

Holy God, sanctify this day and the week ahead, that our work would serve to glorify You and our efforts would prove worthy of You.

You, Lord, are all we have. The riches of wealth, the blessing of talent and opportunity, the allure of beauty, and the fortune of friends and family are nothing compared to the portion we have in You.

You, Lord, are all we have, and You give us all we need. You supply us not just with life and breath, but with purpose and meaning as You send us forth to uphold truth and justice and to remain steadfast in mercy and compassion.

You, Lord, are all we have. You give us all we need, and our future is in Your hands. In the certainty of Your protection, may we find our courage. In the sureness of Your presence, may we find our strength.

Then, in the bounty of Your grace, may we find our worth as we live into Your desires for us this day and this week. May our hearts be open to the lives You would have us lead and our wills on the paths that You would lead us.

In the power You grant us in Your name, we pray.

Amen.

#### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House the approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mrs. KIM of California. Pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mrs. KIM of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### WORLD BEER CUP

(Mrs. MILLER-MEEKS asked and was given permission to address the

House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER-MEEKS. Mr. Speaker, I rise today to recognize Backpocket Brewing Company from Coralville, Iowa, for winning first place for their Pumpkin Ale at the 2023 World Beer Cup, drowning out their competition.

They have set the bar for excellent brews worldwide. They already had a gold coin, and now they have a gold medal.

When I first put together my draft remarks, I knew any praise I heaped on Backpocket would pale in comparison to their actual accomplishments. So I will let their beer speak for itself and say simply: congratulations.

I would also encourage all the breweries who won silver or amber: Don't be sour. You were stout competitors. However, one thing is clear. We may not have much of a timber industry in Iowa, but we do have great lagers. I encourage all my colleagues to hop on the bandwagon and try Iowa beer.

#### RECOGNIZING LIFESPAN RESOURCES

(Mrs. HOUCHIN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. HOUCHIN. Mr. Speaker, ask Hoosiers in New Albany what LifeSpan Resources is and they will tell you it is a key part of the community. Their organization works to support independence and quality of life for people across southern Indiana through their advocacy and client services, and they have great leaders, like Lora Clark, leading the charge.

Happy 50 years of helping Hoosiers in Clark, Floyd, Harrison, and Scott Counties live independently. That is 50 years of home-delivered meals, transportation assistance, and numerous in-home services.

I am sorry I missed the big celebration at IU Southeast in New Albany last week, but I am proud of the work you do.

On behalf of Hoosiers across our district, I congratulate and thank them for 50 years.

#### DRUG ABUSE ATTACKS FAMILIES

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, as long as drugs have been used, they have been abused, destroying families. Availability is skyrocketing due to the Biden failures at the southern border.

It is shocking that nearly 140 million Americans have illicitly used drugs at some point in their life. Sadly, South Carolina has not escaped this scourge. In the last 2 years, South Carolina drug overdose deaths involving fentanyl have increased by more than 35 percent. Sadly, 1,500 deaths are recorded.

The Republican majority is focused on the needs of families. In January, I cosponsored the Stop Fentanyl Act. This important legislation is a deterrence for fentanyl-related offenses, which are aggravated by the Biden failures at the southern border, putting all families at risk.

In conclusion, God bless our troops, who successfully protected America for 20 years, as the global war on terrorism continues moving from the Afghanistan safe haven to America.

Best wishes on International Day of Families, coordinated by OIF president Brian Brown.

#### CELEBRATING NATIONAL POLICE WEEK

(Mrs. KIM of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KIM of California. Mr. Speaker, as we celebrate National Police Week, I rise to honor the brave men and women who put their lives on the line to keep our communities safe across California's 40th Congressional District and their families.

In Congress, I will always be a loud voice for our local law enforcement and am working to ensure that they have the resources they need to do their jobs and to keep us safe.

We also honor those who have made the ultimate sacrifice in the line of duty.

Unfortunately, we are again reminded of the tremendous sacrifice of our local law enforcement as we honor Riverside County Sheriff Deputy Brett Harris, who was killed in the line of duty on Saturday.

I join in praying for his wife, mother, father, his twin sister, and brother.

#### RECESS

The SPEAKER pro tempore (Mr. MOORE of Alabama). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 8 minutes p.m.), the House stood in recess.

□ 1700

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MORAN) at 5 p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

## NDO FAIRNESS ACT

Mr. FITZGERALD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3089) to amend title 18, United States Code, to modify delayed notice requirements, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3089

*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. 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) IN GENERAL.—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.

“(B) LENGTH.—An order granted under subparagraph (A) shall be in effect for a period of not more than 90 days.

“(C) OTHER REQUIREMENTS.—

“(i) IN GENERAL.—A application for an order under subparagraph (A) shall state, to the best of the applicant’s knowledge, whether the named customer or subscriber whose information is sought by the warrant, order, or subpoena under section 2703—

“(I) is aware of the warrant, order, subpoena, or underlying investigation; and

“(II) is suspected of involvement in the commission of the crime under investigation.

“(ii) ORDERS.—An order granted under this paragraph may not direct, or otherwise require, a provider of electronic communications service or remote computing service to provide notification of the expiration of order to the court or government entity that sought the order.

“(2) DETERMINATION.—

“(A) IN GENERAL.—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—

“(i) 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 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

“(ii) 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 named customer or subscriber, that is not likely to result in an adverse result as described in clauses (i) through (v) of subparagraph (A); and

“(iii) the court has reviewed the individual warrant, order, or subpoena under section

2703 to which the order issued under this paragraph applies.

“(B) NATURE OF THE OFFENSE.—The court may consider the nature of the offense in issuing a determination under subparagraph (A).

“(3) EXTENSION.—A governmental entity may request one or more extensions of an order granted under paragraph (2) of not more than 90 days for each such extension. The court may only grant such an extension if the court makes a written determination required under paragraph (2)(A) and the extension is in accordance with the requirements of (2)(B).

“(4) NOTIFICATION OF CHANGED CIRCUMSTANCES.—If the need for the order issued under paragraph (2) changes materially, the governmental entity that requested the order shall notify the court within a reasonable period of time (not to exceed 14 days) of the changed circumstances, and the court shall reassess the order and modify or vacate as appropriate.

“(5) OPPORTUNITY TO BE HEARD.—

“(A) IN GENERAL.—Upon an application, petition, or motion by a provider of electronic communications service or remote computing service or person acting on behalf of the provider to which an order under paragraph (2) (or an extension under paragraph (3)) has been issued, the court may modify or vacate the order if—

“(i) the order does not meet requirements provided in paragraph (2) or (3); or

“(ii) compliance with the order is unreasonable or otherwise unlawful.

“(B) STAY OF DISCLOSURE OF NAMED CUSTOMER OR SUBSCRIBER COMMUNICATIONS OR RECORDS.—A provider’s obligation to disclose the information requested in the warrant, order, or subpoena to which the order in paragraph (1) applies is stayed upon the filing of the application, petition, or motion under this paragraph pending resolution of the application, petition, or motion, unless the court with jurisdiction over the challenge determines based on a showing by the governmental entity that the stay should be lifted in whole or in part prior to resolution.

“(C) FINALITY OF ORDER.—The decision of the court resolving an application, petition, or motion under this paragraph shall constitute a final, appealable order.

“(6) EXCEPTION.—A provider of electronic communications service or remote computing service to which an order under paragraph (2) applies, or an officer, employee, or agent thereof, may disclose information otherwise subject to any applicable nondisclosure requirement to—

“(A) those persons to whom disclosure is necessary in order to comply with the warrant, order, or subpoena;

“(B) an attorney in order to obtain legal advice or assistance regarding the order issued under paragraph (2) or the warrant, order, or subpoena to which the order applies; and

“(C) any person the court determines can be notified of the warrant, order, or subpoena.

“(7) SCOPE OF NONDISCLOSURE.—Any person to whom disclosure is made under paragraph (6) (other than the governmental entity) shall be subject to the nondisclosure requirements applicable to the person to whom the order is issued. Any recipient authorized under this subsection to disclose to a person information otherwise subject to a nondisclosure requirement shall notify the person of the applicable nondisclosure requirement.

“(8) SUPPORTING DOCUMENTATION.—Upon serving a provider of electronic communications service or remote computing service with an order granted under paragraph (2), or an extension of such order granted under

paragraph (3), the governmental entity shall include a copy of the warrant, order, or subpoena to which the nondisclosure order applies.

“(9) EXPIRATION OF ORDER PRECLUDING NOTICE.—Upon expiration of an order issued under paragraph (2) or, if an extension has been granted under paragraph (3), expiration of the extension, the governmental entity shall deliver to the named 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 named customer or subscriber within 5 business days of the expiration of the order—

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

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

“(i) of the nature of the law enforcement inquiry 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 government entity;

“(iii) that notification of such customer or subscriber was precluded by court order;

“(iv) of the identity of the court authorizing the preclusion of notice;

“(v) of the provision of this chapter under which the preclusion of notice was authorized; and

“(vi) that the government will, upon request by the customer or subscriber made within 180 days after receiving notification under this paragraph, provide the named 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.

“(10) COPY OF INFORMATION DISCLOSED.—Upon expiration of the order precluding notice issued under paragraph (2) or (3) of this subsection, and at the request of the named customer or subscriber made within 180 days of receiving notification under paragraph (9), the governmental entity shall promptly provide the named customer or subscriber—

“(A) with a copy of the information that was disclosed in response to the warrant, order or subpoena (except illicit records, child sexual abuse material, and other illegal material); or

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

“(11) REDACTIONS.—Any information disclosed pursuant to paragraphs (9) and (10) may be redacted only if a court finds such redactions necessary to preserve the secrecy or integrity of an investigation.”.

## SEC. 3. ADDITIONAL PROVISIONS REGARDING DELAYED NOTICE.

Section 2705 of title 18, United States Code, is amended by adding at the end the following:

“(c) ANNUAL REPORT.—On an annual basis, the Attorney General shall provide to the Committee on the Judiciary of the House of Representatives, the Committee on the Judiciary of the Senate, and the Director of the Administrative Office of the United States Courts, which the Director shall publish on the website of the Administrative Office of the United States Courts, in a manner consistent with protection of national security, a report setting forth with respect to the preceding calendar year, for each Federal judicial district—

“(1) the number of named customers or subscribers with respect to whom, in that