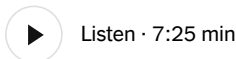


THE EDITORIAL BOARD

There Has Never Been an Example of Presidential Corruption Like This

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**By The Editorial Board**

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Has there ever been an episode of presidential corruption so blatant and threatening to constitutional order? Certainly not in modern times. President Trump’s Justice Department is using taxpayer money to create a \$1.8 billion political slush fund. Ostensibly set up to compensate those who the department claims have “suffered weaponization and lawfare,” it will in fact reward loyalists willing to defy the law and commit violence on behalf of the president.

The fund manages to combine three of Mr. Trump’s most alarming behaviors. One, it is an obvious form of corruption, coming from a president who has used his office to enrich himself, his family and his allies. Two, the fund continues his pattern of using the Justice Department as an enforcer to punish his perceived opponents and protect his friends and allies. Three, the fund is his latest attempt to rewrite history about the 2020 election and the Jan. 6, 2021, attack on Congress.

It is worth pausing to put the fund into the larger context of Mr. Trump’s political project: He is destroying pillars of American democracy to empower himself. He claims elections are legitimate only if he wins. He uses federal law enforcement to investigate and prosecute his perceived enemies. He purges his party of officials who defy him. He describes members of the other party and civil society as traitors and enemies. He incentivizes his supporters to break the law on his behalf and rewards them when they do. He directs his allies to change election rules to keep his party in power.

Mr. Trump’s project has not yet succeeded, at least not fully. Many Americans — in the judicial system, in Congress, in state governments and elsewhere — continue to stand up for democracy

and oppose his autocratic ambitions. By now, though, nobody should have illusions about what he is attempting to do.

The fund's existence is a story of political self-dealing. It is nominally the product of a flimsy personal lawsuit that Mr. Trump filed this year against the Internal Revenue Service, which he oversees, over the leaking of his tax returns during his first term. That lawsuit led to an absurd negotiation, in which the lawyers on one side worked for Mr. Trump the citizen and those on the other side worked for Mr. Trump the president.

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Adding to absurdity, the government lawyers reported to Todd Blanche, the acting attorney general, who previously worked as Mr. Trump's personal lawyer. A federal judge in Miami helping to oversee the case, Kathleen Williams, pointed out that the two sides were not adversaries, which called into question the process. Even Mr. Trump acknowledged the situation shortly after filing the suit by saying, "I am supposed to work out a settlement with myself."

Yet the talks proceeded because Mr. Trump's Justice Department was in charge. Unsurprisingly, they led to a deal that was extremely favorable to him.

In exchange for the president's dropping the suit against the I.R.S., both he and his supporters will receive government handouts. For Mr. Trump, the handout comes in the form of permission to have cheated on his taxes. The government has granted him and his family immunity from ongoing audits of his tax payments. He has a long history of using questionable accounting maneuvers, and the audits could have cost him more than \$100 million, experts have said. Now they will cost him nothing.

For his supporters, the handouts will come from the slush fund. The Justice Department will tap a permanent stream of revenue that Congress created in 1956, known as the Judgment Fund, to settle lawsuits against the federal government. As Paul Figley, a former Justice Department official, noted, the new fund appears to be both legal and at odds with Congress's intent. "It's horrible policy," Mr. Figley told The Times.

The department has allocated \$1.8 billion for what it calls, in an Orwellian flourish, an Anti-Weaponization Fund and invited applications from people who have been targeted for "political, personal or ideological reasons." Mr. Blanche — who holds his position as acting attorney general largely because of his willingness to use federal power in service of Mr. Trump's personal whims — will appoint a five-member board, with congressional leaders given input on one of the five. Mr. Trump can fire any of the members at any time.

To understand who is likely to receive payments, look at who has previously received settlements from the Justice Department. Michael Flynn, who was briefly Mr. Trump's national security adviser in 2017, received \$1.25 million, even though he pleaded guilty to lying to F.B.I. agents. The family of Ashli Babbitt, who participated in the Jan. 6 riot, and whom federal agents shot as she and others approached the House floor, received nearly \$5 million, even though

investigators cleared the shooters of wrongdoing. The Trump administration is paying off people who committed violence and crimes, as long as they are Trump allies.

The fund's timeline is the giveaway of how Mr. Trump plans to use it. The Justice Department said the fund would stop processing claims on Dec. 15, 2028, weeks before the president is to leave office, ensuring the money is distributed while he still holds the power to fire anyone who objects. The window is precisely the window of Mr. Trump's authority.

Even some of Mr. Trump's usual defenders are unhappy. Senator John Thune, Republican of South Dakota and the majority leader, meekly said that he was "not a big fan" of the fund. Brian Morrissey, the Treasury Department's general counsel, resigned within hours of the announcement, seven months after the Senate had confirmed him.

Providing payoffs is only part of the point. Another, according to Mr. Blanche, is "ensuring this never happens again." What, exactly, is "this"? The evenhanded enforcement of the law.

The Trump administration has already fired federal agents who did their duties by investigating the president's attempts to overturn the 2020 election. Mr. Trump has issued blanket clemency to more than 1,500 Jan. 6 rioters, some of whom may soon receive payments. His Justice Department secured an indictment of James Comey, the former F.B.I. director, on dubious charges as retribution for his role in the investigation of the 2016 Trump campaign's Russia ties. The fund continues the effort to turn law enforcement into a tool of raw political power.

The fund also encourages future lawlessness on Mr. Trump's behalf. It sends the message that he will use his power not only to shield people who break the law from accountability but also to shower benefits on them. Just as punishment is a deterrent, rewards are an incentive.

After President Richard Nixon's abuses in the Watergate scandal, Congress and the executive branch built rules and traditions to ensure that federal agencies, especially the Justice Department, operated in the public interest, rather than that of the president. Mr. Trump has tried to break this system. Once he is gone, it will need to be rebuilt, and better than before. He has exposed and exploited its flaws and gaps. Unless they are filled, Mr. Trump's corruption and perversion of justice risk becoming the norm.

In the meantime, Americans should be cleareyed about what the president is doing. He is taking their money and showering it on criminals.

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