

United States Senate

WASHINGTON, DC 20510

August 13, 2026

The Honorable Todd Blanche
Attorney General
United States Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530

Dear Attorney General Blanche:

We write to express profound and continued alarm regarding the apparent systemic abuse of Department of Justice (DOJ) resources through settlement agreements to reward President Trump's political allies. Despite your assurances that President Trump's "Anti-Weaponization Fund" is "dead," the Justice Department continues to funnel taxpayer money from DOJ's Judgment Fund to political allies of the President who might otherwise have filed claims with the Anti-Weaponization Fund.¹

Over the last several months, you have repeatedly assured Congress, federal courts, and the American public that the Justice Department no longer intends to pay out settlements through the slush fund created as part of the settlement you signed on May 18, 2026, in the *Trump v. IRS* case.² On June 2, 2026, you told the House Appropriations Committee "we are not moving forward with the fund, period."³ When asked again at that hearing if the fund was "not moving forward, ever" you responded "correct."⁴

On July 15, 2026, during your confirmation hearing before the Senate Judiciary Committee, you confirmed under oath to Senator John Cornyn, "the Weaponization Fund is dead. It's not moving forward."⁵ In response to several questions for the record following your testimony, you assured Congress in writing that the Anti-Weaponization Fund "is dead" twenty-six times.⁶ Furthermore, the Justice Department has repeatedly insisted in federal court filings that the Anti-

¹ *The Nomination of the Honorable Todd Blanche to be Attorney General of the United States* at 1:26:23, SENATE JUDICIARY COMMITTEE (July 15, 2026), <https://www.judiciary.senate.gov/committee-activity/hearings/the-nomination-of-the-honorable-todd-blanche-to-be-attorney-general-of-the-united-states>.

² See Settlement Agreement Addendum, *Trump v. Internal Revenue Service*, Case No. 1:26-cv-20609 (S.D. Fla. May 18, 2026), <https://www.justice.gov/opa/media/1441086/dl> (ordering the United States to provide the Treasury Department the funds necessary to administer the Anti-Weaponization Fund).

³ House Appropriations Committee, *Oversight Hearing – Department of Justice*, at 40:09 (YouTube, June 2, 2026), https://www.youtube.com/watch?v=rt_bIvnnvq3o.

⁴ *Id.*

⁵ Senate Judiciary Committee, *supra* note 1.

⁶ See generally Questions for the Record for Todd Blanche, https://www.judiciary.senate.gov/imo/media/doc/98781d53-bdcc-75d8-c507-1b1bca492142/2026-07-15_QFR-Responses_Blanche_687007f1-363d-40d9-b7da-356b52dc448d.pdf.

Weaponization Fund “is not moving forward.”⁷ Despite all of these statements, recent reporting indicates DOJ officials are actively exploring alternative avenues for compensating January 6th defendants and other allies of President Trump, including through the settlement of Federal Torts Claims Act (FTCA) claims using the Judgment Fund.⁸

The documents you released on August 2, 2026, do little to assuage these concerns, as they provide no guarantee DOJ will not simply revive the Anti-Weaponization Fund, which President Trump has repeatedly threatened to do.⁹ Furthermore, these documents make no assurance you will not use other mechanisms, including quietly settling administrative claims brought against the government, to compensate President Trump’s political allies, effectively accomplishing the goals of the Anti-Weaponization Fund.¹⁰ To this end, you refused to confirm in a sworn statement under penalty of perjury – as ordered by a federal court – that the President’s slush fund “will not proceed in any manner, or under any name.”¹¹ Finally, the documents also beg the question of how DOJ would defend against a lawsuit by President Trump to enforce the initial settlement agreement, which by its plain terms “may be modified only with the written agreement of the Parties.”¹²

In fact, these documents create a clear avenue through which DOJ can use the FTCA and the Judgment Fund to benefit individuals with ties to President Trump and his political allies.¹³ This is consistent with the way that DOJ has misused federal resources for this purpose since the start of this administration:

- In April 2025, DOJ argued January 6th insurrectionists pardoned by President Trump should be reimbursed for the restitution they paid the Architect of the Capitol related to damage they caused in the Capitol.¹⁴ A Government Accountability Office report found

⁷ See, e.g., Defendant’s Notice of Filing at 2, *Floyd v. Department of Justice*, No. 1:26-cv-01399 (E.D. Va., June 16, 2026) (“As stated multiple times, the Fund is not moving forward.”).

⁸ Sarah Fitzpatrick, *Trump Isn’t Giving Up on His Slush Fund*, THE ATLANTIC (June 11, 2026), <https://www.theatlantic.com/politics/2026/06/trump-anti-weaponization-fund/687500/>.

⁹ @DAGToddBlanche, X (Aug. 2, 2026), <https://x.com/DAGToddBlanche/status/2084114427813437897>; see also, e.g., Donald J. Trump (@realDonaldTrump), TRUTH SOCIAL (Aug. 1, 2026), <https://truthsocial.com/@realDonaldTrump/posts/117020029291674756> (threatening if Blanche is not confirmed that the fund “will immediately be back on the table, and I will get it done”).

¹⁰ *Id.*

¹¹ Order Granting Plaintiff’s Motion for a Temporary Restraining Order or in the Alternative a Preliminary Injunction with Expedited Briefing at 1, *Floyd v. Department of Justice*, No. 1:26-cv-01399 (E.D. Va., June 12, 2026).

¹² Settlement Agreement, *Trump v. Internal Revenue Serv.*, Case No. 26-20609-CV-WILLIAMS (S.D. Fla. May 18, 2026).

¹³ Aziz Huq, *The Anti-Weaponization Fund and the History of Abusive Federal Settlements*, LAWFARE (May 22, 2026), <https://www.lawfaremedia.org/article/the-anti-weaponization-fund-and-the-history-of-abusive-federal-settlements>; see also Order, *Trump v. Internal Revenue Serv.*, Case No. 26-20609-CV-WILLIAMS (S.D. Fla. July 13, 2026) (barring parties from referring to the *Trump v. IRS* deal as a “settlement agreement”).

¹⁴ See, e.g., Government’s Response to the Defendant’s Motion for Reimbursement of Fees and Restitution, *United States v. Hager*, Case No. 21-cr-381-TSC (D.D.C. Apr. 8, 2025).

January 6th insurrectionists cost taxpayers over \$2.7 billion in damage to the Capitol and increased security measures, among other expenses.¹⁵

- In June 2025, pro-Trump legal activist group Judicial Watch announced that your Department entered a \$4.9 million settlement agreement with the estate of Ashli Babbitt.¹⁶ Babbitt was shot and killed inside the Capitol by U.S. Capitol Police after she, alongside a mob of rioters, attempted to breach a barricaded door on January 6, 2021. A DOJ investigation cleared the officer involved of criminal wrongdoing in 2021.¹⁷
- In March 2026, DOJ entered a \$1.25 million settlement with Michael Flynn, former National Security Advisor to President Trump.¹⁸ Flynn previously pled guilty to lying to the FBI about conversations he had with a senior Russian diplomat during an investigation into Russian interference with the 2016 election.¹⁹
- In April 2026, DOJ reached an over \$1 million settlement with Mark Houck, who allegedly assaulted a 72-year-old volunteer escort at a reproductive services clinic.²⁰ DOJ chose to settle with Houck even after a federal judge dismissed with prejudice his lawsuit against the government.²¹
- In April 2026, DOJ agreed to pay former Trump campaign adviser Carter Page \$1.25 million to settle allegations that FBI and DOJ officials abused their authority when investigating Page’s travel to Russia surrounding the 2020 election.²²
- In July 2026, DOJ entered a “seven figur[e]” settlement with Paul Vaughn, an individual convicted of violating the FACE Act after physically blocking the entrance to a

¹⁵ Federal Agencies Identified Some Threats, but Did Not Fully Process and Share Information Prior to January 6, 2021 at 1, GOVERNMENT ACCOUNTABILITY OFFICE (Feb. 2023), <https://www.gao.gov/assets/gao-23-106625.pdf>.

¹⁶ *Judicial Watch Announces \$4.975 Million Settlement of Ashli Babbitt Wrongful Death Lawsuit with U.S. Government*, JUDICIAL WATCH (June 6, 2025), <https://www.judicialwatch.org/4-975-million-settlement-of-ashli-babbitt/>.

¹⁷ *Department of Justice Closes Investigation into the Death of Ashli Babbitt*, DEPARTMENT OF JUSTICE (Apr. 14, 2021), <https://www.justice.gov/usao-dc/pr/departments-justice-closes-investigation-death-ashli-babbitt>.

¹⁸ Anna Bower, *U.S. Government Agrees to \$1.25 Million Settlement in Michael Flynn Suit*, LAWFARE (Apr. 17, 2026), <https://www.lawfaremedia.org/article/u.s.-government-agrees-to--1.25-million-settlement-in-michael-flynn-suit>.

¹⁹ *Id.*

²⁰ Julianne McShane, *DOJ Paid More Than \$1 Million In Settlement To Anti-Abortion Protester — After A Federal Judge Tossed His Suit*, MS NOW (Apr. 14, 2026), <https://www.ms.now/news/doj-paid-more-than-1-million-settlement-to-anti-abortion-protester-after-a-federal-judge-tossed-his-suit>.

²¹ *Id.*

²² Kyle Cheney & Josh Gerstein, *Trump Admin Agrees To Pay \$1.25M To 2016 Trump Adviser Over Surveillance*, POLITICO (Apr. 22, 2026), <https://www.politico.com/news/2026/04/22/carter-page-doj-settlement-00887874>.

reproductive services clinic for three hours.²³ Vaughn was pardoned by President Trump on January 23, 2025.²⁴

- Attorneys for other individuals involved in the January 6th insurrection have reported plans to file hundreds of Judgment Fund claims, regardless of the status of the Anti-Weaponization Fund.²⁵ One attorney, who reported filing over 400 claims under the Federal Tort Claims Act for clients involved in the January 6th insurrection, described filing claims against the “existing judgment fund” as a “real possibility.”²⁶

When your Department announced the creation of the Anti-Weaponization Fund, it attempted to ground the Fund in precedent by comparing it to the *Keepseagle* settlement.²⁷ The *Keepseagle* settlement benefited Native American farmers who had experienced discrimination at the hands of the Department of Agriculture; it was supported by years of litigation, judicial oversight, a defined class of claimants, and negotiated settlement terms. The Anti-Weaponization Fund has no certified class of claimants, no meaningful definition for qualification,²⁸ and no judicial oversight — the Attorney General would control both the criteria and the payouts. Any attempt to claim *Keepseagle* as precedent for the Anti-Weaponization Fund or the use of the Judgment Fund as a slush fund for President Trump’s political allies is ludicrous.

The strong public and political backlash to the illegal Anti-Weaponization Fund was animated by a repulsion to the concept that the President’s political allies – including January 6 insurrectionists who beat U.S. Capitol and D.C. police officers – would benefit financially from their crimes. Yet, the Department is quietly creating that reality. We are deeply concerned by this Administration’s continued efforts to use taxpayer resources – including the Judgment Fund – to reward its allies, while claiming to disavow any payouts through the Anti-Weaponization Fund. To provide transparency to the American people and fulfill the Senate’s legislative and oversight responsibilities regarding DOJ operations, we request responses to the following questions by August 21, 2026:

²³ Kristine Parks, *Trump DOJ Reaches Settlement With Pro-Life Protester Targeted By Biden Admin*, FOX (July 28, 2026), <https://www.foxnews.com/media/first-fox-trump-doj-reaches-settlement-pro-life-protester-targeted-biden-admin>.

²⁴ Clemency Grants by President Donald J. Trump, Department of Justice, <https://www.justice.gov/pardon/clemency-grants-president-donald-j-trump-2025-present> (last visited July 30, 2026).

²⁵ Rebecca Beitsch, *DOJ has other routes to payouts beyond Trump ‘anti-weaponization’ fund*, THE HILL (June 7, 2026) <https://thehill.com/homenews/administration/5912674-justice-department-settlements-ftca/>.

²⁶ *Id.*

²⁷ Press Release, U.S. Dep’t of Justice, Off. Of Pub. Affairs, Justice Department Announces Anti-Weaponization Fund (May 18, 2026), <https://www.justice.gov/opa/pr/justice-department-announces-anti-weaponization-fund>.

²⁸ See Dep’t of Justice, *Overview of the Department of Justice’s Anti-Weaponization Fund* (May 21, 2026), https://d3i6fh83elv35t.cloudfront.net/static/2026/05/DOJ-Fact-Sheet-May-21-FINAL_v2.pdf, which defines claimants to the Fund as those who have experienced “weaponization and lawfare,” further defined only as those who have been targeted for “improper and unlawful” reasons. This circular definition leaves the standard completely to the discretion of the Commissioners appointed by the Attorney General.

1. Are individuals who may have been eligible to receive Anti-Weaponization Fund payments eligible to receive compensation through DOJ's Judgment Fund, including – but not limited to – parties to the *Trump v. IRS* case?
2. Have you or any DOJ employees engaged in conversations with individuals who may have been eligible to receive Anti-Weaponization Fund payments regarding alternative mechanisms through which DOJ could compensate them, including through the Judgment Fund?
 - a. If so, please provide records of all communications and the names of the individuals involved in those communications.
3. Have you or any DOJ employees ever communicated with White House officials, including the President, regarding any specific Judgment Fund award?
 - a. If so, please provide records of all communications and the names of the individuals involved in those communications.
4. Has DOJ issued any guidance regarding payments through the Judgment Fund since January 20, 2025?
 - a. If so, please provide copies of that guidance, any underlying legal justification, and whether the White House was consulted on such guidance, including records of all communications involving such consultation.
5. Have you or any DOJ employees ever communicated with the White House about the use of the Judgment Fund to benefit President Trump, his family, his friends, or any entities or businesses affiliated with the President or his family?
 - a. If so, please provide records of all communications and the names of the individuals involved in those communications.
6. Has DOJ approved or engaged in discussions regarding any Judgment Fund awards, Federal Tort Claims Act settlements, or other forms of compensation for individuals who were charged with, convicted of, or pardoned for actions related to the January 6, 2021 attack on the U.S. Capitol?
 - a. If so, please provide a complete list of all such claims or settlements, including the status of each claim, the monetary amounts requested or awarded, the legal basis for each settlement, and all records of communications between DOJ officials, defense counsel, or White House staff concerning these claims.
7. Provide a list of all payments made under the Judgment Fund since January 20, 2025.

8. What authorities permit DOJ to unilaterally modify the settlement agreement it entered with President Trump, despite the text of the agreement clearly requiring written consent of both parties to modify the agreement?
- During your confirmation hearing, you testified that President Trump has not provided written approval to modify the settlement agreement.²⁹ Has President Trump provided such written consent? If so, please provide a copy of such communications and a copy of any related communications.
 - If President Trump has not provided such approval, please provide DOJ's legal justification for modifying the agreement.
9. During your confirmation hearing, you acknowledged that "if President Trump's counsel sought to enforce [the agreement], they potentially could."³⁰ How do you reconcile your sworn testimony that the Anti-Weaponization Fund is not moving forward with other sworn statements acknowledging that President Trump may sue to enforce the settlement agreement?

We appreciate your attention to this matter and look forward to your response.

Sincerely,



Adam B. Schiff
United States Senator



Richard J. Durbin
United States Senator
Ranking Member, Senate
Committee on the Judiciary



Sheldon Whitehouse
United States Senator



Amy Klobuchar
United States Senator

²⁹ Senate Judiciary Committee, *supra* note 1 at 1:27:00.

³⁰ *Id.* at 1:27:30.



Christopher A. Coons
United States Senator



Richard Blumenthal
United States Senator



Mazie K. Hirono
United States Senator



Cory A. Booker
United States Senator



Alex Padilla
United States Senator



Peter Welch
United States Senator