

Trump's CFTC Chair Nominee Brian Quintenz's Deregulatory Record Means Increased Dangers for Markets, Financial Stability, and Main Street Americans

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As the Senate Committee on Agriculture, Nutrition, and Forestry considers Trump's nominee Brian Quintenz to serve as Chairman of the Commodity Futures Trading Commission (CFTC), it is important to evaluate his record and stated positions on critical issues impacting commodity, derivatives, and financial markets, investor and market protections, and systemic risk.

But first, it is important to remember that the CFTC is vitally important to literally every American: it is supposed to supervise, regulate, and police the multi-trillion-dollar commodities markets to ensure that the everyday products that Americans depend on are available when they need them, in the right quantities, and reasonably priced based on supply and demand. This includes everything like cereal at breakfast, bread at lunch, and beer in a can after work, not to mention gas in your car, oil that heats your home, and literally everything that has plastic in it. That's a big job for the CFTC, and that's only a part of its mandate because it is also supposed to supervise, regulate, and police the multi-trillion-dollar derivatives markets as well.

Unfortunately, the CFTC has been chronically underfunded for years and unable to properly fulfill its current mission and mandate. That's all likely to get much worse as the crypto industry's allies in the White House, Congress, and the regulatory agencies seek to dramatically expand the CFTC's duties and responsibilities by including jurisdiction over the vast and expanding multi-trillion-dollar crypto universe. As if that wasn't enough, the gambling industry is also trying to use a loophole to override state regulation of gambling by putting the CFTC in charge of that also. Yet, the [CFTC's current budget request](#) irresponsibly seeks a 2.9% decrease in funds from its 2024 request and a 5.1% decrease in personnel.

Thus, the next CFTC Chair will face the extraordinarily difficult task of managing market risk, protecting the American people, and doing it all with insufficient resources. Regrettably, Mr. Quintenz is exactly the wrong person to do that because he has consistently been an industry advocate pushing a deregulatory agenda that prioritizes industry interests over the public interest. Making that worse, Mr. Quintenz is also a booster of the interests of both crypto and the gambling loophole, which the CFTC has no capacity, expertise, or funding to undertake.

Mr. Quintenz's Tenure at the CFTC

Mr. Quintenz's prior record at the CFTC, which is often misleadingly characterized as "[pro-innovation](#)" and "[principles-based](#)," was deeply deregulatory. For example, he voted to withdraw a proposed rulemaking known as [Regulation Automated Trading \(Reg AT\)](#), which was designed to increase transparency and reduce systemic risk in automated trading on U.S. futures exchanges. He was also critical of Reg AT, arguing that the Commission should not adopt automated trading regulations to address "[amorphous, hypothetical concerns](#)" or simply for the sake of having rules on the books, even though there was ample evidence of the need for rules. Mr. Quintenz also supported giving exchanges a central role in deciding whether traders should be exempt from federal position limits, rules that cap the size of speculative bets in commodity markets to prevent excessive speculation. He favored [allowing exchanges to grant exemptions](#) to these rules even in cases that did not meet the CFTC's standard definition for hedging. That approach effectively lets profit-driven exchanges decide when large traders can bypass key safeguards. This reflects his broader view that [exchanges are well-positioned](#) to oversee key aspects of market regulation, an industry self-regulatory philosophy that has repeatedly proved disastrous in the past. Compounding these misguided views, he also [supported allowing gambling-like contracts](#) tied to sporting events to trade in federally regulated derivatives markets despite clear statutory language that bars such contracts unless they meet a strict [public interest test](#).

Mr. Quintenz's Post-CFTC Career

After leaving the CFTC, Mr. Quintenz went through the revolving door, joining two firms directly seeking to influence the CFTC, putting his so-called public service to work to maximize the profits of his new paymasters. He joined the venture capital firm Andreessen Horowitz as Head of Policy ["to lead its crypto lobbying efforts in Washington, highlighting the ties between the \[CFTC\] and an industry it is pushing to oversee."](#) In that role, he was "lobbying policymakers to write friendlier regulations" and get the friendlier CFTC put in charge. He championed a principles-based approach to regulation and warned against what he characterized as prescriptive, [reactionary rulemaking in response to crises](#). He argued that efforts to prevent every potential or imagined negative outcome through specific regulatory mandates are misguided and ineffective. He also joined the board of Kalshi, a CFTC-registered exchange seeking to expand the use of event contracts, which the CFTC [just capitulated on](#) even though it has no ability to properly regulate those activities. While Mr. Quintenz [has agreed](#) to divest from both Andreessen Horowitz and Kalshi if confirmed, those commitments do not change the fact that he spent the years following his CFTC tenure working on behalf of firms with direct financial stakes in the agency's decisions. These roles and activities raise serious questions about whether he can lead the CFTC with independence, integrity, and an unwavering commitment to the public interest, rather than his past and presumably future employers.

Recent CFTC Actions

Equally troubling is that the CFTC, under Acting Chair Caroline Pham, appears to be clearing away the very conflicts that should raise serious concerns about Mr. Quintenz's return to lead the agency. By taking actions that align closely with Mr. Quintenz's past positions and industry affiliations, Acting Chair Pham is effectively removing the most visible regulatory barriers to his confirmation. In recent months, the Commission has:

- Dropped its [lawsuit against Kalshi](#) over political event contracts, effectively conceding the legality of election gambling and the CFTC's jurisdiction over such activities;
- [Allowed](#) sports betting-style event contracts to remain listed, [despite concerns](#) they violate the Commodity Exchange Act's prohibition on gaming;
- Cancelled a [long-scheduled public roundtable](#) on event contracts, eliminating a potentially important opportunity for public scrutiny and policy debate;
- [Permitted](#) Coinbase to move forward with 24/7 trading of crypto futures [without fully considering the risks](#) or waiting for public comment on the underlying issues. Notably, Andreessen Horowitz invested in Coinbase [eight separate times](#) over the company's early history.


Each of these actions aligns closely with Mr. Quintenz's known policy preferences and his prior employers' interests and lobbying. Whether intentional or not, Acting Chair Pham's posture has created the appearance that the agency is working to sanitize the very conflicts and policy fights that should be at the center of Mr. Quintenz's confirmation process.

When contemplating Mr. Quintenz's nomination, the Senate must consider whether the CFTC is being handed over to someone who has arguably spent the last decade working to undermine if not dismantle its authority. It must also consider whether the agency remains focused on serving the public or whether it has been captured by the very interests it is supposed to regulate.

What's At Stake

America cannot afford [another deregulatory era](#) at the CFTC. The last time Congress allowed industry-aligned interests to hollow out derivatives regulation was the passage of the [Commodity Futures Modernization Act](#), which resulted in an explosion of opaque, unregulated financial risk that [triggered the 2008 financial crisis](#). History has shown what happens when derivatives markets are left to police themselves – they emphatically don't. The [cost of an economic crisis](#) does not fall on venture capital firms or crypto exchanges that enrich themselves on deregulation but on families, farmers, small businesses, and communities across the country.

That history is now in danger of repeating itself. Mr. Quintenz's nomination to lead the CFTC comes at a pivotal moment. As the SEC abdicates its responsibilities, the CFTC is poised to assume



greater responsibility for regulating Bitcoin, Ether, and other digital commodity assets. In addition to shaping the future of crypto oversight, Mr. Quintenz could also influence key decisions about federal position limits on commodity speculation, including whether to raise those limits or cede more authority to profit-driven exchanges. Instead of taking that recent history as an urgent warning and aggressively prioritizing the public interest, Mr. Quintenz's record indicates he will take the CFTC back to the same deregulatory mindset that led to past crises.

The following points raise serious concerns about Mr. Quintenz's nomination as CFTC Chair for consumers, investors, markets, and the broader U.S. economy.


Mr. Quintenz promoted a deregulatory crypto agenda that now threatens to shape CFTC policy.

While serving as Head of Policy at Andreessen Horowitz's crypto venture, Mr. Quintenz promoted a deregulatory vision for digital assets that would strip away core investor protections and limit the CFTC's ability to oversee the sector. He championed a regulatory approach centered on principles-based oversight that would rely [heavily on industry input](#) and discretion. He has argued that prescriptive, rules-based regulation stifles innovation and that regulators [should avoid imposing traditional](#) financial safeguards on emerging technologies like crypto.

Although he was not a named author, Andreessen Horowitz [submitted a comment letter](#) in response to the SEC's Crypto Task Force Questions on the security status of crypto assets. The submission advocated for limiting oversight based on a framework that would allow blockchain projects to avoid regulation if they met certain structural thresholds. This position reflects the broader deregulatory stance that Mr. Quintenz consistently supported during his time at Andreessen Horowitz.

Mr. Quintenz's deregulatory philosophy is especially concerning as the CFTC considers whether to permit the trading of perpetual crypto derivatives, a complex and high-risk product that already dominates offshore markets. While the Commission has [recently allowed twenty-four-hour trading](#) of crypto futures, it has not yet approved perpetual-style contracts. If confirmed, Mr. Quintenz would likely support their introduction by advancing the same industry talking points. These include claims that perpetual derivatives are innovative products that [would boost market efficiency](#). In reality, these contracts pose [serious risks to retail investors](#), including high leverage, extreme volatility, and the behavioral consequences of continuous trading. Their approval would require real-time surveillance, clear disclosures, and meaningful investor protections that the CFTC is currently not equipped to provide. Rather than advocate for those safeguards, Mr. Quintenz's track record suggests he would dismiss them as unnecessary burdens that stifle what he calls innovation. Instead of strengthening oversight, he is likely to focus on growing the crypto marketplace in the U.S. while accommodating industry preferences.

This projected approach would be no surprise given Mr. Quintenz's work at Andreessen Horowitz, where [he laid out a detailed vision](#) for limiting federal oversight of crypto markets. A vision that would directly restrict the CFTC's ability to regulate the sector. Now, as a nominee to lead the agency, he would be in a position to promote that same vision from the inside. This revolving-door



dynamic raises significant ethical and policy concerns by itself. It also calls into question whether the CFTC can remain an independent regulator when its leadership pipeline is dominated by the very industries it is supposed to oversee.

The American public deserves a CFTC Chair who will strengthen the agency's oversight of emerging markets and prioritize the public interest, not someone who spent recent years promoting a deregulatory framework designed to limit the CFTC's authority and maximize the profits of the crypto firms he represented.

Mr. Quintenz's Regulatory Record Signals Weak Oversight for Emerging Market Risks


As a Commissioner, Mr. Quintenz repeatedly opposed foundational CFTC rulemakings aimed at increasing transparency, reducing systemic risk, and curbing market abuse. He was one of the most vocal critics of Reg AT, a long-debated rule intended to [establish basic risk controls](#) for high-frequency traders. Reg AT would have required registered entities using algorithmic systems to implement standardized risk controls and to provide the CFTC access to their algorithmic source code but only if a subpoena was issued. Mr. Quintenz opposed these protections, calling them excessive and burdensome, and ultimately [supported withdrawing](#) the rule.

Mr. Quintenz's stance on Reg AT is especially relevant today as the CFTC begins confronting the growing use of artificial intelligence in trading and market infrastructure. Just as automated trading raised concerns about speed, complexity, and the potential for systemic disruption, artificial intelligence presents even greater challenges related to transparency and control. The core elements that supported Reg AT, including strong risk management standards, clear disclosures, and limited regulator access to underlying systems when necessary, will be essential in any framework designed to address the risks posed by artificial intelligence.

However, Mr. Quintenz's past opposition to concrete safeguards raises serious concerns about whether he would support meaningful oversight in this area. The industry may frame his philosophy as [pragmatic or balanced](#), but in practice, his approach consistently defers to industry preferences, largely leaving the public unprotected. What is often described as targeted risk management too often becomes selective enforcement or regulatory inaction, especially when firms are permitted to define risks on their own terms. If confirmed, Mr. Quintenz can be expected to again align with efforts to limit regulatory scrutiny under the guise of promoting innovation, leaving dangerous gaps in the CFTC's ability to detect and address the threats posed by emerging technologies like artificial intelligence.

Mr. Quintenz Would Hand Wall Street the Keys by Weakening Position Limits and Oversight

As a Commissioner, Mr. Quintenz [opposed efforts to strengthen](#) federal position limits, a core statutory safeguard designed to prevent excessive speculation in commodity markets, which is prohibited by statute. Instead of supporting the Commission's authority to impose hard limits on the size of speculative positions, he advocated for allowing futures exchanges [to set their own limits](#) despite the clear conflict of interest given that exchanges maximize profits from higher trading volumes. This stance reflects a broader deference to the industry that directly undermines



the CFTC’s mandate to serve the public interest by weakening federal position limits, which remain one of the agency’s most important tools for curbing excessive speculation in essential commodities like corn, wheat, and oil.


[Position limits](#) are not just a technical regulatory tool. They are a frontline consumer protection safeguard. Without strong federal limits on speculative trading, financial firms can distort commodity markets and drive up the prices of everyday essentials like gas, groceries, and clothing. That kind of unchecked speculation severs the connection between supply and demand, fuels price spikes, and leaves families, farmers, and small businesses paying the price. Federal position limits exist to prevent precisely that kind of market distortion and ensure that commodity markets reflect real economic needs rather than Wall Street’s appetite for profit. Weakening these limits, as Mr. Quintenz has supported, would expose everyday Americans to higher costs and greater financial instability.

Mr. Quintenz would be well-positioned to advance this deregulatory approach from within the agency. His [past statements](#) suggest he would support policies like those in [Project 2025](#), which calls for eliminating the CFTC’s existing position limits rule and transferring even greater authority to exchanges to set their own limits and accountability thresholds. That would mean handing over one of the CFTC’s most important market safeguards to the very entities that benefit from weaker enforcement. The result would be more volatility, less transparency, and a regulatory framework that puts Wall Street profits ahead of consumer protection and market stability.

More broadly, Mr. Quintenz’s regulatory philosophy reflects the priorities of Project 2025’s financial agenda, which seeks to dismantle many of the safeguards established after the 2008 crisis. That blueprint does not merely call for weakening federal position limits but also for [narrowing the CFTC’s oversight of the derivatives markets](#). Mr. Quintenz’s track record suggests he would be willing to implement this vision, using the chairmanship to advance policies that treat financial regulation not as a public good but as a barrier to industry growth, even at the expense of consumers, market stability, and the public interest.

[Mr. Quintenz supported legalizing sports betting contracts in federally regulated derivatives markets.](#)

Towards the end of his tenure at the CFTC, Mr. Quintenz [opposed](#) the agency’s application of Regulation 40.11, which prohibits the listing of derivatives contracts that involve gaming, gambling, war, or activities that are unlawful under federal or state law, or that are otherwise deemed contrary to the public interest. Rather than enforce this important statutory safeguard, he called for a [more permissive approach](#) that would allow exchanges to list contracts based on sports outcomes, entertainment contests, and even elections, so long as they passed an individualized “public interest” test. Mr. Quintenz [criticized the CFTC](#) for applying Regulation 40.11 too broadly and argued that exchanges should be permitted to innovate freely unless the CFTC could affirmatively prove that a contract failed to serve the public interest. In doing so, he effectively rewrote the statute by shifting the burden to the CFTC to affirmatively justify blocking a



contract rather than allowing the Commission to exercise discretion in determining whether such contracts are contrary to the public interest.

Mr. Quintenz's approach [undermines the clear language of the Commodity Exchange Act](#), which states that event contracts involving gaming "shall not be listed" if the CFTC determines that they are contrary to the public interest. Congress added that provision to prevent federally regulated derivatives markets from becoming vehicles for gambling and speculation disconnected from real economic activity. Contracts based on the outcome of a [football game](#) or a [political election](#) do not facilitate hedging or price discovery, core functions of the markets regulated by the CFTC. Those activities offer no economic utility, increase market volatility, and threaten to turn legitimate exchanges into betting platforms operating under the CFTC's seal of approval.

Mr. Quintenz's stance helped lay the groundwork for the offering of event contracts related to sports and political outcomes. His [interpretation of the law](#) elevates what he calls innovation over purpose, weakening a critical line between financial markets and games of chance. If broadly adopted, this philosophy would allow a flood of gambling-style products to gain CFTC approval, not because they serve the public interest or have anything to do with the CFTC or the functions under its jurisdiction, but because the CFTC would be unwilling or unable to say no.

These concerns come into sharper focus given Mr. Quintenz's role on the board of Kalshi, a CFTC-registered exchange that is aggressively pushing to expand the boundaries of event contracts. His close involvement with a firm that stands to benefit from a permissive regulatory approach raises serious questions about whether he will be able to apply the public interest standard that the law requires. Although Mr. Quintenz [has pledged to divest from Kalshi and recuse himself](#) from related matters for one year if confirmed, that commitment does not eliminate the conflict. He would still be positioned to shape policy and approve controversial event contracts from other exchanges. These decisions could indirectly benefit Kalshi by creating favorable precedents and allowing similar contracts to be listed on its own platform. His ties to Kalshi call into question whether he can approach these decisions with the independence and impartiality the role demands.

Even beyond the conflicts surrounding Mr. Quintenz's ties to Kalshi, the CFTC is [not equipped to regulate gambling](#). The CFTC has no specialized staff or institutional expertise to evaluate the unique social, economic, and legal harms associated with gambling. Unlike state regulators or gaming commissions, the CFTC does not conduct suitability assessments, track compulsive betting behavior, or enforce rules designed to protect problem gamblers. Entrusting the agency with oversight of wagering markets would create a dangerous regulatory mismatch. It would also divert the CFTC's very limited and already inadequate resources from its core missions to regulating and policing gambling.

If confirmed, Mr. Quintenz could institutionalize a framework that routinely approves gambling contracts under the guise of financial products. This would create volatility, undermine market integrity, and obscure the distinction between federal regulation and casino economics. The derivatives markets must remain grounded in real economic utility. Unfortunately, Mr. Quintenz's record shows a willingness to abandon that principle.

He has dismissed aggressive regulation even in the wake of market disasters.

Mr. Quintenz's regulatory philosophy, exemplified in his Andreessen Horowitz blog post [What Regulators Can Learn from the Titanic](#), emphasizes restraint and warns against what he sees as regulatory overcorrection following financial crises. Using a single, unrepresentative historical analogy of how post-Titanic safety rules inadvertently caused the SS Eastland disaster, he argues that prescriptive regulations often create perverse incentives and stifle innovation. His preferred approach, which he terms "regulation by conversation" rather than "regulation by intimidation," supports principles-based oversight that allows industry considerable flexibility in how to achieve broad regulatory goals. (No surprise that Mr. Quintenz cherry-picked an unrelated historical example that supports his ideological and employment preferences while ignoring the most obvious directly applicable example: the reckless nonregulation in the years leading up to the Great Crash of 1929 and the post-New Deal regulation of the financial industry that prevented another crash for almost 70 years until 2008.)


This philosophy is particularly concerning in light of the recent collapse of major crypto firms like FTX, Celsius, Voyager, and Terra/Luna, events that revealed systemic fraud and resulted in tens of billions of dollars in investor losses. These failures were not caused by overregulation. They were the product of a deregulatory mindset and [regulatory inaction](#), the very conditions Mr. Quintenz advocates. His emphasis on industry discretion and light-touch oversight reflects a belief that markets can largely self-correct, with regulators intervening only after misconduct has become undeniable. The 2008 crash objectively proved that view to be catastrophically wrong.

The public has paid the price for that hands-off approach several times, including in the crypto crash of 2022. [Millions of retail investors lost savings](#), platforms failed overnight, and confidence in digital asset markets plummeted. Yet rather than prompting a reevaluation of regulatory gaps, these events would likely be viewed through Mr. Quintenz's framework as cautionary tales about the risks of acting too aggressively.

As the CFTC faces growing risks in derivatives and digital asset markets, it needs leadership grounded in public protection and proactive accountability. Mr. Quintenz's record suggests he would view financial crises not as evidence that stronger rules are needed but as warnings against excessive regulatory actions. This perspective raises significant concerns about his capability to protect market integrity during a period of increasing risk and investor vulnerability.

Mr. Quintenz promoted deference to foreign regulators, weakening systemic risk safeguards.

Mr. Quintenz has been a [vocal proponent](#) of substituted compliance, a policy that allows foreign swap dealers, major swap participants, and clearinghouses to comply with their home country's regulatory standards instead of CFTC rules when engaging with U.S. markets. He [argued](#) that this approach reduces regulatory duplication, fosters cross-border cooperation, and supports global market efficiency. In speeches and public statements, Mr. Quintenz consistently emphasized that the CFTC should defer to foreign countries and evaluate the comparability of foreign regulations [based on outcomes](#), not rule-by-rule equivalence.



But in practice, this deference limits the CFTC's ability to oversee critical infrastructure in the global financial system. Substituted compliance means that foreign entities, including those performing vital market functions like clearing, trading, and risk management, can serve U.S. firms without fully meeting the risk standards imposed on their domestic counterparts. That creates [uneven regulatory expectations](#) and introduces vulnerabilities that may only surface during periods of market stress. This over-deference to foreign countries also drives U.S. companies and U.S. jobs overseas where they can avoid U.S. rules.

This model may appear pragmatic in normal conditions, but it poses serious dangers in a crisis. If a major foreign clearinghouse or swap dealer operating under less stringent oversight were to fail, [U.S. firms could face cascading losses](#) with limited transparency and little recourse. The result could be destabilizing not just for market participants but for the broader economy, including American taxpayers [who ultimately bear the consequences](#) of regulatory blind spots.

Mr. Quintenz has expressed skepticism towards enforcement.


Throughout his career in public service and the private sector, Mr. Quintenz has been a vocal critic of what he calls [regulation through enforcement](#), a favorite talking point of the industry, arguing that regulatory clarity should come only through formal rulemaking. He has stated that enforcement is the [wrong approach for the cryptocurrency industry](#), advocating instead for industry consultation and principles-based guidance. While that may sound reasonable, in practice it weakens the CFTC's ability to police misconduct in real time, particularly in emerging markets where rules are still evolving.

This philosophy, although attractive to the regulated industry, raises doubts regarding the CFTC's readiness to employ enforcement as a punishment or deterrent. When firms break the rules or laws, the CFTC must act, not wait for years of dialogue while misconduct goes unchecked. Enforcement is not a last resort. It is a frontline defense that deters fraud, protects investors, and upholds market integrity.

Although Mr. Quintenz has stated he would not tolerate participants [brazenly flouting](#) CFTC rules and has supported enforcement actions for clear violations during his previous tenure, his enforcement approach suggests he would scale back the CFTC's enforcement agenda. That would send a dangerous signal to the marketplace that firms can operate first and ask permission later. For bad actors, it opens the door to exploit regulatory gaps with little fear of meaningful consequences.

This hands-off posture is particularly troubling when applied to position limits. Enforcing position limits ensures that commodity markets are not overwhelmed by excessive speculative bets from financial firms. If Mr. Quintenz proves unwilling to aggressively enforce those limits, it could drive up prices for everyday goods, increase market volatility, and impose real costs on American families. Failure to enforce these limits would hit Main Street Americans in their wallets.

The public cannot afford a CFTC that shrinks from its enforcement responsibilities. Aggressive oversight is essential in the derivatives marketplace to prevent harm before it occurs. Mr.



Quintenz's preference for industry-friendly dialogue over strong enforcement would tilt the agency away from accountability and toward accommodation, boosting industry profits at the expense of the public interest.

Conclusion

Whether on event contracts, crypto oversight, market speculation, or enforcement, Mr. Quintenz has aligned with industry interests over investor protection and the public interest more broadly. In his speeches, policy writing, and regulatory decisions, he has promoted a deregulatory philosophy that directly conflicts with the CFTC's core mission. At a time of rising market complexity and repeated scandals, the public needs a watchdog at the CFTC, not another industry ally in Washington.

These concerns are compounded by Mr. Quintenz's close ties to firms that stand to directly benefit from the very regulatory rollbacks he has championed. His recent employment with Andreessen Horowitz and his service on the board of Kalshi presents clear conflicts of interest. Even with pledges to divest and recuse, his relationships with industry actors raise serious questions about whether he can lead the CFTC with the independence, impartiality, and public-first orientation the role demands.

The CFTC's next Chair must be prepared to confront concentrated financial power, resist regulatory capture, and protect everyday Americans from excessive speculation and unchecked risk. Unfortunately, Mr. Quintenz's record suggests he would likely prioritize the industry's agenda and interests over market integrity and the public interest.



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