

Chief David Beautiful Bald Eagle is among the brave men and women buried here. Born in a tepee in 1919, Chief Bald Eagle served our country in World War II as a paratrooper and as one of the legendary Lakota code talkers. We lost him last summer, but his life continues to be an inspiration to the Lakota people and those who knew him.

Brigadier General Richard E. Ellsworth was also laid to rest there. He was a man who flew 400 combat missions during World War II. He earned numerous medals and returned to the U.S., where he eventually became wing commander of the Rapid City Air Force Base. In 1953, that base was renamed in his honor.

The surrounding community also does its part to honor this hallowed ground. On a brisk day this past December, Pennington County 4-H, the Sturgis Boy Scouts, the Veterans of Foreign Wars Auxiliary, and community members came together and placed over 1,000 wreaths on the graves of servicemembers who were laid to rest at this cemetery. They upheld the vow that those laid to rest should never be forgotten. Now we must do our part to uphold that very same vow.

So we honor the legacy of these veterans and many others at the Black Hills National Cemetery, but the facility is not going to have the room it needs to continue serving future veterans without expansion. This bill would allow that expansion by transferring around 200 acres of adjacent land near Sturgis, South Dakota, from the Bureau of Land Management's jurisdiction to the Department of Veterans Affairs. My office worked with these agencies and the stakeholders in crafting this legislation, and all agreed that this land transfer is necessary.

The transfer of this land will provide the Black Hills National Cemetery with the additional burial space that is needed to assure that today's veterans and servicemembers, as well as their families, will be able to utilize the space and that we will be able to uphold our commitment and offer this Nation's eternal gratitude for everything that they have done for us.

Again, I thank the committee, my colleagues, and the chairman for supporting this bill. I urge a "yes" vote.

Mr. POLIS. Mr. Speaker, I urge my colleagues to support this bill that supports our veterans.

I yield back the balance of my time.

Mr. LAMBORN. Mr. Speaker, I urge the adoption of this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. LAMBORN) that the House suspend the rules and pass the bill, H.R. 337.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### FORT FREDERICA NATIONAL MONUMENT BOUNDARY EXPANSION ACT

Mr. LAMBORN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 494) to expand the boundary of Fort Frederica National Monument in the State of Georgia, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 494

*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 "Fort Frederica National Monument Boundary Expansion Act".

#### SEC. 2. FORT FREDERICA NATIONAL MONUMENT, GEORGIA.

(a) MAXIMUM ACREAGE.—The first section of the Act of May 26, 1936 (16 U.S.C. 433g), is amended by striking "two hundred and fifty acres" and inserting "305 acres".

(b) BOUNDARY EXPANSION.—

(1) IN GENERAL.—The boundary of the Fort Frederica National Monument in the State of Georgia is modified to include the land generally depicted as "Proposed Acquisition Areas" on the map entitled "Fort Frederica National Monument Proposed Boundary Expansion", numbered 369/132,469, and dated April 2016.

(2) AVAILABILITY OF MAP.—The map described in paragraph (1) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(3) ACQUISITION OF LAND.—The Secretary of the Interior may acquire the land and interests in land described in paragraph (1) by donation or purchase with donated or appropriated funds from willing sellers only.

(4) WRITTEN CONSENT OF OWNER.—No non-Federal property may be included in the Fort Frederica National Monument without the written consent of the owner.

(5) NO USE OF CONDEMNATION OR EMINENT DOMAIN.—The Secretary of the Interior may not acquire by condemnation or eminent domain any land or interests in land under this Act or for the purposes of this Act.

(6) NO BUFFER ZONE CREATED.—Nothing in this Act, the establishment of the Fort Frederica National Monument, or the management plan for the Fort Frederica National Monument shall be construed to create buffer zones outside of the Monument. That activities or uses can be seen, heard, or detected from areas within the Fort Frederica National Monument shall not preclude, limit, control, regulate, or determine the conduct or management of activities or uses outside of the Monument.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. LAMBORN) and the gentleman from Colorado (Mr. POLIS) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado (Mr. LAMBORN).

GENERAL LEAVE

Mr. LAMBORN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise

and extend their remarks and to include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. LAMBORN. Mr. Speaker, I yield myself such time as I may consume.

H.R. 494, introduced by my colleague Congressman BUDDY CARTER of Georgia, expands the boundary of Fort Frederica National Monument by authorizing the Secretary of the Interior to acquire approximately 21 acres of land. The St. Simons Land Trust currently owns the additional acreage and will steward the land until the National Park Service can acquire the property.

The Fort Frederica National Monument, located on St. Simons Island, Georgia, preserves the archaeological remnants of a fort established in 1736 by James Oglethorpe. Oglethorpe constructed the fort to protect the Colony of Georgia from attack from the Spanish. The fort successfully fended off a Spanish attack in 1742 and confirmed Georgia as a British territory.

This bipartisan legislation is fully supported by the Georgia delegation, and an identical version of this legislation passed the House by voice vote in the 114th Congress. I urge the passage of the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

This bill expands the Fort Frederica National Monument to include a 20-acre property, known as the North Marsh, currently owned by the St. Simons Land Trust. The National Park Service evaluated the property in a 2014 study and determined that its acquisition would provide additional opportunities to protect and interpret resources that are associated with the site.

Fort Frederica, which is located on St. Simons Island, Georgia, was built by James Oglethorpe in 1736 to protect the Colony of Georgia from Spanish Florida. The National Park Service has managed the fort since 1936 when President Franklin D. Roosevelt used the Antiquities Act to designate the site as a national monument. This bill is an important reminder of how a decision to protect and elevate our shared national heritage resonates generation after generation.

Here we are today, 80 years after President Roosevelt made the decision to establish a national monument, and we are looking at a terrific opportunity to expand it and increase the resources it protects. By using money from the Land and Water Conservation Fund—a Federal program that wasn't yet around in President FDR's time and of which I fought hard to reauthorize in this body—we can continue this important legacy. It is good to highlight the work of the Land and Water Conservation Fund as we pass this bill with regard to a national monument that has been with us for 80 years.

I thank the majority for advancing this bill, and I look forward to working with them to advance similar legislation.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. I thank the gentleman for yielding.

Mr. Speaker, the First Congressional District of Georgia includes all 100 miles of Georgia's coastline and barrier islands. It was on one of these islands that the founder of Georgia, General James Oglethorpe, built a fort in 1736 to protect the new British Colony from the Spaniards. He named the fort and nearby town "Frederica" in honor of the Prince of Wales. In 1742, Fort Frederica's strategic location helped the British win a decisive victory against the Spanish in the Battle of Bloody Marsh. After this battle, the Spanish abandoned their attempts to take over the territory, and Georgia was fully secured as a British Colony. Today, Fort Frederica National Monument is a popular destination in Glynn County, featuring portions of the original fort, a museum, and extensive hiking trails.

H.R. 494 would allow for a small addition of adjacent land that contains artifacts from prehistoric human settlements. With this addition, visitors will be able to see a more complete story of the history of Georgia—from its earliest human residents, to colonial times, to modern day.

I thank the chairman for his consideration of this bill, and I thank the Natural Resources Committee's staff for its efforts. I also thank the entire Georgia delegation for supporting and cosponsoring this legislation.

Mr. POLIS. Mr. Speaker, I thank my colleagues for advancing this bill. I look forward to working with them to advance similar legislation that expands, protects, and enhances our public lands. It is particularly a privilege for me to work on a bill that uses resources and that highlights for the American people the value of the Land and Water Conservation Fund.

I urge a "yes" vote.

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

Mr. LAMBORN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. LAMBORN) that the House suspend the rules and pass the bill, H.R. 494.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1730

#### EMAIL PRIVACY ACT

Mr. YODER. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 387) to amend title 18, United States Code, to update the privacy protections for electronic communications information that is stored by third-party service providers in order to protect consumer privacy interests while meeting law enforcement needs, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 387

*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 "Email Privacy Act".

#### SEC. 2. VOLUNTARY DISCLOSURE CORRECTIONS.

(a) IN GENERAL.—Section 2702 of title 18, United States Code, is amended—

(1) in subsection (a)—  
(A) in paragraph (1)—  
(i) by striking "divulge" and inserting "disclose"; and

(ii) by striking "while in electronic storage by that service" and inserting "that is in electronic storage with or otherwise stored, held, or maintained by that service";

(B) in paragraph (2)—  
(i) by striking "to the public";  
(ii) by striking "divulge" and inserting "disclose"; and

(iii) by striking "which is carried or maintained on that service" and inserting "that is stored, held, or maintained by that service"; and

(C) in paragraph (3)—  
(i) by striking "divulge" and inserting "disclose"; and

(ii) by striking "a provider of" and inserting "a person or entity providing";

(2) in subsection (b)—  
(A) in the matter preceding paragraph (1), by inserting "wire or electronic" before "communication";

(B) by amending paragraph (1) to read as follows:

"(1) to an originator, addressee, or intended recipient of such communication, to the subscriber or customer on whose behalf the provider stores, holds, or maintains such communication, or to an agent of such addressee, intended recipient, subscriber, or customer;" and

(C) by amending paragraph (3) to read as follows:

"(3) with the lawful consent of the originator, addressee, or intended recipient of such communication, or of the subscriber or customer on whose behalf the provider stores, holds, or maintains such communication;"

(3) in subsection (c) by inserting "wire or electronic" before "communications";

(4) in each of subsections (b) and (c), by striking "divulge" and inserting "disclose"; and

(5) in subsection (c), by amending paragraph (2) to read as follows:

"(2) with the lawful consent of the subscriber or customer;"

#### SEC. 3. AMENDMENTS TO REQUIRED DISCLOSURE SECTION.

Section 2703 of title 18, United States Code, is amended—

(1) by striking subsections (a) through (c) and inserting the following:

"(a) CONTENTS OF WIRE OR ELECTRONIC COMMUNICATIONS IN ELECTRONIC STORAGE.—Except as provided in subsections (i) and (j), a governmental entity may require the disclosure by a provider of electronic communication service of the contents of a wire or electronic communication that is in electronic storage with or otherwise stored, held,

or maintained by that service only if the governmental entity obtains a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) that—

"(1) is issued by a court of competent jurisdiction; and

"(2) may indicate the date by which the provider must make the disclosure to the governmental entity.

In the absence of a date on the warrant indicating the date by which the provider must make disclosure to the governmental entity, the provider shall promptly respond to the warrant.

"(b) CONTENTS OF WIRE OR ELECTRONIC COMMUNICATIONS IN A REMOTE COMPUTING SERVICE.—

"(1) IN GENERAL.—Except as provided in subsections (i) and (j), a governmental entity may require the disclosure by a provider of remote computing service of the contents of a wire or electronic communication that is stored, held, or maintained by that service only if the governmental entity obtains a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) that—

"(A) is issued by a court of competent jurisdiction; and

"(B) may indicate the date by which the provider must make the disclosure to the governmental entity.

In the absence of a date on the warrant indicating the date by which the provider must make disclosure to the governmental entity, the provider shall promptly respond to the warrant.

"(2) APPLICABILITY.—Paragraph (1) is applicable with respect to any wire or electronic communication that is stored, held, or maintained by the provider—

"(A) on behalf of, and received by means of electronic transmission from (or created by means of computer processing of communication received by means of electronic transmission from), a subscriber or customer of such remote computing service; and

"(B) solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

"(c) RECORDS CONCERNING ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE.—

"(1) IN GENERAL.—Except as provided in subsections (i) and (j), a governmental entity may require the disclosure by a provider of electronic communication service or remote computing service of a record or other information pertaining to a subscriber to or customer of such service (not including the contents of wire or electronic communications), only—

"(A) if a governmental entity obtains a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) that—

"(i) is issued by a court of competent jurisdiction directing the disclosure; and

"(ii) may indicate the date by which the provider must make the disclosure to the governmental entity;

"(B) if a governmental entity obtains a court order directing the disclosure under subsection (d);

"(C) with the lawful consent of the subscriber or customer; or

"(D) as otherwise authorized in paragraph (2).