

Congress of the United States
Washington, DC 20515

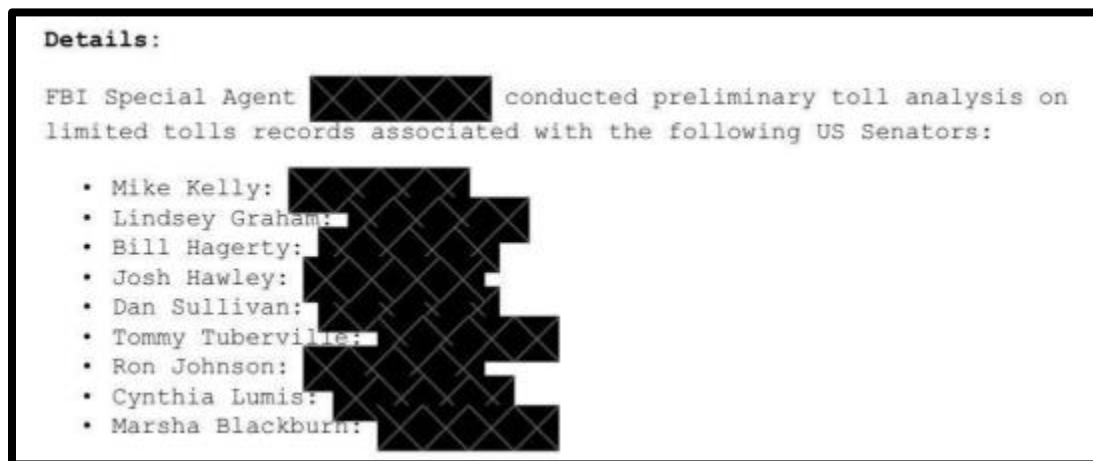
October 11, 2025

VIA ELECTRONIC TRANSMISSION

Ms. Kate Johnson
President and Chief Executive Officer
Lumen Technologies

Dear Ms. Johnson:

On October 6, 2025, 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. According to Deputy Director Bongino, the FBI obtained call logs for the period of January 4, 2021 – January 7, 2021, from the affected Members' phone carriers. Below is a snapshot of the FBI's document listing the Members that Jack Smith targeted:



By law, the Senators' offices retain possession of their Senate data from both dual use and Senate specific devices and service providers do not acquire "possession, custody, or control" of that data.¹ Moreover, no court order or provision of law can prevent you from notifying Senators of any legal process that sought disclosure of any Senate data transmitted on Senate or dual use devices related to Senators' offices.² Even if the phone numbers above do not fall into those categories, there are serious constitutional questions that those communications are still subject to constitutional protections. Indeed, the time period Jack Smith focused his secret efforts to obtain the records from constitutional officers falls squarely within a core constitutional duty – certification of the electoral college. That raises a reasonable concern that calls, texts, and emails sent from or to those devices may have been acts consistent with the duties of office.

¹ 2 U.S.C. § 6628(a)(6), (b)(1)(A).

² 2 U.S.C. § 6628(c).

Accordingly, we request records³ of all requests or orders made by the Department of Justice (DOJ) or any federal law enforcement agency to you, informally or formally, through service of legal process, for all data or information related to the following Members' devices where you were the provider:

- Senator Lindsey Graham
- Senator Bill Hagerty
- Senator Josh Hawley
- Senator Dan Sullivan
- Senator Tommy Tuberville
- Senator Ron Johnson
- Senator Cynthia Lummis
- Senator Marsha Blackburn
- Representative Mike Kelly

Additionally, please answer the following questions:

1. Did the subpoena(s) you received from the DOJ for the affected Members' toll records seek the information by name or phone number? Provide copies of the subpoena(s).
2. Did the DOJ or FBI place your company under a gag order or non-disclosure requirement to prevent it from notifying the affected Members? If yes, on what basis, and is the gag order still in place? Provide copies of all gag-orders your company received, both through legal process or informally, related to the affected Members. If not, why didn't you notify the affected Member that their toll records were produced to the DOJ?
3. What data or information from the affected Members was provided to DOJ or the FBI? Include the date of the request, the date the data or information was provided, and whether there were any notifications.
4. Did the DOJ or FBI seek content in relation to any of the Members? Include the date of the request, the date the data or information was provided, and whether there were any notifications.
5. Were other Members besides the nine subject to similar subpoenas for information related to Jack Smith? Provide all records including the affected phone numbers.
6. Did you challenge the subpoena on any grounds? Please explain and note the outcome. If not, why not?

³ "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).

7. Which company officer(s) approved the release of the information to the government?

Given the urgency and seriousness of this matter, we request that you compile this information and provide us with substantive responses as soon as it is available, but in any event, no later than October 25, 2025.

Sincerely,



Charles E. Grassley
Chairman
Committee on the Judiciary



Ron Johnson
Chairman
Permanent Subcommittee
on Investigations



Marsha Blackburn
U.S. Senator



Lindsey O. Graham
U.S. Senator



Bill Hagerty
U.S. Senator



Josh Hawley
U.S. Senator



Cynthia Lummis
U.S. Senator



Dan Sullivan
U.S. Senator



Tommy Tuberville
U.S. Senator



John Cornyn
U.S. Senator



Michael S. Lee
U.S. Senator



Ted Cruz
U.S. Senator



Thom Tillis
U.S. Senator



John Kennedy
U.S. Senator



Eric S. Schmitt
U.S. Senator



Katie Boyd Britt
U.S. Senator



Ashley Moody
U.S. Senator



Mike Kelly
U.S. Representative