

April 7, 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:

domestic-investigations-and-operations-guide-diog-2021-

We have obtained additional Department of Justice (DOJ) and Federal Bureau of Investigation (FBI) communications through legally protected whistleblower disclosures that show a politically-driven conspiracy among anti-Trump FBI agents and prosecutors in setting up and advancing the Arctic Frost investigation. As we have explained in our previous correspondence, Arctic Frost was the codename for the investigation which ultimately became Jack Smith's elector case against President Donald Trump. This is now our fourth request and third letter on this matter.<sup>1</sup>

The newly disclosed communications provide more evidence that anti-Trump ASAC Thibault was the prime FBI official who opened Arctic Frost in violation of the FBI Domestic Investigations and Operations Guide's "No Self-Approval Rule." These communications also provide additional context with respect to ASAC Thibault and Supervisory Special Agent (SSA) Leanna Saler's efforts to work with Assistant United States Attorney (AUSA) Thomas Windom to open Arctic Frost. Lastly, the newly disclosed communications shed additional light on the efforts by the Biden White House Counsel's Office to collaborate with and provide cell phones previously assigned to President Trump and former Vice-President Pence to the FBI and DOJ.

version/FBI%20Domestic%20Investigations%20and%20Operations%20Guide%20%28DIOG%29%202021%20Version%20Part%2001/view at 71; Senate Committee on the Judiciary Press Release. Grassley Underscores FBI Supervisor Misconduct in Trump-Targeted Arctic Frost Investigation (Feb. 3, 2025), <a href="https://www.judiciary.senate.gov/press/rep/releases/grassley-underscores-fbi-supervisor-misconduct-in-trump-">https://www.judiciary.senate.gov/press/rep/releases/grassley-underscores-fbi-supervisor-misconduct-in-trump-</a>

https://www.judiciary.senate.gov/press/rep/releases/grassley-underscores-fbi-supervisor-misconduct-in-trump-targeted-arctic-frost-investigation.

### Actions in February 2022, prior to the opening of Arctic Frost

Records provide more examples of ASAC Thibault's personal efforts to initiate Arctic Frost

The newly disclosed communications substantiate Senator Grassley's February 3, 2025, speech on the floor of the U.S. Senate that said, in part, "...Thibault hand-picked subordinate agents, including Michelle Ball and Jamie Garman...to conceal his role as an initiating agent" from FBI leadership.<sup>3</sup> For example, on February 14, 2022, ASAC Thibault sent an email to Special Agent (SA) Michelle Ball with then-Supervisory Special Agent (SSA) Philip Vanwyngarden in copy.<sup>4</sup> The subject line of the email was: "Re: Elector Matter" and in that email ASAC Thibault sent them "draft opening language" to serve as the predicating language to formally open Arctic Frost.<sup>5</sup> In response on February 14, 2022, SA Michelle Ball said, "Thank you Tim. I will read through it, appreciate you sending this to me."

The February 22, 2022, email copied below from ASAC Thibault to SA V. Joachim with the subject line "RE: CR-19 2/22/22 Update" shows ASAC Thibault's personal effort to obtain approval for Arctic Frost ("I am working to get DOJ and FBIHQ to gain approval") as well as his personal effort to place his selected agents, SAs Michelle Ball and Jamie Garman, on the matter.<sup>7</sup>

[REMAINDER OF PAGE INTENTIONALLY BLANK]

<sup>&</sup>lt;sup>3</sup> Senate Committee on the Judiciary Press Release. Grassley Underscores FBI Supervisor Misconduct in Trump-Targeted Arctic Frost Investigation (Feb. 3, 2025), <a href="https://www.judiciary.senate.gov/press/rep/releases/grassley-underscores-fbi-supervisor-misconduct-in-trump-targeted-arctic-frost-investigation">https://www.judiciary.senate.gov/press/rep/releases/grassley-underscores-fbi-supervisor-misconduct-in-trump-targeted-arctic-frost-investigation</a>.

<sup>&</sup>lt;sup>4</sup> See Exhibit B.

<sup>&</sup>lt;sup>5</sup> See Exhibit B.

<sup>&</sup>lt;sup>6</sup> See Exhibit B.

<sup>&</sup>lt;sup>7</sup> See Exhibit C.

From: Thibault, Timothy R. (WF) (FBI) Sent: Tuesday, February 22, 2022, 9:15 AM To: Joachim, V. (WF) (FBI) Subject: RE: CR-19 2/22/22 Update ٧, Thank you for the update on An thank you, was good to get out of the cold weather. On another note, I am working to get DOJ and FBIHQ to gain approval to open a case on the Trump campaign et al for conspiring to defraud the US Govt via the elector scheme. This case will be worked by CR15 and I've assigned SA Michelle Ball. Before I left, I asked Jamie if she would be up for working of the case with Michelle when she gets to 15, which she was agreeable to. Her background as an AUSA will be particularly helpful. I don't expect the case will be up and running for a couple of weeks; however, Jamie may be required to participate in some limited meetings with prosecutors. Will still look to you and Jamie to determine the appropriate time for here to move over. Timothy R. Thibault Assistant Special Agent in Charge Criminal Division - Branch II Northern Virginia RA Washington Field Office Desk: Cell:

Records show early involvement of U.S. Attorney who would later join Jack Smith's team

The newly disclosed communications also suggest the involvement of AUSA Thomas Windom, who would later become a member of Jack Smith's team. Specifically, on February 15, 2022, SSA Leanna Saler emailed SSA Wayne Jacobs (now Special Agent in Charge of the Philadelphia Field Office), SSA Kevin Gallagher, and ASAC Thibault with the subject line "Windom" stating: "...per Thomas [Windom], they are active on the electoral fraud investigation. They are currently working with USPS-OIG [U.S. Postal Service – Office of Inspector General] and Archives-OIG [National Archives and Records Administration – Office of Inspector General]. They have a meeting coming up tomorrow and are serving process." 8

That same day, ASAC Thibault responded to SSA Leanna Saler, "Thank you for the information. Was not told USAO [U.S. Attorney's Office] had opened a case and was working with two other agencies. We address when I get back." 9

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

<sup>&</sup>lt;sup>9</sup> See Exhibit D. ("Windom" and "Thomas" as used in this email presumably refers to Assistant U.S. Attorney Thomas Windom, who was later a member of Special Counsel Jack Smith's team.)

The following week, on February 22, 2022, SSA Leanna Saler emailed ASAC Thibault with Tania Dulany, ASAC Thibault's assistant, in copy. The email's subject line was "Coffee with windom." The email stated: "He [Windom] would love to do coffee. Mornings are easiest for him. I said I would send out dates. I'm available this Friday, and then it would be the week after next: 3/8, 3/9, or 3/11."

Then, on February 25, 2022, SSA Leanna Saler emailed ASAC Thibault the following: 12

From: Saler, Leanna L. (WF) (FBI)  Gent: Friday, February 25, AM  To: Thibault, Timothy R. (WF) (FBI)  Subject: Windom	
He plans to start calling represented persons and serving GJ sbps. He would like to do these interviews in the next two weeks or so. He spent about 30 mins or so on the phone with me vesterday or the day before going over a number of threads. I think with that and toll analysis, I could get this opened as a PI. Otherwise, we are stuck with him issuing GJ sbps and us not touching a thing due to DIOG. With your approval (and EM, hence writing it out), I'll start drafting and see what folks think.	g
SSA Leanna Saler WFO- Public Corruption/Civil Rights	

That same day, ASAC Thibault responded to SSA Saler with the following message: 13

Sent: Friday, February 25, AM To: Saler, Leanna L. (WF) (FBI) Subject: RE: Windom
Ok. I will send you a draft of our opening EC on the Electors matter when I receive an updated copy.
Timothy R. Thibault Assistant Special Agent in Charge Criminal Division - Branch II Northern Virginia RA Washington Field Office Desk: Cell:

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

<sup>11</sup> See Exhibit E.

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

<sup>&</sup>lt;sup>13</sup> See Exhibit F.

These emails illustrate the close intersection between AUSA Windom, who became one of Special Counsel Jack Smith's main attorneys, and ASAC Thibault in coordinating the contrived predication for Arctic Frost. A Notably, SSA Saler explicitly mentioned the limitations on what kind of case they could open – a "PI" or Preliminary Investigation – and yet ASAC Thibault found a way to ultimately open a full field criminal investigation with DOJ and FBI leadership's approval and with the assistance of Richard Pilger at the Election Crimes Branch within DOJ's Public Integrity Section. The records show ASAC Thibault and AUSA Windom shared a common purpose – find a way to open Arctic Frost.

### Actions in April-May 2022, after the opening of Arctic Frost

"[W]e are close!" - An FBI official shares excitement about launching Arctic Frost

Whistleblower records also show evidence of the FBI's team excitement in their efforts to open Arctic Frost. Just over one week before the investigation officially launched, on April 5, 2022, an FBI official sent a status update to ASAC Thibault and others outlining a few remaining steps before Arctic Frost would finally be approved by FBI leadership. Washington Field Office (WFO) Chief Division Counsel Allison Lawter wrote:

The LHM [Letter Head Memorandum] was signed by the AG [Attorney General] today but I was advised the case is not considered "open" (i.e., we can't start working it) until the DD [Deputy Director] signs out the EC [Electronic Communication] in Sentinel. The EC is at CID now, however, so we are close!<sup>18</sup>

Records show discussions relating to the "Receipt" of President Trump's and Vice President Pence's cell phones

On May 2, 2022, a few weeks after Arctic Frost was opened, ASAC Thibault emailed SSA Blaire Toleman and copied Assistant Director in Charge (ADIC) Steven D'Antuono, WFO Chief Division Counsel Allison Lawter, SSA Dennis Halliden, Public Affairs Officer Samantha Tucker Shero, and Supervisory Public Affairs Specialist Lira B. Gallagher with the subject line

<sup>15</sup> See Exhibit F. 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), <a href="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">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</a>.

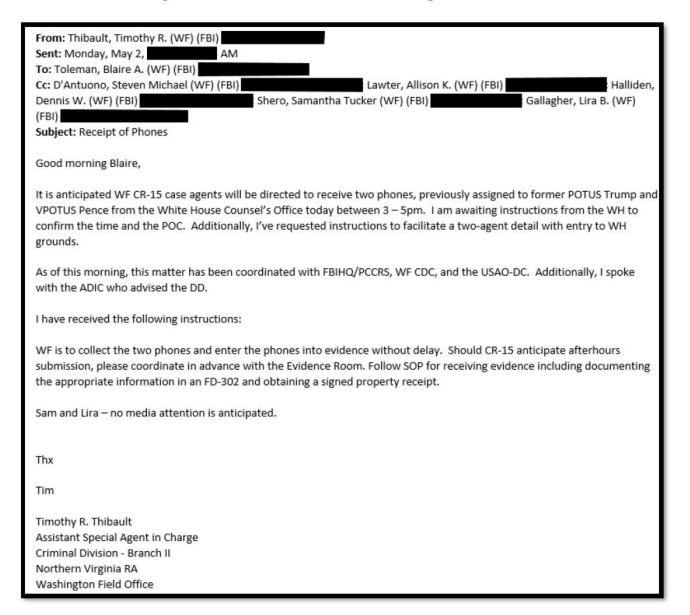
<sup>&</sup>lt;sup>14</sup> See Exhibit F.

<sup>&</sup>lt;sup>16</sup> Senate Committee on the Judiciary Press Release. Grassley, Johnson Release Records Showing FBI Obtained Trump, Pence Cell Phones, Conducted Sweeping Interviews to Advance Anti-Trump Arctic Frost Investigation (March 14, 2025), <a href="https://www.grassley.senate.gov/news/news-releases/grassley-johnson-release-records-showing-bi-obtained-trump-pence-cell-phones-conducted-sweeping-interviews-to-advance-anti-trump-arctic-frost-investigation.">investigation</a>. The March 13, 2025, letter to DOJ and FBI includes an April 15, 2022, email from ASAC Thibault to AUSA Windom stating, "Thomas, I'm looking forward to seeing this case progress. The case will be prioritized over all others in the Branch. Thank you for you [sic] patience, it frankly took too long for us to open this."

17 See Exhibit A.

<sup>&</sup>lt;sup>18</sup> See Exhibit A (emphasis added). Sentinel is an FBI case management system. The April 5, 2022, email was from the FBI Washington Field Office (WFO) Chief Division Counsel Allison Lawter to Assistant Special Agent in Charge (ASAC) Timothy Thibault, Supervisory Special Agent (SSA) Blaire Toleman, Special Agent (SA) Michelle Ball, and SA Jamie Garman with SSA Dennis Halliden in copy.

"RE: Receipt of Phones." The email, copied below, discussed logistics related to collecting former President Trump and former Vice President Pence's cell phones: 20



Biden's White House assisted FBI in obtaining Trump and Pence's cell phones

An email thread dated from April 28, 2022 to May 2, 2022, with the subject line "Telephones" detailed how the Biden White House facilitated handing over former President Trump and former Vice President Pence's cell phones to the FBI.<sup>21</sup>

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

<sup>&</sup>lt;sup>20</sup> See Exhibit G.

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

On May 2, 2022, USAO-DC Criminal Chief John Crabb emailed Jonathan Su, Deputy White House Counsel to then-President Biden, with ASAC Thibault in copy, stating:<sup>22</sup>

From: Crabb, John D. (USADC) Sent: Monday, May 2, 2022 9:12 AM To: Su, Jonathan C. EOP/WHO Cc: Thibault, Timothy R. (WF) (FBI) Subject: RE: [EXTERNAL] RE: Telephones
Jonathan,
Would you please coordinate with Tim Thibault (who's copied on this email) about picking up the telephones.
Please let me know if you have any questions.
Thanks, John

That same day, then-Deputy White House Counsel Su acknowledged Mr. Crabb's email and replied:  $^{23}$ 

From: Su, Jonathan C. EOP/WHO
Sent: Monday, May 2, AM
To: Crabb, John D. (USADC)
Cc: Thibault, Timothy R. (WF) (FBI)
Subject: [EXTERNAL EMAIL] - RE: [EXTERNAL] RE: Telephones
Thanks John. Tim, it is good to meet you, and please let me know what works for you in terms of timing the next couple days.
Jonathan

Later emails show SAs Michelle Ball and Jamie Garman physically obtained the two cell phones on Wednesday, May 4, 2022, at the White House.<sup>24</sup>

<sup>&</sup>lt;sup>22</sup> See Exhibit H.

<sup>&</sup>lt;sup>23</sup> See Exhibit H.

<sup>&</sup>lt;sup>24</sup> See Exhibit H and Senate Committee on the Judiciary Press Release. Grassley, Johnson Release Records Showing FBI Obtained Trump, Pence Cell Phones, Conducted Sweeping Interviews to Advance Anti-Trump Arctic Frost Investigation (March 14, 2025), <a href="https://www.grassley.senate.gov/news/news-releases/grassley-johnson-release-records-showing-fbi-obtained-trump-pence-cell-phones-conducted-sweeping-interviews-to-advance-anti-trump-arctic-frost-investigation." "Update 4" includes emails confirming the FBI obtained the two cell phones.</p>

The Honorable Pamela Bondi The Honorable Kash Patel April 7, 2025 Page 8 of 8

Overall, these newly disclosed emails show the extensive collaboration between and among select FBI agents from the Washington Field Office and prosecutors from the U.S. Attorney's Office – Washington D.C. to plan, approve and execute Arctic Frost. The emails also provide further support that ASAC Thibault played a central role in advancing its approval to a full field criminal investigation when other agents had concerns the supporting evidence only allowed for a preliminary investigation. Lastly, the emails illustrate the Biden White House's personal involvement in providing former President Trump and former Vice President Pence's phones to the FBI at their request when neither of them was a subject of the investigation at that point in time.

Moreover, because former President Trump was not included as a criminal subject of Arctic Frost at this point in time, the targeted effort by this select group of FBI agents and DOJ prosecutors to obtain his phone from a White House that viewed former President Trump as a political enemy could have been another step in ensuring that Trump was later added as a criminal subject – an addition that we all know ultimately occurred for political reasons.

In order to conduct our constitutional oversight responsibilities, and to determine who later added former President Trump as a criminal subject to the case, we reiterate our request for your offices to produce all DOJ and FBI records in the Arctic Frost investigation. Our request for all records includes all communications between and among all DOJ, FBI and Biden White House officials, to include then-White House Counsel Dana Remus and then-Deputy White House Counsel Jonathan Su, relating to Arctic Frost. We request these records be provided, without any redactions, by no later than April 21, 2025.

Sincerely,

Charles E. Grassley

Chairman

Committee on the Judiciary

Ron Johnson

Chairman

Permanent Subcommittee on Investigations

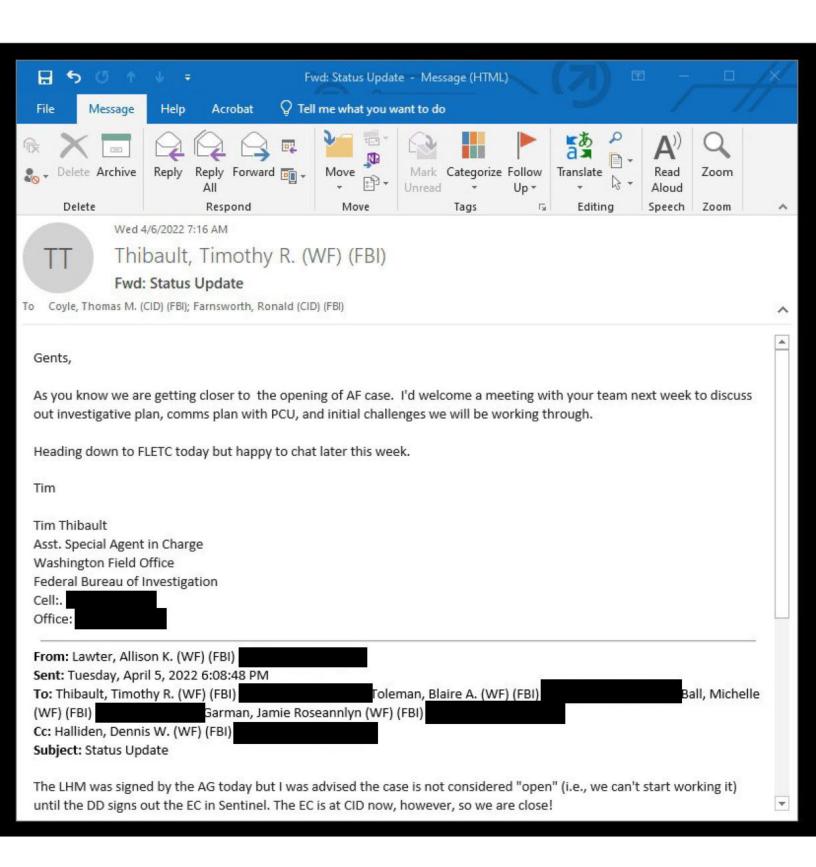
cc: The Honorable Richard Durbin

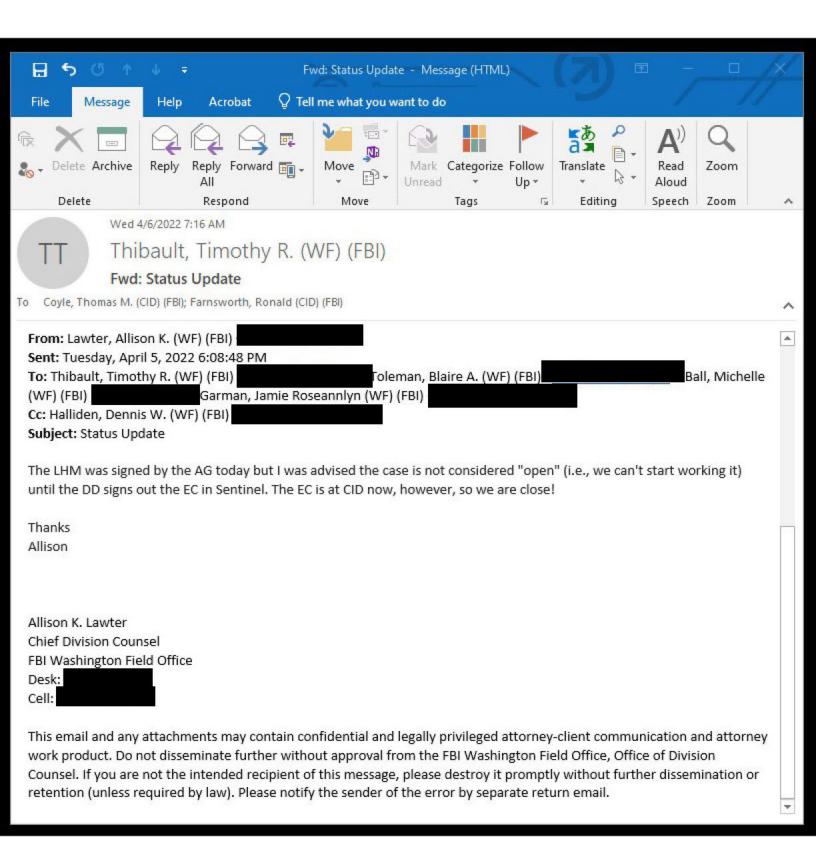
Ranking Member, Committee on the Judiciary

The Honorable Richard Blumenthal Ranking Member, Permanent Subcommittee on Investigations

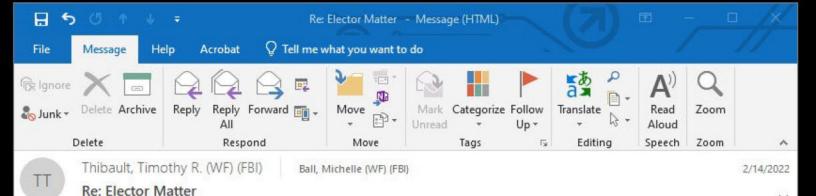
<sup>&</sup>lt;sup>25</sup> See Exhibit F.

## EXHIBIT A





### EXHIBIT B



Thank you

Tim Thibault Asst. Special Agent in Charge Washington Field Office

Federal Bureau of Investigation

From: Ball, Michelle (WF) (FBI)

Sent: Monday, February 14, 2022 1:38:48 PM

To: Thibault, Timothy R. (WF) (FBI)

Cc: Vanwyngarden, Philip R. (WF) (FBI)

Subject: Re: Elector Matter

Thank you Tim. I will read through it, appreciate you sending this to me. Safe travels.

From: Thibault, Timothy R. (WF) (FBI)

Sent: Monday, February 14, 2022 1:35 PM

To: Ball, Michelle (WF) (FBI)

Cc: Vanwyngarden, Philip R. (WF) (FBI)

Subject: Elector Matter

Michelle,

Here is a draft opening language we discussed . If you decide to work the case, please reach out to Jonathan Crabb if you require additional info. You can begin adding to the draft as needed.

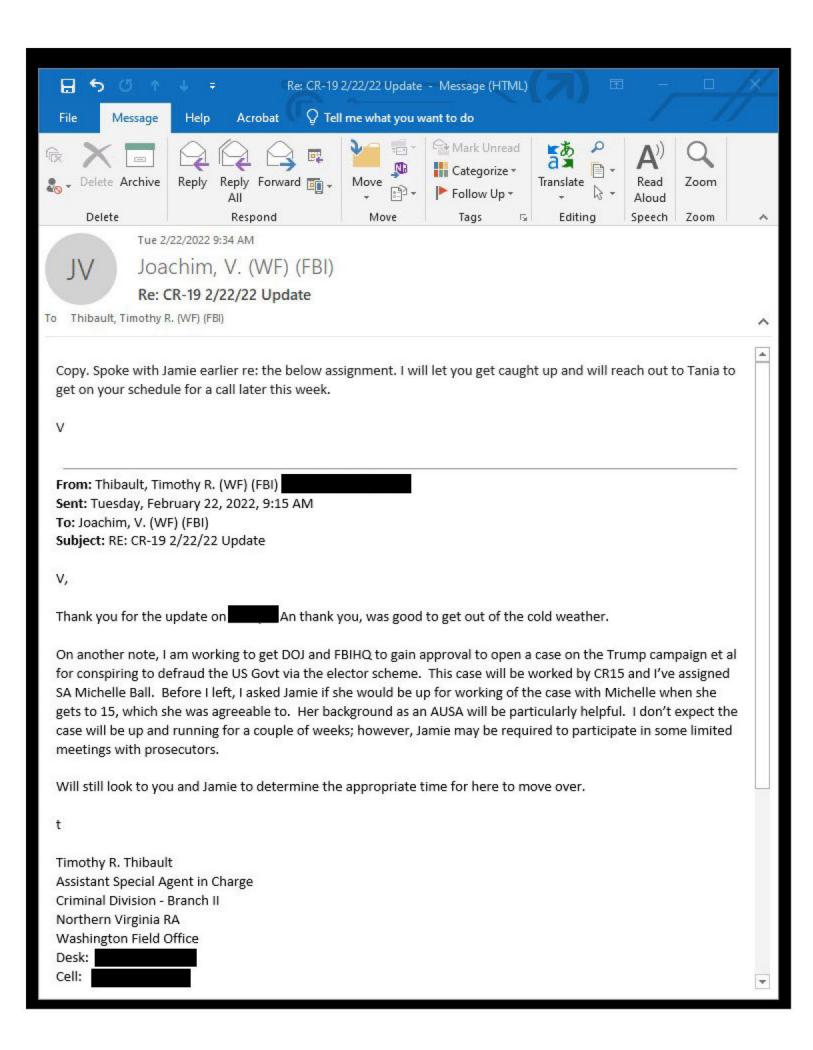
- Would consider this a SIM. Seek CDC guidance to determine if 1096N (AG Barr Memo) applies.
- Will need to discuss title/subject: I think at a minimum would have the Trump Campaign and UNSUBs in the title.

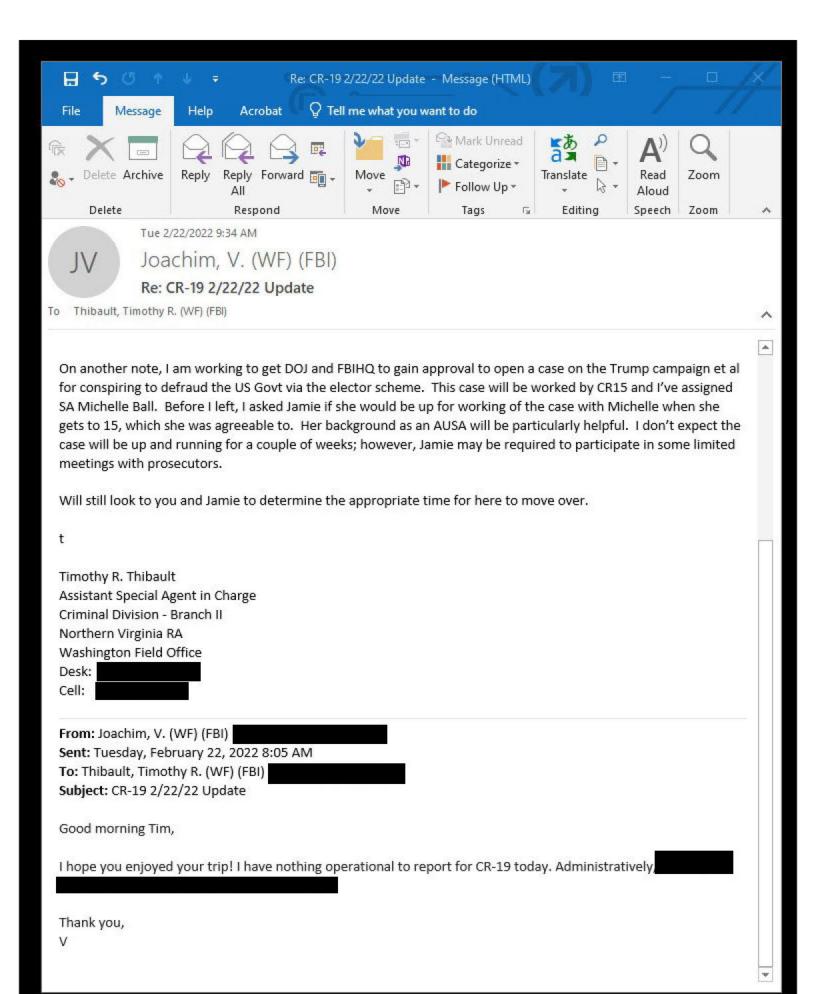
Thx,

+

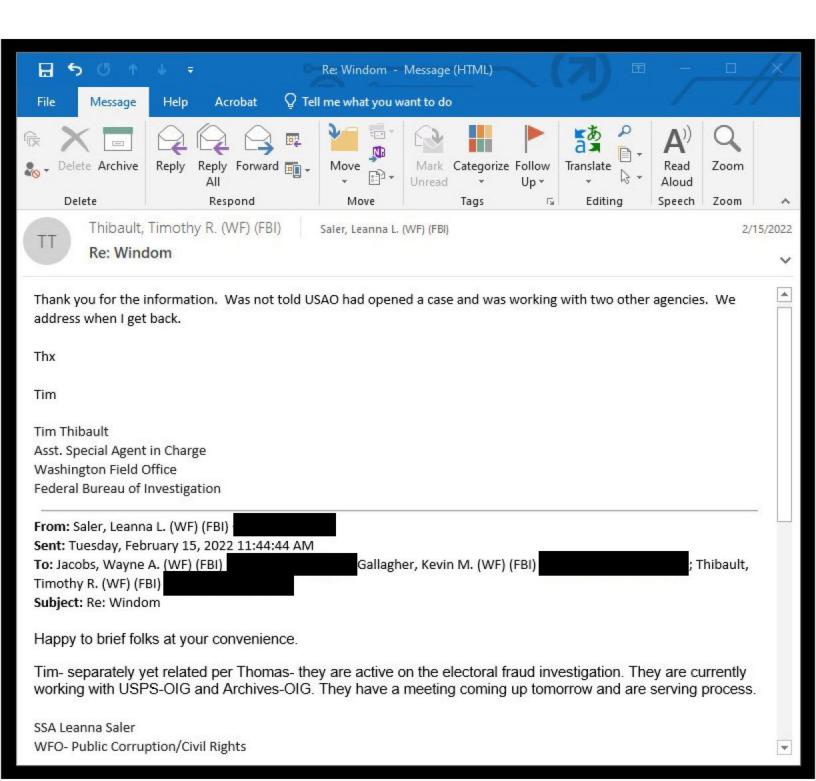
Timothy R. Thibault Assistant Special Agent in Charge Criminal Division - Branch II Northern Virginia RA

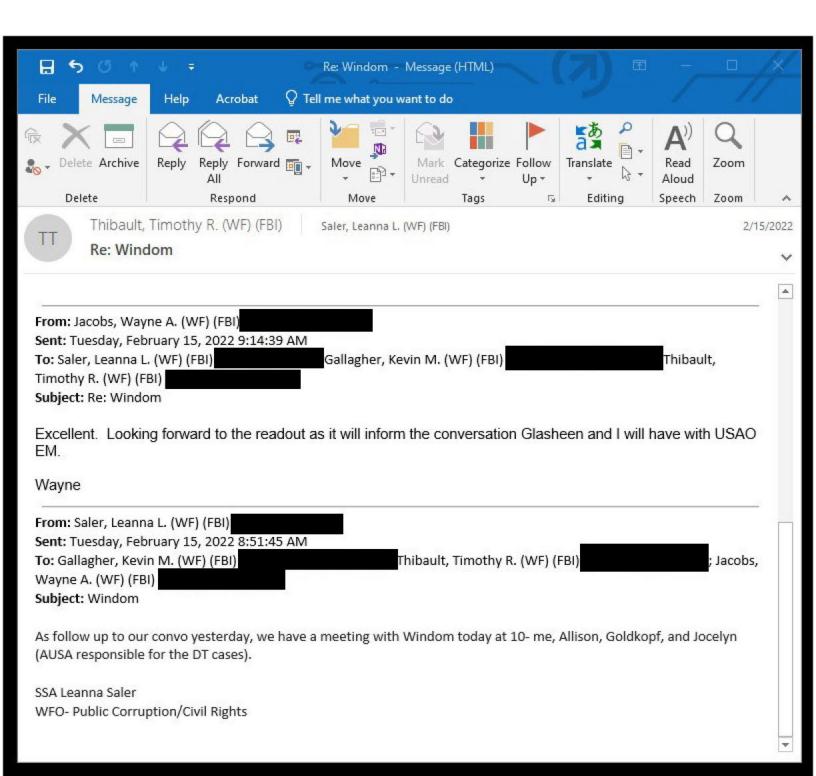
## EXHIBIT C



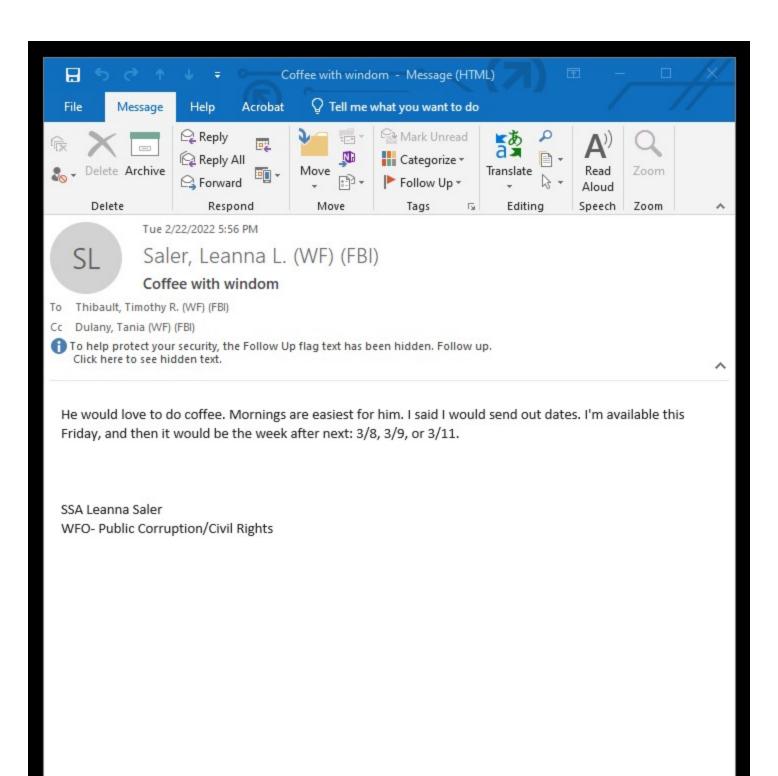


## EXHIBIT D

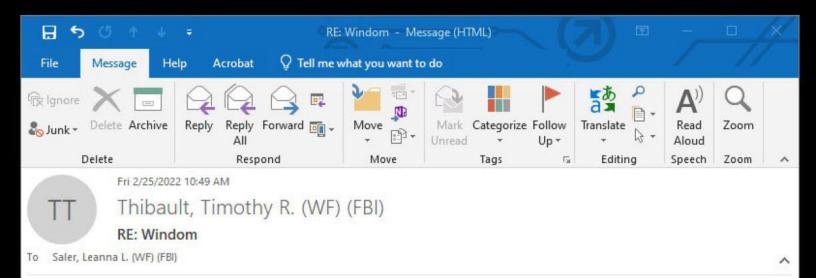




# EXHIBIT E



## EXHIBIT F



Ok. I will send you a draft of our opening EC on the Electors matter when I receive an updated copy.

Timothy R. Thibault
Assistant Special Agent in Charge
Criminal Division - Branch II
Northern Virginia RA
Washington Field Office
Desk:
Cell:

From: Saler, Leanna L. (WF) (FBI)

Sent: Friday, February 25, 2022 10:02 AM

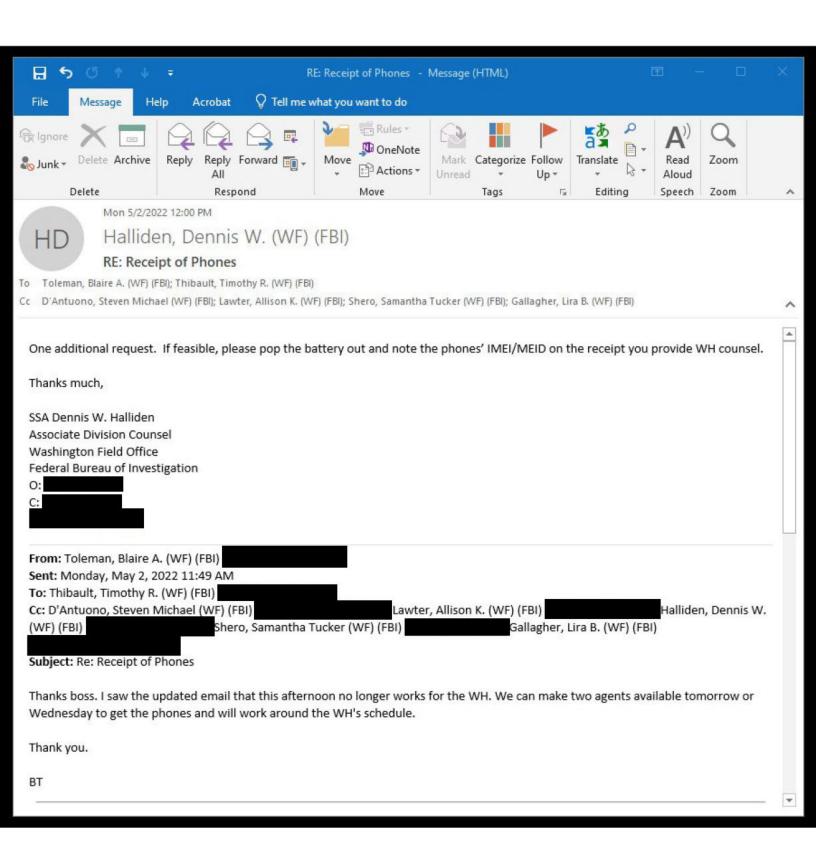
To: Thibault, Timothy R. (WF) (FBI)

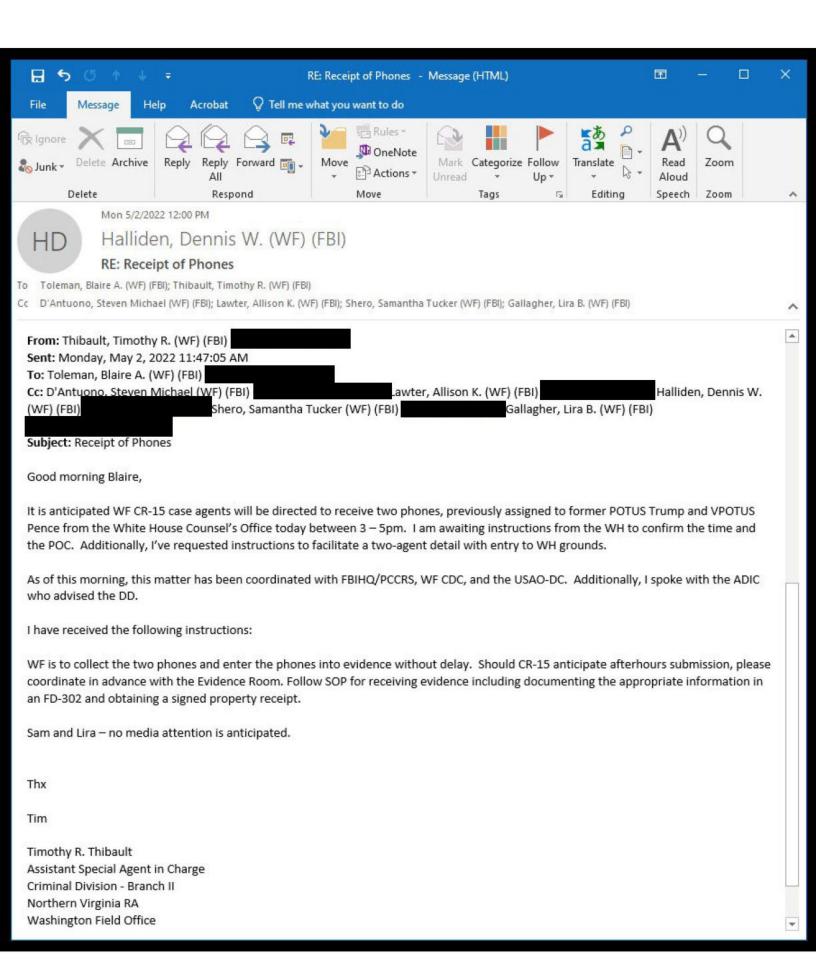
Subject: Windom

He plans to start calling represented persons and serving GJ sbps. He would like to do these interviews in the next two weeks or so. He spent about 30 mins or so on the phone with me yesterday or the day before going over a number of threads. I think with that and toll analysis, I could get this opened as a PI. Otherwise, we are stuck with him issuing GJ sbps and us not touching a thing due to DIOG. With your approval (and EM, hence writing it out), I'll start drafting and see what folks think.

SSA Leanna Saler WFO- Public Corruption/Civil Rights

## EXHIBIT G





# EXHIBIT H

