

“(B) obtains a court order directing the disclosure under subsection (d);

“(C) has the consent of the subscriber or customer to the disclosure; or

“(D) submits a formal written request relevant to a law enforcement investigation concerning telemarketing fraud for the name, address, and place of business of a subscriber or customer of the provider or service that is engaged in telemarketing (as defined in section 2325).

“(2) SUBPOENAS.—A provider of electronic communication service, or remote computing service shall, in response to an administrative subpoena authorized by Federal or State statute or a Federal or State grand jury or trial subpoena, disclose to a governmental entity the—

“(A) name;

“(B) address;

“(C) local and long distance telephone connection records, or records of session times and durations;

“(D) length of service (including start date) and types of service used;

“(E) telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address; and

“(F) means and source of payment for such service (including any credit card or bank account number), of a subscriber or customer of such service.

“(3) NOTICE NOT REQUIRED.—A governmental entity that receives records or information under this subsection is not required to provide notice to a subscriber or customer.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 2703(d) of title 18, United States Code, is amended—

(1) by striking “A court order for disclosure under subsection (b) or (c)” and inserting “A court order for disclosure under subsection (c)”; and

(2) by striking “the contents of a wire or electronic communication, or”.

SEC. 844. DELAYED NOTICE.

Section 2705 of title 18, United States Code, is amended to read as follows:

“§ 2705. Delayed notice

“(a) DELAY OF NOTIFICATION.—

“(1) IN GENERAL.—A governmental entity that is seeking a warrant under section 2703(a) may include in the application for the warrant a request for an order delaying the notification required under section 2703(a) for a period of not more than 90 days.

“(2) DETERMINATION.—A court shall grant a request for delayed notification made under paragraph (1) if the court determines that there is reason to believe that notification of the existence of the warrant may result in—

“(A) endangering the life or physical safety of an individual;

“(B) flight from prosecution;

“(C) destruction of or tampering with evidence;

“(D) intimidation of potential witnesses;

or

“(E) otherwise seriously jeopardizing an investigation or unduly delaying a trial.

“(3) EXTENSION.—Upon request by a governmental entity, a court may grant 1 or more extensions of the delay of notification granted under paragraph (2) of not more than 90 days.

“(4) EXPIRATION OF THE DELAY OF NOTIFICATION.—Upon expiration of the period of notification under paragraph (2) or (3), the governmental entity shall serve upon, or deliver to by registered or first-class mail, electronic mail or other means reasonably calculated to be effective as specified by the court approving the search warrant, the customer or subscriber—

“(A) a copy of the warrant; and

“(B) notice that informs the customer or subscriber—

“(i) that information maintained for the customer or subscriber by the provider of electronic communication service, or remote computing service named in the process or request was supplied to, or requested by, the governmental entity;

“(ii) of the date on which the warrant was served on the provider and the date on which the information was provided by the provider to the governmental entity;

“(iii) that notification of the customer or subscriber was delayed;

“(iv) the identity of the court authorizing the delay; and

“(v) of the provision of this chapter under which the delay was authorized.

“(b) PRECLUSION OF NOTICE TO SUBJECT OF GOVERNMENTAL ACCESS.—

“(1) IN GENERAL.—A governmental entity that is obtaining the contents of a communication or information or records under section 2703 may apply to a court for an order directing a provider of electronic communication service, or remote computing service to which a warrant, order, subpoena, or other directive under section 2703 is directed not to notify any other person of the existence of the warrant, order, subpoena, or other directive for a period of not more than 90 days.

“(2) DETERMINATION.—A court shall grant a request for an order made under paragraph (1) if the court determines that there is reason to believe that notification of the existence of the warrant, order, subpoena, or other directive may result in—

“(A) endangering the life or physical safety of an individual;

“(B) flight from prosecution;

“(C) destruction of or tampering with evidence;

“(D) intimidation of potential witnesses;

“(E) otherwise seriously jeopardizing an investigation or unduly delaying a trial; or

“(F) endangering national security.

“(3) EXTENSION.—Upon request by a governmental entity, a court may grant 1 or more extensions of an order granted under paragraph (2) of not more than 90 days.”

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, July 26, 2012, at 10 a.m. in room SD-430 in the Dirksen Senate Office Building to conduct a hearing entitled “CCDBG Reauthorization: Helping to Meet the Child Care Needs of American Families.”

For further information regarding this meeting, please contact Jessica McNiece of the committee staff at (202) 224-9243.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Monday, August 6, 2012, at 2 p.m., in Contois Auditorium in the Burlington City Hall, 149 Church Street, Burlington, VT 05401.

The purpose of the hearing is to examine gasoline price and margin dynamics within the State of Vermont.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to Symone_Green@energy.senate.gov.

For further information, please contact Hannah Breul at (202) 224-4756 or Symone Green at (202) 224-1219, or Abigail Campbell at (202) 224-4905.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 25, 2012, at 10 a.m., in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, “The International Space Station: a Platform for Research, Collaboration, and Discovery.”

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 25, 2012, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, “Short-Supply Prescription Drugs: Shining a Light on the Gray Market.”

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 25, 2012, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 25, 2012, at 10 a.m. in room SD-406 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to

meet during the session of the Senate on July 25, 2012, at 10 a.m. in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Education Tax Incentives and Tax Reform."

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

COMMITTEE ON FOREIGN RELATIONS

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 25, 2012, at 3 p.m., to hold a hearing entitled "Economic Statecraft: Increasing American Jobs Through Greater U.S.-Africa Trade and Investment (S. 2215, The Increasing American Jobs Through Greater Exports to Africa Act of 2012)."

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

COMMITTEE ON THE JUDICIARY

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on July 25, 2012, at 10 a.m., in room SH-216 of the Hart Senate Office Building, to conduct a hearing entitled "Ensuring Judicial Independence Through Civics Education."

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

SPECIAL COMMITTEE ON AGING

Mr. BEGICH. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on July 25, 2012, at 2 p.m. in room 562 of the Dirksen Senate Office Building to conduct a hearing entitled "Enhancing Women's Retirement Security."

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

SPECIAL COMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on July 25, 2012, at 2:30 p.m. to conduct a hearing entitled "Assessing Grants Management Practices at Federal Agencies."

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

PRIVILEGES OF THE FLOOR

Mr. CARDIN. Mr. President, I ask unanimous consent that Elizabeth Eickenberg, from Senator MERKLEY's staff, be granted floor privileges for the remainder of the day.

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

FOR THE RELIEF OF SOPURUCHI CHUKWUEKE

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Sen-

ate proceed to the consideration of Calendar No. 464, S. 285.

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

The legislative clerk read as follows:

A bill (S. 285) for the relief of Sopuruchi Chukwueke.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment, as follows:

(The part of the bill intended to be inserted is shown in italics.)

S. 285

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

SECTION 1. ADJUSTMENT OF STATUS.

(a) IN GENERAL.—Notwithstanding any other provision of law, for the purposes of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Sopuruchi Chukwueke shall be deemed to have been lawfully admitted to, and remained in, the United States, and shall be eligible for adjustment of status to that of an alien lawfully admitted for permanent residence under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) upon filing an application for such adjustment of status.

(b) APPLICATION AND PAYMENT OF FEES.—Subsection (a) shall apply only if the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(c) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of permanent resident status to Sopuruchi Chukwueke, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the birth of Sopuruchi Chukwueke under section 202(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1152(a)(2)).

(d) DENIAL OF PREFERENTIAL IMMIGRATION TREATMENT FOR CERTAIN RELATIVES.—*The natural parents, brothers, and sisters of Sopuruchi Victor Chukwueke shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).*

Mr. GRASSLEY. Mr. President, I wish to express my support for S. 285, a private relief bill for Sopuruchi "Victor" Chukwueke.

Mr. Chukwueke has a compelling story. He has suffered a serious medical condition, was abandoned by his parents, and was brought to the U.S. at a young age. He has endured several surgeries as a result of his serious medical condition, and has overcome many barriers to get where he is today.

Despite his personal story and achievements, members of the Judiciary Committee were informed by Immigration and Customs Enforcement that he was an orphan and had no family in the U.S. or in Nigeria, his home country. We were led to believe that he had no family because that is how he represented himself during interviews with Federal agents. We found out later, however, that he still had a mother and father, and six siblings in Nigeria. Upon learning of this discrepancy, I immediately asked Immigration and Customs Enforcement to clear

up these conflicting statements, and to provide any other background information or paper in his files, including interview notes to understand the line of questioning that took place between ICE and Mr. Chukwueke. ICE rejected sharing the file with members of the Judiciary Committee. After weeks of a standstill, ICE agreed to show committee staff what was in his alien file. The file was helpful because we could review interview notes, visa applications, pictures, and other notes on Mr. Chukwueke.

Upon completing the review of the file, committee staff held a conference call with Mr. Chukwueke. During that interview, Mr. Chukwueke stated that he told investigators that he believed he was an orphan and that he had no intention of lying. For the record, I ask unanimous consent to have printed in the RECORD a copy of the sworn affidavit that was provided by Mr. Chukwueke to ICE and to members of the Judiciary committee.

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

(See exhibit 1.)

Mr. GRASSLEY. The committee reported S. 285 out of committee on July 19. The committee-reported bill includes a provision that prohibits Mr. Chukwueke from using his status to sponsor immediate family for benefits under the Immigration and Nationality Act. The language in my amendment is identical to language used in other private relief bills. Similar language was included in bills in 1999 and 2000. Senator Levin, the sponsor of this private relief bill, supported the amendment.

We always consider private relief bills on a case-by-case basis. In the case of Mr. Chukwueke, we were told that he did not have parents or family in the U.S. or in Nigeria. It turned out that was not the case. Those statements were inaccurate. He says he did not mean to mislead ICE agents about his family, but the fact is that he did. He did not tell the whole truth.

As I said, in previous private relief bills, we have excluded private bill recipients from sponsoring immediate family members. That is not to say that the family members are barred from ever entering the country. It simply means they cannot use the private bill recipient's special status to provide them a benefit or to gain derivative status.

There are many worthwhile people who want to come or remain in the United States. However, there are bad actors and people who will perpetuate fraud in order to do so. People will go to great lengths to come to the United States. We need to be worried about individuals who will take advantage of our open door policies and manipulate the system to get a benefit. We need to be watchful for potential fraud and abuse of the system.

If S. 285 passes the House and is sent to the President, Mr. Chukwueke may be able to attend medical school in the fall. He has the support of many upstanding individuals, including Senator