

United States Senate

WASHINGTON, DC 20510

December 12, 2024

The Honorable Lindsey Graham
Ranking Member
Committee on the Judiciary
United States Senate

The Honorable Chuck Grassley
Ranking Member
Committee on the Budget
United States Senate

Dear Senators Graham and Grassley:

According to recent public reporting, Boris Epshteyn, a longtime adviser to President-elect Donald Trump, has been accused of running a pay-to-play scheme involving potential presidential appointments. Given the serious nature of these allegations, and to inform the Senate Judiciary Committee's consideration of nominees under its jurisdiction, we request that all such nominees preserve and produce to the Committee any communications with Mr. Epshteyn.

The Trump transition team recently investigated allegations that Mr. Epshteyn sought payments from individuals seeking positions with the incoming administration, attempting to cash in on his proximity to the President-elect.¹ In a sworn declaration, former Missouri Governor Eric Greitens reportedly described one such conversation with Mr. Epshteyn, explaining his "overall tone and behavior gave me the impression of an implicit expectation to engage in business dealings with him before he would advocate for or suggest my appointment to the President. This created a sense of unease and pressure on my part."² Mr. Epshteyn reportedly engaged in similar discussions with several other candidates.³

News reports state that, given concerns that Mr. Epshteyn used his access to the President-elect to enrich himself, the lawyer leading the transition team's investigation has recommended "that Trump aides sharply constrain . . . Epshteyn's access to the president-elect."⁴ However, questions remain regarding whether any nominees made promises or other assurances to Mr. Epshteyn as a condition of his support.

¹ Zeke Miller, *Trump transition team suggests sidelining top adviser over pay-to-play allegations*, Associated Press (Nov. 26, 2024), <https://apnews.com/article/trump-epshteyn-bessent-campaign-transition-6b92f862a117ff0582b631bdc42534c2>.

² Daniel Klaidman & Graham Kates, *Trump transition aide Boris Epshteyn sparking internal strife over appointments*, CBS News (Nov. 25, 2024), <https://www.cbsnews.com/news/trump-transition-boris-epshteyn-sparking-internal-strife-over-appointments/>.

³ *Id.*; Miller, *supra* note 1.

⁴ Miller, *supra* note 1.

Accordingly, all nominees appearing before the Senate Judiciary Committee should immediately act to retain all communications with Mr. Epshteyn, provide those materials to the Committee well in advance of their hearing date, and be prepared to testify regarding any discussions with Mr. Epshteyn about receiving a potential appointment in the incoming administration.

Thank you in advance for your cooperation.

Very truly yours,



Sheldon Whitehouse
United States Senator
Chairman, Subcommittee on
Federal Courts, Oversight,
Agency Action, and Federal
Rights



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

cc: Susie Wiles