

Amid Mounting Pressure To Pass Legislation Restricting Stock Trading Among Members Of Congress, Nearly 60% Of Incumbent Representatives Filed Extensions On Their Annual Disclosures Further Showing Need For Reform

Summary: On May 15, 2023, members of the House of Representatives were [required](#) to have filed their annual financial disclosure reports meant to help identify and regulate possible corrupt conflicts of interest, or when an ["official uses his position of influence to enhance his personal financial interests."](#) Reports which fail to ["appear substantially accurate and complete, and comply with applicable conflict of interest laws"](#) may result in a civil penalty, fine, or imprisonment.

Despite the STOCK Act requiring members of Congress who fail to report stock trades within 30 days of the transaction to pay late fees, Congress has a ["spotty and inconsistent method for collecting fines from members."](#) It is ["impossible to independently determine whether STOCK Act lawbreakers truly face consequences,"](#) rendering the STOCK Act ["toothless."](#)

An Accountable.US review of the House Committee on Ethics' financial disclosure database has found that current financial disclosure requirements continue to be an afterthought with **nearly 60% of incumbent representatives filing extensions in 2023 for their 2022 financial disclosure**, the majority of which—54.5%—were Republicans. Of the 257 representatives that filed extensions, 80.9% asked for the maximum 90-day extension. In addition, 17 out of 28 (60.7%) Republican House Financial Services Members filed extensions instead of timely financial disclosures.

In the face of ["the worst market since 2008,"](#) many members of Congress beat the S&P 500 in [2021](#) and [2022](#), with some members taking ["advantage of their position as elected officials."](#) After a 2022 poll found that over [7 in 10 likely voters](#) believed members should not participate in the stock market while in office, **at least six bipartisan, House bills have been introduced during the 118th Congress to restrict stock trading.** Some of these bills include:

- January 12, 2023: **The Transparent Representation Upholding Service and Trust (TRUST) In Congress Act**—led by Reps. Abigail Spanberger (D-VA) and Chip Roy (R-TX)—would require members of Congress, their spouses and dependent children to put ["certain investment assets into a qualified blind trust during their entire tenure in Congress,"](#) ensuring that members of Congress could not use their position to ["unethically inform investment decisions"](#) or ["influence the value of their existing investments."](#)
- April 18, 2023: **The Ending Trading and Holdings in Congressional Stocks (ETHICS) Act**—[introduced](#) by Reps. Raja Krishnamoorthi (D-IL) and Michael Cloud (R-TX)—would ["prohibit members of Congress, their spouses and dependent children from abusing their positions for personal financial gain by owning or trading securities, commodities, or futures."](#)
- May 2, 2023: **The Bipartisan Restoring Faith in Government Act**—introduced by Reps. Alexandria Ocasio-Cortez (D-NY), Raja Krishnamoorthi (D-IL), Brian Fitzpatrick (R-PA), and Matt Gaetz (R-FL)—would ["prohibit financial investments by members of Congress, their spouses and any of their dependents."](#)

From 2019 to 2021, the New York Times found that [over 3,700 trades](#) reported by lawmakers ["posed potential conflicts between their public responsibilities and private finances,"](#) including sitting on congressional committees that ["give them some degree of knowledge or influence."](#) In the last few years, several members of Congress have been accused of using nonpublic information when buying or selling

stocks, ultimately to their benefit. Some of these members include:

- In October 2017, the Office of Congressional Ethics [accused](#) then–Representative Christopher Collins (R-NY) of using "[his public office to benefit](#)" a company in which he had a multimillion-dollar stake and [tipping off](#) his son to make a timely trade before the information was released publicly, resulting in insiders avoiding over [\\$768,000](#) in losses—Collins was ultimately [sentenced to 26 months in prison for the insider trader scheme](#) and lying to federal law enforcement agents.
- In May 2020, then–Senator Richard Burr (R-NC)—who served as chair of the Senate Intelligence Committee at the time—[stepped](#) aside from his role after ProPublica reported he was under investigation for selling up to [\\$1.7 million](#) worth of stock in February 2020 while [having "material nonpublic information concerning Covid-19 and its potential impact on the U.S. and global economies"](#)—the Justice Department ultimately [declined](#) to file criminal charges against Burr for his stock trades.
- In March 2020, then-Senator Kelly Loeffler (R-GA)—who is [married](#) to Jeffrey Sprecher, the [founder, chairman, and CEO of Intercontinental Exchange](#), the [parent company of the New York Stock Exchange](#)—attended the same Covid-19 briefing as Burr and sold up to [\\$3.1 million in stocks and bought stocks that were deemed to benefit from the pandemic, including a company offering teleconference software](#).

To Identify And Regulate Possible Corrupt Conflicts Of Interest, House Members Are Required To File Annual Financial Disclosure Reports, Which "Disclose Outside Compensation, Holdings, And Business Transactions," With Those Who File Late Required To Pay A \$200 Late Fee And Those Who "Knowingly And Willfully Falsif[y] Or Fail To File Or To Report Any Required Information" Subject To Civil Penalty, Fines, And Imprisonment.

House Members File Public Disclosures Of Assets, Financial Interests, And Investments To Regulate Possible Conflicts Of Interest, Or Outright Corruption, That Can Otherwise Be A "Problem" To Identify.

A Conflict Of Interest Arises When "An Official's Private Financial Interests Conflict Or Appear To Conflict With The Public Interest," Some Of Which Are "Inherent In A Representative System Of Government, And Are Not In Themselves Necessarily Improper Or Unethical." "As noted by the Bipartisan Task Force on Ethics: The problem of conflicts of interest involves complex and difficult issues, especially with respect to the legislative branch. A conflict of interest is generally defined as a situation in which an official's private financial interests conflict or appear to conflict with the public interest. Some conflicts of interest are inherent in a representative system of government, and are not in themselves necessarily improper or unethical. Members of Congress frequently maintain economic interests that merge or correspond with the interests of their constituents. This community of interests is in the nature of representative government, and is therefore inevitable and unavoidable." [U.S. House Committee on Ethics, accessed [06/15/23](#)]

A Conflict Of Interest "Becomes Corruption When An Official Uses His Position Of Influence To Enhance His Personal Financial Interests," Which Can Often Be A "Problem" To Identify. "At the other extreme, a conflict of interest becomes corruption when an official uses his position of influence to enhance his personal financial interests. Between these extremes are those ambiguous circumstances which may create a real or potential conflict of interest. The problem is identifying those instances in which an official allows his

personal economic interests to impair his independence of judgment in the conduct of his public duties." [U.S. House Committee on Ethics, accessed [06/15/23](#)]

The Public Disclosure Of Assets, Financial Interests, And Investments Has Become "The Preferred Method Of Regulating Possible Conflicts Of Interest" For Members Of The House Of Representatives, Allowing "Members' Constituencies To Judge Their Official Conduct In Light Of Possible Financial Conflicts With Private Holdings." "Thus, public disclosure of assets, financial interests, and investments has been required as the preferred method of regulating possible conflicts of interest of Members of the House and certain congressional staff. Public disclosure is intended to provide the information necessary to allow Members' constituencies to judge their official conduct in light of possible financial conflicts with private holdings. Review of a Member's financial conduct occurs in the context of the political process." [U.S. House Committee on Ethics, accessed [06/15/23](#)]

"The Ethics In Government Act Requires Members, Officers, And Certain Employees Of The U.S. House Of Representatives" To File Annual Financial Disclosure Reports, Which "Disclose Outside Compensation, Holdings, And Business Transactions" To Determine Compliance With House Rules And Statutes.

"The Ethics In Government Act Requires Members, Officers, And Certain Employees Of The U.S. House Of Representatives And Related Offices To File Annual Financial Disclosure Statements," The Most Recent Of Which Were Due On Or Before May 15, 2023. "The Ethics in Government Act requires Members, officers, and certain employees of the U.S. House of Representatives and related offices to file annual Financial Disclosure Statements with the Clerk of the House. The next annual Financial Disclosure Statement will cover 2022 and must be filed on or before May 15, 2023." [U.S. House Committee on Ethics, accessed [06/15/23](#)]

- **October 1978: The Ethics In Government Act Became Law.** [Congress, accessed [06/15/23](#)]

Financial Disclosure Statements Must "Disclose Outside Compensation, Holdings, And Business Transactions" Within A Calendar Year. "As such, Financial Disclosure Statements must disclose outside compensation, holdings, and business transactions, generally for the calendar year preceding the filing date. In all instances, filers may disclose additional information or explanation at their discretion." [U.S. House Committee on Ethics, accessed [06/15/23](#)]

House Rules And Statutes State That Members And Employees Of Congress "May Not Use Their Official Positions For Personal Gain," "Accept Benefits" That Might Influence Their Actions In Government, Nor "Use Any Information Received Confidentially" As A "Means For Making Private Profit":

In addition, statutes and House rules restrict income from outside financial interests or govern aspects of the business dealings or investments of House Members and employees, as follows:

- Members and employees of Congress may not use their official positions for personal gain;⁵
- Members may not enter into or enjoy benefits under contracts or agreements with the United States;⁶
- Members and employees should not engage in any business with the federal government, either directly or indirectly, that is inconsistent with the conscientious performance of their congressional duties;⁷
- Members and employees may not receive any compensation or allow any compensation to accrue to their beneficial interests from any source if its receipt would occur by virtue of influence improperly exerted from a position in the Congress;⁸
- Members and employees of the House may not accept benefits under circumstances that might be construed by reasonable persons as influencing the performance of their governmental duties;⁹ and
- Members and employees should never use any information received confidentially in the performance of governmental duties as a means for making private profit.¹⁰

After Financial Disclosure Reports Are Filed—With Those Who File Late Required To Pay A \$200 Late Fee—The Committee On Ethics Reviews The Reports To Determine Whether Reports "Appear Substantially Accurate And Complete, And Comply With Applicable Conflict Of Interest Laws," And Those That Do Not Possibly Resulting In A Civil Penalty, Fine, Or Imprisonment.

Financial Disclosure Reports Must Be Filed By 11:59 On The Due Date Or, At Maximum, 90 Days With An Extension, With Those Who File Late Required To Pay A \$200 Late Fee. "A report must be electronically filed by 11:59 p.m. eastern time on the due date using the electronic filing system or postmarked by the due date if you are filing on paper, unless an extension has been granted by the Committee pursuant to a written request. Total extensions for any report may not exceed 90 days. An individual who files a report more than 30 days after it is due must pay a late filing fee of \$200, unless the Committee waives the fee in exceptional circumstances." [U.S. House Committee on Ethics, accessed [06/15/23](#)]

After Receipt Of The Reports, The Committee On Ethics Reviews Financial Disclosure Statements And Periodic Transaction Reports "To Determine Whether The Reports Have Been Filed In A Timely Manner, Appear Substantially Accurate And Complete, And Comply With Applicable Conflict Of Interest Laws." "Within 60 days of receipt, the Committee on Ethics reviews Financial Disclosure Statements and Periodic Transaction Reports of filers under its jurisdiction to determine whether the reports have been filed in a timely manner, appear substantially accurate and complete, and comply with applicable conflict of interest laws and rules. If the review indicates a possible problem, the reporting individual is notified and given an opportunity to amend within a specified period." [U.S. House Committee on Ethics, accessed [06/15/23](#)]

The Ethics In Government Act Authorized The United States Attorney General To "Seek A Civil Penalty Of Up To \$50,000 Against An Individual Who Knowingly And Willfully Falsifies Or Fails To File Or To Report Any Required Information" And Under "Criminal Law, Anyone Who Knowingly And Willfully Falsifies Or Conceals Any Material" May Be Fined Up To \$50,000, Imprisoned For Up To Five Years, Or Both. "The financial disclosure provisions of the Ethics in Government Act have been incorporated by reference as a rule of the House of Representatives, over which the Standards Committee has jurisdiction. In addition to any Committee action, EIGA authorizes the Attorney General of the United States to seek a civil penalty of up to \$50,000 against an individual who knowingly and willfully falsifies or fails to file or to report any required information. Moreover, under federal criminal law, anyone who knowingly and willfully falsifies or conceals any material fact in a statement to the government may be fined up to \$50,000, imprisoned for up to five years, or both." [U.S. House Committee on Ethics, accessed [06/15/23](#)]

Despite The STOCK Act Requiring Members Of Congress Who Fail To Report Stock Trades Within 30 Days Of The Transaction To Pay Late Fees, Congress Has A "Spotty And Inconsistent Method For Collecting Fines From Members" As "No Public Records Exist Indicating Whether These Officials Ever Paid The Fines," Rendering The STOCK Act "Toothless."

Despite The 2012 STOCK Act Requiring Members Of Congress Who Fail To Report Stock Trades Within 30 Days Of The Transaction Required To Pay Late Fees, Congress Has A "Spotty And Inconsistent Method For Collecting Fines From Members."

Under The STOCK Act, Members Of Congress Who Earned At Least \$132,552 A Year Must Report Stock Trades Of More Than \$1,000 Within 30 Days Of The Transaction, Consequently Having To Pay A Late

Fee If Filed After That Timeframe. "Under the STOCK Act, lawmakers and their senior staff who earned at least \$132,552 a year in 2021 must report stock trades of more than \$1,000 within 30 days of the transaction — or within 45 days if they didn't learn about the trade until a little later, often because it was made by a broker or spouse. If they file their disclosures more than 30 days after their due date, then they have to pay a late fee in the form of a check to the Treasury or apply for a waiver. The waiver process operates like an appeal. It gives people the opportunity to explain why they were late and to ask Senate or House committees to be excused from the penalty." [Business Insider, [12/15/21](#)]

- **April 2012: The Stop Trading On Congressional Knowledge (STOCK) Act Became Law.** [The Washington Post, [04/05/12](#)]

An Investigation From Business Insider Found That Congress Has A "Spotty And Inconsistent Method For Collecting Fines From Members," Identifying 57 Members Of Congress Who Filed Their Stock Trades Late During 2020 And 2021. "Congress has a spotty and inconsistent method for collecting fines from members and top staffers who break a federal law designed to stop insider trading and conflicts of interest, an Insider investigation found. Insider's investigation of financial disclosures found that 57 members of Congress and at least 182 of the highest-paid Capitol Hill staffers were late in filing their stock trades during 2020 and 2021." [Business Insider, [12/15/21](#)]

"It [Is] Impossible To Independently Determine Whether STOCK Act Lawbreakers Truly Face Consequences," As "No Public Records Exist Indicating Whether These Officials Ever Paid The Fines," Rendering The STOCK Act "Toothless."

Despite Late Fees Potentially Costing Tens Of Thousands Of Dollars In Extreme Cases, "Accountability And Transparency Are Decidedly Lacking" As "No Public Records Exist Indicating Whether These Officials Ever Paid The Fines." "Lawmakers and senior congressional staffers who blow past the deadlines established by the 2012 Stop Trading on Congressional Knowledge Act are supposed to pay a late fee of \$200 the first time. Increasingly higher fines follow if they continue to be late — potentially costing tens of thousands of dollars in extreme cases. But accountability and transparency are decidedly lacking. No public records exist indicating whether these officials ever paid the fines." [Business Insider, [12/15/21](#)]

As A Result, "It [Is] Impossible To Independently Determine Whether STOCK Act Lawbreakers Truly Face Consequences," Rendering The STOCK Act, Which Is "Intended To Promote Transparency, Extinguish Conflicts Of Interest, And Defend Against Insider Trading," "Toothless." "This lack of transparency makes it impossible to independently determine whether STOCK Act lawbreakers truly face consequences, and if so, to what degree. It's a situation that ethics experts say leaves the public in the dark, lets Congress off the hook, and renders the STOCK Act — intended to promote transparency, extinguish conflicts of interest, and defend against insider trading — toothless." [Business Insider, [12/15/21](#)]

After At Least Six Bipartisan House Proposals Were Introduced This Congress To Ban Or Restrict Stock Trading Throughout The First Half Of 2023, A Bipartisan Group Of More Than 20 Lawmakers Called On The House Administration Committee To Mark Up Stock Trading Legislation, With Ranking Member Joe Morelle (D-NY) Admitting That "'There's Also Work To Be Done To Advance Stock Trading Reform'"—Meanwhile, A Poll Found That "More Than 7 In 10 Likely Voters Believe Members Of Congress Should Not Be Allowed To Buy Or Sell Individual Stocks While In Office."

Throughout The First Half Of 2023, Multiple Bipartisan Bills Were Introduced In The House Targeting Stock Trades, Including The *Transparent Representation Upholding Service And Trust (TRUST) In Congress Act* As Introduced By Rep. Abigail Spanberger (D-VA) And Rep. Chip Roy (R-TX), The *Ending Trading And Holdings In Congressional Stocks (ETHICS) Act* As Introduced By Rep. Raja Krishnamoorthi (D-IL) And Michael Cloud (R-TX), And The *Bipartisan Restoring Faith In Government Act* As Introduced By Rep. Alexandria Ocasio-Cortez (D-NY) Rep. Matt Gaetz (R-FL), And Others.

January 12, 2023: Rep. Abigail Spanberger (D-VA) And Rep. Chip Roy (R-TX) Led 35 Of Their Colleagues In Reintroducing The *Transparent Representation Upholding Service And Trust (TRUST) In Congress Act*, Which Would Require Members Of Congress, Their Spouses And Dependent Children To Put "Certain Investment Assets Into A Qualified Blind Trust During Their Entire Tenure In Congress," Ensuring That Members Of Congress Cannot Use Their Position "To Unethically Inform Investment Decisions" Nor "Influence The Value Of Their Existing Investments." "U.S. Representatives Abigail Spanberger (D-VA-07) and Chip Roy (R-TX-21) today led 35 of their colleagues in reintroducing a bipartisan bill to require Members of Congress — as well as their spouses and dependent children — to put certain investment assets into a qualified blind trust during their entire tenure in Congress, effectively banning them from trading individual stocks. By establishing this new firewall between Members and their investments, the Spanberger-Roy *Transparent Representation Upholding Service and Trust (TRUST) in Congress Act* would make sure Members of Congress cannot use their positions in the U.S. House or U.S. Senate to unethically inform investment decisions, influence the value of their existing investments, or contribute to greater distrust between the American people and their elected officials." [U.S. Representative Abigail Spanberger, [01/12/23](#)]

April 18, 2023: Reps. Raja Krishnamoorthi (D-IL) And Michael Cloud (R-TX), Along With Sens. Jeff Merkley (D-OR) And Sherrod Brown (D-OH), Introduced The *Ending Trading And Holdings In Congressional Stocks (ETHICS) Act*, Which Would "Prohibit Members Of Congress, Their Spouses And Dependent Children From Abusing Their Positions For Personal Financial Gain By Owning Or Trading Securities, Commodities, Or Futures." "Oregon's Senator Jeff Merkley and Ohio's Senator Sherrod Brown led 21 Senators today in introducing the Ending Trading and Holdings in Congressional Stocks (ETHICS) Act. This bill is bipartisan and bicameral, with Representatives Raja Krishnamoorthi (D-IL) and Michael Cloud (R-TX) leading the bill in the House. The ETHICS Act is new, comprehensive legislation that would prohibit members of Congress, their spouses and dependent children from abusing their positions for personal financial gain by owning or trading securities, commodities, or futures." [U.S. Representative Raja Krishnamoorthi, [04/18/23](#)]

May 2, 2023: Rep. Alexandria Ocasio-Cortez (D-NY) And Rep. Matt Gaetz (R-FL) Introduced The *Bipartisan Restoring Faith In Government Act*, Which Would "Prohibit Financial Investments By Members Of Congress, Their Spouses And Any Of Their Dependents." "House lawmakers are pushing a bill to block members of Congress and their families from stock trading, with the group introducing the legislation including Rep. Alexandria Ocasio-Cortez (D-N.Y.) and Rep. Matt Gaetz (R-Fla.). The bill, the Bipartisan Restoring Faith in Government Act, would prohibit financial investments by members of Congress, their spouses and any of their dependents. It continues a string of legislation that has been introduced over the past few years to target the issue." [The Hill, [05/02/23](#)]

Reps. Brian Fitzpatrick (R-PA) And Raja Krishnamoorthi (R-IL) Also Joined In Introducing The *Bipartisan Restoring Faith In Government Act*. "Congressman Brian Fitzpatrick (PA-01), alongside Congresswoman Alexandria Ocasio-Cortez (NY-14) and Congressmen Matt Gaetz (FL-01) and Raja Krishnamoorthi (IL-08), introduced the bipartisan Bipartisan Restoring Faith in Government Act to prohibit financial investments by members of Congress, their spouses, and any dependents." [U.S. Representative Brian Fitzpatrick, [05/02/23](#)]

In May 2023, A Bipartisan Group Of Over 20 Lawmakers Called On The House Administration Committee To Mark Up Stock Trading Legislation, With House Administration Ranking Member Joe Morelle (D-NY) Admitting That "There's Also Work To Be Done To Advance Stock Trading Reform And The Need To Pass Reforms That Strengthen Disclosure Around Conflicts Of Interest."

May 2023: After At Least Six House Proposals Were Introduced This Congress To Ban Or Restrict Stock Trading, A Bipartisan Group Of More Than 20 Lawmakers, Led By Rep. Joe Neguse (D-CO, Called On The House Administration Committee To Mark Up Stock Trading Legislation Before The August Break. "A bipartisan group of more than 20 lawmakers is calling on the House Administration Committee to mark up legislation before the August break that would ban members from trading stocks. The group, led by Rep. Joe Neguse, D-Colo., sent a letter Thursday to committee Chair Bryan Steil, R-Wis., and ranking member Joseph D. Morelle, D-N.Y., urging action as scrutiny on trading increases. He was joined by Republicans Matt Rosendale of Montana, Ken Buck of Colorado and more than a handful of House Democrats, all of whom have either introduced or co-sponsored legislation to limit members' ability to trade on information gleaned from their work in Congress. There have been at least six House proposals introduced this Congress to ban or restrict stock trading and at least two in the Senate." [Roll Call, [05/11/23](#)]

At A House Administration Hearing On Campaign Finance Reform And Donor Disclosure, Ranking Member Joe Morelle (D-NY) Admitted That "There's Also Work To Be Done To Advance Stock Trading Reform And The Need To Pass Reforms That Strengthen Disclosure Around Conflicts Of Interest In Our Own House And In The Courts." "At a Thursday morning House Administration hearing on campaign finance reform and donor disclosure, Morelle raised the issue, stressing the need for transparency. 'There's also work to be done to advance stock trading reform and the need to pass reforms that strengthen disclosure around conflicts of interest in our own House and in the courts – transparency measures that inspire confidence in voters and confidence in the American public,' he said." [Roll Call, [05/11/23](#)]

- **Rep. Morelle Is The Ranking Member Of The House Administration Committee.** [U.S. Committee On House Administration, accessed [07/05/23](#)]

A June 2023 Poll Found That "More Than 7 In 10 Likely Voters Believe Members Of Congress Should Not Be Allowed To Buy Or Sell Individual Stocks While In Office."

June 21, 2023: A Data For Progress Poll Found That "More Than 7 In 10 Likely Voters Believe Members Of Congress Should Not Be Allowed To Buy Or Sell Individual Stocks While In Office," With 70% Of Respondents Supporting Federal Legislation To Ban The Practice And 68% Supporting Such A Ban Extending To Spouses As Well. "More than 7 in 10 likely voters believe members of Congress should not be allowed to buy or sell individual stocks while in office, according to new poll shared with Insider. The Data for Progress poll indicates that 70% of respondents want new federal legislation to ban the practice, while 68% said such a ban should extend to lawmakers' spouses. And 49% of respondents said they were more likely to support a candidate who backs a stock trading ban, including 50% of Republicans and 45% of Democrats." [Business Insider, [06/21/23](#)]

In The Face Of "The Worst Market Since 2008," Much Of Congress Beat The S&P 500 In 2021 And 2022, After Some Members Seemingly Took "Advantage Of Their Position As Elected Officials."

An Unusual Whales Analysis Found That In 2022, More Than Two Dozen Members Of Congress Beat The S&P 500, Which Was Down 18%—The Worst Market Since 2008—While Republicans Were Up 0.4% And Democrats Were Down 1.76%.

January 2023: Unusual Whales Found That In 2022, More Than Two Dozen Congress Members Beat The S&P 500 Through Stock Trades In 2022. "More than two dozen members of Congress beat the stock market despite Wall Street suffering its worst year since 2008, according to an analysis by a popular stock-trading news site." [The New York Post, [01/06/23](#)]

- **HEADLINE: Dozens in Congress beat stock market in 2022 despite downturn on Wall Street: analysis** [The New York Post, [01/06/23](#)]
- **Unusual Whales Is A "Stock, Options, Market-Moving News Service" Focused On "Market Transparency."** "For those who don't know, Unusual Whales is a stock, options, market-moving news service that provides affordable financial tools and services to traders. We focus on market transparency most of all, highlighting unusual trades in the stock market." [Unusual Whales, [01/02/23](#)]

In 2022, "A Quarter Of Congress Actively Traded Up To \$788m In Various Assets Through 12,700+ Transactions." "By analysing publicly accessible financial disclosures, we found that a quarter of Congress actively traded up to \$788M in various assets through 12,700+ transactions in 2022. Although this matches the number of transactions in 2021, the total value has dropped." [Unusual Whales, [01/02/23](#)]

In A Tweet Thread, Unusual Whales Noted That Despite 2022 Being "The Worst Market Since 2008," Members Of Congress Beat The Market, With The S&P 500 Down 18% While Republicans Were Up 0.4% And Democrats Were Down Just 1.76%. "Despite 2022 being the worst market since 2008, both Democrats & Republicans beat the market. Many politicians individually beat the market. And many made unusual trades resulting in huge gains. On average, Democrats were down -1.76% in 2022, whereas Republican members were up +0.4%. Meanwhile, the S&P 500 itself was down 18% in 2022. Like in 2021, politicians beat the market." [Twitter, [01/03/23](#)]

Unusual Whale's 2021 Analysis Found That Congress Beat The S&P 500 After 105 Congress Members Bought And Sold Nearly \$290 Million In Stock, With Some Members Seemingly Taking "Advantage Of Their Position As Elected Officials."

January 2022: Unusual Whales Found That In 2021, Congress Beat The S&P 500 After 105 Members Bought And Sold Nearly \$290 Million In Stock. "Last year, 105 congressmembers bought and sold nearly \$290 million worth in stock, according to a report from Unusual Whales, an alternative options alert tool that tracks strange trading activities by lawmakers. In short, Unusual Whales concluded that Congress beat the S&P 500." [The American Prospect, [01/24/22](#)]

Some Members Of Congress Seemingly "Took Advantage Of Their Position As Elected Officials" And Made Stock Trades During Negotiations In "Military Contracts, Infrastructure Legislation, And Cryptocurrency Regulation," Resulting In "Absurd Gains." "As lawmakers oversaw military contracts, infrastructure legislation, and cryptocurrency regulation, some took advantage of their position as elected officials and made trades during these negotiations, yielding absurd gains. While this group of lawmakers is a

minority, both Democrats and Republicans in the House and Senate engaged in this sketchy behavior." [The American Prospect, [01/24/22](#)]

From 2019 to 2021, More Than 3,700 Trades Reported By Lawmakers "Posed Potential Conflicts Between Their Public Responsibilities And Private Finances," As They Say On Congressional Committees That Could "Give Them Some Degree Of Knowledge Or Influence."

A September 2022 New York Times Investigation Found That From 2019 To 2021, More Than 3,700 Trades Reported By Lawmakers "Posed Potential Conflicts Between Their Public Responsibilities And Private Finances" By Sitting On Congressional Committees "That Potentially Gave Them Insight Into The Companies Whose Shares They Reported Buying Or Selling."

September 2022: A New York Times Investigation Found That From 2019 To 2021, Over Half Of All Senators Or Representatives Who Made Stock Trades "Sat On Congressional Committees That Potentially Gave Them Insight Into The Companies Whose Shares They Reported Buying Or Selling." "From 2019 to 2021, 183 current senators or representatives reported a trade of a stock or another financial asset by themselves or an immediate family member. More than half of them sat on congressional committees that potentially gave them insight into the companies whose shares they reported buying or selling, an analysis by The New York Times has found." [The New York Times, [09/13/22](#)]

Over The Three-Year Period, More Than 3,700 Trades Reported By Lawmakers "Posed Potential Conflicts Between Their Public Responsibilities And Private Finances." "The potential for conflicts in stock trading by members of Congress — and their choice so far not to impose stricter limits on themselves — has long drawn criticism, especially when particularly blatant cases emerge. But the Times analysis demonstrates the scale of the issue: Over the three-year period, more than 3,700 trades reported by lawmakers from both parties posed potential conflicts between their public responsibilities and private finances." [The New York Times, [09/13/22](#)]

The Vast Majority Of The Most Active Members Of Congress In The Markets Bought Or Sold Stocks In Companies Overseen By Their Committee Assignments, Which Could "Give Them Some Degree Of Knowledge Or Influence," With Some Committees Having Multiple Members With Potential Conflicts Of Interest, Including The House Financial Services Committee.

44 Of The 50 Members Of Congress Who Were Most Active In The Markets Bought Or Sold Stocks In Companies "Over Which Their Committee Assignments Could Give Them Some Degree Of Knowledge Or Influence." "It also showed that 44 of the 50 members of Congress who were most active in the markets bought or sold securities in companies over which their committee assignments could give them some degree of knowledge or influence." [The New York Times, [09/13/22](#)]

Some Committees Had Multiple Members With Potential Conflicts Of Interest, Including The House Committee On Financial Services, Which Had Three Members Who Bought Or Sold Wells Fargo Stock During A Year In Which The Committee Was Investigating The Bank. "Some committees had multiple members with potential conflicts. Three members of the House Committee on Financial Services bought or sold Wells Fargo shares during a year in which the committee was investigating the bank's consumer practices and risk management." [The New York Times, [09/13/22](#)]

In The Last Few Years, Several Members Of Congress Have Been Accused Of Using "Material Nonpublic Information" When Selling Or Buying Stocks, Ultimately To Their Benefit, With One Lawmaker Sentenced To 26 Months In Prison For An Insider Trading Scheme And Lying To Federal Law Enforcement Agents After A Department Of Justice Investigation.

In October 2017, The Office Of Congressional Ethics Accused Then–Representative Christopher Collins (R-NY) Of Using "His Public Office To Benefit" A Company In Which He Had A Multimillion Dollar Stake In And Tipping Off His Son To Make A Timely Trade Before The Information Was Released Publicly, Resulting In Insiders Avoiding Over \$768,000 In Losses—Collins Was Ultimately Sentenced To 26 Months In Prison For The Insider Trading Scheme And Lying To Federal Law Enforcement Agents.

October 2017: The Office Of Congressional Ethics Accused Then–Representative Christopher Collins (R-NY) Of Using "His Public Office To Benefit A Biotechnology Company In Which He Is A Major Investor And Board Member." "A New York Republican used his public office to benefit a biotechnology company in which he is a major investor and board member, according to a new report from a nonpartisan agency that investigates allegations of wrongdoing by members of Congress. The Office of Congressional Ethics also said Rep. Chris Collins may have shared nonpublic information about Innate Immunotherapeutics Ltd. with other investors. In a report released Thursday, the ethics office said it found 'substantial reason' to believe both allegations and voted unanimously to send the case to the House Ethics Committee for further investigation. The office said the conduct may have violated federal law." [The Wall Street Journal, [10/12/17](#)]

Collins, A Former Biotech Entrepreneur And Business Executive, Held A Stake In Innate Valued Between \$25 Million And \$50 Million According To His 2016 Financial Disclosure Report. "Mr. Collins, one of the closest allies of President Donald Trump in the House, is a former biotech entrepreneur and business executive. According to the congressman's 2016 financial disclosure report, he held a stake in Innate valued at the time between \$25 million and \$50 million." [The Wall Street Journal, [10/12/17](#)]

The Department Of Justice Found That Upon Learning That A Drug Innate Was Developing "Failed A Critical Drug Trial," Collins Tipped "His Son, Cameron Collins, Who Was Also A Substantial Innate Shareholder," To Make A Timely Trade Before The Information Was Released Publicly. "Specifically, on or about June 22, 2017, CHRISTOPHER COLLINS learned that MIS416 – a multiple sclerosis drug that Innate was developing – had failed a critical drug trial that was meant to determine the drug's clinical efficacy (the 'Drug Trial'). The negative Drug Trial results were highly confidential, and, as an insider who owed duties of trust and confidence to Innate, CHRISTOPHER COLLINS was obligated to keep the Drug Trial results secret until Innate publicly released them. Instead, in breach of those duties, CHRISTOPHER COLLINS tipped his son, Cameron Collins, who was also a substantial Innate shareholder, so that Cameron Collins could make timely trades and tip others before Innate publicly released the Drug Trial results." [U.S. Department of Justice, [01/17/20](#)]

These Trades Enabled Insiders To Avoid Over \$768,000 In Losses That Would Have Occurred Otherwise. "In total, these trades allowed Cameron Collins and Zarsky, and Individual-1 through Individual-6, to avoid over \$768,000 in losses that they would have otherwise incurred if they had sold their stock in Innate after the Drug Trial results became public." [U.S. Department of Justice, [01/17/20](#)]

January 2020: Collins Was Sentenced To 26 Months In Prison For "Participating In A Scheme To Commit Insider Trading And For Making False Statements To Federal Law Enforcement Agents." "Geoffrey S. Berman, the United States Attorney for the Southern District of New York, announced today that

CHRISTOPHER COLLINS, who represented the 27th District of New York as a member of the U.S. House of Representatives, was sentenced to 26 months in prison today by U.S. District Judge Vernon S. Broderick for participating in a scheme to commit insider trading and for making false statements to federal law enforcement agents when interviewed about his conduct." [U.S. Department of Justice, [01/17/20](#)]

In May 2020, Then-Senator Richard Burr (R-NC)—Who Served As Chair Of The Senate Intelligence Committee At The Time—Stepped Down From His Role After ProPublica Reported He Was Under Investigations For Selling Up To \$1.7 Million Worth Of Stock In February 2020 While Having "'Material Nonpublic Information Concerning Covid-19 And Its Potential Impact On The U.S.'"—The Justice Department Ultimately Announced It Would Not Criminally Charge Burr For His Stock Trades.

May 14, 2020: Then-Senator Richard Burr (R-NC) Announced He Would Step Down As Chair Of The Senate Intelligence Committee While He Was Investigated For Insider Trading. "Sen. Richard Burr will be stepping aside as chairman of the Senate Intelligence Committee during the investigation into his stock trades, Senate Majority Leader Mitch McConnell announced Thursday. 'Senator Burr contacted me this morning to inform me of his decision,' McConnell wrote in a statement. [ProPublica, [05/14/20](#)]

- **HEADLINE: Richard Burr Steps Down From Chairmanship of Senate Intelligence Committee.** [ProPublica, [05/14/20](#)]

ProPublica Found Burr "Sold Up To \$1.7 Million Worth Of Stock On Feb. 13 [2020] In 33 Separate Transactions." "Burr came under scrutiny after ProPublica reported in March that he sold off a significant percentage of his stocks shortly before the market declined, unloading between \$628,000 and \$1.72 million of his holdings on Feb. 13 in 33 separate transactions. As chairman of the intelligence committee and a member of the health committee, Burr had access to the government's most highly classified information about threats to America's security and public health concerns." [ProPublica, [05/14/20](#)]

On The Same Day Of These Trades, Burr's Brother-In-Law "Sold Between \$97,000 And \$280,000 Worth Of Shares In Six Companies — Including Several That Have Been Hit Particularly Hard" In The Aftermath Of Covid-19. "On the same day, Burr's brother-in-law, Gerald Fauth, a member of the National Mediation Board, sold between \$97,000 and \$280,000 worth of shares in six companies — including several that have been hit particularly hard in the market swoon and economic downturn." [ProPublica, [05/14/20](#)]

During This Time, Burr Had "'Material Nonpublic Information Concerning Covid-19 And Its Potential Impact On The U.S. And Global Economies' Some Of Which He 'Learned Through His Position' As Chairman Of The Senate Intelligence Committee." "At the time Burr had 'material nonpublic information concerning Covid-19 and its potential impact on the U.S. and global economies' some of which he 'learned through his position' as chairman of the Senate Intelligence Committee and from former staffers directing the government's coronavirus response, the SEC alleges in the court filing." [AP News, [10/28/21](#)]

Despite Assuring The Public The Federal Government Was Well-Prepared To Handle COVID In A February 2020 Op-Ed, Burr Later Revealed To A "VIP Group At An Exclusive Social Club" That Coronavirus Could "Curtail Business Travel, Cause Schools To Be Closed And Result In The Military Mobilizing To Compensate For Overwhelmed Hospitals." "Before his sell-off, Burr had assured the public that the federal government was well-prepared to handle the virus. In a Feb. 7 op-ed that he co-authored with another senator, he said 'the United States today is better prepared than ever before to face emerging public health threats, like the coronavirus.' That month however, according to a recording obtained by NPR, Burr had given a VIP group at an exclusive social club a much more dire preview of the economic impact of the coronavirus, warning it could curtail business travel, cause schools to be closed and result in the military mobilizing to compensate for overwhelmed hospitals." [ProPublica, [05/14/20](#)]

Burr Defended His Actions, Claiming He Relied Solely On Public Information. "Burr has defended his actions, saying he relied solely on public information, including CNBC reports, to inform his trades and did not rely on information he obtained as a senator." [ProPublica, [05/14/20](#)]

January 19, 2021: The Justice Department Announced It Would Not Criminally Charge Burr For The Stock Trades "Executed On The Heels Of Being Briefed About Covid-19 Last Year." "The Justice Department will not criminally charge Sen. Richard Burr in connection with stock trades that the North Carolina Republican executed on the heels of being briefed about Covid-19 last year, shortly before the coronavirus pandemic rocked the U.S. economy." [CNBC, [01/19/21](#)]

Then-Senator Kelly Loeffler (R-GA)—Who is Married To Jeffrey Sprecher, The Chairman Of The New York Stock Exchange—Attended The Same Covid-19 Briefing As Burr And Sold Stocks Valued Between \$1.275 Million And \$3.1 Million And Bought Stocks That Were Deemed To Benefit From The Pandemic.

March 2020: Then-Senator Kelly Loeffler (R-GA), Who Attended The Same Covid-19 Briefing As Burr, Sold Stocks Valued At Around \$1.275 Million To \$3.1 Million And Bought Stocks That Were Deemed To Benefit From The Pandemic. "Georgia Senator Kelly Loeffler was also at the meeting with Burr. Loeffler sold stocks valued at around \$1.275 million to \$3.1 million in an apparent effort to avoid potential losses. She also purchased stocks in two companies that were deemed to benefit from the coronavirus, including one in a company that offers teleconferencing software, which would help people who are working remotely from home." [Forbes, [03/20/20](#)]

Loeffler, A Former Executive At Intercontinental Exchange, Is Married To Jeffrey Sprecher, The Chairman Of The New York Stock Exchange And The Founder, Chair and CEO of Intercontinental Exchange. "Shockingly, Loeffler is a former executive at Intercontinental Exchange and married to Jeffrey Sprecher, the chairman of the New York Stock Exchange. Clearly, they should have been aware of how inappropriate this looks. It also opens them both up to regulatory—and possible criminal—investigations." [Forbes, [03/20/20](#)]

- **"Jeff Sprecher Is Founder, Chair And CEO Of Intercontinental Exchange, Inc. (NYSE: ICE) And A Pioneer Of Digital Networks And The Electronification Of Trading And Marketplaces."** [Intercontinental Exchange, accessed [07/05/23](#)]

Nearly 60% Of Incumbent Representatives Filed Extensions On Their 2022 Personal Financial Disclosures In 2023, The Majority Of Which Were Republicans, With 80% Requesting The Maximum 90-Day Extension

As Of June 20, 2023, 257 Out Of 440 (58.4%) Incumbent Representatives Have Filed Extensions On Their 2022 Personal Financial Disclosures, 117 (45.5%) Of Which Were Democrats And 140 Of Which (54.5%) Were Republicans.

As of June 20, 2023, 257 Out Of 440 (58.4%) Incumbent Representatives Have Filed Extensions On Their 2022 Personal Financial Disclosures, 179 Out Of 440 (40.7%) Have Filed Financial Disclosures, And 4 Out Of 440 (0.9%) Have Filed Neither An Extension Nor Disclosure.

- **117 Of The 257 (45.5%) Members Who Filed Extensions Were Democrats.**
- **140 Of The 257 (54.5%) Members Who Filed Extensions Were Republicans.**

As Of June 20, 2023, 117 Out Of 215 (54.4%) House Democrats Have Filed Extensions, 95 Out Of 215 (44.2%) Have Filed Financial Disclosures, And 3 Out Of 440 (1.4%) Have Filed Neither An Extension Nor Disclosure.

As Of June 20, 2023, 140 Out Of 225 (62.2%) House Republicans Have Filed Extensions, 84 Out Of 225 (37.3%) Have Filed Financial Disclosures, And 1 Out Of 440 (0.4%) Have Filed Neither An Extension Nor Disclosure.

Of The 257 Incumbent Representatives That Filed Extensions, 80.9% Asked for the Maximum 90-Day Extension.

Of The 257 Incumbent Representatives That Filed Extensions, 208 (80.9%) Filed For The Maximum 90-Day Extension, 21 (8.2%) Filed For A 60-Day Extension, And 28 (10.9%) Filed For A 30-Day Extension.

- **Extensions For The Filing Of Financial Disclosures Are Generally Capped At “90 Days From The Original Due Date.”** “The Select Committee on Ethics (the Committee) may generally grant extensions of up to 90 days from the original due date of a Financial Disclosure Report. However, a candidate may not file their first report later than 30 days before the election, regardless of any extension granted by the Committee.” [U.S. Senate Select Committee On Ethics, accessed [07/05/23](#)]
- **Financial Disclosures For 2022 Were Due On May 15, 2023.** “The Ethics in Government Act requires Members, officers, and certain employees of the U.S. House of Representatives and related offices to file annual Financial Disclosure Statements with the Clerk of the House. The next annual Financial Disclosure Statement will cover 2022 and must be filed on or before May 15, 2023.” [U.S. House Committee on Ethics, accessed [06/15/23](#)]

As Of June 20, 2023, 17 Out Of 28 (60.7%) Republican House Financial Services Members Have Filed Extensions.

As Of June 20, 2023, 17 Out Of 28 (60.7%) Republican House Financial Services Members Have Filed Extensions, With The Other 11 (39.3%) Having Filed Financial Disclosures.