

United States Senate
WASHINGTON, DC 20510

November 6, 2025

VIA ELECTRONIC TRANSMISSION

Mr. Elon Musk
Chairman
X Corp.

Dear Mr. Musk:

On October 6, 2025, the Federal Bureau of Investigation (FBI) Deputy Director Dan Bongino informed us that as part of the Biden FBI's Arctic Frost investigation, by September 27, 2023, officials in the FBI's Washington Field Office possessed call logs from the personal phones of at least nine Members of Congress.¹ Since then, our offices have received copies of 44 subpoenas sent by Special Counsel Jack Smith's team to Verizon and AT&T, four of which requested phone information connected to roughly a dozen Members of Congress.²

In addition to Jack Smith's efforts to secretly obtain Members of Congress's phone records, whistleblower disclosures revealed that the Biden FBI also targeted 92 Republican linked groups and individuals as part of Arctic Frost, which we made public on September 16, 2025.³ Last week, we made records public that exposed the Biden DOJ and FBI expanded Arctic Frost by targeting over 430 Republican groups and individuals, including Charlie Kirk's Turning Point USA.⁴

For some subpoenas, Jack Smith focused his secret efforts to obtain phone data from constitutional officers from January 4 to January 7 which would have covered a time when Congress executed a core constitutional duty—the certification of the electoral college. This focus raises reasonable concern that calls, texts, and emails sent from or to those devices may have been related to this Legislative Branch function, raising serious separations of powers concerns. Further, it's also been reported that during his investigation, Jack Smith sought to obtain an array of information from President Trump's Twitter (now X) account, including lists

¹ Press Release, *Biden FBI Spied on Eight Republican Senators as Part of Arctic Frost Investigation, Grassley Oversight Reveals*, (Oct. 6, 2025) <https://www.judiciary.senate.gov/press/rep/releases/biden-fbi-spied-on-eight-republican-senators-as-part-of-arctic-frost-investigation-grassley-oversight-reveals>.

² Documents on file with Senate Judiciary Committee and Permanent Subcommittee on Investigations Staff.

³ See Opening Statement, *Grassley Opens Senate Judiciary FBI Oversight Hearing, Releases Additional Records Demonstrating Political Weaponization and Misconduct at Biden FBI*, (Sep. 16, 2025) <https://www.judiciary.senate.gov/press/rep/releases/grassley-opens-senate-judiciary-fbi-oversight-hearing-releases-additional-records-demonstrating-political-weaponization-and-misconduct-at-biden-fbi>; https://www.grassley.senate.gov/imo/media/doc/arctic_frost_bank_record_subpoenas.pdf.

⁴ Press Release, *NEW: Jack Smith Subpoenaed Records for Over 400 Republican Targets As Part of Arctic Frost*, (Oct. 29, 2025) <https://www.judiciary.senate.gov/press/rep/releases/new-jack-smith-subpoenaed-records-for-over-400-republican-targets-as-part-of-arctic-frost>.

of users who favorited or retweeted President Trump's posts as well as included his username in mentions or replies.⁵ Taken together with what we know so far about the expanded scope of the Arctic Frost investigation these actions raise concerns that other communications, including those on your platforms and services, consistent with Members carrying out the duties of their office were also swept under the investigative arm of Arctic Frost.

Accordingly, given the urgency and seriousness of this matter, please provide the following information as soon as it is available, but no later than November 20, 2025:

1. Did the Department of Justice (DOJ) or any federal law enforcement agency make a request to your company or any of its subsidiaries, informally or formally, through service of legal process for data or information connected to any Member of Congress related to Special Counsel Jack Smith's elector case? If yes, provide all records, including but not limited to copies of all subpoenas and communications referring or relating to these subpoenas.⁶
2. Did the DOJ or the FBI place your company or any of its subsidiaries under a gag order or non-disclosure requirement to prevent it from notifying Members?
 - a. If yes, on what basis, when was the gag order placed, and is the gag order still effective? Provide copies of all gag orders your company received, both through legal process or informally, related to the affected Members.
 - b. If not and your company or its subsidiaries did provide information to DOJ or FBI, why didn't your company or any of its subsidiaries notify the affected Member that their information was produced to the DOJ?
3. What Member of Congress data or information, including location, messaging, or content related data, was provided to DOJ or the FBI related to Special Counsel Jack Smith's elector case? Include the date of the request, the request letter, the type of information that was requested, the date the data or information was provided, and whether there were any notifications.
4. Did your company or its subsidiaries challenge the subpoena on any grounds? Please explain and note the outcome. If not, why not?

⁵ Matthew Impelli, *Did Jack Smith Investigate Trump's Twitter Followers? What We Know*, Newsweek (Nov. 29, 2023) <https://www.newsweek.com/did-jack-smith-investigate-trumps-twitter-followers-what-we-know-1848167>.

⁶ "Records" include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (emails, email attachments, and any other electronically created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether they resulted in final documents).

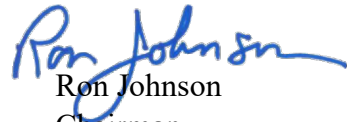
5. If your company provided records to DOJ or FBI related to Special Counsel Jack Smith's elector case, which company officer(s) approved the release of the information to the government?

Thank you for your prompt review and responses. If you have any questions, please contact our Committee staff.

Sincerely,



Charles E. Grassley
Chairman
Committee on the Judiciary



Ron Johnson
Chairman
Permanent Subcommittee
on Investigations