August 12, 2026

The Honorable Ruben Gallego
United States Senate
302 Hart Senate Office Building
Washington, DC 20510

Re: The CLARITY Act Ethics Proposal Should Be Public—and Should Prevent Presidential Self-Dealing

Dear Senator Gallego:

On behalf of the undersigned ethics, democracy, and anticorruption organizations, we call on you to make public the ethics proposal you and Senator Tillis have developed for inclusion in the CLARITY Act, and to ensure that any final proposal meaningfully prevents the President and other covered officials from profiting from cryptocurrency ventures while exercising governmental authority over the industry.

We understand that discussions are underway with other Senators regarding support for the proposal, yet its text has not been made available to the public. We recognize that legislative negotiations often take place outside public view. But a proposal specifically intended to establish ethics and transparency rules for public officials warrants particular openness. Before Congress settles on those rules, the American people, and organizations like ours committed to protecting the integrity of our government, should have a meaningful opportunity to understand and evaluate what is being proposed.

Without seeing the text, we cannot know precisely what the proposal would do. As publicly reported, however, the proposal would require covered officials to divest certain cryptocurrency assets they hold directly and certain ownership interests in companies that issue or sponsor digital assets; permit the use of blind trusts in some circumstances; give covered officials additional time to comply with the divestment requirements; and expand enforcement authority to state attorneys general. The proposal also reportedly would continue to leave immediate family members outside important restrictions, while it remains unclear whether existing licensing, branding, royalty, and transaction-fee arrangements would have to be terminated.

Some of those changes would improve upon the previous proposal. But taken together, the reported provisions still would not resolve the central conflict of interest these ethics rules are meant to address: Whether covered officials and their immediate families can continue making money from cryptocurrency ventures while those officials exercise governmental authority over the industry.

President Trump illustrates the problem. Even if he were required to sell cryptocurrency he holds directly and divest certain equity interests in digital asset companies, he could still potentially receive substantial revenue through licensing, branding, royalty, or transaction-fee arrangements tied to existing cryptocurrency ventures, including the $TRUMP memecoin, unless those arrangements are expressly prohibited and terminated. Likewise, allowing immediate family members to retain interests in cryptocurrency ventures could leave substantial avenues for a covered official and the official's family to benefit from government actions affecting those businesses.

The reported blind-trust and timing provisions raise similar concerns. Placing an asset or business interest in a blind trust does not necessarily eliminate the official's economic interest in it; the official may still benefit financially as the asset increases in value. And a one-year delay in implementation followed by an additional six-month divestment period could mean that key restrictions would not fully apply until approximately March 2028, allowing the very conflicts the provision is meant to address to continue through most of the current presidential term. Any sunset tied to the end of that term, or any restriction preventing a future Department of Justice from pursuing violations committed while the law was in effect, would further weaken the proposal.

The relevant test is therefore not simply whether the proposal requires some divestment or expands enforcement authority. It is whether it actually cuts off the principal ways in which covered officials and their immediate families can profit from cryptocurrency ventures affected by those officials' governmental actions. If the public reporting is accurate, the proposal cannot yet be said to meet that test. In President Trump's case in particular, the reported provisions appear to leave open some of the same channels—licensing and transaction fees, family-held interests, and other continuing economic arrangements—through which he and his family have profited from cryptocurrency ventures while he has been in office.

Expanding enforcement authority to state attorneys general may improve accountability, but enforcement is only as meaningful as the rule being enforced. Additional enforcement authority cannot substitute for an underlying rule that actually prohibits the conduct creating the conflict. Moreover, without seeing the text, it is impossible to assess whether the proposed state attorney general enforcement provisions would actually provide state attorneys general with a viable mechanism for enforcing these restrictions.

The American people deserve both transparency about the ethics rules Congress is considering and rules that meaningfully prevent presidential self-dealing. We therefore urge you to make the proposal public and to ensure that any final agreement closes the avenues through which covered officials and their immediate families can continue profiting from cryptocurrency ventures while those officials make policy affecting the industry.

Sincerely,

Transparency International U.S.
Democracy Defenders Action
Citizens for Responsibility and Ethics in Washington (CREW)
Indivisible
Americans for Financial Reform
Common Cause