

United States Senate

WASHINGTON, DC 20510

November 6, 2025

VIA ELECTRONIC TRANSMISSION

The Honorable Pam Bondi
Attorney General of the United States
United States Department of Justice
Washington, D.C. 20530

Dear Attorney General Bondi:

We write today to urge you to use every tool at your disposal to uncover a key component of the weaponized, Biden-era Arctic Frost investigation that targeted ten United States Senators. As you know, the Biden Department of Justice (DOJ) sought and ultimately obtained cell phone “tolling data” from at least eleven members of Congress. While we have learned more about the corrupt nature of this investigation in the weeks that have followed this disturbing revelation, there is still much that we do not know.

In May 2023, the Biden DOJ—at the direction of Special Counsel Jack Smith—issued grand jury subpoenas to several telecommunications companies regarding our cell phone records, gaining access to the time, recipient, duration, and location of calls placed on our devices from January 4, 2021, to January 7, 2021. As we have recently learned, attached to that subpoena was a non-disclosure order, signed by Chief Judge James Boasberg.

Under the Stored Communications Act, the government may seek a court order “for such a period as the court deems appropriate, not to notify any other person of the existence” of the grand jury subpoena at issue.¹ Further, a federal judge may only enter such a non-disclosure order if there is “reason to believe” that notifying an individual of the subpoena would result in “(1) endangering the life or physical safety of an individual; (2) flight from prosecution; (3) destruction of or tampering with evidence; (4) intimidation of potential witnesses; or (5) otherwise seriously jeopardizing an investigation or unduly delaying a trial.”²

Astoundingly, Judge Boasberg found “reasonable grounds” to conclude that, if we were notified of these unlawful subpoenas, “such disclosure will result in destruction of or tampering with evidence, intimidation of potential witnesses, and serious jeopardy to the [Arctic Frost] investigation.” In short, without citing *any factual basis* to support these supposed “reasonable grounds,” Judge Boasberg determined that multiple United States Senators would destroy evidence and intimidate witnesses—a conclusion that defies both logic and the facts. Plain and simple: we did nothing wrong, and there is **zero** evidence to conclude that we would have destroyed evidence or intimidated witnesses.

¹ 18 U.S.C. § 2705(b).

² *Id.*

We write because the American people deserve to know more about the “reasonable grounds” that Judge Boasberg found to avoid informing us of these unlawful subpoenas. The Stored Communications Act makes clear that the government—when seeking a non-disclosure order under § 2705(b)—must submit an application that sets forth the factual background showing reasonable grounds for the gag order. It is our understanding that this application is currently under seal in the Arctic Frost grand jury materials. We urge you to immediately move to unseal and provide this application that accompanied the gag order. Judge Boasberg’s order was a blatant abuse of power, and we must get to the bottom of how he arrived at the baseless conclusion that duly elected members of Congress would destroy evidence or intimidate witnesses.

Jack Smith and the Biden DOJ spied on their political opponents, violated the Constitution, and weaponized the justice system to target members of Congress—all in an effort to go after President Trump. The American people deserve transparency about this egregious investigation and the full extent of the corruption of Jack Smith’s witch hunt. Unsealing this document is a critical step forward in our efforts to hold accountable Jack Smith, Judge Boasberg, and all individuals who participated in this miscarriage of justice.

Thank you for your continued work to root out the two-tiered system of justice that existed for far too long under President Biden’s watch.

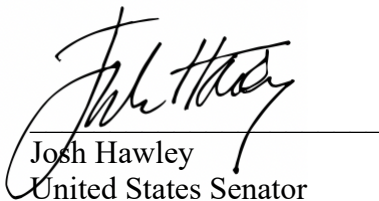
Sincerely,



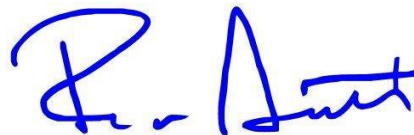
Marsha Blackburn
United States Senator



Ted Cruz
United States Senator



Josh Hawley
United States Senator



Rick Scott
United States Senator