FRENCH HILL, AR CHAIRMAN

United States House of Representatives Committee on Financial Services 2129 Rayburn House Office Building Washington, D.C. 20515

April 10, 2025

The Honorable Paul Atkins Chairman Securities and Exchange Commission 100 F Street NE Washington, D.C. 20549

Ms. Deborah J. Jeffrey Inspector General U.S. Securities and Exchange Commission 100 F Street, NE Washington, D.C. 20549

Mr. Gene L. Dodaro Comptroller General of the United States U.S. Government Accountability Office 441 G Street, NW Washington, D.C. 20548

Dear Mr. Atkins, Ms. Jeffrey and Mr. Dodaro,

We write to request an immediate investigation into possible insider trading and market manipulation violations that took place between Sunday, April 6, 2025, when U.S. Treasury Secretary Scott Bessent visited President Trump at his Florida resort, and Wednesday, April 9, 2025, when the President announced the pausing of the tariffs—and whether such unlawful activities are ongoing. Given the uncertainty of when the President privately decided to pause the tariffs, and the fact he convened several meetings during that timeframe (including with Members of Congress), there is an open question as to who had access to this material, nonpublic, and market-moving information.

One such trading activity occurred approximately ten minutes prior to the President's TruthSocial post announcing that most of his previously announced tariffs were being delayed by 90 days. Trading records show a precipitous spike in purchases of call options, which allow an investor to place a bet that the price of a stock will increase, during the ten-minute window leading up to the announcement. No rational investor would have purchased these options unless they had prior knowledge of the President's impending reversal on tariff policy, as the volume in calls at that time showed the vast majority of bets were in the opposite direction. Following the announcement, the S&P 500 index soared 9.5%—its biggest single-day gain since 2008—and the Nasdaq composite rose a staggering 12.2%, which was its second biggest gain in over two decades. Additionally, shares

¹ TruthSocial user Donald J. Trump (@realDonaldTrump), "Based on the lack of respect that China has shown to the World's Markets, I am hereby raising the Tariff charged to China by the United States of America to 125%, effective immediately. At some point, hopefully in the near future, China will realize that the days of ripping off the U.S.A., and other Countries, is no longer sustainable or acceptable. Conversely, and based on the fact that more than 75 Countries have called Representatives of the United States, including the Departments of Commerce, Treasury, and the USTR, to negotiate a solution to the subjects being discussed relative to Trade, Trade Barriers, Tariffs, Currency Manipulation, and Non Monetary Tariffs, and that these Countries have not, at my strong suggestion, retaliated in any way, shape, or form against the United States, I have authorized a 90 day PAUSE, and a substantially lowered Reciprocal Tariff during this period, of 10%, also effective immediately. Thank you for your attention to this matter!" (posted Apr. 9, 2025 at 1:18 PM).

² X user Drew Pavlou (@DrewPavlou), "NASDAQ call volumes and S&P500 SPY calls both spiked ten minutes prior to Trump announcing a 90 day tariff pause." (posted Apr. 9, 2025) (with link to chart posted by X user @unusualwhales showing the spike in Nasdaq and S&P call volume).

³ YahooFinance, S&P 500 Has Best Day Since 2008 as Trump Pauses Tariffs (Apr. 9, 2025).

of the President's family's company, Trump Media & Technology Group, which has the stock symbol "DJT", rose 21% following a post in which the President instructed his followers "THIS IS A GREAT TIME TO BUY!!! DJT". These incidents occurred after a chaotic week of volatile market swings and a more than 10% drop in the S&P 500 index—the largest three day drop since World War II—all apparently caused by the President's April 2, 2025, implementation of sweeping across-the-board tariffs.

The timing and scale of the call option purchases would suggest that an official of the Administration, or perhaps the President himself, provided friends or associates with a heads up that the announcement was happening—thereby allowing them a perfect opportunity to front the announcement and make a fortune on the anticipated spike it would surely (and eventually did) cause. The President, in an apparent attempt to brag about the money his associates made, was even overheard saying in an Oval Office meeting following the spike, "[h]e made \$2.5 million today and he made \$900 million—that's not bad!". From an initial standpoint, these activities and statements appear to be a blatant violation of insider trading and market manipulation laws aimed at preventing government officials and corporate insiders from profiting off material non-public information in the stock market.

The aforementioned call option purchases and Oval Office statements are not the only suspicious activity that happened on April 9. Earlier in the trading day, President Trump—in an apparent attempt to pump stock in his family's company—posted:



THIS IS A GREAT TIME TO BUY!!! DJT

6.68k ReTruths 35.6k Likes

Apr 09, 2025, 9:37 AM

As mentioned above, "DJT", while being the President's initials, is also the stock ticker for Trump Media & Technology Group. As also previously indicated, DJT shares finished the session up 21% for the day, its second biggest increase of the year. We note that the President, like those who purchased call options prior to the announcement, is not immune from federal securities laws. A federal official encouraging the public to buy stock in a specific company would appear to be a clear attempt to manipulate the market or influence stock prices in violation of Section 10(b) and Rule 10b-5 of the Securities Exchange Act (the "Exchange Act"). These provisions prohibit fraudulent or deceptive practices in connection with the purchase or sale of securities.

And finally, as you know, under the STOCK Act of 2012, Section 21A of the Exchange Act⁹ was amended to explicitly prohibit Members of Congress and their immediate families from trading securities based on material, nonpublic information derived from a Member's position or gained from the performance of such person's official responsibilities. STOCK Act violations are top of mind given President Trump invited nearly two dozen Members of Congress to meet him at the White House on April 8, 2025—just a day prior to his tariff walk-back announcement.¹⁰

In light of the above and your purview over matters related to the securities markets, as well as ethics and government accountability, we ask you do the following:

• commence an immediate investigation into the identity of individuals—including Members of Congress and friends and associates of the Administration—or entities (whether registered with the SEC or not), who may have engaged in market manipulation (including making suspicious public

⁴ CNBC, "Trump's morning 'buy' call nets huge returns for those who listened" (Apr. 9, 2025).

⁵ YahooFinance, <u>S&P 500's 3-day drop was one of the worst sell-offs since WWII</u> (Apr. 8, 2025).

⁶ X user OutspokenTM (@Out5p0ken), "He made 2.5 million today and he made \$900 million. That's not bad.' Sounds like market manipulation to me. That's bad." (posted Apr. 10, 2025 at 2:36 AM).

⁷ CNBC, "Trump's morning 'buy' call nets huge returns for those who listened" (Apr. 9, 2025).

⁸ See 15 U.S.C. § 78j(b); 17 C.F.R. § 240.10b-5.

⁹ 15 U.S.C. § 78u–1.

¹⁰ See Politico, "Trump assures GOP budget holdouts on spending cuts" (Apr. 8, 2025).

statements), and possible insider trading in the days following Secretary Bessent's weekend visit to Mar-a-Lago on Sunday, April 6, 2025, the scope of which should include, but not be limited to:

- o the purchases of Nasdaq and S&P call options in the minutes leading up to the President's tariff walk-back announcement, as well as their connection to and communications with members of the Administration.
- o the President's TruthSocial post that it was a good time to buy "DJT" prior to this announcement,
- o any other anomalous or unusual market activity made in that period, and
- o whether such manipulation or insider trading is ongoing;
- report your preliminary findings of the investigation to Congress no later than Friday, April 18, 2025;
- indicate your willingness to testify before Congress or brief Members and their staff to regarding the nature of any uncovered violations; and
- report whether any staff at the SEC that you will not retaliate in any way against SEC and GAO staff that are involved in this investigation.

Should your offices uncover evidence of crimes of this nature, we finally urge you to refer the matter to the Department of Justice for prosecution to the fullest extent of the law. Insider trading by federal officials and their friends or family is not only a breach of trust of the American people, but erodes the integrity of government institutions and raises concerns about corruption and fairness in the political system. There should be zero tolerance for this kind of corruption in our society, let alone from those we entrust to lead us in the public sphere. Thank you for your prompt attention to this matter.

Sincerely,

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Maxine Waters Ranking Member

Committee on Financial Services

Member of Congress

Brad Sherman

Member of Congress

Ranking Member, Subcommittee

on Capital Markets

Gregory W. Meeks

Member of Congress

Member of Congress



Al Green Member of Congress Ranking Member, Subcommittee on Oversight and Investigations

Bill Foster

Member of Congress

Bill Foster

Juan Vargas

Member of Congress

Rashida Tlaib

Member of Congress

Raxheda Flail

Sy<mark>lvia R. Garcia</mark>

Member of Congress

Brittany Pettersen

Member of Congress

Janelle S. Bynum Member of Congress Emanuel Cleaver, II Member of Congress

Joyce Beatty

Member of Congress

Sean Casten

Member of Congress

Ritchie Torres

Member of Congress

Vikema Williams

Member of Congress

Cleo Fields

Member of Congress

Sam T. Liccardo

Member of Congress