

119TH CONGRESS
1ST SESSION

S. _____

To ban stock trading for certain senior Government officials, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mrs. GILLIBRAND introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To ban stock trading for certain senior Government officials,
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “No Stock Act”.

5 **SEC. 2. BANNING CONFLICTED INTERESTS.**

6 (a) IN GENERAL.—

7 (1) BANNING CONFLICTED INTERESTS.—Chap-
8 ter 131 of title 5, United States Code, is amended
9 by adding at the end the following:

1 means, such as the use of a derivative, in-
2 cluding an option, warrant, or other simi-
3 lar means.

4 “(B) EXCLUSIONS.—The term ‘covered fi-
5 nancial interest’ does not include—

6 “(i) an investment fund registered as
7 an investment company under section 3 of
8 the Investment Company Act of 1940 (15
9 U.S.C. 80a–3) that is diversified, as de-
10 fined in section 2640.102 of title 5, Code
11 of Federal Regulations;

12 “(ii) compensation from the primary
13 occupation of the spouse of an individual
14 described in subparagraphs (A) through
15 (G) of paragraph (3), or any security that
16 is issued or paid by an operating business
17 that is the primary employer of such a
18 spouse that is issued or paid to such a
19 spouse;

20 “(iii) a United States Treasury bill,
21 note, or bond; or

22 “(iv) a payment stablecoin, as defined
23 in section 2(22) of the GENIUS Act (Pub-
24 lic Law 119–27).

1 “(3) COVERED INDIVIDUAL.—The term ‘cov-
2 ered individual’ means—

3 “(A) a Member of Congress (as defined in
4 section 13101);

5 “(B) the President;

6 “(C) the Vice President;

7 “(D) the Chief Justice of the United
8 States;

9 “(E) an Associate Justice of the Supreme
10 Court of the United States;

11 “(F) a member of the Board of Governors
12 of the Federal Reserve System;

13 “(G) a president or vice president of a
14 Federal Reserve bank; or

15 “(H) the spouse or dependent child of an
16 individual described in subparagraphs (A)
17 through (G).

18 “(4) DEPENDENT CHILD.—The term ‘depend-
19 ent child’ means any individual who is—

20 “(A) under the age of 19; and

21 “(B) a dependent of an individual de-
22 scribed in subparagraphs (A) through (G) of
23 paragraph (3) within the meaning of section
24 152 of the Internal Revenue Code of 1986.

25 “(5) FUTURE.—The term ‘future’ means—

1 “(A) a security future (as defined in sec-
2 tion 3(a) of Securities Exchange Act of 1934
3 (15 U.S.C. 78c(a))); and

4 “(B) any other contract for the sale of a
5 commodity for future delivery.

6 “(6) SUPERVISING ETHICS OFFICE.—The term
7 ‘supervising ethics office’, with respect to a covered
8 individual, has the meaning given the term in section
9 13101 with respect to that covered individual.

10 **“§ 13162. Prohibitions**

11 “(a) TRANSACTIONS.—Except as provided in section
12 13163, no covered individual may—

13 “(1) hold, purchase, sell, or conduct any type of
14 transaction with respect to a covered financial inter-
15 est; or

16 “(2) enter into a transaction that creates a net
17 short position in any security.

18 “(b) POSITIONS.—A covered individual may not serve
19 as an officer or member of any board of any for-profit
20 association, corporation, or other entity.

21 “(c) COOLING-OFF PERIOD.—Any individual subject
22 to the restrictions contained in subsection (a) who, within
23 120 days after such individual ceases to be a covered indi-
24 vidual, engages in any of the actions under such sub-
25 section, shall be in violation of this subchapter.

1 **“§ 13163. Divestiture**

2 “(a) COVERED FINANCIAL INTERESTS ACQUIRED
3 PRIOR TO FEDERAL SERVICE OR ENACTMENT OF NO
4 STOCK ACT.—With respect to any covered financial inter-
5 est held by a covered individual, the covered individual
6 shall sell the covered financial interest during the applica-
7 ble 120-day period beginning on the later of—

8 “(1) the date on which an individual becomes a
9 covered individual; and

10 “(2) the date of enactment of No Stock Act.

11 “(b) COVERED FINANCIAL INTERESTS ACQUIRED
12 THROUGH INHERITANCE AFTER THE APPLICABLE PE-
13 RIOD.—

14 “(1) IN GENERAL.—A covered individual who
15 inherits a covered financial interest after the conclu-
16 sion of the applicable 120-day period described in
17 subsection (a) shall sell the covered financial interest
18 during the 120-day period beginning on the date on
19 which the covered financial interest is inherited.

20 “(2) EXTENSIONS.—A covered individual may
21 request, and the supervising ethics office may grant,
22 1 or more reasonable extensions of the period de-
23 scribed under paragraph (1), subject to the condi-
24 tions that—

1 “(A) the total period of time covered by all
2 extensions granted for the covered financial in-
3 terest shall not exceed 150 days; and

4 “(B) the period covered by a single exten-
5 sion shall be not longer than 45 days.

6 **“§ 13164. Certificate of compliance**

7 “Each covered individual shall submit to the super-
8 vising ethics office a written certification that such covered
9 individual has achieved compliance with the requirements
10 of this subchapter.

11 **“§ 13165. Publication**

12 “Each supervising ethics office shall make publicly
13 available on a website of such office the following:

14 “(1) Within 30 days of receipt, each request for
15 an extension under section 13163(b)(2).

16 “(2) The outcome of the decision to grant or
17 deny each such request within 30 days of such deci-
18 sion.

19 **“§ 13166. Enforcement**

20 “A covered individual who knowingly fails to comply
21 with this subchapter shall be assessed a fine by the super-
22 vising ethics office of not less than 10 percent of the value
23 of the covered financial interest that was purchased, sold,
24 or held, or the security in which a net short position was
25 created, in violation of this title, as applicable.

1 **“§ 13167. Applicability**

2 “‘This subchapter shall apply to any covered financial
3 interest held in any trust with respect to which the covered
4 individual is a beneficial owner, regardless of whether the
5 trust is a qualified blind trust.’”.

6 (2) CLERICAL AMENDMENT.—The table of sec-
7 tions for chapter 131 of title 5, United States Code,
8 is amended by adding at the end the following:

SUBCHAPTER IV—BANNING CONFLICTED INTERESTS

Sec. 13161. Definitions.
Sec. 13162. Prohibitions.
Sec. 13163. Divestiture.
Sec. 13164. Certificate of compliance.
Sec. 13165. Publication.
Sec. 13166. Enforcement.
Sec. 13167. Applicability.

9 (b) CERTIFICATE OF DIVESTITURE.—Section
10 1043(b)(2)(B) of the Internal Revenue Code of 1986 is
11 amended to read as follows:

12 “(B) that has been issued by—

13 “(i) the President or the Director of
14 the Office of Government Ethics, in the
15 case of executive branch officers or employ-
16 ees or the spouse or dependent child of a
17 member of the Board of Governors of the
18 Federal Reserve System,

19 “(ii) the Director of the Office of Gov-
20 ernment Ethics, in the case of the Presi-
21 dent, Vice President, or the spouse or de-

1 pendent child of the President or Vice
2 President,

3 “(iii) the Judicial Conference of the
4 United States (or its designee), in the case
5 of judicial officers or the spouse or depend-
6 ent child of the Chief Justice or the Asso-
7 ciate Justice,

8 “(iv) the applicable congressional eth-
9 ics committee, in the case of Members of
10 Congress or the spouse or dependent child
11 of a Member of Congress, or

12 “(v) the Inspector General of the
13 Board of Governors of the Federal Reserve
14 System and the Bureau of Consumer Fi-
15 nancial Protection, in the case of a presi-
16 dent of a Federal Reserve bank, vice presi-
17 dent of a Federal Reserve bank, or the
18 spouse or dependent child of the president
19 or vice president of a Federal Reserve
20 Bank, and”.

21 (c) CONFORMING AMENDMENTS.—

22 (1) AUTHORITY AND FUNCTIONS.—Section
23 13122(f)(2)(B) of title 5, United States Code, is
24 amended—

1 (A) by striking “Subject to clause (iv) of
2 this subparagraph, before” each place it ap-
3 pears and inserting “Before”; and

4 (B) by striking clause (iv).

5 (2) LOBBYING DISCLOSURE ACT OF 1995.—Sec-
6 tion 3(4)(D) of the Lobbying Disclosure Act of 1995
7 (2 U.S.C. 1602(4)(D)) is amended by striking “leg-
8 islative branch employee serving in a position de-
9 scribed under section 13101(13) of title 5, United
10 States Code” and inserting “officer or employee of
11 Congress (as defined in section 13101 of title 5,
12 United States Code)”.

13 (3) STOCK ACT.—Section 2 of the STOCK Act
14 (5 U.S.C. 13101 note) is amended—

15 (A) in paragraph (2)(B), by striking
16 “(11)”;

17 (B) in paragraph (4), by striking “(10)”;

18 (C) in paragraph (5), by striking “(9)”;

19 and

20 (D) in paragraph (6), by striking “(18)”.

21 (4) SECURITIES EXCHANGE ACT OF 1934.—Sec-
22 tion 21A of the Securities Exchange Act of 1934 (15
23 U.S.C. 78u–1) is amended—

24 (A) in subsection (g)(2)(B)(ii), by striking
25 “(11)”;

11

- 1 (B) in subsection (h)(2)—
- 2 (i) in subparagraph (B), by striking
- 3 “(9)”; and
- 4 (ii) in subparagraph (C), by striking
- 5 “(10)”.