

Trump's 'weaponization fund' retreat

Editoriale

For all the talk of a runaway executive, Congress still has the power of the purse. On Tuesday, lawmakers showed that by forcing the administration to abandon its proposed \$1.8 billion "Anti-Weaponization Fund" for doling out money to political allies.

The Justice Department announced the fund last month as part of a settlement of President Donald Trump's \$10 billion lawsuit against his own government over the leak of his tax returns during his first administration. The idea was that instead of paying Trump or his family members who were harmed by the breach, the fund would pay other people the administration considers victims of government abuse — potentially including participants in the riot on Jan. 6, 2021.

GOP members of Congress balked at the idea of such payouts, and they used the forthcoming budget bill as leverage to stop them. The administration needs Congress to pass a \$72 billion bill to fund border enforcement. Some GOP lawmakers conveyed that they would block the bill if the fund moved forward.

On Tuesday, the administration bowed to that political reality, with acting attorney general Todd Blanche [telling a House committee](#): "We are not moving forward with the fund, period."

That's a welcome concession, but Congress shouldn't rest on its laurels. The Trump administration isn't afraid of trying to lawyer its way out of commitments. Consider how it promised it would pay back tariff payments if they were ruled unlawful but is now [fighting to delay](#) some of the refunds.

Once the spending bill passes, Congress loses its leverage, so it might be worth trying to codify the fund's elimination into the legislation.

After all, the Trump administration was [exploiting a weakness](#) in the law that past administrations have exploited as well, if less flagrantly. The Justice Department has at its disposal a Judgment Fund — unlimited since 1977 — that can be used to resolve lawsuits by paying individuals and groups without much accountability. There's nothing stopping an administration from settling meritless lawsuits with friendly groups and spending large sums without Congress's permission.

The best resolution to this fiasco would be for Congress to create new controls on the settlement fund. They could limit the size of payouts, the types of lawsuits that can be settled and who can be paid. They could also require more judicial oversight.

Controlling the Judgment Fund would be an act of good constitutional hygiene, and it ought to be bipartisan. Otherwise, Trump won't be the last president to abuse it.