

ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States
House of Representatives

COMMITTEE ON THE JUDICIARY

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November 12, 2025

Mr. Don Richard Berthiaume, Jr.
Acting Inspector General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Berthiaume:

On the morning of August 9, 2022, Federal Bureau of Investigation (FBI) agents and one agent from the Department of Justice (DOJ) Office of Inspector General (OIG) seized the cell phone of Representative Scott Perry while he was traveling with his family.¹ The seizure was related to a joint investigation conducted by the OIG and the DOJ codenamed Arctic Frost, which later became Special Counsel Jack Smith's partisan case against President Donald Trump.² Recently released internal FBI documents show that, as part of the Arctic Frost investigation, the FBI obtained call logs for cell phones "associated" with nine Members of Congress,³ and that the Biden-Harris White House assisted the FBI in obtaining the government phones previously assigned to President Trump and former Vice President Mike Pence.⁴ We write to request materials regarding the OIG's involvement in the Arctic Frost investigation.

According to reports, the Justice Department OIG used its laboratory in Northern Virginia to assist the FBI in conducting a forensic review of Representative Perry's phone.⁵ Reports indicate that Representative Perry's phone "was imaged after the search," creating a forensic copy of the device's contents—including communications protected by common-law

¹ Fed. Bureau of Investigation, FD-302 (Aug. 16, 2022), FBI-HJC119-SP-000010 (on file with Committee).

² See Sarah Murray et al., *Republican congressman says FBI seized his cell phone*, CNN (Aug. 10, 2022) (discussing seizure of Rep. Perry's phone); Letter from Chairmen Charles E. Grassley & Ron Johnson to Attorney General Pamela Bondi & FBI Director Kash Patel (Apr. 7, 2025), https://www.grassley.senate.gov/imo/media/doc/grassley_johnson_to_doj_fbi_-_arctic_frost_part_3.pdf [hereinafter "Chairmen Grassley & Johnson April 7 Letter"] (discussing Arctic Frost investigation).

³ Letter from Sen. Charles E. Grassley, Chairman, S. Comm. on the Judiciary, et al., to Dan Schulman, CEO, Verizon (Oct. 11, 2025), https://www.grassley.senate.gov/imo/media/doc/grassley_et_al_to_verizon_-_toll_records.pdf [hereinafter "Chairman Grassley et al. October 11 Letter"].

⁴ Chairmen Grassley & Johnson April 7 Letter, *supra* note 2.

⁵ Murray et al., *supra* note 2.

privileges as well as the Constitution's Speech or Debate Clause.⁶ The OIG's assistance in imaging Representative Perry's phone raises serious concerns about why the OIG would be willing to sacrifice its independence to assist the FBI in advancing such a partisan investigation.⁷

Reports also indicate that, as part of the Arctic Frost investigation, the FBI obtained call logs for phones belonging to eight U.S. Senators and one Representative for the period of January 4 to January 7, 2021.⁸ The FBI reportedly obtained these logs from the Members' respective phone carriers.⁹ These reports raise concerns about the OIG's potential involvement in obtaining the Members' phone records given its prior involvement in obtaining a Member's cell phone.¹⁰

As part of the Committee's oversight, we respectfully request that you provide the following documents and information:

1. All documents and communications between or among employees of the OIG, DOJ, and FBI referring or relating to the seizure of cell phones from any Member of Congress; and
2. All documents and communications between or among employees of the OIG, DOJ, and FBI referring or relating to obtaining or receiving phone records of any Member of Congress.

Additionally, we request a briefing regarding the OIG's involvement in the Arctic Frost investigation. The briefing should include, but not be limited to, the following information:

1. A complete and detailed explanation of the OIG's involvement in, and reasons for, assisting the FBI or DOJ to obtain the cell phones or phone records of any Member of Congress or any related matters, including conducting or facilitating imaging or forensic examinations of those phones; and
2. A complete and detailed explanation of whether any OIG employees suggested to the FBI or DOJ that the seizure of a Member of Congress's phone or phone data raises constitutional concerns, and that the OIG should not participate in such unnecessary and aggressive actions.

Please produce all documents and schedule the requested briefing as soon as possible but no later than 5:00 p.m. on November 26, 2025. Pursuant to the Rules of the House of

⁶ *Id.*

⁷ See Letter from Rep. Jim Jordan, Ranking Member, H. Comm. on the Judiciary, to Michael E. Horowitz, Inspector Gen., U.S. Dep't of Just. (Aug. 29, 2022), <https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/2022-08/2022-08-29-JDJ-to-Horowitz-re-Perry.pdf>.

⁸ Chairman Grassley et al. October 11 Letter, *supra* note 3.

⁹ *Id.*

¹⁰ See Murray et al., *supra* note 2.

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Representatives, the Committee on the Judiciary is authorized to conduct oversight of the DOJ.¹¹ If you have any questions about this request, please contact Committee staff at (202) 225-6906.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Jim Jordan". The signature is stylized with a large "J" and a cursive "Jordan".

Jim Jordan
Chairman

cc: The Honorable Jamie Raskin, Ranking Member

¹¹ Rules of the House of Representatives, 119th Cong., R. X (2025).