

United States Senate  
WASHINGTON, DC 20510

March 13, 2025

**VIA ELECTRONIC TRANSMISSION**

The Honorable Pamela Bondi  
Attorney General  
Department of Justice

The Honorable Kash Patel  
Director  
Federal Bureau of Investigation

Dear Attorney General Bondi and Director Patel:

“Thomas, I’m looking forward to seeing this case progress. The case will be prioritized over all others in the Branch. Thank you for your [sic] patience, it frankly took too long for us to open this.”

Those were the words of anti-Trump Assistant Special Agent in Charge (ASAC) Timothy Thibault in an email sent via his Federal Bureau of Investigation (FBI) account to Department of Justice (DOJ) Assistant U.S. Attorney (AUSA) Thomas Windom on April 15, 2022, within two days of the FBI approving and opening the Arctic Frost investigation, which ultimately became Jack Smith’s elector case against President Donald Trump.<sup>1</sup>

We have obtained additional FBI emails via legally protected whistleblower disclosures that detail the scope and breadth of DOJ and FBI’s work in the early days of the investigation. We previously released documents showing that ASAC Thibault authored the initial opening for Arctic Frost in violation of FBI rules notably the “No Self-Approval Rule” Section 3.5.2.3 within the FBI’s Domestic Investigations and Operations Guide. That rule states, in part, “an approval official” – and the rule uses the word supervisor to define this person – “may not ‘self-approve’ his/her own work or activity. An independent evaluation and approval of these activities must be obtained, including the opening and closing of any Assessment or predicated investigation.”<sup>2</sup> Thibault violated that rule with his work on Arctic Frost.

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<sup>1</sup> See Exhibit A; The Arctic Frost investigation was approved on April 13, 2022. See Exhibit 7. Senate Committee on the Judiciary Press Release. Grassley, Johnson Make Public Whistleblower Records Revealing DOJ and FBI Plot to Pin Trump in Jack Smith Elector Case (Jan. 30, 2025). <https://www.judiciary.senate.gov/press/rep/releases/grassley-johnson-make-public-whistleblower-records-revealing-doj-and-fbi-plot-to-pin-trump-in-jack-smith-elector-case>.

<sup>2</sup> FBI Domestic Investigations and Operations Guide (DIOG) Released September 17, 2021, <https://vault.fbi.gov/FBI%20Domestic%20Investigations%20and%20Operations%20Guide%20%28DIOG%29/fbi-domestic-investigations-and-operations-guide-diog-2021-version/FBI%20Domestic%20Investigations%20and%20Operations%20Guide%20%28DIOG%29%202021%20Version%20Part%20001/> view at 71.

The new records we are making public point to an aggressive investigation run by anti-Trump agents and prosecutors intent on using every resource available to pursue Trump and his supporters.

### **Emails with Arctic Frost Investigative Updates**

As we previously revealed, the FBI formally launched Arctic Frost on April 13, 2022.<sup>3</sup> Communications obtained through legally protected whistleblower disclosures indicate that once open, the FBI quickly advanced the investigation. Emails we reviewed suggest that each week the FBI Arctic Frost team would provide investigative updates to Thibault. The contents were reviewed and then shared with FBI leadership at the time, including Washington Field Office (WFO) Assistant Director in Charge (ADIC) Steven D’Antuono and Special Assistant to ADIC D’Antuono, Jill Adams. Examples of investigative updates showing the FBI’s work follow.

#### *Update 1*

Approximately a week and a half after the investigation launched, on **April 22, 2022**, Thibault and Supervisory Special Agent (SSA) Blaire Toleman received an investigative update from FBI Special Agent (SA) Michelle Ball with SAs Daniel Mehochko and Jamie Garman copied.<sup>4</sup> SA Ball’s email included an attached word document, which summarized recent and future investigative activities, as well as potential charges. On **April 25, 2022**, in an email with the subject line “*Arctic Frost Update*,” Thibault sent an update on recent investigative activity to ADIC D’Antuono and Special Assistant Jill Adams that contained the information he received three days prior, including:<sup>5</sup>

- CR-15 is in the process of acquiring, downloading, and documenting approximately 55 subpoena returns issued prior to the FBI joining the case. The subpoenas are for approximately 100 different facilities.
- CR-15 is also in the process of acquiring, downloading and documenting approximately 50 2703(d) orders for records associated with approximately 100 email accounts.
- Approximately 16 interviews are being planned for the beginning of May [2022]. WFO is coordinating with 13 offices to request assistance with the interviews.

Thibault’s **April 25, 2022**, update described upcoming investigative activity, including:<sup>6</sup>

- DOJ and FBI were informed that government-issued cell phones that purportedly previously belonged to former Vice President Mike Pence and former President Donald J. Trump were in the possession of individuals at the White House. DOJ is currently conducting analysis regarding the FBI taking possession of and processing the phones.

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<sup>3</sup> See Exhibit 7 of Senate Committee on the Judiciary Press Release. Grassley, Johnson Make Public Whistleblower Records Revealing DOJ and FBI Plot to Pin Trump in Jack Smith Elector Case (Jan. 30, 2025). <https://www.judiciary.senate.gov/press/rep/releases/grassley-johnson-make-public-whistleblower-records-revealing-doj-and-fbi-plot-to-pin-trump-in-jack-smith-elector-case>.

<sup>4</sup> See Exhibit B.

<sup>5</sup> See Exhibit B.

<sup>6</sup> See Exhibit B.

The records we received point to a similar process and cadence for providing updates in the weeks that followed, as outlined below.

#### *Update 2*

On **May 2, 2022**, Thibault received an investigative update on Arctic Frost from SSA Blaire Toleman.<sup>7</sup> Then, on **May 3, 2022**, Thibault sent an investigative update, containing information he received the prior day, to ADIC Steven D'Antuono and Special Assistant Jill Adams.<sup>8</sup> The update was included in an email with the subject line "*Arctic Frost Update 5 3 2022*," and listed recent case updates, including:<sup>9</sup>

- CR-15 has been working to upload approximately 55 subpoena returns and approximately 50 2703(d) order results into Sentinel.
- Analyst team has begun taking the GMAN produced spreadsheets and analyzing communications amongst Trump team members and Republican electors who did not sign the certificates.
- On Monday, May 2, 2022, Agents met with AUSAs to discuss possible cell phone search warrants.

Thibault's **May 3, 2022**, update described upcoming investigative activity, including:

- On Thursday, May 5, 2022, CR-15 will conduct a briefing for all agents participating in interviews on May 10, 2022. Sixteen interviews will be attempted in six states of Republican electors who opted not to sign the alternate certificates.

#### *Update 3*

On **May 10, 2022**, Thibault sent an email with the subject line "*Update Arctic Frost – May 10th Interviews*," to ADIC D'Antuono and included FBI officials in copy, including Public Affairs Officer Samantha Tucker Shero, Supervisory Public Affairs Specialist Lira B. Gallagher, Special Assistant Jill Adams, Section Chief for the Financial Crimes Section Aaron G. Tapp, SSA Thomas Coyle, and SSA Lindsay Capodilupo.<sup>10</sup> The email provided updates on attempts to contact each of the individuals who the FBI sought to interview on May 10, 2022, in states throughout the country.<sup>11</sup>

#### *Update 4*

On **May 13, 2022**, Thibault received an investigative update on Arctic Frost from SA Jamie Garman.<sup>12</sup> Also included on that email were SSA Blaire Toleman, SA Daniel Mehochko, and SA Michelle Ball. Then, on **May 17, 2022**, Thibault sent an email, which contained information from the email he received four days prior, outlining recent investigative activity to

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<sup>7</sup> See Exhibit C.

<sup>8</sup> See Exhibit C.

<sup>9</sup> See Exhibit C for a full list of investigative activity for that week.

<sup>10</sup> See Exhibit D.

<sup>11</sup> See Exhibit D. The interviews took place in Georgia, Michigan, Pennsylvania, Wisconsin, and New Mexico. See also Exhibit E (May 13, 2022 updates for additional context).

<sup>12</sup> See Exhibit E.

ADIC D'Antuono and Special Assistant Adams, Public Affairs Officer Samantha Tucker Shero, Supervisory Public Affairs Specialist Lira B. Gallagher, and SSA Blaire Toleman.<sup>13</sup> The email had the subject line "*Arctic Frost Update 5 17 2022*" and listed recent case updates, including:<sup>14</sup>

- On May 4, 2022, CR-15 agents took possession of two phones belonging to former President Donald Trump and former Vice President Mike Pence. The phones were entered into evidence and will not be processed until search warrants are obtained. A brief interview with Deputy White House Counsel was conducted on the same date. A follow-on letter requesting additional information regarding the phones was sent from the USAO to White House Counsel on May 9, 2022.

The **May 17, 2022**, update also described upcoming investigative activity, including:<sup>15</sup>

- Discussions are occurring between the USAO-DC, DOJ-OIG and WF management regarding merging the DOJ-OIG investigation into former Acting Assistant Attorney General for the Civil Division Jeffrey Clark with Operation Arctic Frost. USAO-DC requested that DOJ-OIG and FBI facilitate joining the investigations considering the overlap in timing, actors, and legal process. The merger of the case is pending.
- Prosecutors plan to begin reaching out to counsel for witnesses, including former White House officials and other former government officials, to attempt to arrange document production and later interviews. Such individuals may include Marc Short (former Chief of Staff to the Vice President), Greg Jacob (former Counsel to the Vice President), Pat Cippolone (former White House Counsel), Pat Philbin (former Deputy Counsel to the President), Steve Engel (former AAG), and John Ratcliffe (former DNI). CR-15 plans to request approval to conduct such interviews, as required by FBI policy.

#### *Update 5*

On **May 21, 2022**, Thibault and SSA Toleman received an investigative update on Arctic Frost from FBI Special Agents working on the investigation.<sup>16</sup> Then, on **May 24, 2022**, Thibault sent an investigative update in an email with the subject line "*Arctic Frost Update 5 24 2022 (Limited Distro)*," to ADIC D'Antuono and included, in copy, FBI officials Special Assistant Jill Adams, SSA Dennis W. Halliden, WFO Chief Division Counsel Allison K. Lawter, SSA Mary Jo Ervin, SSA Blaire Toleman, Administrative Assistant Tania Dulany, and SSA Michael H. Glasheen. The case updates included:<sup>17</sup>

- CR-15 and DOJ-OIG agents are merging Arctic Frost with the DOJ-OIG investigation into former Acting Assistant Attorney General for the Civil Division Jeffrey Clark. Predication for adding Clark as a target in Arctic Frost was submitted to PCU [Public Corruption Unit] for awareness. CR-15 is working to determine the scope of evidence previously obtained in the OIG investigation. Search warrants are being drafted for 3

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<sup>13</sup> See Exhibit E.

<sup>14</sup> See Exhibit E.

<sup>15</sup> See Exhibit E.

<sup>16</sup> See Exhibit F.

<sup>17</sup> See Exhibit F.

email accounts believed to be used by: Jeffrey Clark, Pennsylvania Congressman Scott Perry, and Jim Wallace; internal review by various DOJ components is expected in upcoming weeks.

- USAO-DC received a response from White House Counsel regarding certain requested information about phones the FBI received that were previously assigned to former President Donald Trump and former Vice President Mike Pence. Certain toll information was received from Verizon regarding these phones and CR-15 is conducting further investigation into telephone numbers these phones were in contact with. A search warrant is currently being drafted for the contents of these phones.

Thibault's **May 24, 2022**, update also described upcoming investigative activity, including:<sup>18</sup>

- AUSA plans to contact counsel for additional former White House personnel and other former government officials, including Pat Cippolone (former White House Counsel), Pat Philbin (former Deputy Counsel to the President), Steve Engel (former AAG), and John Ratcliffe (former DNI). CR-15 has provided written notification to PCU regarding these potential interviews.

#### *Update 6*

On **May 27, 2022**, Thibault and SSA Toleman received an investigative update on Arctic Frost from SA Jamie Garman with SAs Daniel Mehochko and Michelle Ball copied. Under the section titled "Most Recent Case Update," the first three updates listed were:<sup>19</sup>

- CR-15 is planning a second round of approximately 50 interviews together with serving subpoenas across at least seven states during the week of June 20. The interviews will include the individuals who signed and/or mailed the certificates in each state, as well as the Trump Campaign's Directors of Election Day Operations for the relevant states, and certain GOP officials who are believed to have facilitated the scheme by communicating with individuals associated with the Trump Campaign and the "fraudulent" or "alternate" electors. CR-15 is anticipating obtaining search warrants for physical phones from at least two individuals in Georgia. Discussions regarding the possibility of additional device warrants are ongoing. USAO-DC is considering whether to present all device warrants to a judge in the District of Columbia. Coordination with PCU, PIN, and PRAO is ongoing and PIN's initial determination that the interviews may proceed is documented to the case file.
- CR-15 and DOJ-OIG agents are merging Arctic Frost with the DOJ-OIG investigation into Jeffrey Clark. An additional statement of predication was added to the file. FBI is being given access to a Relativity database containing email and cell phone pulls conducted by DOJ-OIG from DOJ accounts and phones for a variety of individuals, including Clark, Klukowski, former AG Bill Barr and former Georgia USA BJay Pak, among many others. A relevance review of those accounts by DOJ-OIG is ongoing. Search warrants are being drafted for 3 electronic accounts and/or physical phones believed to be used by: Jeffrey Clark, Pennsylvania Congressman Scott Perry, Jim

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<sup>18</sup> See Exhibit F.

<sup>19</sup> See Exhibit G.

Wallace, John Eastman, Mark Meadows, and Ken Klukowski. Internal review by various DOJ components is expected in upcoming weeks. FBI is requested to assist in executing the warrants for the physical devices.

- DOJ-OIG previously obtained a search warrant for email accounts believed to be used by Eastman, Clark, Klukowski, and Meadows. The deadline for the providers to disclose the data has passed and DOJ-OIG is working to obtain the data. DOJ is finalizing filter protocols for attorney-client privilege and has assigned a dedicated filter AUSA to oversee the review. The District Court Judge who signed the warrant will review and approve the protocols before the filter review begins.

The **May 27, 2022**, update also described upcoming investigative activity, including:<sup>20</sup>

- AUSA is scheduling an interview with Greg Jacob (former Counsel to the Vice President) through his counsel for the week of July 11 at the USAO-DC. Scheduling with counsel for Marc Short (former Chief of Staff to the Vice President) is ongoing.
- An interview of the former Chairman of the Republican Party in Wisconsin, Andrew Hitt, has been scheduled through his counsel for June 6, 2022, in Milwaukee, Wisconsin. No proffer letter will be provided; the FBI will record the interview and AUSA will attend. Travel funding request has been submitted to PCU. Hitt is expected to provide documents in response to a grand jury subpoena in advance of the interview.
- Phil Droege, from the White House will be made available for an interview to discuss the way records are kept at the White House. USAO is scheduling the interview for the week of June 13.
- AUSA served a grand jury subpoena for testimony on counsel for Ali Alexander; the testimony is currently scheduled for June 24, 2022. Alexander may sit for an interview on June 23, 2022.

## Resources and Staffing

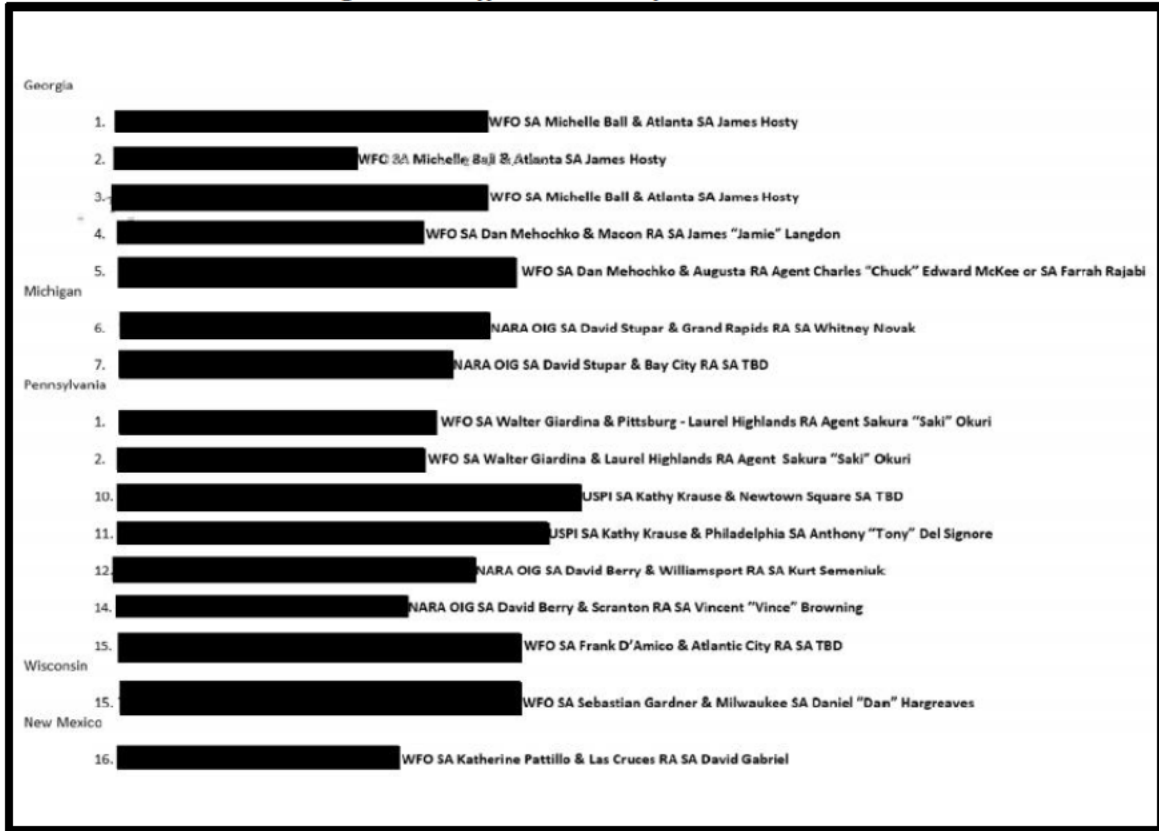
An FBI email thread, which was started on April 26, 2022, with the subject line “*Interviews on May 10, 2022*” lists FBI employees from offices around the country, as well as employees from the National Archives and Records Administration Office of Inspector General (NARA OIG) and the United States Postal Inspection Service who “agreed to assist with interviews on May 10, 2022 in support of Arctic Frost.”<sup>21</sup> The email mentions a “TEAMS briefing on May 5, 2022 at 11am EST” to prepare for the interviews and shows the staffing breakdown for conducting the series of interviews, see Figure 1 below. The extent to which individuals on this list volunteered and self-selected to support this investigation is unclear.

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<sup>20</sup> See Exhibit G.

<sup>21</sup> See Exhibit H.

Figure 1: Staff breakdown for interviews<sup>22</sup>



Further, on May 25, 2022, an internal FBI email with the subject line “PCU Travel Request,” shows that the Arctic Frost team requested \$16,600 for travel in June 2022 to “conduct more than 40 interviews, serve subpoenas and execute several cellular device search warrants.”<sup>23</sup> The request states the FBI “would be requesting assistance from 11 WFO individuals to travel to various locations, in addition to utilizing individuals from the various field offices. The attached spreadsheet provides approximate costs.”<sup>24</sup> The request provided a list of individuals to be interviewed or served with subpoenas/warrants for cellular devices.<sup>25</sup> The request states that “[n]one of the individuals are federal politicians.”<sup>26</sup> These emails and documents provide a glimpse into just a portion of the massive taxpayer resources that the FBI spent on the Arctic Frost investigation.<sup>27</sup>

Sunshine is the best disinfectant. The American people deserve to know the complete extent of political bias, potential misconduct, and mismanagement within the DOJ and FBI that

<sup>22</sup> See Exhibit H.

<sup>23</sup> See Exhibit H.

<sup>24</sup> See Exhibit H.

<sup>25</sup> See Exhibit H. See also Exhibit G, the attachment to a May 27, 2022, email further describes plans for a second round of interviews.

<sup>26</sup> See Exhibit H.

<sup>27</sup> See Exhibit H.

led to the corrupt investigations into President Trump. We are making this information public for purposes of public accountability and to provide specific examples of past behavior at your institutions that must not be repeated. Quite simply, the public has a right to know what happened in Arctic Frost and, based on what we've exposed to date, the American public deserves better from its law enforcement agencies. It is important that every individual at your agencies maintains the highest level of professionalism, and does not allow political bias to motivate or guide their investigative work.

Consistent with Senator Grassley's request during Director Patel's confirmation hearing, we expect the production of all records related to the Arctic Frost investigation, including all internal records of investigative updates. In addition, we request data providing a true and complete breakdown of the total dollar amount spent on the Arctic Frost investigation before it was officially transferred to Jack Smith in November 2022. Please also include information related to travel funds and hours spent on the investigation. Provide all records no later than March 27, 2025.

Sincerely,



Charles E. Grassley  
Chairman  
Committee on the Judiciary



Ron Johnson  
Chairman  
Permanent Subcommittee  
on Investigations

cc: The Honorable Richard Durbin  
Ranking Member, Committee on the Judiciary

The Honorable Richard Blumenthal  
Ranking Member, Permanent Subcommittee on Investigations