

colleagues to support this long overdue modification of the law.

Mr. CONYERS. Mr. Speaker, I yield 4 minutes to the gentleman from Colorado (Mr. POLIS), a former member of the Judiciary Committee and the lead Democratic sponsor of this bill.

Mr. POLIS. Mr. Speaker, the passage of the Email Privacy Act is long overdue. The fact that the law that governs the government access to emails dates from 1986, before email was really a mass phenomena, is a glaring loophole in our privacy protection laws.

1986 was a time when we used floppy disks to store our information, when, if any internet existed at all, it was just a few people at research universities communicating with another. It was far from a mass phenomena.

Today, this bill catches up with the reasonable expectation that consumers already have that their emails are private. Just as Americans view their phone conversations as private, their physical letters through the mail private, Americans view their emails the same way. Yet, until we close this loophole, the government maintains access, without a warrant, to emails that are older than 6 months in a way that they do not allow access to your old personal letters filed away in a filing cabinet in your office. They don't allow access to old voice mails, and emails are, frankly, no different.

The Email Privacy Act requires that Americans have the same legal protection for our emails as we do for paper letters, faxes, and other types of communication that may remain sitting around. Updating this law simply aligns the law to the digital and physical world. It has taken too long already. Today is a major step forward.

I would like to highlight the House has already passed this bill unanimously last session. How rare it is not just Democrats and Republicans coming together, not just Chairman GOODLATTE and Ranking Member CONYERS, but every single Democrat and Republican coming together, Mr. Speaker. That is rare, and yet this body has spoken overwhelmingly last session and I hope will speak overwhelmingly again today to encourage the Senate to promptly bring up this bill and pass it into law.

This bill is a strong victory for bipartisanship. This bill has been one of the most popular bills in the entire Congress. I am proud to say, as the lead Democrat, this bill had 314 cosponsors last Congress and passed unanimously.

Back when Congress passed the Electronic Communications Privacy Act in 1986, it is fair to say that electronic communications meant something different than it means today. Thirty years ago, modern email simply didn't exist. And today, with 24/7 accessibility, accessibility on our smart devices, in our homes, everywhere else, it has been estimated that there were 205 billion emails sent each day by Ameri-

cans. Those emails contain private communications for millions of us, and they deserve the same right of privacy as the letters in your file cabinet or your desk.

You often hear Members talk about commonsense bills. Well, this bill really defines common sense. When you read our bill, there is nothing more common sense than the Email Privacy Act, which is why the bill passed 419-0 last Congress. Unfortunately, the bill didn't make it to a Senate Judiciary Committee vote, which is why I am so thrilled that Chairman GOODLATTE and Mr. CONYERS have succeeded in having Mr. MCCARTHY and Speaker RYAN bring this bill forward so early this session, giving the Senate a chance to act.

I want to thank my colleague, Mr. YODER, for his hard work as the lead sponsor on this bill. I remember he and I, in gathering floor sponsors, would have these friendly contests of who could get more, Democrats or Republicans. That is how popular this bill was in terms of gaining 314 cosponsors, more than any other bill in the House of Representatives at that time.

I urge my colleagues to vote "yes" on this bill. Send a strong message to the Senate to vote immediately on the Email Privacy Act. Tell the Senate it is time to stand up for the privacy of Americans. This bill must be passed. I urge my colleagues to vote "yes."

Mr. CONYERS. Mr. Speaker, I have no further speakers.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I urge my colleagues to vote for this good legislation.

I yield back the balance of my time.

Mr. SWALWELL of California. Mr. Speaker, I rise in support of H.R. 387, the Email Privacy Act.

As I said last Congress, current law is woefully out of date when it comes to protecting privacy in electronic communications. I support H.R. 387, just as I supported the same legislation previously, because it is long past time we afforded Americans the privacy they are due online.

At the same time, I am disappointed this bill has come straight to the Floor, and not through the Judiciary Committee, a committee on which I sit. Nor are any Members able to offer amendments on the Floor. Going through the committee process and allowing amendments on the Floor would have enabled us to address some of the concerns raised by law enforcement about H.R. 387, such as its view that the bill fails to enable personnel to expediently obtain critical evidence. As a former prosecutor I share its interest in making sure that while we improve privacy protections we do not impede the ability to bring people swiftly to justice. I urge the Senate to work to address the points raised by law enforcement so we can continue to improve H.R. 387.

I encourage all Members to support H.R. 387.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kansas (Mr. YODER) that the House suspend the rules and pass the bill, H.R. 387.

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.

RESIGNATION AS MEMBER OF COMMITTEE ON ARMED SERVICES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Armed Services:

FEBRUARY 6, 2017.

Hon. PAUL D. RYAN,
Speaker of the House,
Washington, DC.

DEAR SPEAKER RYAN: I, Pete Aguilar, am submitting my resignation from the House Armed Services Committee effective immediately. It has been a privilege and honor to have served on this committee and I look forward to serving my constituents in a new capacity as a member of the House Appropriations Committee.

Sincerely,

PETE AGUILAR,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON ARMED SERVICES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Armed Services:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 6, 2017.

Hon. PAUL D. RYAN,
Speaker of the House,
Washington, DC.

DEAR SPEAKER RYAN: I, Scott Peters, am submitting my resignation from the House Armed Services Committee effective immediately. It has been a privilege and honor to have served on this committee.

Sincerely,

SCOTT H. PETERS.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 58 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOODALL) at 6 o'clock and 30 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J. RES. 44, DISAPPROVING RULE SUBMITTED BY DEPARTMENT OF THE INTERIOR RELATING TO BUREAU OF LAND MANAGEMENT REGULATIONS; PROVIDING FOR CONSIDERATION OF H.J. RES. 57, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF RULE SUBMITTED BY DEPARTMENT OF EDUCATION RELATING TO ACCOUNTABILITY AND STATE PLANS; AND PROVIDING FOR CONSIDERATION OF H.J. RES. 58, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF RULE SUBMITTED BY DEPARTMENT OF EDUCATION RELATING TO TEACHER PREPARATION ISSUES

Mr. BYRNE, from the Committee on Rules, submitted a privileged report (Rept. No. 115-9) on the resolution (H. Res. 91) providing for consideration of the joint resolution (H.J. Res. 44) disapproving the rule submitted by the Department of the Interior relating to Bureau of Land Management regulations that establish the procedures used to prepare, revise, or amend land use plans pursuant to the Federal Land Policy and Management Act of 1976; providing for consideration of the joint resolution (H.J. Res. 57) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to accountability and State plans under the Elementary and Secondary Education Act of 1965; and providing for consideration of the joint resolution (H.J. Res. 58) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to teacher preparation issues, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 689, by the yeas and nays;

H.R. 337, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

BOLTS DITCH ACCESS AND USE ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 689) to insure adequate use and access to the existing Bolts Ditch headgate and ditch segment within the Holy Cross Wilderness in Eagle County,

Colorado, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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.

The vote was taken by electronic device, and there were—yeas 409, nays 1, not voting 22, as follows:

[Roll No. 79]

YEAS—409

Abraham	Costello (PA)	Higgins (LA)
Adams	Courtney	Higgins (NY)
Aderholt	Cramer	Hill
Aguilar	Crawford	Himes
Allen	Crist	Holding
Amodei	Crowley	Hollingsworth
Arrington	Cuellar	Hoyer
Babin	Culberson	Hudson
Bacon	Curbelo (FL)	Huffman
Banks (IN)	Davidson	Huizenga
Barletta	Davis (CA)	Hultgren
Barr	Davis, Danny	Hunter
Barragán	Davis, Rodney	Hurd
Barton	DeFazio	Issa
Bass	DeGette	Jackson Lee
Beatty	Delaney	Jayapal
Bera	DeLauro	Jenkins (KS)
Bergman	Demings	Jenkins (WV)
Beyer	Denham	Johnson (GA)
Biggs	Dent	Johnson (LA)
Bilirakis	DeSantis	Johnson (OH)
Bishop (GA)	DeSaulnier	Johnson, E. B.
Bishop (MI)	DesJarlais	Johnson, Sam
Bishop (UT)	Diaz-Balart	Jones
Black	Dingell	Jordan
Blackburn	Doggett	Joyce (OH)
Blum	Donovan	Kaptur
Blumenauer	Doyle, Michael	Katko
Blunt Rochester	F.	Keating
Bonamici	Duffy	Kelly (IL)
Bost	Duncan (TN)	Kelly (MS)
Boyle, Brendan	Dunn	Kelly (PA)
F.	Emmer	Kennedy
Brady (PA)	Engel	Khanna
Brat	Eshoo	Kihuen
Bridenstine	Españillat	Kildee
Brooks (AL)	Esty	Kind
Brooks (IN)	Evans	King (IA)
Brown (MD)	Farenthold	King (NY)
Brownley (CA)	Faso	Kinzinger
Buchanan	Ferguson	Knight
Buck	Fitzpatrick	Krishnamoorthi
Bucshon	Fleischmann	Kuster (NH)
Budd	Flores	Kustoff (TN)
Burgess	Fortenberry	Labrador
Bustos	Foster	LaHood
Butterfield	Fox	LaMalfa
Byrne	Frankel (FL)	Lamborn
Calvert	Franks (AZ)	Lance
Capuano	Frelinghuysen	Langevin
Carbajal	Fudge	Larsen (WA)
Cárdenas	Gabbard	Larson (CT)
Carson (IN)	Gaetz	Latta
Carter (GA)	Gallagher	Lawrence
Carter (TX)	Gallo	Lawson (FL)
Cartwright	Garamendi	Lee
Castor (FL)	Garrett	Levin
Castro (TX)	Gibbs	Lewis (GA)
Chabot	Gohmert	Lewis (MN)
Chaffetz	Gonzalez (TX)	Lieu, Ted
Cheney	Goodlatte	Lipinski
Chu, Judy	Gosar	LoBiondo
Cicilline	Gottheimer	Loeb
Clark (MA)	Gowdy	Loeb
Clarke (NY)	Granger	Lofgren
Clay	Graves (GA)	Long
Cleaver	Graves (LA)	Loudermilk
Clyburn	Graves (MO)	Love
Coffman	Green, Al	Lowenthal
Cohen	Green, Gene	Lowey
Cole	Griffith	Lucas
Collins (GA)	Grothman	Luetkemeyer
Collins (NY)	Guthrie	Lujan Grisham,
Comer	Hanabusa	M.
Comstock	Harper	Luján, Ben Ray
Conaway	Harris	MacArthur
Connolly	Hartzer	Maloney,
Conyers	Hastings	Carolyn B.
Cook	Heck	Maloney, Sean
Cooper	Hensarling	Marchant
Correa	Herrera Beutler	Marino
Costa	Hice, Jody B.	Marshall
		Massie

Mast	Quigley	Speier
Matsui	Raskin	Stefanik
McCarthy	Ratcliffe	Stewart
McCaul	Reed	Stivers
McClintock	Reichert	Suozi
McCollum	Renacci	Swalwell (CA)
McEachin	Rice (NY)	Takano
McGovern	Rice (SC)	Taylor
McHenry	Roby	Tenney
McKinley	Roe (TN)	Thompson (CA)
McMorris	Rogers (AL)	Thompson (MS)
Rodgers	Rogers (KY)	Thompson (PA)
McNerney	Rokita	Thornberry
McSally	Rooney, Francis	Tiberi
Meadows	Rooney, Thomas	Tipton
Meehan	J.	Titus
Meng	Ros-Lehtinen	Tonko
Messer	Rosen	Torres
Mitchell	Roskam	Trott
Moolenaar	Ross	Tsongas
Mooney (WV)	Rothfus	Turner
Moore	Rouzer	Upton
Moulton	Roybal-Allard	Valadao
Mullin	Royce (CA)	Vargas
Murphy (FL)	Ruiz	Veasey
Murphy (PA)	Ruppersberger	Vela
Nadler	Russell	Velázquez
Napolitano	Rutherford	Visclosky
Neal	Ryan (OH)	Wagner
Newhouse	Sánchez	Walberg
Noem	Sanford	Walden
Nolan	Sarbanes	Walker
Norcross	Scalise	Walorski
Nunes	Schakowsky	Walters, Mimi
O'Halleran	Schiff	Walz
O'Rourke	Schneider	Wasserman
Olson	Schrader	Schultz
Palazzo	Schweikert	Waters, Maxine
Pallone	Scott (VA)	Watson Coleman
Palmer	Scott, Austin	Weber (TX)
Panetta	Scott, David	Webster (FL)
Pascarella	Sensenbrenner	Welch
Paulsen	Serrano	Wenstrup
Payne	Sewell (AL)	Westerman
Pearce	Shea-Porter	Williams
Pelosi	Sherman	Wilson (FL)
Perlmutter	Shimkus	Wilson (SC)
Perry	Shuster	Wittman
Peters	Simpson	Womack
Peterson	Sinema	Woodall
Pingree	Slaughter	Yarmuth
Pittenger	Smith (MO)	Yoder
Pocan	Smith (NE)	Yoho
Poliquin	Smith (NJ)	Young (AK)
Polis	Smith (TX)	Young (IA)
Posey	Smucker	Zeldin
Price (NC)	Soto	

NAYS—1

Amash
NOT VOTING—22

Brady (TX)	Jeffries	Rohrabacher
Cummings	Kilmer	Rush
DelBene	Lynch	Sessions
Deutch	Meeks	Sires
Duncan (SC)	Mulvaney	Smith (WA)
Ellison	Poe (TX)	Zinke
Grijalva	Price, Tom (GA)	
Gutiérrez	Richmond	

□ 1851

Messrs. KRISHNAMOORTHY and LEWIS of Georgia changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

BLACK HILLS NATIONAL CEMETERY BOUNDARY EXPANSION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 337) to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary