

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To improve the bill.

**IN THE SENATE OF THE UNITED STATES—112th Cong., 2d Sess.**

**H. R. 2471**

To amend section 2710 of title 18, United States Code, to clarify that a video tape service provider may obtain a consumer's informed, written consent on an ongoing basis and that consent may be obtained through the Internet.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Mr. LEAHY

Viz:

- 1 On page 3, line 24, insert "only" before "if".
- 2 On page 4, line 4, strike "3 days" and insert "10  
3 business days".
- 4 On page 5, line 18, strike "SUBPOENAS" and insert  
5 "INFORMATION TO BE DISCLOSED".
- 6 On page 5, line 21, strike "statute or" and insert  
7 "statute,".

1 On page 5, line 22, strike “or” and insert a comma.

2 On page 5, line 22, strike “subpoena” and insert “,  
3 or civil discovery subpoena, or any means authorized  
4 under paragraph (1)”.

5 On page 7, lines 10 and 11, strike “90 days” and  
6 insert “180 days”.

7 On page 8, line 2, strike “90 days” and insert “180  
8 days”.

9 On page 9, line 18, strike “90 days” and insert “180  
10 days”.

11 On page 10, strike line 10 and insert the following:  
12 not more than 180 days.

13 “(4) PRIOR NOTICE TO LAW ENFORCEMENT.—  
14 Upon expiration of the period of delay of notice  
15 under this section, and not later than 3 business  
16 days before providing notice to a customer or sub-  
17 scriber, a provider of electronic communications  
18 service or remote computing service shall notify the  
19 governmental entity that obtained the contents of a  
20 communication or information or records under sec-

1       tion 2703 of the intent of the provider of electronic  
2       communications service or remote computing service  
3       to notify the customer or subscriber of the existence  
4       of the warrant, order, or subpoena seeking that in-  
5       formation.”.

6       **SEC. 205. RULE OF CONSTRUCTION.**

7       Nothing in this title or an amendment made by this  
8       title shall be construed to apply the warrant requirement  
9       for contents of a wire or electronic communication author-  
10      ized under this title or an amendment made by this title  
11      to any other section of title 18, United States Code (in-  
12      cluding chapter 119 of such title (commonly known as the  
13      “Wiretap Act”)), the Foreign Intelligence Surveillance Act  
14      of 1978 (50 U.S.C. 1801 et seq.), or any other provision  
15      of Federal law.