

June 18, 2025

Nicholas Schilling
Office of Legal Policy
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Mr. Schilling:

In advance of the June 25, 2025, Senate Judiciary Committee hearing to consider Emil Bove's nomination to the United States Court of Appeals for the Third Circuit, I write to request information related to Mr. Bove's activities at the Department of Justice (DOJ). To aid the Committee's consideration of Mr. Bove's nomination, I ask that the nominee be prepared to discuss the following topics and that the Office of Legal Policy provide the documents requested below ahead of the hearing.

First, Mr. Bove should be prepared to discuss his role in DOJ's efforts to freeze lawfully appropriated Greenhouse Gas Reduction Fund (GGRF) grants. Earlier this year, then Interim-U.S. Attorney for the District of Columbia Ed Martin ordered his office to open a grand jury investigation into the GGRF program, alleging maladministration. When the career criminal chief refused because the investigation lacked the necessary predication, she was forced to resign. Martin then, unable to procure any career prosecutor's signature, personally submitted a seizure warrant application to freeze the funds. Following a judge's denial of that application, Mr. Bove reportedly shopped the same investigation and warrant application to other U.S. Attorney's offices, and the FBI began investigating at the request of a prosecutor in the Southern District of Florida. In a civil suit brought by GGRF grant recipients, a federal judge stated DOJ was "unable to proffer me any information with regard to any kind of investigation or malfeasance" regarding the GGRF program's administration.

Second, Mr. Bove should be prepared to discuss his role in facilitating a deal to drop public corruption charges against New York City Mayor Eric Adams. As Acting Deputy Attorney General, Bove reportedly brokered an arrangement to dismiss those charges in return for Mayor Adams's promised cooperation with federal immigration enforcement efforts. At least eight Justice Department attorneys, including the Acting U.S. Attorney for the Southern District of New York, resigned in protest. Mr. Bove, again apparently unable to procure any career prosecutor's participation, ultimately appeared as the sole attorney representing the United States at the hearing on the motion to dismiss the charges.

Please respond to the following by June 23, 2025:

Greenhouse Gas Reduction Fund Matter

1. Produce all communications between Mr. Bove and then-Interim U.S. Attorney Ed Martin related to the Greenhouse Gas Reduction Fund.
2. Produce all evidence predicated a criminal investigation of the administration and distribution of funds from the Greenhouse Gas Reduction Fund, including any seizure warrant applications and accompanying affidavits and exhibits.
3. Produce all documents, including but not limited to emails, messages, memoranda, notes, and other materials, related to EPA officials' or staff recommendations to DOJ regarding a criminal investigation into the Greenhouse Gas Reduction Fund.
4. Produce all emails in the March 9th and 10th email chain with the subject "Call Re EPA Funds," which included, among others, Matt Galeotti, Yaakov Roth, James Payne, and Emil Bove, and which, as reported in Politico on April 23, 2025, included an assessment from Payne that the government's approach in the Greenhouse Gas Reduction Fund matter had "significant legal vulnerabilities."
5. Produce all documents, including but not limited to emails, messages, memoranda, notes, and other materials, related to Mr. Bove's outreach to any U.S. Attorney's Offices regarding requests that the U.S. Attorney pursue an investigation or warrant application related to the Greenhouse Gas Reduction Fund.
6. Produce all documents, including but not limited to emails, messages, memoranda, notes, and other materials, that include Mr. Bove's name and are related to any U.S. Attorney's Office investigations or court filings involving the Greenhouse Reduction Fund.
7. Produce copies of all communications between DOJ or FBI officials that include Mr. Bove and EPA Administrator Zeldin, EPA Acting Deputy Administrator Chad McIntosh, any persons in the Administrator's or Deputy Administrator's offices, any persons affiliated with the so-called "Department of Government Efficiency," or EPA's Office of Inspector General regarding investigating the Greenhouse Gas Reduction Fund.
8. Produce all communication between DOJ and Zeldin alluding to or referencing Zeldin's repeated claims of fraud related to the Greenhouse Gas Reduction Fund.

Mayor Adams Matter

1. Produce all documents, including but not limited to emails, messages, memoranda, notes, and other materials, related to Mr. Bove's January 31, 2025, meeting with Mayor Adams's lawyers and Acting U.S. Attorney Danielle Sassoon.
2. Produce all documents, including but not limited to emails, messages, memoranda, notes, and other materials, related to Mr. Bove's February 10, 2025, directive to Ms. Sassoon to dismiss the pending charges against Mayor Adams.
3. If Mr. Bove attended the February 13, 2025, meeting between Mayor Adams and Thomas Homan, produce all documents, including but not limited to emails, messages, memoranda, notes, and other materials, related that meeting.

4. Produce all documents, including but not limited to emails, messages, memoranda, notes, and other materials, related to Mr. Bove's February 14, 2025, meeting with DOJ Public Integrity Section attorneys during which Mr. Bove sought a career attorney to sign the motion to dismiss the charges against Mayor Adams.
5. Produce all documents, including but not limited to emails, messages, memoranda, notes, and other materials, related to the circumstances leading to Mr. Bove's appearance as the sole attorney representing the United States at the February 19, 2025, hearing on the motion to dismiss in this matter.

Sincerely,



SHELDON WHITEHOUSE
Ranking Member
Senate Judiciary Subcommittee on
Federal Courts, Oversight,
Agency Action, and
Federal Rights

cc: Senator Chuck Grassley
Chairman, Senate Committee on the Judiciary

Senator Dick Durbin
Ranking Member, Senate Committee on the Judiciary