

contact is through Mr. JOYCE's legislation that would provide the use of containment devices. This legislation protects CBP officers and agents by ensuring that those at risk of exposure have access to containment devices and, most importantly, understand how to use them.

Last Congress, this body enacted Congresswoman YVETTE CLARKE's Synthetic Opioid Exposure Prevention and Training Act to protect CBP personnel from exposure to synthetic opioids. That law required CBP to implement a safety framework to protect its personnel from exposure to potential synthetic opioids.

We also enacted Congressman CLAY HIGGINS' DHS Opioid Detection Resilience Act to ensure CBP implements a strategy to detect synthetic opioids at lower purity levels.

Together, these measures responded to concerns raised by the Department of Homeland Security's Office of Inspector General about the risk of accidental narcotics exposure to frontline CBP personnel.

Madam Speaker, consideration of H.R. 5274 is particularly timely as CBP's fentanyl seizures continue to increase.

Madam Speaker, I ask my colleagues to support H.R. 5274, and I reserve the balance of my time.

Mrs. MILLER-MEEKS. Madam Speaker, certainly, H.R. 5274 is a small step that we can take in managing the crisis at our southern border, in addition to emphasizing border security. I thank Representative JOYCE for his very astute observation that our law enforcement is at risk and for his bill to help protect those who protect and serve us.

Madam Speaker, I have no further speakers. I urge Members to support this bill, and I yield back the balance of my time.

Mr. SWALWELL of California. Madam Speaker, I have no more speakers, and I am prepared to close.

Madam Speaker, I yield myself the balance of my time. Again, I thank Mr. JOYCE. I thank the other side for their bipartisan interest in this legislation.

As I said, as the son of a police officer, a brother to a number of police officers—we are a law enforcement family—and I see every day and hear from my family about the exposure they face, particularly those on the southern border.

Madam Speaker, I seek swift passage of this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. SWALWELL) that the House suspend the rules and pass the bill, H.R. 5274.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROY. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

QUESTION OF PERSONAL PRIVILEGE

Mrs. GREENE of Georgia. Madam Speaker, I seek recognition for a question of personal privilege.

The SPEAKER pro tempore. The Chair has been made aware of a valid basis for the gentlewoman's point of personal privilege.

The gentlewoman from Georgia is recognized for 1 hour.

Mrs. GREENE of Georgia. Madam Speaker, I would like to address the House and talk about how I have been mistreated as a freshman Member of Congress and how crimes have been committed against me. They have been caught by the Capitol Police. They have been sent to the Department of Justice. The Department of Justice is refusing to prosecute these crimes.

This is another example of the two-tiered justice system that we are living under right now under the Biden Department of Justice and Democrat leadership.

Now, I would like to go back to the beginning.

Many news articles have reported that this has happened to me. But I would like to remind the House that starting on February 4, as a freshman Member of Congress, I was kicked off committees by the Democrat majority and 11 of my Republican colleagues, unfortunately. So I serve here as a Member of Congress without committees representing my district. But I have continued to work hard.

I would also remind the House that on February 24, after we had voted on the Equality Act and we had been debating back and forth, I had made many statements based on my beliefs, based on Biblical truths, based on the beliefs of my district that I represent, that there are only two genders: Male and female. And I stand firm on that. But my Democrat colleague across the aisle placed a trans flag across the hall from my office to apparently, maybe, shame me for my vote.

That happened.

Then in response to that, I simply put up a sign outside my office responding to the flag. But it continued on.

There was also another incident on June 29 where one of my Democrat colleagues screamed at me in the Cannon tunnel, yelling and screaming at me for having a mask pulled down to my chin while I was talking on a Facebook live video. So all of it was caught on a video.

That Member then went to the Speaker and claimed that I had attacked her and was able to get her office moved because, apparently, she claimed I was a threat to her—where I was not—and she was given a security detail for her protection.

Then there were 73 Democrat colleagues who introduced a resolution to expel me from Congress.

I will tell you what that says. It simply says that, "Representative MARJORIE TAYLOR GREENE, be, and she hereby is, expelled from the House of Representatives," giving no reason whatsoever for this resolution, but yet, it is sponsored by 1 of my Democrat colleagues and cosponsored by 73 other Democrat colleagues.

Yet, I have done nothing wrong.

What else happened? Well, let's go a little further. I have over \$100,000 in mask fines. And then when I went before the House Committee on Ethics on these mask fines, four of the five Democrats on the House Committee on Ethics also had their names on this resolution to expel me from Congress.

I asked them to recuse themselves, and they refused. Therefore, that wasn't very fair. That is not fair treatment.

I have even had my character attacked on the House floor, calling me horrendous names, horrible names, insulting names that aren't true about me at all, accusing me of things that I have never done, especially involving January 6.

Then there was even an effort recently to remove my name off of the ballot so that the people of my district couldn't even vote for me. And that came from a Democrat leftwing group that was funded by Democrats. I beat that in court.

All of this time, with all of these things happening, the media has promoted all of it. And because of this, I have had nearly 60 official death threats, 21 direct death threats—and there is a man from New York currently on trial for threatening to kill me—19 indirect threats—these are basically death wishes and harassment—and 8 sexually related threats, individuals that have made threats of sexual assault against myself and members of my family.

I will give you a few examples.

One person said, "I need to F-ing kill you."

Another one said, "Marjorie Greene should find a bullet in her head."

Another one said, "I can't wait till you get raped until you are dead."

And another threat said, "I will come see you and your children"—and it went on and on.

Now, all during this time, I have requested protection, saying I need help, I need protection. I don't feel safe in these buildings. I don't feel safe at all. And all of that has been denied. But I have watched many of my colleagues across the aisle in the majority party receive a lot of protection and help, but I have gotten none.

I want to go through some things that happened just recently. This sign seems to upset people so much, but it is a simple truth. That is an example of what I believe based on my Christian faith, based on what the Bible says in Genesis—that God created us in His image, male and female. He created us. And this is also the majority belief of the people from Georgia's 14th District.

□ 1445

This sign has been attacked repeatedly. As a matter of fact, it has been attacked 11 times. Nine times it has been vandalized, and twice it has been stolen. There has been a very specific series of attacks that have happened. There are seven of these.

January 25, 2022, was the first report of this type of destruction. Instead of people writing on it or stealing the sign, this was where someone decided to put a sticker on the sign using Bible verses to attack my Christian faith and covering mostly the word “female.”

The sign destruction continued. Each time we would replace it, the same thing would happen again.

I want to remind everyone that this was when our House offices were still closed to the public. It was apparent that it was a staff member somewhere in our office building.

Again, it showed up, another sticker attacking my Christian faith, mostly over the word “female.” It happened on February 1, 2022, then on February 2, 2022, on February 22, and on February 28. Each time, the stickers were placed on the sign attacking my Christian faith. Even if I wrote something back, it didn't matter. Another sticker would appear.

Every single attack had to do with a Bible verse, and it was directed at me, maybe even a sticker of a picture of Jesus that said: “I never knew you, MTG.” That was on the previous one.

My staff and I had been communicating with the House Sergeant at Arms multiple times, but we were never getting a response. I had requested cameras multiple times but was not getting any cameras.

Finally, the House Sergeant at Arms came to my office, and I talked to them out in the hallway and was very loud in the hallway about my need for surveillance cameras because I have nothing to hide.

I am perfectly fine with all the cameras in this building and all the cameras in Longworth, where my office is. Myself and my staff have nothing to hide, but clearly, there are other people that do.

I was demanding surveillance cameras because this entire time this had been going on—at that point, it had been over a year. The person that was continually attacking the sign is also attacking me and is angry at me. I did not know if this was a person that I got in the elevator with alone. I did not know if this person was someone that I may be on an escalator with, passing in the hallway, passing on the stairwell. I didn't know if this was a person that personally knew me or someone I had never talked to in my life.

What I did know was the attacks kept coming. They would not stop. It was someone who worked in the building, and they clearly hated me. I felt very unsafe. I felt my life was in danger, especially with the amount of death threats that I receive against myself and my family and the com-

plete refusal from the Sergeant at Arms and leadership to provide me with any kind of security or protection.

Finally, they put surveillance cameras up. That was installed by the House Sergeant at Arms on March 4. Guess what? Additional destruction continued. It happened again on March 10. How about that? Six days after the camera went up, the sign was attacked again, of course, against my Christian faith, attacking my religion, and always making sure it was somewhere covering the word “female” on the sign, attacking my gender.

This time, on March 10, there happened to be a camera installed. The suspect was caught on camera on March 10, and again, he was caught on camera on March 11. Two times in one week, he was caught. Do you know what? They didn't tell me who it was. They refused to tell me who this person was.

They caught him on camera. They issued an arrest warrant to the Department of Justice and the U.S. Attorney's Office on March 15 for destruction of public or private property under D.C. Code 22-3312.01.

They caught him. They had it on video, knew who it was, and still refused to tell me. No one would tell me who this person is. I am still living in fear of: Who is this person? Why are they doing this? Are they possibly one of the people threatening my life?

To my extreme disappointment, I received a phone call from the U.S. Attorney's Office, who I thought for sure when I got on the phone and it was a woman, I thought she might have some sympathy for what I am going through. She let me know that the U.S. Attorney's Office is declining to prosecute any charges against this person, and they would not be following through. Even though they have it on video—they know exactly who he is, and he has clearly broken the law—they didn't want to prosecute it.

This is from our Department of Justice, the same Department of Justice that is not prosecuting people that are harassing our Supreme Court Justices and breaking Federal law, the same Department of Justice that is not keeping our borders safe, the same Department of Justice that is supposed to uphold all of our Federal laws for our country but not stopping the fentanyl crisis, and the same Department of Justice that isn't prosecuting crime, apparently, anywhere because crime is out of control.

They don't care about crime here in this place in Congress, in the Capitol complex. They only care about the people that definitely came in and walked around on January 6. If you are one of those people, they are prosecuting you to the hilt. Some of them are rotting in the D.C. jail now.

If you are a Republican Member of Congress and someone is stalking, harassing, attacking your gender, attacking your religion, they drop the

charges. You see, that is a two-tiered justice system. I can't imagine why we are allowing that to happen.

The problem here is all the American people are paying their taxes, and the Department of Justice is receiving their full budget, but the Department of Justice is only prosecuting crimes that matter to half the country. That is a two-tiered justice system.

In order to have a justice system that is fair and good, and one that the American people can trust, it should be a justice system that prosecutes crime just because it is a crime, not based on a political party, not based on does it match up with the ideas or policies they agree with or the President that is in the White House or whoever is Speaker of the House or whoever is in leadership. It should matter that it is a crime, and they should prosecute these crimes. Unfortunately, that is not happening.

I did find out who this person is, and it is reported in the news. I did find out that it is Representative JAKE AUCHINCLOSS' chief of staff. His chief of staff is the person that has been consistently attacking the sign, targeting me, and harassing me.

This is a chief of staff. This isn't a low-level staffer. This isn't an intern. This is a chief of staff, who has had quite a career here working in this institution and who knows better.

As a matter of fact, he fully believes that you shouldn't harass anyone over their religion or their gender or their sex or any of these things. He definitely believes in hate crimes because, previously, when he worked at another Member's office, when he was chief of staff in that office, there was a man that yanked down their pride flag outside their office, yanked it down and mistreated it. Well, Tim Hysom, the chief of staff at JAKE AUCHINCLOSS' office, who has been targeting and harassing me, was so offended at that action that he and the other staff chased that man down the hall. They wanted the Capitol Police to arrest him and prosecute him. They wanted him prosecuted.

Yet, Tim Hysom, chief of staff for JAKE AUCHINCLOSS, feels he is completely above the law. He feels and says that my sign saying there are only two genders, male and female, he says it is a statement of hate, and, therefore, he is entitled to attack me for it.

You see, that is complete hypocrisy. That is not the way this works. Why is one above the other? It shouldn't be. I thought, in America, aren't we all equal? Aren't all of our beliefs protected? Isn't our speech protected? Why is my religion under attack? Why is Christianity under attack? My belief in defending women's and girls' privacy rights in sports, why is that wrong yet it is okay for him to defend the pride flag and be angered and upset and want to arrest and prosecute someone when they attack it? It is a two-tiered justice system.

This is a man that I don't know; he doesn't know me. I didn't know who he

was until a few weeks ago. I had no idea. For a time, I have been in my office building many times late at night, but I don't go there by myself anymore because of this man right here.

I don't know if he is one of the death threats that have called my office. I don't know if he is one of the people that mail in disgusting, horrible things to me and my office. I don't know what else he would do because he feels he is above the law and beyond reproach.

I also don't understand why his boss, Representative JAKE AUCHINCLOSS, still has him employed. I will tell you right now, if anyone in my office, if any of my staff, were to do what he has been doing to another Member of Congress, they would be fired. My staff would never do it.

Since early on in our term, when my colleague across the hall from me attacked me on Twitter by starting on my nameplate and turning the camera to herself where she planted the trans flag, no one in my office, none of my staff, has touched her flag, nor would we because we respect her freedom of speech and her right to have it there. We would not touch it.

That is not how I have been treated. I have been treated much differently. I have been attacked over and over and over and over.

Finally, when I got video surveillance cameras, the Capitol Police did a great job. They caught him. They issued a warrant for his arrest, and they sent it to the Department of Justice, but the Department of Justice doesn't care. Why? Probably because I am a Republican.

We don't have a Republican White House. We don't have a Republican-controlled Congress. Why should Republican Congresswoman MARJORIE TAYLOR GREENE matter? Apparently, I don't matter. My safety doesn't matter, and the beliefs of my district don't matter, not to the Department of Justice.

They have no interest in prosecuting Tim Hysom for attacking me seven times, twice caught on video. Nope. They don't care because half the country doesn't care.

Let's go a little bit further. There have been more things that have happened. I feel like it is almost like high school mean-girl behavior, but this is supposed to be Congress.

We also had a situation on June 16, just last week. There was a certain film crew that works for Stephen Colbert who had been basically stalking me all day long, going throughout, following us around here. My staff was very helpful in putting me in the car and keeping me away from them. They ended up outside my office, and my staff took me somewhere else so I didn't have to go there.

Now, we find out that it was a certain Democrat Member who is serving on the January 6th Committee who let them in the buildings. When the Capitol Police threw them out, it also happened to be Congressman JAKE

AUCHINCLOSS' and Tim Hysom's staff that let them back in late at night.

□ 1500

Madam Speaker, do you know whose office they were going to?

Mine. My office. So this is more behavior where I don't feel safe. I feel as if my life is constantly threatened. I am constantly harassed. This is no way for anyone to have to do work here. This place should not be run like this. This shouldn't be allowed.

Now, while the Select Committee to Investigate the January 6th Attack on the U.S. Capitol is currently accusing one of my colleagues, Representative BARRY LOUDERMILK, of giving tours—which is a lie about him. They are lying about him and saying that he did something he did not do. They, at the same time, were letting these people in all of our office buildings. We don't even know where they all went. But they know, and the Capitol Police know. They were allowing them to go everywhere, as if they were doing some sort of insurrection.

Why is that being allowed?

Why do they get to have tours and free rein running all around the hallways and attacking Members' offices, but then we get accused of something horrible?

This is wrong.

Madam Speaker, do you know what people care about?

People care about inflation; they can't afford groceries; mothers can't find baby formula; women can't find tampons; people can't afford gas; people are so upset about crime; and people are so upset that no one cares that we even have a border. These are the things that people care about.

They don't care about the petty and ridiculous garbage that happens in this place. But this is what we are dealing with because the Department of Justice will not prosecute any of these crimes.

It is all about politics.

Aren't politics disgusting? I am so sick and tired of politics.

The whole reason why I ran for Congress is because I was upset that we are a Nation in debt that we will never be able to repay. I have three children—I hope to God I have grandchildren—and I don't know what is going to happen to their lives. I was upset because our economy is so fragile and is at risk of crumbling.

I was upset because our Nation had been shut down over a virus, and we should have never been shut down.

I was upset because I feel as if we have the greatest country in the world, but it is this place that doesn't respect it. I respect the American people far more than I respect this institution because the American people work their tails off. They pay their taxes. They balance their checkbooks, and they do everything they can to get by.

But here we play political games where chiefs of staff who know better attack women over our religious be-

liefs and about the fact that we refuse to back down about there only being two genders.

So if that is hate, if that is a comment of hate, am I going to end up being locked away in jail somewhere?

If so, Madam Speaker, you can put me in the dungeon, and I will still scream it from the pits of the dungeon of the jail because it is my belief and it is the truth.

Women are under attack and girls are under attack. We have no more rights because any man who decides that he calls himself a woman can invade our spaces. And any man—when we stand up against it—can attack us, and the Department of Justice will do nothing about it. What kind of Congress is that?

Aren't we supposed to be the body that legislates the laws, creates the budget, and funds the Department of Justice?

We are supposed to be. But, no, we are doing things like this.

So I get to go here. I am here at work this week. Tim Hysom is still chief of staff for Representative JAKE AUCHINCLOSS. Representative ADAM SCHIFF—who is currently on the Select Committee to Investigate the January 6th Attack on the U.S. Capitol and right now is lying about Republicans—who let in Stephen Colbert's gang of seven Democrat activist film crew still has his committee. I don't have committees.

This isn't how people should be treated. This isn't right.

Here is the other thing: It is not just I who feels this way. There are tens of millions of Americans—hundreds of millions of Americans—who agree and who are tired of it, sick and tired of it.

So while this institution is making a mockery of itself with its Select Committee to Investigate the January 6th Attack on the U.S. Capitol, the Department of Justice refuses to prosecute all of the BLM rioters. No. Their charges got dropped.

Everyone who did come in here and riot—and by the way, I didn't like it either. I didn't like it at all. It scared me a lot—but those people, oh, they have been charged. The Department of Justice will do that.

But they won't prosecute this man, and his boss won't fire him. No. He gets to keep his job.

Again, I want to remind you, Madam Speaker, if my staff—imagine—had attacked my colleague across the hall, had attacked her trans flag, I cannot even imagine what would happen to them. Not only would I have fired them, they would have been arrested. They would probably still be in jail, and their names, their lives, and every detail of their life would be spread all over the news. People would know where they went to elementary school, they would know their mom and dad, and they would definitely know their address. I am sure. They would have their phone number, and they would see every social media post, text, message or whatever. It would all be out there.

But, no, that is not how it works for us. And that is a two-tiered justice system.

The reason why I bring this up is the way that I have been treated—mistreated really—since I came here as a freshman Member of Congress—and I want to remind everyone that I have never been arrested. I have always paid my taxes. I have not broken the law. I have done nothing wrong. It is the majority party that doesn't like my speech. That is it.

So I have been kicked off committees. I have been routinely attacked. I have been lied about. My character has been completely destroyed, not only by people in here but the media definitely helps them. I have so many death threats that I have had to pay for my own personal security. Now the Department of Justice will not prosecute someone when they are caught committing a crime against me, against my gender, and my religion. They have been attacking me over and over and over again.

Do you know something, Madam Speaker?

The way this place treats me is exactly the way conservatives, Republican voters, and many Americans feel treated. They feel mistreated because this place only cares about itself. This place cares about what happens here and is so disconnected to farmers who are about to go out of business, mothers who can't find baby formula, and women who can't find feminine products.

All those border towns have been overrun, overrun, and overrun. They try to help the people so much. They can't even help anymore. The crime is increasing. We are sending billions and billions of dollars over for a proxy war with Russia and some other country to protect their borders, but we won't protect our own. The American people feel mistreated, the same way I feel mistreated.

It is completely wrong. It needs to change.

You see, Madam Speaker, this is a place where we should all be working together. It shouldn't be hard for Democrats and Republicans to come up with a budget that serves our country. It shouldn't be hard for us to work together to fund a Department of Justice that prosecutes crimes in America and crimes against Members of Congress. That should be something we care about.

This shouldn't be complicated; but somehow it is complicated, and it is all complicated because of the disgusting industry called politics. And that needs to change.

We are going to hit a point one day where the American people are so sick of us, are sick of Congress, and are sick of what happens here. We are going to hit a point one day where the American people will not only be sick of us, but they just won't trust us anymore.

And do you want to know something, Madam Speaker?

Madam Speaker, I don't blame them one single bit.

Madam Speaker, I yield back the balance of my time.

NDO FAIRNESS ACT

Mr. CICILLINE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 7072) to amend title 18, United States Code, to modify delayed notice requirements, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7072

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 "NDO Fairness Act".

SEC. 2. DELAY OF NOTIFICATION.

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

"(a) DELAY OF NOTIFICATION.—

"(1) APPLICATION.—A governmental entity that is seeking a warrant, order, or subpoena under section 2703 may include in the application (or motion in the case of an administrative subpoena authorized by a Federal or State statute or a Federal or State grand jury or trial subpoena) a request to a court of competent jurisdiction for an order delaying the notification under section 2703 for a period of not more than 60 days.

"(2) DETERMINATION.—The court may not grant a request for delayed notification to a customer or subscriber made under paragraph (1), or an extension of such delayed notification requested by the governmental entity pursuant to paragraph (3), unless the court issues a written determination, based on specific and articulable facts, and including written findings of fact and conclusions of law, that it is substantially likely that the notification of the customer or subscriber of the existence of the warrant, order, or subpoena will 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.—The governmental entity may request one or more extensions of the delay of notification granted under paragraph (2) for a period of not more than 60 days for each such extension. The court may only grant such an extension if the court makes a written determination required under paragraph (2) and the extension is in accordance with the requirements of such paragraph.

"(4) EXPIRATION OF DELAY OF NOTIFICATION.—Upon expiration of the period of delay of notification and all extensions thereof under paragraphs (2) and (3) of this subsection, the governmental entity shall deliver to the customer or subscriber by at least 2 methods, which shall be personal service, registered or first-class mail, electronic mail, or other means approved by the court, as reasonably calculated to reach the customer or subscriber within 72 hours of the expiration of the delay—

"(A) a copy of the warrant, order, or subpoena; and

"(B) notice that informs such customer or subscriber—

"(i) of the nature of the inquiry made by the governmental entity, with reasonable specificity;

"(ii) that information maintained for such customer or subscriber by the provider of electronic communications service or remote computing service to which the warrant, order, or subpoena under section 2703 was directed, was supplied to or requested by the governmental entity;

"(iii) that notification of such customer or subscriber was delayed by court order;

"(iv) the identity of the court that issued such order;

"(v) the provision of law under which the order delaying notification was authorized; and

"(vi) that the governmental entity will, upon request by the customer or subscriber made within 180 days after receiving notification under this paragraph, provide the customer or subscriber with a copy of the information that was disclosed in response to the warrant, order, or subpoena, or in the event that no information was disclosed, a written certification that no information was disclosed.

"(5) COPY OF INFORMATION DISCLOSED.—Upon expiration of the period of delay of notification under paragraph (2) or (3) of this subsection, and at the request of the customer or subscriber made within 180 days of receiving notification under paragraph (4), the governmental entity shall promptly provide the customer or subscriber—

"(A) with a description of the information disclosed and a copy of the information that was disclosed in response to the warrant, order, or subpoena; or

"(B) in the event that no information was disclosed, with a written certification that no information was disclosed."

SEC. 3. PRECLUSION OF NOTICE.

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

"(b) PRECLUSION OF NOTICE.—

"(1) APPLICATION.—A governmental entity that is seeking a warrant, order, or subpoena under section 2703, when it is not required to notify the customer or subscriber, or to the extent that it may delay such notice pursuant to subsection (a), may apply to a court for an order, subject to paragraph (6), directing a provider of electronic communications service or remote computing service to which a warrant, order, or subpoena under section 2703 is directed not to notify any other person of the existence of the warrant, order, or subpoena for a period of not more than either 60 days or the period of delay of notice provided under subsection (a), if any.

"(2) DETERMINATION.—The court may not grant a request for an order made under paragraph (1), or an extension of such order requested by the governmental entity pursuant to paragraph (3), unless—

"(A) the court issues a written determination, based on specific and articulable facts, and including written findings of fact and conclusions of law, that it is substantially likely that not granting the request will result in—

"(i) endangering the life or physical safety of an individual;

"(ii) flight from prosecution;

"(iii) destruction of or tampering with evidence;

"(iv) intimidation of potential witnesses; or

"(v) otherwise seriously jeopardizing an investigation or unduly delaying a trial; and

"(B) the order is narrowly tailored and there is no less restrictive alternative, including notification to an individual or organization within or providing legal representation to the customer or subscriber, to avoid an adverse result as described in clause (i) through (v) of subparagraph (A).