

“(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