

Congress of the United States

Washington, DC 20515

April 16, 2025

The Honorable Howard Lutnick
Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Ave. NW
Washington, D.C. 20230

The Honorable Scott Bessent
Secretary
Department of the Treasury
1500 Pennsylvania Ave. NW
Washington, D.C. 20220

Ambassador Jamieson Greer
United States Trade Representative
Executive Office of the President
600 17th St. NW
Washington, D.C. 20508

Dear Secretary Lutnick, Secretary Bessent, and Ambassador Greer:

We write with concern that the Trump Administration's trade policy is becoming a corrupt scheme to enrich administration officials and those loyal to them. Over the past two weeks, the Administration's handling of tariffs has proven to be not only illogical and economically dangerous, but also rife with opportunities to unduly influence President Trump and other administration officials. We ask that you explain the Administration's plans to ensure that its tariffs policy does not devolve into a self-enrichment tool for elite decisionmakers, including the President of the United States, while harming ordinary American families.

Strategic tariffs can be a tool to promote U.S. manufacturing, strengthen supply chains, and support American workers. But these tariffs are not strategic. Among other problems, they are haphazard in ways that choke off investment and "create a fertile ground for corruption."¹ New exclusions and the current 90-day partial tariffs pause only heighten that risk. Corporations and sovereign nations facing existentially high stakes, and knowing tariffs are controlled by a small circle in the White House, can petition officials not to apply tariffs to them after the 90-day pause, to grant them exemptions, to decrease tariffs, or to impose tariffs on competitors — and can quietly offer something in return.²

President Trump's business holdings present unprecedented opportunities for companies to purchase tariff loopholes. They can pay for memberships at Mar-a-Lago, buy his cryptocurrency,

¹ Cato Institute, "Separating Tariff Facts from Tariff Fictions," Erica York, April 16, 2024, <https://www.cato.org/publications/separating-tariff-facts-tariff-fictions#introduction>.

² New York Times, "Trump's Trade Agenda Could Benefit Friends and Punish Rivals," Ana Swanson, November 23, 2024, <https://www.nytimes.com/2024/11/23/us/politics/trump-tariff-exemptions.html>; Huffington Post, "Former Trump Cabinet Official Explains Why Trump Loves Tariffs: 'It's Personal Power,'" Arthur Delaney, April 1, 2025, https://www.huffpost.com/entry/ryan-zinke-trump-tariffs-presidential-power_n_67ec11ade4b0c630d055461a.

invest in one of his many real estate ventures, reward his family members, and more³ — flirting with the line of criminal bribery.⁴ The chaotic nature of the Trump Administration’s tariffs — most of which were paused just days after going into effect and could restart at any time — heightens that risk. Corporate interests recognize that the Administration does not appear wedded to a particular tariff policy and that, with the right incentives, the White House can be persuaded to lower or eliminate tariffs for a particular company or country.

The President’s record on tariffs during his first term illustrates his tendency to engage in this type of corrupt play.⁵ Between 2018 and 2020, tariffs functioned “as a very effective spoils system allowing the administration of the day to reward its political friends and punish its enemies.”⁶ Politically loyal companies that donated to Republican candidates were more likely to be granted tariff exemptions.⁷ So were companies with financial or political ties to President Trump personally. For example, the Trump Administration lifted tariffs on Argentina while a Trump-owned holding company sought Argentina’s approval of its trademark.⁸ Likewise, the Administration granted a tariff exemption to an aluminum company controlled by a crony of President Putin just days after Trump met with Putin in 2018.⁹ Companies with insider ties to the Administration made personal appeals to secure exemptions,¹⁰ and the public rarely learned of these private requests for favors. After auditing the Trump Administration’s tariff exclusion practices in 2018 and 2019, the Commerce Department’s Office of Inspector General found evidence of “off-record communications” and an “appearance of improper influence in decision-making for tariff exclusion requests.”¹¹

³ The Guardian, “Trump hikes Mar-a-Lago membership to \$1m, raising concerns of selling access,” Richard Luscombe, August 5, 2024, <https://www.theguardian.com/us-news/article/2024/aug/05/trump-mar-a-lago-membership-price-hike>; Citizens for Responsibility and Ethics in Washington, “CREW is tracking Trump’s unprecedented corruption (again),” Rebecca Jacobs, February 3, 2025, <https://www.citizensforethics.org/reports-investigations/crew-is-tracking-trumps-unprecedented-corruption-again/>; New York Magazine Intelligencer, “David Zaslav’s Shaky Hollywood Empire,” April 14, 2025, Michael Wolff, <https://nymag.com/intelligencer/article/warner-bros-ceo-david-zaslav-hollywood-mogul.html>; Fortune, “From legal settlements to business ventures, mega corporations are making deals with President Donald Trump and the Trump family,” Alena Botros, February 15, 2025, <https://fortune.com/2025/02/15/mega-corporations-million-dollar-deals-president-donald-trump-family/>.

⁴ 18 U.S.C. § 201.

⁵ New York Times, “Making Tariffs Corrupt Again,” Paul Krugman, September 20, 2018, <https://www.nytimes.com/2018/09/20/opinion/tariffs-trump-corrupt.html>.

⁶ Cambridge University Press, “The Political Economy of Tariff Exemption Grants,” Veljko Fotak, Hye Seung (Grace) Lee, William L. Megginson, and Jesus M. Salas, January 27, 2025, <https://www.cambridge.org/core/services/aop-cambridge-core/content/view/6777AC0EB32328B3E45A617F9B3E07E5/S0022109024000437a.pdf/the-political-economy-of-tariff-exemption-grants.pdf>.

⁷ Public Citizen, “Trump Loves Tariffs, Just Not for the Rich and Well-Connected,” Sarah Grace Spurgin, March 24, 2025, pp. 6, 11, <https://www.citizen.org/wp-content/uploads/Trump-Tariff-Exemption-Cronyism-Report-March-2025.pdf>.

⁸ *Id.* p. 16.

⁹ Public Citizen, “Trump Loves Tariffs, Just Not For The Rich And Well-Connected” Sarah Grace Spurgin, March 24, 2025, <https://www.citizen.org/article/trump-loves-tariffs-just-not-for-the-rich-and-well-connected/>.

¹⁰ *Id.*; Office of U.S. Senator Elizabeth Warren, Letter to Commerce Department Inspector General on Rusal, August 29, 2018, <https://www.warren.senate.gov/imo/media/doc/2018.08.29%20Letter%20to%20Commerce%20Department%20IG%20on%20Rusal.pdf>; New York Times, “Trump’s Trade Agenda Could Benefit Friends and Punish Rivals,” Ana Swanson, November 23, 2024, <https://www.nytimes.com/2024/11/23/us/politics/trump-tariff-exemptions.html>.

¹¹ U.S. Department of Commerce Office of Inspector General, Information Memorandum for Secretary Ross regarding Management Alert: Certain Communications by Department Officials Suggest Improper Influence in the Section 232 Exclusion Request Review Process, October 28, 2019, <https://www.oig.doc.gov/OIGPublications/OIG-20-003-M.pdf>.

We fear the Administration is once again turning its tariffs policy into an underground market of exemptions in exchange for financial and political favors. President Trump has said he will consider exemptions for certain companies and will make decisions “instinctively”¹² — directly contradicting his top trade negotiator, Ambassador Greer,¹³ and adding to a climate of uncertainty that will drive corporations to seek special favors from the White House. Already, President Trump has bragged about global leaders “‘kissing [his] ass’ in search of deals,”¹⁴ and suggested that he will “talk to companies” and “show a certain flexibility.”¹⁵

President Trump’s willingness to negotiate has started to bear fruit for special interests. Last week, the White House exempted smartphones and certain other high-end electronics from tariffs targeting China.¹⁶ Within hours, Big Tech stock prices soared — particularly the value of Apple, which makes the vast majority of its iPhones in China.¹⁷ Explaining his position on adjusting tariffs for Apple products, President Trump recently said, “I speak to Tim Cook; I helped Tim Cook recently,” referring to Apple CEO Tim Cook who donated to President Trump’s inauguration and has cultivated his relationship with the President in recent months.¹⁸ This dynamic appears to replicate Apple’s playbook from the President’s first term when “Cook personally lobbied Trump” and won tariff exemptions soon thereafter.¹⁹ Meanwhile, small

¹² New York Times, “From ‘Be Cool!’ to ‘Getting Yippy’: Inside Trump’s Reversal on Tariffs,” Tyler Pager, et al., April 9, 2025, <https://www.nytimes.com/2025/04/09/us/politics/trump-tariff-pause-be-cool.html>.

¹³ Wall Street Journal, “USTR Greer: No Exemptions From Global Tariffs,” Gavin Bade, April 8, 2025, <https://www.wsj.com/livecoverage/stock-market-trump-tariffs-trade-war-04-08-25/card/ustr-greer-no-exemptions-from-global-tariffs-jwx0KDMrRFhF4HTreyP2>.

¹⁴ New York Times, “From ‘Be Cool!’ to ‘Getting Yippy’: Inside Trump’s Reversal on Tariffs,” Tyler Pager, Maggie Haberman, Ana Swanson and Jonathan Swan, April 9, 2025, <https://www.nytimes.com/2025/04/09/us/politics/trump-tariff-pause-be-cool.html?smid=nytcore-ios-share&referringSource=articleShare&sgrp=p&pvid=EB5735CA-D134-4987-8141-E0B180850A49>.

¹⁵ Bloomberg, “Trump Warns Tariffs Coming for Electronics After Reprieve,” Josh Wingrove, April 13, 2025, <https://www.bloomberg.com/news/articles/2025-04-13/china-says-us-tariff-exemption-a-small-step-to-undoing-mistake>.

¹⁶ New York Times, “Trump Adds Tariff Exemptions for Smartphones, Computers and Other Electronics,” Tripp Mickle and Ana Swanson, April 12, 2025, <https://www.nytimes.com/2025/04/12/technology/trump-electronics-tariffs.html>; White House, Clarification of Exceptions Under Executive Order 14257 of April 2, 2025, as Amended, April 11, 2025, <https://www.whitehouse.gov/presidential-actions/2025/04/clarification-of-exceptions-under-executive-order-14257-of-april-2-2025-as-amended/>.

¹⁷ MarketWatch, “Big Tech stocks mostly rally, as Apple posts largest rally among ‘Magnificent Seven’,” Christine Idzelis, April 11, 2025, <https://www.marketwatch.com/livecoverage/stock-market-today-dow-set-for-200-point-rise-after-1-015-point-blue-chip-plunge/card/big-tech-stocks-mostly-rally-as-apple-posts-largest-rally-among-magnificent-seven--UGQlcTESGwjaPSBMsJr2>; Forbes, “Apple Soars After Tariff Exemptions—And iPhones May Not Get More Expensive After All,” Derek Saul, April 14, 2025, <https://www.forbes.com/sites/dereksaul/2025/04/14/apple-soars-after-tariff-exemptions-and-iphones-may-not-get-more-expensive-after-all/>; New York Times, “Trump Adds Tariff Exemptions for Smartphones, Computers and Other Electronics,” Tripp Mickle and Ana Swanson, April 12, 2025, <https://www.nytimes.com/2025/04/12/technology/trump-electronics-tariffs.html>.

¹⁸ Post by Aaron Rupar, April 14, 2025, <https://bsky.app/profile/atrupar.com/post/3lmrxvzl7x72w>; New York Times, “Tim Cook Dines With Trump at Mar-a-Lago,” Theodore Schleifer and Tripp Mickle, December 13, 2024, <https://www.nytimes.com/2024/12/13/technology/trump-tim-cook-mar-a-lago.html>; Axios, “Scoop: Apple CEO Tim Cook donates \$1 million to Trump inauguration,” Mike Allen, January 3, 2025, <https://www.axios.com/2025/01/03/tim-cook-apple-donate-1-million-trump-inauguration>.

¹⁹ Wall Street Journal, “How Tim Cook Cracked the Code on Working With Trump,” Chip Cutter and Aaron Tilley, November 24, 2024, <https://www.wsj.com/politics/elections/tim-cook-ceo-trump-relationship-ad106f36>; Business Insider, “How’s Apple going to get out of its China jam?,” Peter Kafka, April 11, 2025, <https://www.businessinsider.com/apple-tim-cook-donald-trump-tariffs-negotiation-iphone-prices-2024-04>.

businesses without direct lines of communication to the White House scramble to determine whether they can survive the newest round of tariffs on goods from China.²⁰

Tariffs are inviting corruption not only through quid-pro-quo arrangements but also through officials' personal investments. For example, the off-and-on nature of President Trump's tariffs opens the door to rampant insider trading. Administration officials — and their families and friends — with early knowledge of changes in tariff policy can buy positions they expect will rise and sell those that will fall. On April 9, 2025, minutes *before* the Trump Administration announced a pause on most tariffs, the trading market began to skyrocket — suggesting that insiders acted on non-public information about the impending change.²¹ President Trump then posted on social media “THIS IS A GREAT TIME TO BUY!!!,” still before any official announcement, causing stocks to further spike.²² Members of Congress have asked the Securities and Exchange Commission (SEC) and ethics officials to investigate whether any securities laws were violated with this announcement.²³

Meanwhile, the Administration's top ethics watchdog appears poorly positioned to tackle tariff-related corruption. In late March 2025, USTR Ambassador Greer was named Acting Director of the Office of Government Ethics (OGE) and now serves in both roles simultaneously.²⁴ Thus, a top tariff policy official is responsible for ensuring that tariff policy decisions are made free of financial conflicts.²⁵ This dual appointment raises blatant conflicts that risk undermining OGE's ability to independently monitor trade officials' conduct and recommend investigations into misconduct when necessary.

To help the American people better understand the Administration's plans to prevent the misuse of tariffs for self-dealing, we ask that you answer the following questions by April 29, 2025:

1. Please describe the official process for reviewing requests for exemptions from U.S.-imposed tariffs, including criteria that an entity must meet to receive an exemption.
 - a. Which administration officials will run this process?
 - b. What role will USTR play in reviewing tariff exclusion requests?
 - c. What, if any, role will Commerce play in reviewing tariff exclusion requests?

²⁰ Wall Street Journal, “The Lessons of Trump's Tariff Exemptions,” The Editorial Board, April 13, 2025, <https://www.wsj.com/opinion/on-tariffs-its-good-to-be-tim-cook-5b8f05ad>.

²¹ Post by Unusual Whales, April 9, 2025, <https://bsky.app/profile/unusualwhales.bsky.social/post/3lmfm5ycbjk2x>; Post by Molly Ploofkins, April 9, 2025, <https://x.com/Mollyploofkins/status/1910132826676080976>.

²² Post by Isaac Saul, April 9, 2025, https://x.com/Ike_Saul/status/1910028885460148427.

²³ Office of U.S. Senator Adam Schiff, Letter to U.S. Office of Government Ethics and White House Chief of Staff regarding Insider Trading, April 10, 2025, <https://www.schiff.senate.gov/wp-content/uploads/2025/04/2025.04.10-Sens.-Schiff-Gallego-Letter-to-WH-OGE-on-Insider-Trading-and-Tariffs.pdf>; Office of U.S. Senator Elizabeth Warren, Ranking Member on Committee on Banking, Housing, and Urban Affairs, Letter to U.S. Securities and Exchange Commission's Office of Inspector General (SEC OIG), April 2, 2025, <https://www.banking.senate.gov/imo/media/doc/secoig.pdf>.

²⁴ Huffington Post, “Democrats Tell Trump's Trade Rep To Quit His Other Jobs,” Dave Jamieson, April 9, 2025, https://www.huffpost.com/entry/jamieson-greer-trade-rep-other-jobs_n_67f667d3e4b0b09182ab25a4.

²⁵ U.S. Office of Government Ethics, “What We Do,” https://www.oge.gov/web/oge.nsf/about_what-we-do.

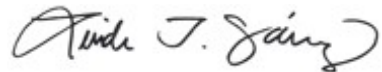
2. Is this official process the only way for entities to request exemptions from the Trump Administration's tariffs? If not, please list the additional ways that entities may seek exemptions (apart from submitting an official exemption request to USTR or Commerce).
3. How and where will exemptions be reported?
 - a. Do you commit to publish public information on all tariff exemptions that have been awarded — including to whom and on what basis they were awarded — on at least a weekly basis?
4. Will there be an appeals process for denials of exemption requests?
5. What will you do if it comes to your attention that an administration official is pushing through an exemption request due to improper influence by the entity seeking the exemption?
6. How will the Trump Administration respond to evidence of an executive branch official accepting a bribe in return for official action on tariffs?
7. How will you ensure that entities with political or financial ties to President Trump do not receive special treatment in the form of tariff exemptions?
8. Has Secretary Lutnick completed divestiture of Cantor Fitzgerald? If not, when will this divestiture be complete?
 - a. How has the value of the total portfolio changed since January 20, 2025?
 - b. How has the value for each of the following components of his portfolio changed: (a) equities; (b) bonds; (c) other components?

Thank you for your attention to this matter.

Sincerely,



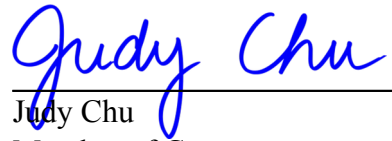
Elizabeth Warren
United States Senator



Linda T. Sánchez
Member of Congress



Sheldon Whitehouse
United States Senator



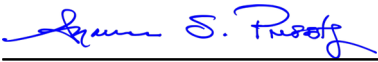
Judy Chu
Member of Congress



Bernard Sanders
United States Senator



Rashida Tlaib
Member of Congress



Ayanna Pressley
Member of Congress



Cleo Fields
Member of Congress



Maxine Waters
Member of Congress



Gwen S. Moore
Member of Congress



John B. Larson
Member of Congress



LaMonica McIver
Member of Congress



Seth Moulton
Member of Congress



Delia C. Ramirez
Member of Congress



Lloyd Doggett
Member of Congress
Ranking Member,
Subcommittee on Health



Danny K. Davis
Member of Congress



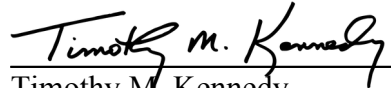
Pramila Jayapal
Member of Congress



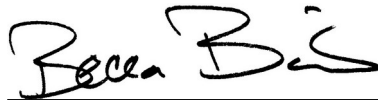
Greg Casar
Member of Congress



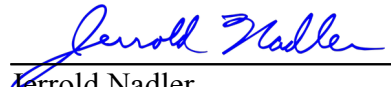
Brad Sherman
Member of Congress



Timothy M. Kennedy
Member of Congress



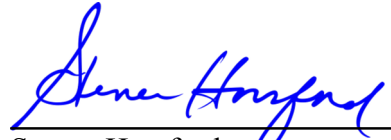
Becca Balint
Member of Congress



Jerrold Nadler
Member of Congress



Sydney Kamlager-Dove
Member of Congress



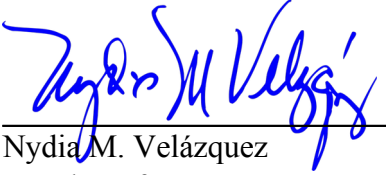
Steven Horsford
Member of Congress



Andrea Salinas
Member of Congress



Summer L. Lee
Member of Congress



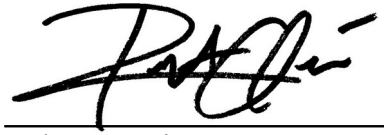
Nydia M. Velázquez
Member of Congress



Dwight Evans
Member of Congress



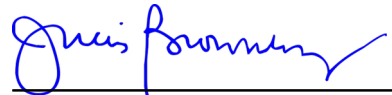
Jared Huffman
Member of Congress



Robert Garcia
Member of Congress



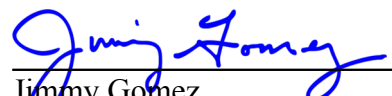
MARK TAKANO
Member of Congress



Julia Brownley
Member of Congress



Maxine Dexter
Member of Congress



Jimmy Gomez
Member of Congress



Terri A. Sewell
Member of Congress



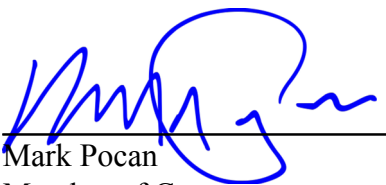
Al Green
Member of Congress



Lateefah Simon
Member of Congress



James P. McGovern
Member of Congress



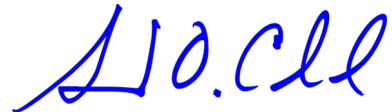
Mark Pocan
Member of Congress



Jan Schakowsky
Member of Congress



Dina Titus
Member of Congress




Salud Carbajal
Member of Congress



Eleanor Holmes Norton
Member of Congress



Bill Foster
Member of Congress



Gabe Amo
Member of Congress



Shri Thanedar
Member of Congress



Diana DeGette
Member of Congress

Cc: Jamieson Greer, Acting Director of the Office of Government Ethics