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Tom Tillis

pending

AMENDMENT NO._____ Calendar No._____

Purpose: To reallocate funds that would have been used for the Anti-Weaponization Fund to fraud enforcement.

IN THE SENATE OF THE UNITED STATES—119th Cong., 2d Sess.

S. 2

AMENDMENT Nº 5452

By Tillis

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At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON USE OF FUNDS FOR ANTI-WEAPONIZATION FUND; REALLOCATION TO FRAUD ENFORCEMENT.

(a) DEFINITIONS.—In this section:

(1) SETTLEMENT AGREEMENT.—The term ''Settlement Agreement''—

(A) means the settlement agreement styled Trump v. Internal Revenue Service, No. 1:26–cv–20609–KMW (S.D. Fla.), executed on or about May 18, 2026; and

(B) includes any implementing order, memorandum, directive, agreement, modification, or successor instrument with respect to the agreement described in subparagraph (A).

(2) ANTI-WEAPONIZATION FUND.—The term "Anti-Weaponization Fund" means any fund, account, claims process, compensation mechanism, or successor entity established or contemplated pursuant to the Settlement Agreement, by whatever name designated.

(3) COVERED ACTIVITIES.—The term "covered activities" means any of the following:

(A) Establishment, capitalization, staffing, or operation of the Anti-Weaponization Fund.

(B) Review, processing, administration, auditing, or adjudication of claims submitted under the Settlement Agreement.

(C) Issuance of monetary awards, reimbursements, debt relief, attorneys' fees, compensation, grants, transfers, or other financial benefits pursuant to the Settlement Agreement.

(D) Implementation, defense, or enforcement of any order of the Attorney General issued to carry out the Settlement Agreement.

(b) RESTRICTION ON USE OF APPROPRIATED FUNDS.—

(1) GENERAL RESTRICTION.—Notwithstanding any other provision of law, no funds appropriated or otherwise made available by any Act of Congress, including amounts available under section 1304 of title 31, United States Code (commonly known as the "Judgment Fund"), may be obligated, transferred, reserved, committed, administered, or expended for covered activities.

(2) RESTRICTION ON SETTLEMENT AUTHORITY.—The Attorney General may not use any funds appropriated to the Department of Justice, or exercise any authority under section 516 or 519 of title 28, United States Code, to negotiate, execute, implement, or defend any agreement, order, or instrument that would obligate funds of the United States for covered activities.

(3) CONSTRUCTION.—Nothing in this subsection shall be construed to affect the authority of the Attorney General to settle or compromise claims against the United States in matters unrelated to the Settlement Agreement.

(c) REALLOCATION.—

(1) SENSE OF CONGRESS REGARDING USE OF FUNDS.—It is the sense of Congress that the funds that would have been used by the Attorney General for covered activities, but for the restrictions under subsection (b), should instead be used for fraud prevention and enforcement activities, in accordance with this subsection.

(2) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Department of Justice for fiscal year 2026, out of any money in the Treasury not otherwise appropriated, $1,700,000,000, to remain available until expended, for fraud prevention and enforcement activities, including—

(A) investigations and prosecutions under sections 3729 through 3733 of title 31, United States Code (commonly known as the "False Claims Act");

(B) procurement fraud and grant fraud enforcement;

(C) public corruption investigations;

(D) forensic auditing and data analytics capabilities;

(E) coordination initiatives with inspectors general of Federal agencies;

(F) recovery of improperly obtained Federal funds;

(G) criminal and civil fraud litigation; and

(H) anti-fraud technology modernization, including advanced data analytics and case management systems.

(3) REPORTING.—Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Attorney General shall submit to the Committees on the Judiciary and the Committees on Appropriations of the Senate and the House of Representatives a report detailing the use of funds made available under this subsection, including the number of investigations initiated, cases filed, and amounts recovered.

(d) CONSTRUCTION REGARDING RIGHTS AND CLAIMS.—

(1) NO VESTED RIGHTS FROM SETTLEMENT.—No person or entity shall acquire any legally enforceable right, entitlement, expectancy, or property interest arising solely from the Settlement Agreement or from any proposed Anti-Weaponization Fund process, unless expressly authorized by an Act of Congress enacted after the date of enactment of this Act.

(2) SAVINGS CLAUSE.—Nothing in this section shall be construed to—

(A) prevent any person from pursuing any claim against the United States through any judicial or administrative remedy otherwise available under law independent of the Settlement Agreement;

(B) affect any right or claim arising under sections 2671 through 2680 of title 28, United States Code (commonly known as the "Federal Tort Claims Act"), section 552a of title 5, United States Code (commonly known as the "Privacy Act of 1974"), or section 6103 or 7431 of the Internal Revenue Code of 1986 that does not depend upon the Settlement Agreement for its existence; or

(C) waive, modify, or limit the sovereign immunity of the United States except as expressly provided in this section.

(e) RULE OF CONSTRUCTION REGARDING THE JUDGMENT FUND.—The restriction under subsection (b) constitutes a limitation on the availability of the permanent, indefinite appropriation under section 1304 of title 31, United States Code, with respect to covered activities, consistent with the authority of Congress to impose conditions

on the Judgment Fund as recognized in the legislative history and judicial interpretation of such section 1304.

(f) SUPERSESSION.—To the extent of any inconsistency with any provision of the Settlement Agreement, or any order, directive, or action of the Attorney General issued pursuant thereto, this section shall supersede the provision, order, directive, or action, as applicable.

(g) SEVERABILITY.—If any provision of this section, or the application of such provision to any person or circumstance, is held to be unconstitutional or otherwise invalid, the remainder of this section, and the application of such provision to other persons or circumstances, shall not be affected.