UNITED STATES SENATE COMMITTEE ON
BANKING, HOUSING, & URBAN AFFAIRS
★ ★ ★ ★ ★ ★ Senator Elizabeth Warren, Ranking Member

FACT SHEET: Trump-Republican Crypto Ethics "Compromise"

Analysis from the Minority Staff of the Senate Banking Committee

The Minority Staff of the Senate Banking Committee reviewed the new Trump-Republican crypto ethics legislative language released on September 13, 2026. President Trump made more than $1.4 billion from his cryptocurrency ventures in 2025 alone—nearly two-thirds of his income—making his empire the highest-earning U.S. enterprise in all of crypto in 2025. During his Presidency, Donald Trump's crypto ventures have offered new vehicles for billionaires, corporations, and foreign governments to bribe the President of the United States.

In a new analysis, Committee staff found that these provisions would not prevent the President from making his next $1.4 billion in crypto profits. First, these provisions contain major loopholes that would allow President Trump to keep earning billions of dollars from his crypto businesses. Second, the provisions are unenforceable, since the bill gives the President's political appointees the power to turn off enforcement of the ethics provisions against public officials, including the President himself.

The bill guarantees that the law could never be enforced against Trump.

The new text gives Trump's political appointees the power to turn off enforcement of the ethics provisions against public officials, including the President himself.

- Trump's Attorney General is the sole federal official who decides whether to bring an enforcement action (p.628-29).
- State attorneys general cannot bring an enforcement action against the President or other public officials for ethics violations (p.629).
- The bill contains only an empty provision allowing states to sue the Attorney General to try to force him to act. It then allows Trump's own Office of Government Ethics (OGE)—currently led by his hand-picked Acting Secretary of Labor—to issue a legal opinion unilaterally shutting down that lawsuit (p.631-32).

The bill would allow Trump to continue making hundreds of millions through World Liberty Financial, his $TRUMP memecoin, and other crypto ventures.

The bill does not restrict the primary ways Trump has raked in more than a billion dollars in crypto profits since he took office. This has been through a series of intermediaries to funnel money to himself from World Liberty Financial tokens and stablecoin reserves and through licensing agreements using other entities to enrich himself with his $TRUMP memecoin.

- **Loophole #1: Trump could continue making money from existing crypto ventures.** The bill states that its issuance and sponsorship restrictions "shall only apply to digital assets that are issued or sponsored on or after the effective date" of the ethics section—which could be up to a year after enactment (p. 634-35). In the meantime, Trump is under no obligation to change any part of his crypto ventures—no divestment, no placement in a trust, no restructuring requirement—while he continues to rake in enormous profits. Even afterwards, Trump could still make unlimited profits from his $TRUMP memecoin since it has already been issued, plus his other current crypto businesses if he implements minor workarounds. Last year alone, Trump made $799 million from his interest in World Liberty Financial and $636 million from his $TRUMP memecoin. He could also continue hosting his memecoin dinners and appearing at events to promote crypto ventures, so long as he doesn't receive "consideration" for doing so or have a significant financial interest in a company that has done so (p.623).

- **Loophole #2: Trump could easily restructure any crypto ventures or create new ones to avoid any restrictions.**

  - The bill restricts Trump from owning a business or subsidiary only if it gets a "plurality" of its revenue from issuing or sponsoring crypto (p. 621-23). Trump could still own any crypto company that generates more of its revenue from activity other than issuing or sponsoring coins, such as trading fees from a crypto exchange.

  - Trump could also structure new ventures so he is not formally issuing or sponsoring the product himself or through a company in which he has a significant financial interest—for example by having family members, including his adult children, or Trump-affiliated entities, launch it (p.622-23).

  - Trump would also be free to create even more lucrative crypto entities that engage in crypto activities other than issuing or sponsoring tokens such as crypto exchanges, crypto broker-dealers, and crypto banks. For example, the text does not stop Trump from creating a new crypto bank pursuant to his recently awarded trust charter.

- **Loophole #3: Trump could profit by putting his crypto holdings in a supposedly "blind" trust—while knowing exactly what assets are held there.** The bill would permit Trump to place his crypto investments in a "qualifying blind trust" that is rubber-stamped by a political appointee in the Office of Government Ethics (p. 627). Trump would know exactly which of his assets were put in the trust—and would be able to continue making decisions on how to regulate the crypto market to pump up the value of those investments.

###