



The Honorable John Boozman, Chairman

The Honorable Amy Klobuchar, Ranking Member

Committee on Agriculture, Nutrition, and Forestry

United States Senate

328A Russell Senate Office Building

Washington, DC 20510

January 29, 2026

Re: Digital Commodity Intermediaries Act

Chairman Boozman, Ranking Member Klobuchar, and Members of the Committee:

Consumer Reports appreciates the Senate Agriculture Committee's efforts to advance legislation that brings greater clarity to the regulation of digital assets and urges the Committee to continue prioritizing strong consumer protections in a rapidly emerging and complex market.

Establishing a coherent market structure is an important step toward reducing regulatory uncertainty and supporting responsible innovation. At the same time, regulatory clarity alone does not guarantee consumer protection or market integrity. As currently drafted, the bill reflects meaningful progress but also leaves unresolved consumer risks that warrant careful attention as this Committee, together with the Senate Banking Committee, continues its work.

The Digital Commodity Intermediaries Act would delegate key aspects of cryptocurrency and digital asset regulation to the Commodity Futures Trading Commission (CFTC). In doing so, the CFTC would be given expanded, shared oversight of a market exceeding \$3 trillion in value. This significant expansion of responsibility comes as the agency continues to contend with staffing and resource challenges that may affect its ability to fully execute its expanded duties, including protecting market participants against fraud and manipulation in covered digital asset markets.

Last month the CFTC's Office of Inspector General (OIG) released its annual *Management and Performance Challenges* report, identifying the upcoming regulation of digital assets as a significant institutional challenge. The OIG specifically cited difficulties in obtaining additional qualified staff, developing institutional knowledge and technical expertise, launching and maintaining new data systems and analytics, and managing expanded budgetary resources.

While Consumer Reports welcomes the bill's authorization of \$150 million in appropriations to carry out this Act, the scale, complexity, and rapid evolution of digital asset markets suggest that sustained, and potentially expanded, resources will be necessary to ensure effective supervision, consumer education, and enforcement. Consumer Reports also supports the bill's authorization of expedited hiring authority, while noting that the roughly 21.5 percent decline in CFTC full-time staff between FY 2024 and FY 2025 leaves the agency undertaking critical rulemaking, supervision, and enforcement responsibilities with severely constrained staffing.

Additionally, the OIG report highlighted structural vulnerabilities in the agency's whistleblower program and Customer Protection Fund, including statutory constraints on the Fund's expense account. Ensuring that resources for whistleblower awards and customer outreach remain robust and predictable, particularly as oversight responsibilities expand into a massive new market, is essential to effective enforcement and market integrity. Consumer Reports urges the Committee to work collaboratively to establish a durable funding mechanism for a program that has, since its inception, resulted in more than \$3.2 billion in monetary sanctions.

Consumer Reports also commends the bill's directive requiring a comprehensive study of digital commodity market participation and impacts on historically underserved communities. Given the disproportionate exposure of these populations to high-risk financial products, rigorous analysis of access, affordability, risk, and consumer outcomes will be essential to ensuring that new market structures promote financial inclusion without amplifying harm. We encourage the Committee to ensure that the findings of this study meaningfully inform future rulemaking and legislative efforts.

Finally, effective oversight depends not only on staff capacity, but on a Commission fully staffed with the statutorily required five commissioners. Prolonged vacancies and the absence of bipartisan representation delay rulemaking, constrain enforcement actions,

and weaken regulatory durability. As Congress expands the CFTC's authority into an entirely new asset class, ensuring a fully staffed, bipartisan Commission should be treated as a prerequisite to successful implementation.

Consumer Reports appreciates the opportunity to share its views and stands ready to engage further as the Committee continues its consideration of digital asset market structure legislation.

Respectfully,

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Consumer Reports