

119TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To amend title 28, United States Code, to prevent payouts for  
insurrectionists.

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IN THE SENATE OF THE UNITED STATES

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Mr. SCHIFF introduced the following bill; which was read twice and referred  
to the Committee on \_\_\_\_\_

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**A BILL**

To amend title 28, United States Code, to prevent payouts  
for insurrectionists.

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 “Preventing Payouts  
5 for Insurrectionists Act”.

6 **SEC. 2. PREVENTING PAYOUTS FOR INSURRECTIONISTS.**

7 (a) IN GENERAL.—Section 2680 of title 28, United  
8 States Code, is amended by adding at the end the fol-  
9 lowing:

1           “(o) Any claim, without regard to when the act or  
2 omission giving rise to the claim occurred, brought by any  
3 individual convicted (including any individual convicted  
4 and subsequently pardoned) of any felony or mis-  
5 demeanor—

6           “(1) arising out of or relating to the January  
7 6, 2021, attack on the United States Capitol build-  
8 ing and grounds;

9           “(2) committed with the intent to disrupt,  
10 delay, or impede the joint session of Congress certi-  
11 fying the results of the 2020 presidential election,  
12 including seditious conspiracy; or

13           “(3) involving an action taken to disrupt, inter-  
14 fere with, or unlawfully influence the administration  
15 of the 2016 presidential election, including con-  
16 spiracy to defraud the United States.”.

17           (b) **APPLICABILITY.**—The amendment made by sub-  
18 section (a) shall apply to any claim pending on, or brought  
19 on or after, January 20, 2025.

20           (c) **RECOUPMENT OF DISBURSED FUNDS.**—

21           (1) **IN GENERAL.**—Any individual described in  
22 section 2680(o) of title 28, United States Code, as  
23 added by subsection (a), who received any monetary  
24 payment, judgment, award, compromise, settlement,  
25 or interest from the United States (including a pay-

1       ment disbursed under section 1304 of title 31,  
2       United States Code (commonly known as the “Judg-  
3       ment Fund”)) pursuant to a claim described in such  
4       section 2680(o) during the period beginning on Jan-  
5       uary 20, 2025, and ending on the date of enactment  
6       of this Act, shall return the full amount of the pay-  
7       ment, judgment, award, compromise, settlement, or  
8       interest to the Treasury of the United States.

9               (2) ENFORCEMENT.—

10              (A) CIVIL ACTION.—The attorney general  
11              of any State may bring a civil action in an ap-  
12              propriate district court of the United States on  
13              behalf of the United States against any indi-  
14              vidual required to return funds under para-  
15              graph (1) who—

16                      (i) resides in the State; or

17                      (ii) committed an offense described in  
18              section 2680(o) of title 28, United States  
19              Code, as added by subsection (a), within  
20              the State.

21              (B) REMEDIES.—In an action brought by  
22              the attorney general of a State under subpara-  
23              graph (A), the court shall order the applicable  
24              individual to—

1                   (i) return the full amount of the funds  
2                   owed under paragraph (1) to the Treasury  
3                   of the United States; and

4                   (ii) pay damages equal to 25 percent  
5                   of the amount described in clause (i) to the  
6                   State to defray the costs of State law en-  
7                   forcement and the administration of jus-  
8                   tice.