

publish research on ETFs. This is due to anomalies in our securities laws and regulations. S. 327 tackles those anomalies.

Given the importance of ETFs to investors, and particularly retail investors, steps to facilitate research on exchange-traded funds are long overdue.

The Fair Access to Investment Research Act is simple. It directs the SEC to provide a safe harbor for research reports that cover ETFs so that these reports are not considered offers under section 5 of the Securities Act of 1933. This allows ETF research to be issued just like stock research on a corporate issuer.

This commonsense proposal, which mirrors other research safe harbors implemented by the SEC, would clarify the law and allow broker-dealers to publish exchange-traded fund research, thereby allowing investors to access that very useful and needed information in this rapidly growing and occasionally complex market of choices.

This bill also holds the SEC accountable to follow Congress' direction. The bill requires the SEC to finalize the rules within 270 days, and if the deadline is not met, an interim safe harbor rule will take effect until the SEC's rule is finalized.

Mr. Speaker, this issue is not unfamiliar to the Commission, as this proposal has been raised both by the Commission and by industry many times over the last two decades. With close to 6 million U.S. households holding ETFs, investors need access to this important research.

Having worked in the banking and investment industry for the past three decades, I appreciate Chairman HENSARLING and the Congress' efforts to promote capital formation, reduce unnecessary burdens, and grow jobs and the economy. S. 327 is another step in that process.

I also want to thank my friend, Mr. FOSTER of Illinois, for working on this legislation, and our colleague in the Senate, Senator HELLER of Nevada, for working with me on this bipartisan, commonsense fix that we worked on together for over 2 years.

Mr. Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

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

Mr. Speaker, I thank my colleague from Arkansas (Mr. HILL) for his years of bipartisan work that went into this bill.

I am proud to support this bill today because I believe that it will strengthen the ability of investors to make informed decisions. Exchange-traded funds are valuable and popular tools for investors to diversify risks and returns through a single security at low cost. This bill will help investors understand the various ETF choices on the market.

I was proud that the House passed our bill, H.R. 910, earlier this Congress by a vote of 405-2. This bill is essen-

tially the same bill and incorporates, among other things, an amendment by Senator ELIZABETH WARREN to reiterate that the safe harbor will not be available to affiliates of the ETF, including the fund's registered investment adviser. I am really proud of the bipartisanship that went into this bill.

Mr. Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

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

Mr. Speaker, I thank the gentleman for his comments, and I do appreciate the work in the Senate that improved this bill.

I think it is important to note that this will make this research flow, and in no way will it, I think, confuse investors; in fact, it enhances their investment.

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

Mr. FOSTER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I, again, thank my colleague from Arkansas (Mr. HILL) for working with us on this bill over the past years and look forward to it now being sent to the President's desk and signed into law.

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

Mr. HILL. 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 Arkansas (Mr. HILL) that the House suspend the rules and pass the bill, S. 327.

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.

#### EXTENSION OF REDACTION AUTHORITY CONCERNING SENSITIVE SECURITY INFORMATION

Mr. ISSA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3229) to protect the safety of judges by extending the authority of the Judicial Conference to redact sensitive information contained in their financial disclosure reports, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3229

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. EXTENSION OF REDACTION AUTHORITY CONCERNING SENSITIVE SECURITY INFORMATION.

Section 105(b)(3)(E) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by striking "2017" both places it appears and inserting "2027".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from New York (Mr. JEFFRIES) each will control 20 minutes.

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3229, currently under consideration.

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

There was no objection.

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

As chairman of the Courts, Intellectual Property, and the Internet Subcommittee, I recognize the importance of judicial security needs.

Federal judges hear cases involving hardened criminals on a regular basis. Although not everyone threatens a Federal judge and not everyone is a gang member, many are. Federal judges and their families should not be at risk for simply doing their jobs.

Congress provides funding for a variety of judicial security needs by building secure court houses, staffing metal detectors at entrances, and so on, but there is a simple way to address security needs without extending taxpayer dollars. One method is to redact specific information from judicial financial disclosure reports done by the judges and other key employees. If they are to be targeted, we cannot have a judge's home address or other information that allows tracking by a criminal to, in fact, be a source of their demise.

The redaction authority has been in place since Congress began, in 1998, to allow for this, and it has been extended and expanded, in a number of cases, to include family members. The redaction process requires input and agreement from the U.S. Marshals Service.

The legislation that my colleague from New York (Mr. JEFFRIES) and I introduced would extend the redaction authority for an additional 10 years, until December 31, 2027. There is no financial impact from this, and it serves to put judges and their families in a position they have historically been in since 1998: less at risk by this information being disclosed.

I not only urge the House to support this legislation, but after careful consideration and research, we find that this authority has not been abused, it has been properly used, and the Federal judges have earned the absolute right to this limited redaction.

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

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

Mr. Speaker, I rise in support of H.R. 3229, which will extend for 10 years the soon expiring authority for Federal judges and judicial officers to redact from financial disclosure forms sensitive personal information that, if revealed, could compromise their safety and security.

An independent judiciary that is free of coercion is fundamental to our constitutional democracy, fundamental to

the principle of liberty and justice for all, and fundamental to the principle of equal protection under the law. Unfortunately, in this country, there are some who seek to compromise the integrity of the judicial branch through threats, harm, and harassment.

According to the U.S. Marshals Service, in fiscal year 2017, there has been an increase in every major recorded statistical category regarding the targeting of members of the Federal bench and judiciary employees. Failure to extend this authority will create grave security risks to judges, judiciary employees, and their families.

Each year, only a very small percentage of the financial disclosure reports filed contain an approved redaction of information. Redaction only occurs if there is a clear nexus between a security risk and the information for which redaction is sought.

Federal judges and other employees of the judicial branch routinely interact with disgruntled litigants or dangerous defendants and others who may seek to do them harm.

For example, in 2016, a disgruntled defendant was convicted of a diabolical plot to kidnap, torture, and murder U.S. District Judge Andrew J. Guilford, who presided over that defendant's wire fraud conviction.

In March of this year, the FBI reported that U.S. District Judge Derek Watson, who issued a temporary restraining order against the President's travel ban, has subsequently been the target of repeated violent threats.

In April, Jason Springer, an ISIS sympathizer, was indicted on a charge of threatening to murder U.S. District Judge Elizabeth Kovachevich by flying an explosive drone into her window.

The need to extend the redaction authority is a time-sensitive security matter, and I thank Chairman GOODLATTE, Ranking Member CONYERS, Subcommittee Chairman ISSA, and Ranking Member NADLER of the subcommittee, for their leadership on this issue.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. NADLER), the distinguished ranking member of the Subcommittee on the Courts, Intellectual Property, and the Internet.

Mr. NADLER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of H.R. 3229, which would extend an important tool in protecting the safety of judges and their families.

Each year, Federal judges and certain other judicial employees are required to file financial disclosure reports which are made available to the public. These reports serve a vital function in promoting transparency, particularly of any potential conflicts of interest.

By their nature, however, they also disclose sensitive personal information like a home address or family member's place of business. In the hands of a disgruntled member of the public

seeking retribution or of an otherwise disturbed individual, this information could put judges and their families at great risk.

□ 1645

Under current law, the Judicial Conference may redact information from a financial disclosure form if publishing such information could endanger the safety of the filer or a member of the filer's family. Unless Congress acts, this redaction authority will expire on December 31 of this year. This commonsense bill simply extends the redaction authority for 10 years.

Unfortunately, many Federal judges face threats to their safety merely for doing their jobs, and according to the Judicial Conference, the number of threats against them are increasing. For example, an Ohio man recently pleaded guilty to arranging a murder-for-hire plot against a judge; an alleged ISIS sympathizer who was attempting to learn a judge's address was indicted a few months ago for threatening the judge; and last year, a California man, who was already in prison, was convicted of plotting to have the Federal judge, prosecutors, and FBI agents killed as revenge.

Sadly, earlier this year, we also saw threats against several judges who ruled against President Trump's Muslim ban. After the President himself launched a verbal assault against the judges and against the Federal judiciary more generally, the judges faced a cascade of online threats and they required heightened security measures. Even without such irresponsible and dangerous behavior by the President, Federal judges regularly face threats, and this legislation is an important tool in protecting their safety.

Although disclosure forms should only be redacted in the most extreme and limited circumstances, the Judicial Conference has used its redaction authority sparingly and wisely, and it should continue to have this authority available to it when circumstances warrant its use.

I appreciate Mr. JEFFRIES' leadership in introducing this legislation. I want to recognize Ranking Member CONYERS for the work he has done to champion this issue over the years as well. I thank Chairman GOODLATTE and Mr. ISSA for moving this bipartisan bill forward.

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

Mr. JEFFRIES. Mr. Speaker, may I ask how much time I have remaining.

The SPEAKER pro tempore. The gentleman from New York has 14 minutes remaining.

Mr. JEFFRIES. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from Texas (Ms. JACKSON LEE), a distinguished champion of safety of Federal judges.

Ms. JACKSON LEE. Mr. Speaker, let me thank the gentleman from New York for a very thoughtful and, really, a crucial element to justice.

Allow me to acknowledge Mr. JEFFRIES for his leadership, Mr. CONYERS and Mr. GOODLATTE for working in a bipartisan manner, and the manager of the bill for his support, and indicate that this has evidence that we wish we did not have to see or could not document.

I know that in my own State just a couple of years ago, the Federal judge in San Antonio was attacked and, in my recollection, lost his life. So we realize that justice requires us to eliminate impediments of fear and danger that may come to the Federal judiciary.

This thoughtful legislation to redact addresses and other personal information from financial disclosure forms of all of the judiciary, magistrates, and appeals courts, district courts, obviously, and the Supreme Court, is crucial for the courts that represent the third branch of government and really represent a need of the kind of stovepipe to allow them to render justice.

So on the financial disclosure forms, they are important for transparency, but I want to acknowledge that, unfortunately, there are individuals who would take out their disgust or contempt for the Federal Government and take that contempt out on the courts.

For that reason and for the reason that it has been reported that there are terrorist cells in every State, that we don't know from where that threat will come, and the fact that we have this very important bill, I want to congratulate the author of the bill. I hope that we will pass this bill as quickly as possible, which protects our Federal judiciary by allowing their personal information and that of their family members to be redacted because justice has to be kept safe and secure.

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

Mr. ISSA. Mr. Speaker, I, too, would close by urging my colleagues to support this well-thought-out, well authored, and in regular hearings by the committee, universally accepted as necessary and reasonable for a 10-year extension.

Mr. Speaker, I urge support for the bill, and I yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, I rise today in strong support of H.R. 3229, a bipartisan, commonsense measure intended to protect the safety of federal judges and judicial employees.

The bill accomplishes this critical goal by extending the authority of the Judicial Conference to redact sensitive information contained in the financial disclosure reports filed by these individuals pursuant to the Ethics in Government Act of 1978. Specifically, H.R. 3229 would extend this authority for 10 years, that is, until December 31, 2027.

I am an original cosponsor and strong supporter of this bill for several reasons.

To begin with, absent a further extension of this authority, the Judicial Conference's ability to redact sensitive personal information from the financial disclosure statements filed by judges and judicial employees would cease

and thereby create potentially serious security risks to these individuals.

Judges and judicial employees are often the subject of threats, harassment, and violence. Like probation officers, these individuals routinely interact with disgruntled litigants and convicted criminals who may hold grudges against them.

A resentful litigant seeking to take revenge for a judicial decision can learn of a federal judge's home address, his or her spouse's place of employment, or a child's school, among other types of sensitive information, by requesting a copy of the judge's financial disclosure report.

During 2016, for instance, a federal judge was shot in front of his home, a murder-for-hire plot against a federal judge was uncovered, and threatening letters were sent to other judges.

Fortunately, section 105 of the Ethics in Government Act grants the Judicial Conference the authority to redact certain limited information from financial disclosure reports when the release of such information could endanger a judge, a judicial employee, or a member of their family.

Congress has extended this redaction authority on 5 previous occasions, most recently on January 3, 2012.

Another reason why I support H.R. 3229 is that the Judicial Conference has exercised its redaction authority with demonstrated restraint.

As required by the Ethics in Government Act, the Conference has promulgated regulations requiring a clear nexus between a security risk and the need to redact sensitive information.

In addition, the Act requires the Judicial Conference to report annually to Congress on the number and nature of redactions as well as the reasons for them.

Based on a review of these reports, it is clear that only a small percentage of the financial disclosure reports filed contain an approved redaction of some information in the report.

For example, less than 3 percent of financial reports contained an approved redaction of some information over the past 5 years.

Finally, the need to extend this redaction authority—which will expire in just over 3 months—is a time-sensitive security matter that requires prompt consideration of H.R. 3229.

Accordingly, I urge my colleagues to support H.R. 3229, which will simply extend the Judicial Conference's current redaction authority for an additional 10 years.

In closing, I want to commend Congressman HAKEEM JEFFRIES for his leadership on this important legislation. We share his commitment to protecting the security of those public servants who serve in the federal judicial branch.

Accordingly, I urge all of my colleagues to support this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, H.R. 3229, as amended.

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

A motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 538;

Adoption of House Resolution 538, if ordered; and

The motion to suspend the rules and agree to H. Res. 311.

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

#### PROVIDING FOR CONSIDERATION OF H.R. 3823, DISASTER TAX RELIEF AND AIRPORT AND AIRWAY EXTENSION ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 538) providing for consideration of the bill (H.R. 3823) to amend title 49, United States Code, to extend authorizations for the airport improvement program, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to provide disaster tax relief, and for other purposes, and providing for consideration of motions to suspend the rules, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 223, nays 187, not voting 23, as follows:

[Roll No. 538]

YEAS—223

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barton  
Bergman  
Biggs  
Bilirakis  
Bishop (MI)  
Black  
Blackburn  
Blum  
Bost  
Brady (TX)  
Brat  
Brooks (AL)  
Buchanan  
Buck

Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Costello (PA)  
Cramer  
Crawford  
Culberson  
Curbelo (FL)  
Davidson  
Davis, Rodney  
Denham  
Dent

DeSantis  
DesJarlais  
Diaz-Balart  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Emmer  
Estes (KS)  
Farenthold  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Fox  
Franks (AZ)  
Frelinghuysen  
Gaetz  
Gallagher  
Garrett  
Gianforte  
Gibbs

Gohmert  
Goodlatte  
Gosar  
Gowdy  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Griffith  
Guthrie  
Handel  
Harper  
Harris  
Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hollingsworth  
Hudson  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (LA)  
Johnson (OH)  
Jones  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Kustoff (TN)  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
Lewis (MN)  
LoBiondo  
Loudermilk  
Love

Lucas  
Luetkemeyer  
MacArthur  
Marchant  
Marino  
Marshall  
Massie  
Mast  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Murphy (PA)  
Newhouse  
Noem  
Norman  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Pittenger  
Poe (TX)  
Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (SC)  
Rohy  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Thomas J.  
Ross

NAYS—187

Adams  
Aguilar  
Barragan  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan F.  
Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Ciilline  
Clarke (NY)  
Clay  
Clever  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Correa  
Costa  
Courtney  
Crist  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette

Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Sanford  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Young (AK)  
Young (IA)  
Zeldin

Krishnamoorthi  
Kuster (NH)  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lieu, Ted  
Lipinski  
Loebach  
Lofgren  
Lowenthal  
Lowey  
Lujan Grisham, M.  
Lujan, Ben Ray  
Lynch  
Maloney, Carolyn B.  
Maloney, Sean  
Matsui  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Nolan  
Norcross  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascarella  
Payne  
Pelosi  
Perlmutter