

School Lunch Program and more than 11 million participating in the National School Breakfast Program, I believe that good nutrition within our Nation's schools is more important than ever. And that is all the more pressing, given that many children consume at least half of their daily calories at school, and for many students participating in these programs, the food served at school may be the only food they regularly eat.

For that, and many other reasons, I stand here today in support of Senate amendment No. 757. Specifically, the amendment would ensure that Federal school meal programs will be permitted to provide fruits and vegetables consistent with the most recent dietary guidelines.

Specifically, the recently proposed rule to improve nutrition requirements for the National School Lunch Program and the School Breakfast Program would limit the total servings of starchy vegetables, including the white potato, to one cup per week and completely eliminate those vegetables from school breakfasts. I am particularly disturbed by this recommendation because they actually contradict the recently published 2010 Dietary Guidelines for Americans, as well as the 2005 Dietary Guidelines they are supposed to reflect.

Our most recent national Dietary Guidelines—those released this past January—simply state that “intake by Americans of some nutrients is low enough to be of public health concern. They are potassium, dietary fiber, calcium, and vitamin D.” As you may know, there are few fruits or vegetables that contain the levels of potassium in potatoes. In fact, a medium potato—5.3 oz with the skin—is not only a good source of potassium, but also contains significantly more potassium—200 mg more—than its nearest rival, the banana.

Additionally, one serving of potato has as much fiber as broccoli and provides 13 percent of the daily recommended value. In an attempt to combat these deficiencies the 2010 Dietary Guidelines recommend that all Americans, including school age children, consume 5 cups of starchy vegetables a week. This is an increase in recommended consumption from the recommendations of the 2005 Dietary Guidelines for 3 cups of starchy vegetables per week. And yet the proposed rule would limit the total number of servings of starchy vegetables to one cup per week in our school lunch program, which is entirely inconsistent with the 2005 and 2010 Dietary Guideline recommendations.

I believe that it is clear that potatoes are a nutrient powerhouse, and the fact that the white potato offers 13 percent of a child's daily potassium requirements for less than 5 cents per serving provides further support for keeping potatoes in school meals, especially during challenging budgetary times.

The Federal Government should allow our struggling schools to make fiscally responsible choices that offer the most nutritional return on investment. In fact, USDA has estimated that the proposed meal plan will increase school lunch costs by \$6.8 billion over 5 years, and it cannot be denied that a significant part of this increase is due to the limit on potatoes. Limiting starchy vegetables to 1 cup per week will increase costs by approximately 5.6 percent with possible adverse affects on nutritional quality.

It has been well documented that, currently, nine out of ten Americans are not achieving vegetable and fruit consumption recommendations. I am disappointed that during such a time, that the USDA would propose rules denying our nation's youth access to nutrient-rich foods as part of the National School Lunch and School Breakfast programs.

And let me just say before the issue is raised that no one is arguing in favor of a diet based on french fries. The truth is—to combat the wave of obesity and promote more healthy food choices we must promote food items that present a diverse set of vitamins and minerals. No matter how they are prepared, potatoes are currently included in healthy school meal plans to meet national dietary guidelines. Yet many Americans seem to believe all potatoes served in schools are in the form of deep fried french fries.

This may have been the case at one time, but today, according to our own school food service administrators, most potatoes served in schools are baked, not fried. Like 80 percent of schools nationwide, the deep fryers in York and Kittery, ME schools, for example, were removed years ago. As the school nutrition director of those schools, Ms. Doris Demers informed me recently that, in her 18 years working in school nutrition, she has never seen fryers in a Maine school nutrition program. When prepared properly, the potato is packed with nutrition and is a cost-effective option for the school lunch and breakfast programs.

While I will continue to endeavor with my colleagues to support improved nutritional standards for all Americans, I am concerned that many throughout our nation cannot help but get confused about which guideline they should try to follow. For these reasons, I respectfully request that my colleagues join me in encouraging USDA to be consistent on their nutritional advice to the American public—of all ages.

The PRESIDING OFFICER. The Senator from Illinois.

AMENDMENT NO. 772 TO AMENDMENT NO. 738

Mr. DURBIN. Mr. President, on behalf of Senator MURRAY, I ask unanimous consent to set aside the pending amendment and call up amendment No. 772.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN], for Mrs. MURRAY, proposes an amendment numbered 772 to amendment No. 738.

The amendment is as follows:

(Purpose: To strike a section providing for certain exemptions from environmental requirements for the reconstruction of highway facilities damaged by natural disasters or emergencies)

Strike section 128 of division C.

The PRESIDING OFFICER. The Senator from New York.

#### MORNING BUSINESS

Mr. SCHUMER. Mr. President, I thank my colleague from Illinois for letting me take care of this matter, which I hope will be disposed of quickly.

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

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

#### SSI EXTENSION FOR ELDERLY AND DISABLED REFUGEES ACT OF 2011

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1721, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1721) to amend section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to extend the eligibility period for supplemental security income benefits for refugees, asylees, and certain other humanitarian immigrants, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the bill be read the third time, that a budgetary pay-go statement be printed, and that the Senate proceed to a vote on passage of the bill.

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

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. CONRAD. Mr. President, this is the Statement of Budgetary Effects of PAYGO Legislation for S. 1721.

Total Budgetary Effects of S. 1721 for the 5-year Statutory PAYGO Scorecard: net decrease in the deficit of \$24 million.

Total Budgetary Effects of S. 1721 for the 10-year Statutory PAYGO Scorecard: net decrease in the deficit of \$24 million.

Also submitted for the RECORD as part of this statement is a table prepared by the Congressional Budget Office, which provides additional information on the budgetary effects of this act.

The information follows.

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR THE SSI EXTENSION FOR ELDERLY AND DISABLED REFUGEES ACT OF 2011 (GA11269)

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2012–2016	2012–2021
	NET INCREASE OF DECREASE (–) IN THE DEFICIT											
Statutory Pay-As-You-Go Impact	36	–60	0	0	0	0	0	0	0	0	–24	–24
Memorandum:												
Changes in Outlays	36	0	0	0	0	0	0	0	0	0	36	36
Changes in Revenues	0	60	0	0	0	0	0	0	0	0	60	60

Note: The SSI Extension for Elderly and Disabled Refugees Act would extend refugees' and certain other aliens' eligibility for Supplemental Security Income (SSI) from seven years to nine years (and while a naturalization application is pending) during fiscal year 2012. The bill also would levy a \$30 fee on any petition for a Diversity Visa that is filed before October 1, 2013. CBO expects that the legislation would not be implemented in time to affect the October 2011 registration period for the Diversity Visa Program, so only petitions filed during the October 2012 registration period would be subject to the \$30 fee.  
Source: Congressional Budget Office.

The PRESIDING OFFICER. The question is on passage of the bill.

The bill was passed, as follows:

S. 1721

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “SSI Extension for Elderly and Disabled Refugees Act of 2011”.

**SEC. 2. EXTENSION OF ELIGIBILITY PERIOD FOR SSI BENEFITS FOR CERTAIN RECIPIENTS.**

(a) IN GENERAL.—Section 402(a)(2)(M) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(M)) is amended—

(1) in clause (i)(I), by striking “fiscal years 2009 through 2011” and inserting “fiscal years 2009 through 2012”; and

(2) in clause (ii), by striking “fiscal years 2009 through 2011” and inserting “fiscal years 2009 through 2012”.

(b) CONFORMING AMENDMENT.—Section 402(a)(2)(M) of such Act is amended, in the subparagraph heading, by striking “THROUGH FISCAL YEAR 2011”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2011.

**SEC. 3. DIVERSITY IMMIGRANT VISA PETITION FEE.**

(a) REQUIREMENT FOR FEE.—Section 204(a)(1)(I) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)) is amended by adding at the end the following:

“(iv) Each petition filed under this subparagraph shall include a petition fee in the amount of \$30.”.

(b) DEPOSIT OF FEE.—All fees collected pursuant to clause (iv) of section 204(a)(1)(I) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)), as added by subsection (a), shall not be available for obligation and shall be deposited, in their entirety, in the general fund of the Treasury.

(c) SUNSET OF FEES.—The fees collected pursuant to clause (iv) of section 204(a)(1)(I) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)), as added by subsection (a), shall apply only to petitions filed before October 1, 2013.

**SEC. 4. BUDGETARY EFFECTS.**

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the motion to reconsider be laid upon the table and that any statements related to the bill be printed in the RECORD.

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

Mr. SCHUMER. Mr. President, I will speak for a minute on the bill we have

just passed. This is a bill that I introduced a couple weeks ago along with Senators LEAHY, GILLIBRAND, MENENDEZ, FRANKEN, and KLOBUCHAR. I thank them. It is called the SSI Extension for Elderly and Disabled Refugees Act of 2011.

The Senate just passed this bill. I believe that is because it is a truly worthy piece of legislation. It accomplishes three incredibly important objectives at the same time. First, the bill ensures that approximately 5,600 disabled refugees will not lose their life-sustaining benefits that are their only safety net protecting them from homelessness, illness, and other effects of extreme poverty.

Many of these disabled refugees are people who have aided American troops overseas in Iraq and Afghanistan and risked their lives for the American cause. Others are victims of torture and human trafficking.

The bill continues the Bush administration policy of making sure this vulnerable group does not lose its only lifeline to stay afloat. But unlike past legislation, the second fact about the bill is it is fully paid for. It is paid for by imposing a \$30 fee on individuals applying for the diversity visa lottery program. Each year, hundreds of thousands of people apply to be one of the 50,000 selected to enter the United States. This program has had great success enriching the American economy with immigrant businesses from countries that are not traditionally represented in our immigrant pool. The one problem with the program is that applying for a lottery ticket is free, and consequently the program has recently been compromised by third parties fraudulently filing applications for monetary gain. The State Department has told me by charging a \$30 fee to apply, we will completely eliminate this misconduct.

Finally, the third positive aspect of this bill is by setting the fee at \$30, the Congressional Budget Office—our non-partisan budget scorekeeper—projects we will actually reduce the deficit by \$24 million.

In short, this bill hits the trifecta. It helps a very small and targeted group of the most vulnerable and needy disabled individuals we traditionally have helped, including many who helped us—helped our troops—in both Afghanistan and Iraq and have come here on the refugee program. Second, it eliminates the misconduct in the diversity visa program, because once the \$30 fee is imposed, the gamesmanship of those

who are gaming the system to make money will disappear. And finally, it reduces the Federal deficit by \$24 million.

Because this bill is a win, win, win for all sides, I ask my colleagues in the House take up and pass the bill immediately. The benefit for the folks we are talking about expired on October 1. If the House does not act soon, we will not be able to undo the irreparable harm that will soon be done to these most vulnerable of individuals when they begin missing checks.

Again I want to thank my cosponsors, and particularly Senators LEAHY and GRASSLEY, chairman and ranking member of the relevant Judiciary Committee, as well as Senators BAUCUS and HATCH of the Finance Committee, and Senators CORNYN and SESSIONS of the Budget Committee, and Senator CORNYN, who is my ranking member on the Immigration Subcommittee, for allowing this bill to pass.

I also thank Senator COBURN for working with me to improve this bill. And, last but not least, I thank Senator PAUL, who worked with me over the last 2 weeks to address his concerns in a manner we both think will allow us to get more information to make the refugee program safer and more efficient.

We will soon be doing something very good by passing this bill, by getting it signed into law, and I hope the House will move quickly and decisively to see that happens as quickly as possible.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

**COMBATING PRESCRIPTION DRUG ABUSE EPIDEMIC**

Mr. BROWN of Ohio. Mr. President, I rise to speak about the prescription drug abuse epidemic sweeping my State and the Nation. The rampant abuse and trafficking of prescription drugs represents a major threat to public health and to law enforcement. In recent years, more Ohioans have died from prescription drug overdoses than car accidents—legal prescription drug overdoses, obtained illegally in many cases.

In 2008, statistics show oxycodone and other prescription drugs—namely morphine-based drugs, such as Oxycontin and Percocet—caused more overdoses in Ohio that year than heroin and cocaine combined. Simply put, prescription drug abuse is one of the