutritious meals and recognize that the quality of the meals our kids eat in school plays a major role in their health and well-being.

AMENDMENT NO. 810

Mr. President, I also wish to speak on Senator SESSIONS' amendment No. 810. While I support Senator SESSIONS' efforts to eliminate waste, fraud, and abuse in the government, I have concerns that this amendment will take food away from children and families with the greatest needs. This amendment prohibits the use of any funds from being used to support categorical eligibility in the Supplemental Nutrition Assistance Program, SNAP. Categorical eligibility reduces administrative costs, simplifies enrollment, and helps eligible low-income households receive food assistance. I have heard from a number of groups in my State who stressed the importance of categorical eligibility in giving states the option to enroll beneficiaries in SNAP, and I know how important it is to reach out to citizens that are eligible for benefits.

While I opposed this amendment, I will work in the farm bill to strengthen and improve the program to ensure that taxpayer resources are spent wisely.

AMENDMENT NO. 739

Mr. President, I also wish to discuss amendment No. 739 offered by Senator MCCAIN to the Transportation, Housing and Urban Development appropriations bill. I share Senator MCCAIN's concern that transportation funds need to be spent carefully to address our most critical infrastructure priorities. However, I voted to table the McCain amendment because I believe it needed