

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.

#### SUBCOMMITTEE 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

LEVIN. Mr. Chukwueke is also supported by a number of people in his community. We received letters of recommendation from Wayne State University and the Daughters of Mary Mother of Mercy.

I wish Mr. Chukwueke the best of luck in his future endeavors.

#### EXHIBIT #1

#### AFFIDAVIT OF SOPURUCHI VICTOR CHUKWUEKE

I, Sopuruchi Victor Chukwueke, swear under penalty of perjury that the following is true and accurate to the best of my knowledge and belief:

1. My name is Sopuruchi Victor Chukwueke. I write this statement in support of S.B. 285, a private bill introduced on my behalf by U.S. Senator Carl Levin.

2. I was born in Nigeria on February 10, 1986. During my early childhood, I developed a benign tumor caused by Neurofibromatosis, which grew on my frontal and right facial area, subsequently resulting in a very significant facial deformity.

3. My mother took me to different hospitals for treatment but we were unable to find a facility or surgeon to treat my condition. At some point, she heard of a Catholic nun called Rev. Mother Paul Offiah who ran a handicap (orphanage) center for orphans, abandoned and neglected disabled children. The name of the center is called St. Vincent de Paul Handicap Center located in Umuahia, Abia, Nigeria. My mother took me there, explained the situation to Mother Offiah, and left me. I do not remember how old I was at that point, but I felt abandoned.

4. Rev. Mother Paul Offiah took me in, fed and clothed me and became my sole parental figure, offering both emotional and financial support. My mother kept in contact with Mother Paul Offiah and came a few times to visit me at the center. I spent all my time there and Mother Paul Offiah started making arrangements for me to come to United States for life-saving treatment.

5. Dr. Ian Jackson at Providence Hospital in Michigan agreed to perform the surgery free of charge. Several generous Nigerians assisted with the effort to raise funds to that I could travel to the U.S. for treatment.

6. On August 21, 2001, when I was 15, Mother Offiah brought me to the United States on a B-2 visa and left me in the care of Sister Immaculata Osueke and other nuns in Lansing, Michigan. She then went back to Nigeria. I was authorized to stay in the U.S. until August 29, 2002.

7. My application to Extend/Change Non-immigrant Status was rejected twice, because I could not afford the visa fee at the time. Also, the evidence submitted was signed by a clinical social worker instead of a licensed physician. The delay in filing for the third time was in part because I was having surgery during that time. I had my second major surgery on January 14, 2003. That period was a very difficult and stressful time in my life, because I had to prepare for surgery, undergo the painful surgery and post-operative recovery, and at the same time worry about my visa status. I was just 16 years old at the time.

8. In February 2003, my mother and father signed sworn affidavits to give up their parental rights, so I could be adopted here in the United States.

9. In November 2003, I began to study for the GED at home while receiving treatment for Neurofibromatosis. In January 2004, I took the GED and passed it.

10. A few years later, in 2006, Mother Offiah died of a brain tumor, leaving me with no parental figure in Nigeria who could provide for and support me with my medical condition.

11. In May 2006, I enrolled at the Oakland Community College in Southfield, Michigan. My education was paid for by a Catholic benefactor, Mr. Jerry Burns.

12. In August 2008, I graduated from Oakland Community College with an AA in Science and in September 2008, I transferred to Wayne State University in Detroit, Michigan to pursue a Bachelor's Degree.

13. I had been abandoned by my family in an orphanage in Nigeria, and I felt I have no one to care for me there, especially after Mother Paul Offiah passed away. As I grew up in the United States and received medical treatment for my condition, I realized that my mother knew she could not provide for me and so she had entrusted me to the people who could take care of me. I realized that she had done the right thing at the time, given the circumstances. So I decided to reach out to my family again, especially my mother.

14. Sister Immaculata Osueke reached out to other nuns at the orphanage in Nigeria to get my mother's telephone number, so that I could try to reconnect with my family.

15. I was chosen to give the commencement speech at the Wayne State University graduation in 2011. Dr. Kenneth Honn, my research professor, said that he wanted to bring my mother to witness "her son's graduation." He wrote an invitation letter for my mother to come visit me, but all of the travel arrangements were done by a Wayne State administrator, Mr. Christopher Harris. With the help of Dr. Honn, Mr. Harris, and Senator Levin's letter to the U.S. Consulate in Nigeria, my mother came to visit me at my graduation from Wayne State last year. It was the first time I had seen her in more than ten years. She arrived a few hours before my graduation and returned to Nigeria on May 16, 2011.

16. Since my arrival in Michigan in 2001, I have been in and out of the hospital, and have had seven major surgeries between 2002 and 2011 to remove the Neurofibromatosis and reconstruct my face.

17. In November 2011, I applied and was accepted by the University of Toledo, College of Medicine, conditioned on receiving lawful permanent residence in the United States on or before August 1, 2012.

Respectfully submitted,

*Sopuruchi Victor Chukwueke.*

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the committee-reported amendment be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The committee-reported amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 285), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

#### SEQUESTRATION TRANSPARENCY ACT OF 2012

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of Calendar No. 471, H.R. 5872.

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

The legislative clerk read as follows:

A bill (H.R. 5872) to require the President to provide a report detailing the sequester required by the Budget Control Act of 2011 on January 2, 2013.

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

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 5872) was ordered to a third reading, was read the third time, and passed.

#### ORDERS FOR THURSDAY, JULY 26, 2012

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, July 26; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the majority leader be recognized, and that the first hour be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

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

#### PROGRAM

Mr. WHITEHOUSE. Mr. President, today the majority leader filed cloture on the motion to proceed to S. 3414, the Cybersecurity Act of 2012. If no agreement otherwise is reached, that vote would be on Friday. However, we hope to reach an agreement to hold that vote tomorrow.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. WHITEHOUSE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:07 p.m., adjourned until Thursday, July 26, 2012, at 9:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

RANEE RAMASWAMY, OF MINNESOTA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2018, VICE MIGUEL CAMPANERIA, TERM EXPIRING.

PUBLIC HEALTH SERVICE

THE FOLLOWING CANDIDATES FOR PERSONNEL ACTION IN THE REGULAR CORPS OF THE COMMISSIONED