

118TH CONGRESS
1ST SESSION

H. R. 2383

To prohibit Federal officers and employees from engaging in any financial trading activity while on Federal Government property, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2023

Ms. MACE (for herself and Ms. CRAIG) introduced the following bill; which was referred to the Committee on Oversight and Accountability, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prohibit Federal officers and employees from engaging in any financial trading activity while on Federal Government property, 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 “Prohibition of Finan-
5 cial Trading on Government Property Act”.

1 **SEC. 2. PROHIBITION ON FINANCIAL TRADING ACTIVITY**
2 **WHILE ON GOVERNMENT PROPERTY OR**
3 **USING GOVERNMENT RESOURCES.**

4 (a) PROHIBITION.—A Federal employee may not—

5 (1) conduct, participate in, or otherwise carry
6 out any financial trading activity while on Federal
7 property; or

8 (2) use any Government-issued devices or re-
9 sources, including computers, internet access, tele-
10 phones, or other electronic devices, for the purpose
11 of conducting, participating in, or otherwise carrying
12 out any financial trading activity.

13 (b) EXCEPTIONS.—

14 (1) IN GENERAL.—Subsection (a) shall not
15 apply to—

16 (A) any Federal employee if such employ-
17 ee's official duties involve financial trading ac-
18 tivity, as determined by the head of the employ-
19 ing agency; and

20 (B) a Federal employee's engagement in fi-
21 nancial trading activity is directly related to
22 their account under the Thrift Savings Plan.

23 (2) PRESIDENT; VICE PRESIDENT.—Subsection
24 (a)(2) shall not apply to the President or the Vice
25 President.

26 (c) PENALTIES.—

1 (1) PENALTY.—

2 (A) An individual who violates this section
3 shall be fined not more than the value of the fi-
4 nancial trading activity, or \$1,000, whichever is
5 greater.

6 (B) An individual who knowingly violates
7 this section shall be fined not more than
8 \$5,000, imprisoned not more than 3 years, or
9 both.

10 (2) PERSONNEL ACTION.—Any individual found
11 to be in violation of this Act shall be subject to dis-
12 ciplinary action up to and including removal, as de-
13 termined by the head of the employing agency.

14 (d) REPORTING.—

15 (1) IN GENERAL.—Each employing agency shall
16 report any violation of this Act to the supervising
17 ethics office within 30 days after determining that
18 the violation has occurred.

19 (2) COMPLIANCE.—The supervising ethics office
20 shall have the authority to conduct investigations
21 and audits to ensure compliance with this Act.

22 (e) REGULATIONS.—Each supervising ethics office
23 shall issue regulations to implement this Act, including
24 guidelines for determining what constitutes a violation of

1 the Act, procedures for reporting violations, and penalties
2 under subsection (c)(1).

3 (f) DEFINITIONS.—In this Act—

4 (1) the term “Federal employee”—

5 (A) means—

6 (i) the President;

7 (ii) a Member of Congress (as that
8 term is defined in section 2106 of title 5,
9 United States Code);

10 (iii) an employee (as that term is de-
11 fined under section 2105 of such title);

12 (iv) an employee of the United States
13 Postal Service or Postal Regulatory Com-
14 mission; and

15 (v) notwithstanding section 7425(b) of
16 title 38, United States Code, an employee
17 appointed under chapter 73 or 74 of such
18 title 38; and

19 (B) does not include—

20 (i) any member of the uniformed serv-
21 ices (as that term is defined in section
22 2101 of title 5, United States Code); or

23 (ii) the Chief Justice of the United
24 States or any associate justice of the Su-
25 preme Court of the United States;

1 (2) the term “Federal property” means any
2 building, land, or other real property owned, leased,
3 or occupied by any department, agency, or instru-
4 mentality of the United States Government, but does
5 not include any—

6 (A) national park (but not including the
7 White House and President’s Park);

8 (B) facility of the United States Postal
9 Service;

10 (C) Indian Reservation (as that term is de-
11 fined in section 3 of the Indian Financing Act
12 of 1974);

13 (D) real property or facility owned by the
14 United States Government located outside the
15 United States and its territories; or

16 (E) Border Inspection Facilities;

17 (3) the term “financial trading activity” means
18 the buying or selling of any stock, bond, commodity,
19 future, cryptocurrency or other digital asset, or
20 other form of security, including an interest in a
21 hedge fund, a derivative, option, or other complex in-
22 vestment vehicle; and

23 (4) the term “supervising ethics office” has the
24 meaning given that term in section 13101 of title 5,
25 United States Code.

1 (g) EFFECTIVE DATE.—This Act shall begin to take
2 effect 90 days after the date of enactment of this Act.

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