

**U.S. DEPARTMENT OF JUSTICE  
OFFICE OF INFORMATION POLICY  
FOIA-2026-00400  
ADF:ERH:AKT**

**AMERICAN CENTER FOR LAW AND JUSTICE,**

Requestor.

**FOIA-2026-00400  
ADF:ERH:AKT**

---

**FREEDOM OF INFORMATION ACT APPEAL**

---

THE AMERICAN CENTER FOR LAW AND JUSTICE

JORDAN SEKULOW  
[REDACTED]  
*COUNSEL OF RECORD*  
STUART J. ROTH  
[REDACTED]

JOHN A. MONAGHAN  
[REDACTED]  
BENJAMIN P. SISNEY  
[REDACTED]

[REDACTED]

## TABLE OF CONTENTS

<b>STATEMENT OF PROCEEDINGS.....</b>	<b>3</b>
<b>ARGUMENT .....</b>	<b>4</b>
There is a particular urgency to inform the public about OIP and its activities in Arctic Frost.....	4
<b>CONCLUSION .....</b>	<b>6</b>

## STATEMENT OF PROCEEDINGS

On November 4, 2025, the ACLJ submitted a FOIA request via the website. In that Request, it sought Expedited processing. *See* FOIA Request attached as Exhibit A.

On November 18, 2025, the U.S. Department of Justice Office of Information Policy acknowledged receipt of the ACLJ's FOIA Request. *See* OIP Acknowledgement attached as Exhibit B. It denied our request for expedited processing, saying:

You have requested expedited processing of your request pursuant to the Department's standard permitting expedition for requests involving “[a]n urgency to inform the public about an actual or alleged federal government activity, if made by a person primarily engaged in disseminating information.” See 28 C.F.R. § 16.5(e)(1)(ii) (2018). Based on the information you have provided, I have determined that your request for expedited processing under this standard should be denied. **This Office cannot identify a particular urgency to inform the public about an actual or alleged federal government activity beyond the public's right to know about government activities generally.** Please be advised that, although your request for expedited processing has been denied, it has been assigned to an analyst in this Office and our processing of it has been initiated. (Emphasis added)

This Administrative Appeal follows.

## ARGUMENT

### **I. There is a particular urgency to inform the public about OIP and its activities in Arctic Frost.**

The Federal Freedom of Information Act (FOIA) directs that a requestor is entitled to expedited processing “in cases in which the person requesting the records demonstrates a compelling need.” 5 U.S.C. § 552(a)(6)(E). “[W]ith respect to a request made by a person primarily engaged in disseminating information,” compelling need is defined as an “urgency to inform the public concerning actual or alleged Federal Government activity.” 5 U.S.C. § 552(a)(6)(E)(v); *see also*, 28 C.F.R. § 16.5(e)(1)(ii) (expedited processing to be granted when there is “[a]n urgency to inform the public about an actual or alleged federal government activity, if made by a person primarily engaged in disseminating information.”)<sup>1</sup>

The ACLJ’s FOIA request presents such a case. The ACLJ’s request is based upon an urgency to inform the American public and the impacted Senators because a delay in review of the information would compromise the integrity of United States government officials and actors with respect to the reported story gaining significant coverage (as evidenced by the voluminous reporting of media organizations).<sup>2</sup> The magnitude of the story speaks for itself. That one could describe this story as one with “no particular urgency” is almost laughable.

---

<sup>1</sup> As the OIP denied the expedited request on the basis of a finding of no “particular urgency,” the issues of whether OIP is an agency engaged in federal government activity or whether the ACLJ is “primarily engaged in disseminating information” are inapplicable. *See* OIP Acknowledgement attached as Exhibit B

<sup>2</sup> There is widespread media interest in the government actions underlying Arctic Frost. According to a google search, there are 4,120 news articles about the Arctic Frost investigation. *Arctic Frost*, GOOGLE <https://tinyurl.com/googlearcticfrost> (last visited Dec. 17, 2025) (select “Tools” to see number of results). It has been discussed on social media by multiple people and there is extensive media coverage. *See, e.g.*, Sen. Marsha Blackburn, FACEBOOK (Nov. 1, 2025), <https://www.facebook.com/marshablackburn/posts/an-obama-appointed-activist-judge-james-boasberg-ordered-verizon-not-to-tell-me-1388918785922863/>; Lindsey Graham (@LindseyGrahamSC), X (Oct. 6, 2025), <https://x.com/LindseyGrahamSC/status/1975325161323671612>; Chuck Grassley (@ChuckGrassley), X (Oct. 6, 2025); Brooke Singman, *Hagerty Presses Verizon Over FBI’s Access to His Phone Record During Jack Smith Probe*, FOX NEWS (Oct. 10, 2025), <https://www.foxnews.com/politics/hagerty-presses-verizon-over-fbis-access-his-phone-records-during-jack-smith-probe>; Dan Gooding & Amanda Castro, *Kash Patel Says FBI Agents Fired Over Monitoring GOP Senators*, NEWSWEEK (Oct. 7, 2025), <https://www.newsweek.com/arctic-frost-republican-senators-monitoring-fbi-kash-patel-10842286>; Julianna Bragg, *Jan. 6 Probe Potentially Investigated Over*

The Request seeks “records of the DOJ and its components FBI, NSD, EOUSA, CD, OLC, OIP, OLP, OLA, ASG, DAG, and AG, regarding the FBI’s Arctic Frost investigation.” Senate Judiciary Committee Chairman Chuck Grassley has released documents showing that the FBI sent 197 subpoenas to 34 people and 163 businesses for information about 400 plus Republicans and entities.<sup>3</sup> “These 197 subpoenas requested testimony, communications and records related to at least 430 named Republican individuals and entities.”<sup>4</sup> Indeed, Arctic Frost was an investigation “by which partisan FBI agents and DOJ prosecutors could improperly investigate the entire Republican political apparatus.”<sup>5</sup>

Thus, delay in releasing the requested information exacerbates the confusion and distrust regarding agency actions in Arctic Frost. Without the immediate release of the information requested, Americans cannot hold their government officials accountable.

Moreover, a delay in releasing the information prolongs injustice and serves only to further confuse the public, as delay likely indicates an attempt to cover up embarrassing or unpopular actions, or negligence, or to shift or avoid blame or culpability. If no rules were broken, an expedited response will allow the DOJ to swiftly disprove the harmful and damaging allegations and negative publicity currently dominating media reports. But alternatively, if misconduct indeed occurred, swift disclosure facilitates meaningful accountability. Thus, governmental accountability in honoring obligations and commitments, justice, and integrity serve as significant

---

<sup>1</sup> *150 Republicans, Documents Show*, Axios (Oct. 29, 2025), <https://wwwaxios.com/2025/10/29/trump-january-6-republican-senators-fbi-arctic-frost>.

<sup>3</sup> Eva Terry, *What Really Happened in the FBI’s Secret Operation “Arctic Frost?”*, DESERET NEWS (Nov 6, 2025), <https://www.deseret.com/politics/2025/11/06/what-is-operation-arctic-frost/>.

<sup>4</sup> Press Release, Sen. Chuck Grassley, Jack Smith Subpoenaed Records for Over 400 Republican Targets as Part of Arctic Frost (Oct. 29, 2025), <https://www.grassley.senate.gov/news/news-releases/new-jack-smith-subpoenaed-records-for-over-400-republican-targets-as-part-of-arctic-frost>.

<sup>5</sup> Ashley Oliver, *Republicans Claim Biden Administration ‘Enemies List’ Unearthed from Arctic Frost Investigation*, FOX NEWS (Oct. 29, 2025), <https://www.foxnews.com/politics/republicans-claim-biden-administration-enemies-list-unearthed-from-arctic-frost-investigation>.

public interests at stake. The requested documents must be released now so that the American people can decide whether the agencies' decisions were acceptable and the congressional response is adequate.

## CONCLUSION

For the foregoing reasons, ACLJ respectfully requests that the FBI reverse its initial determination and produce the responsive records on an expedited basis.

**DATED** this 29<sup>th</sup> day of December, 2025.

JORDAN SEKULOW

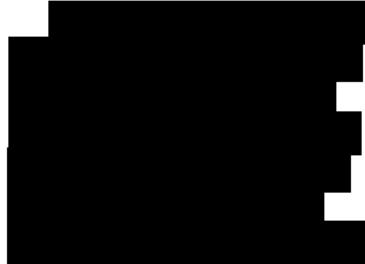
*COUNSEL OF RECORD*

STUART J. ROTH

*/s/ John A. Monaghan*

JOHN A. MONAGHAN

BENJAMIN P. SISNEY

A large rectangular area of the page is completely blacked out, representing a redacted signature.



November 4, 2025

**VIA WEBSITE/EMAIL ONLY**

Andrew Fiorillo  
Acting Chief, Initial Request Staff  
**Office of Information Policy**  
Department of Justice  
6th Floor  
441 G St NW  
Washington, DC 20530  
Phone: (202) 514-FOIA  
[DOJ.OIP.FOIA@usdoj.gov](mailto:DOJ.OIP.FOIA@usdoj.gov)

Michael G. Seidel, Section Chief  
Record/Information Dissemination Section  
Records Management Division  
**Federal Bureau of Investigation**  
Department of Justice  
200 Constitution Drive  
Winchester, VA 22602  
<https://efoia.fbi.gov>

Arnetta Mallory  
Government Information Specialist  
**National Security Division**  
Department of Justice  
3 Constitution Square  
175 N Street N.E., 12th Floor  
Washington, DC 20530-0001  
Phone: (202) 233-2639  
Email: [nsdfoia@usdoj.gov](mailto:nsdfoia@usdoj.gov)

Arla Witte-Simpson  
FOIA Public Liaison  
**Executive Office for United States Attorneys**  
Department of Justice  
175 N Street, N.E.

Suite 5.400  
Washington, DC 20530-0001  
Phone: (202) 252-6036

Christina Butler  
Chief, FOIA/PA Unit  
**Criminal Division**  
Department of Justice  
950 Constitution Ave., NW  
Washington, DC 20530-0001  
Phone: (202) 616-0307  
Email: [crm.foia@usdoj.gov](mailto:crm.foia@usdoj.gov)

Melissa Golden  
Lead Paralegal and FOIA Specialist  
**Office of Legal Counsel**  
Department of Justice  
Room 5517, 950 Pennsylvania Avenue, N.W.  
Washington, DC 20530-0001  
Phone: (202) 514-2053  
Email: [usdoj-officeoflegalcounsel@usdoj.gov](mailto:usdoj-officeoflegalcounsel@usdoj.gov)

**RE: FOIA Request for records of the DOJ and its components FBI, NSD, EOUSA, CD, OLC, OIP, OLP, OLA, ASG, DAG, and AG, regarding the FBI's Arctic Frost investigation.**

Dear Public Information Officers:

This letter is a request (“Request”) in accordance with the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, and the corresponding department/agency implementing regulations. To summarize, this Request seeks certain records pertaining to the DOJ and its components FBI, NSD, EOUSA, CD, OLC, OIP, OLP, OLA, ASG, DAG, and AG, regarding the FBI’s Arctic Frost investigation, particularly records regarding the FBI and Special Counsel’s Office (SCO) surveilling U.S. Senators Ted Cruz, Lindsey Graham, Tommy Tuberville, Marsha Blackburn, Bill Hagerty, and Cynthia Lummis. The Request is made by the American Center for Law and Justice (“ACLJ”)<sup>1</sup> on behalf of its supporters. Additionally, Senators Cruz, Graham, Tuberville, Blackburn, Hagerty, and Lummis countenance and endorse this FOIA Request and have asked that we share all documents and any agency responses with them directly.

---

<sup>1</sup> The ACLJ is a not-for-profit 501(c)(3) organization dedicated to the defense of constitutional liberties secured by law. The ACLJ regularly monitors governmental activity and works to inform the public of such affairs. The ACLJ and its global affiliated organizations are committed to ensuring governmental accountability and the ongoing viability of freedom and liberty in the United States and around the world.

## **BACKGROUND**

Pursuant to DOJ FOIA regulation 28 C.F.R. §16.3(b), this Background addresses “the date, title or name, author, recipient, subject matter of the record[s]” requested, to the extent known.

According to an October 7, 2025, press release from the U.S. Senate Committee on the Judiciary:

An explosive FBI document obtained by Senate Judiciary Committee Chairman Chuck Grassley (R-Iowa) reveals the FBI targeted eight Republican senators’ personal cell phones for “tolling data” as part of its Arctic Frost investigation. One Republican member of the House of Representatives was also impacted. The Arctic Frost investigation formed the basis of Jack Smith’s elector case against President Donald Trump.

The FBI in 2023 sought and obtained data about the senators’ phone use from **January 4 through January 7, 2021**. That data shows when and to whom a call is made, as well as the duration and general location data of the call. The data does not include the content of the call.

This document was found in a Prohibited Access file in response to Grassley’s oversight requests. Grassley’s oversight exposed the existence of Prohibited Access files, a file system the FBI uses to limit access to certain documents by making some files inaccessible to most FBI agents.<sup>2</sup>

The eight senators and single representative are:

- Sen. Lindsey Graham (R-S.C.)
- Sen. Bill Hagerty (R-Tenn.)
- Sen. Josh Hawley (R-Mo.)
- Sen. Dan Sullivan (R-Alaska)
- Sen. Tommy Tuberville (R-Ala.)
- Sen. Ron Johnson (R-Wis.)
- Sen. Cynthia Lummis (R-Wyo.)
- Sen. Marsha Blackburn (R-Tenn.)
- Rep. Mike Kelly (R-Pa.).

---

<sup>2</sup> Press Release, U.S. Senate Committee on the Judiciary, Biden FBI Spied on Eight Republican Senators as Part of Arctic Frost Investigation, Grassley Oversight Reveals, S. Comm. on the Judiciary (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>.

Additionally, the release described that,

[t]he FBI's Arctic Frost investigation was opened in April 2022 by former anti-Trump agent Timothy Thibault. In November 2022, it was assigned to Special Counsel Jack Smith.

Whistleblower disclosures to Grassley earlier this year revealed the FBI acquired the government cell phones of President Donald Trump and former Vice President Mike Pence during its Arctic Frost investigation. Officials in the Biden White House personally assisted the FBI in securing Trump and Pence's government phones. FBI agents used taxpayer dollars to travel the country and conduct dozens of interviews in support of the political probe.

Records Grassley made public last month showed the FBI also placed 92 Republican-linked individuals and Republican groups – such as Charlie Kirk's Turning Point USA – under Arctic Frost's investigative scope.<sup>3</sup>

According to FBI Director Kash Patel on X:

We recently uncovered proof that phone records of U.S. lawmakers were seized for political purposes.

That abuse of power ends now.

Under my leadership, the FBI will deliver truth and accountability, and never again be weaponized against the American people.<sup>4</sup>

According to Director Patel the next day:

They tracked the communications of GOP Senators. They weaponized law enforcement against the American people. That era is over.

We fired those who acted unethically, dismantled the corrupt CR-15 squad, and launched an investigation.

Transparency and accountability aren't slogans, they're promises kept.<sup>5</sup>

Of note, the Senate Committee released an unnamed document (attached) summarizing the investigation's search warrants (at that time) as "10 phones (5 lawyers, 1 U.S. Congressman, 2 White House), 20 other electronic devices, 7 iCloud, 28 email accounts, 1 Twitter (former President Trump's account)." The same document outlined the potential charges as "18 U.S.C. §§

---

<sup>3</sup> *Id.*

<sup>4</sup> FBI Director Kash Patel (@FBIDirectorKash), X (Oct. 6, 2025, 4:17 PM), <https://x.com/FBIDirectorKash/status/1975294260531667327>.

<sup>5</sup> FBI Director Kash Patel (@FBIDirectorKash), X (Oct. 7, 2025, 1:32 PM), <https://x.com/FBIDirectorKash/status/1975615124556632540>.

1512(c)(2) and (k) (attempt to obstruct an official proceeding and conspiracy to obstruct an official proceeding), 18 U.S.C. §1001 (false statements), 18 U.S.C. §371 (conspiracy to defraud the United States),” and “18 U.S. Code § 15343 (wire fraud).”

Then it got worse. News broke on October 21, 2025, that Senator Ted Cruz was also targeted by the Arctic Frost team. “The disclosure makes Cruz the ninth Republican senator for whom the Justice Department sought phone records, according to a copy of a subpoena obtained by Axios. His inclusion was not previously known.”<sup>6</sup> “The newly reported subpoena requested records associated with Cruz’s cellphone from Jan. 4-7, 2021. The document spells out the request for names, addresses, ‘detail records for inbound and outbound calls, text messages, direct connect, and voicemail messages,’ among other information.” Sen. Cruz has been advised that AT&T, the carrier at issue, declined to comply with the subpoena over concerns that it could violate the Speech and Debate Clause of the United States Constitution.<sup>7</sup> AT&T did comply with an NDO issued by Judge Boasberg.<sup>8</sup> Sen. Cruz told Axios, who broke the story, “Arctic Frost was the Biden administration’s 21st-century digital Watergate.”<sup>9</sup> It has been observed that other Americans information was also subjected to the Arctic Frost partisan dragnet by virtue of having communicated with the targeted Senators during the January 4-7, 2021, period.<sup>10</sup>

Indications are that additional Members of Congress were targeted, as well.

**This FOIA request seeks records generated by the office of Special Counsel Jack Smith related to this developing story, as well as records generated by other DOJ officials within the Federal Bureau of Investigation (FBI), the National Security Division (NSD), the Executive Office for United States Attorneys and specifically the office of the U.S. Attorney for the District of Columbia (EOUSA), the Criminal Division (CD), the Office of Legal Counsel (OLC), the Office of Legal Policy (OLP), the Office of Legislative Affairs (OLA), the Office of the Associate Attorney General (ASG), the Office of the Deputy Attorney General (DAG), and the Office of the Attorney General (AG), related to this story.**

### **RECORDS REQUESTED**

For purposes of this Request, the term “record” means “any information” that qualifies under 5 U.S.C. § 552(f), and includes, but is not limited to, the original or any full, complete and unedited copy of any log, chart, list, memorandum, note, correspondence, writing of any kind, policy, procedure, guideline, agenda, handout, report, transcript, set of minutes or notes, video, photo, audio recordings, or other material. The term “record” also includes, but is not limited to, all relevant information created, stored, received or delivered in any electronic or digital format, e.g., electronic mail, instant messaging or Facebook Messenger, iMessage, text messages or any

---

<sup>6</sup> Steph W. Kight, *Scoop: Ted Cruz's phone records targeted by Jack Smith*, AXIOS.COM (Oct. 21, 2025), <https://wwwaxios.com/2025/10/21/trump-investigation-smith-cruz-phone-records-subpoena>.

<sup>7</sup> Ted Cruz, *The Biden DOJ Subpoenaed MY Phone Records*, VERDICT WITH TED CRUZ (Oct. 22, 2025), <https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://www.youtube.com/watch%3Fv%3DI9t34iyUAPg&ved=2ahUKEwjWI6Xy57qQAxXxTTABHZ9lBhYQFnoECCQQAQ&usg=AOvVaw0LQFCSTCYUVJBue59PDK5f>.

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

other means of communication, and any information generated, sent, received, reviewed, stored or located on a government *or private* account or server, consistent with the holdings of *Competitive Enter. Inst. v. Off. of Sci. & Tech. Policy*, 827 F.3d 145, 150 (D.C. Cir. 2016) (rejecting agency argument that emails on private email account were not under agency control, and holding, “If a department head can deprive the citizens of their right to know what his department is up to by the simple expedient of maintaining his departmental emails on an account in another domain, that purpose is hardly served.”).

For purposes of this Request, the term “headquarters” and “Field Office” or any other **acronym** used herein has the definition as used in Federal Bureau of Investigation & Department of Homeland Security’s STRATEGIC INTELLIGENCE ASSESSMENT AND DATA ON DOMESTIC TERRORISM manual (hereinafter the “SIADDT”).

For purposes of this Request, all terms otherwise used herein have the definitions given by FOIA, 5 U.S.C. § 552 *et seq.*

**For purposes of this Request, and unless otherwise indicated, the timeframe of records requested herein is January 1, 2020, to the date this request is processed.**

The ACLJ hereby requests the following records.

1. The records, including the search warrants and the applications, but not limited to all supporting documents and exhibits, and all non-disclosure orders (NDO) for the:
  - (a) “10 phones (5 lawyers, 1 U.S. Congressman, 2 White House), 20 other electronic devices, 7 iCloud, 28 email accounts, 1 Twitter (former President Trump’s account)” referenced in the attached document,
  - (b) as well as concerning any such instruments or filings in an effort to search the information of Senators Ted Cruz, Lindsey Graham, Tommy Tuberville, Marsha Blackburn, Bill Hagerty and Cynthia Lummis, as set forth in the “Background” section above.
2. All records containing discussion of the decision(s) to search or attempt to search the phones, devices or accounts of these particular Americans identified in the “Background” section above, by the Arctic Frost investigative team.
3. Copies of all FD-302s and transcripts of the interviews conducted by or on behalf of the Arctic Frost investigative team.
4. Copies of all subpoenas and all related non-disclosure order (NDO) applications concerning any such subpoena served by or on behalf of the Arctic Frost investigation.
5. The record authorizing or discussing “prohibited access” to Arctic Frost records or the placing of any Arctic Frost record into the Prohibited Access file referenced in Senator Grassley’s press release and the “Background” section above.

6. Records containing when the Prohibited Access file was created and all personnel and procedural requirements for placing records in or accessing records placed in the Prohibited Access file.
7. All records contained within Arctic Frost investigative records that mention or involve these nine Senators by any name, title, code or alias.
8. Records addressing any response, regardless of whether internal, external, submitted to a court, or otherwise, following AT&T's declination to comply with the subpoena for Sen. Ted Cruz's information, as addressed in the "Background" section above.
9. To the extent not responsive to any request above, all the records of, about, or contained within the Arctic Frost investigation.

#### **REQUEST FOR WAIVER OF FEES AND EXPEDITED PROCESSING**

The ACLJ requests a waiver of all fees for this request. Disclosure of the requested information is unquestionably in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government, here, using law enforcement tools to surveil Americans – let alone elected government officials – for political purposes, and is not primarily in our commercial interest. The ACLJ is a nonprofit organization. The ACLJ requests these records to provide transparency on the perceived politicization of the FBI and certain DOJ components.

The ACLJ requests expedited processing for this request. The ACLJ is considered a member of the news media and has a compelling need for the requested records, as it is primarily engaged in the dissemination of information. For example, the ACLJ's website received 4,365,493 unique visitors in 2024, with 13,054,539 page views. Our current email list holds over 1,500,000. In 2024, the ACLJ sent more than 714,000,000 emails. The ACLJ's radio audience consists of more than 1,150,000 estimated daily listeners on nearly 850 radio stations nationwide, including SiriusXM satellite radio, and the broadcast livestreams on Facebook, YouTube, Rumble, and ACLJ.org. Additionally, the ACLJ hosts a weekly television program, Sekulow, broadcast on multiple networks, including: Cornerstone Television, TBN, KAZQ TV-32, SON Broadcasting, VTN, WTGL TV-45, and The Dove. See <http://aclj.org/radio-tv/schedule> (listing schedule). The ACLJ also disseminates news and information to over 1,000,000 addresses on its mailing lists. In 2024, the ACLJ sent 12,408,528 pieces of mail.

Moreover, our Executive Director, Jordan Sekulow, and other senior ACLJ attorneys have regularly appeared on various news and talk show programs to discuss the issues and events important to the ACLJ and its audiences, including records and information obtained from our FOIA requests. These include shows on FOX News, MSNBC, CNN, OANN, Newsmax, ABC, CBS, and NBC. In addition to television programs, Jordan Sekulow and other ACLJ senior attorneys have also appeared on national radio broadcasts. Beyond broadcast outlets, Jordan Sekulow's comments have appeared in the nation's top newspapers, in print and online editions, including but not limited to the Wall Street Journal, New York Times, Washington Times,

Washington Post, L.A. Times, and USA Today. Their comments also appear in major national newswire services that include, but are not limited to, Associated Press, Reuters, and Bloomberg.

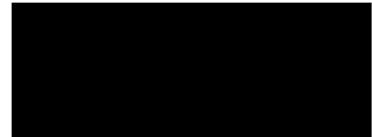
The information in the records sought – records surrounding the surveillance of our democratically elected legislators by the Executive branch – is undeniably and with no need for explanation a matter of public concern, about which there is urgency to inform the public.

### **CONCLUSION**

If this Request is denied in whole or in part, the ACLJ requests that, within the time requirements imposed by FOIA, you support all denials by reference to specific FOIA exemptions and provide any judicially required explanatory information, including but not limited to, a *Vaughn* Index.

Thank you for your prompt consideration of this Request. Please furnish all applicable records and direct any responses to:

Jordan Sekulow, Executive Director  
Benjamin P. Sisney, Senior Litigation Counsel  
John A. Monaghan, Senior Litigation Counsel  
American Center for Law and Justice

A large rectangular area of the page is completely blacked out, obscuring several lines of text that would normally be contact information for the signatories.A large rectangular area of the page is completely blacked out, obscuring several lines of text that would normally be contact information for the signatories.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jordan Sekulow".

Jordan Sekulow  
Executive Director

A handwritten signature in black ink, appearing to read "Benjamin P. Sisney".

Benjamin P. Sisney  
Senior Litigation Counsel

A handwritten signature in black ink, appearing to read "John A. Monaghan".

John A. Monaghan  
Senior Litigation Counsel



**Summary:** Investigation into the multifaceted conspiracy to overturn the results of the 2020 Presidential Election so that former President Trump could remain in office. This conspiracy involved subjects from the private sector, in numerous battleground states (Pennsylvania, Michigan, Georgia, Wisconsin, Michigan, New Mexico, and Arizona), the Department of Justice (DOJ), and the White House.

**Background:** Arctic Frost is a joint investigation between FBI, DOJ Office of Inspector General (OIG), U.S. Postal Inspection Service, and National Archives and Records Administration (OIG). The case was opened in April 2022 and in November 2022 was assigned to Special Counsel Jack Smith.

**Lines of Effort:**

- **False Fraud Claims:** Propagating false election fraud allegations and attempting to seize voting machines and ballots
- **False Electors Scheme:** Scheme to have a false slate of electors and electoral college certificates submitted
- **False Lawsuits:** Filing numerous unsubstantiated fraud lawsuits related to the 2020 presidential election.
- **State Pressure:** Pressure state and local officials in battleground states to alter the outcome of the election.
- **False DOJ Letter / former AAG Jeff Clark:** An effort to have DOJ send a letter falsely representing that the DOJ had “identified significant concerns” relating to the election that may have impacted the outcome of the election. Additionally, an effort to install Clark as Acting Attorney General so that Clark could send the factually-inaccurate letter regarding the presidential election.
- **Pressure Pence/Eastman Plan:** An attempt to pressure Vice President Pence to reject the legitimately cast votes of electors from certain states or otherwise suspend the elector counting process, followed by an armed attack on the U.S. Capitol.
- **Financial Fraud:** Allegations of false/misleading representation to raise money post-election

**Investigative Steps Taken:**

- **Interviews:** over 150 conducted; more than 50 additional interview in the next 60 days
- **Subpoenas:** over 400 served; 300 for witness testimony records; 200 selectors; 20 financial
- **Search Warrants:** 10 phones (5 lawyers, 1 U.S. Congressman, 2 White House), 20 other electronic devices, 7 iCloud, 28 email accounts, 1 Twitter (former President Trump’s account)

**Significant Upcoming Investigative Steps:**

- **Interviews:**
  - Former Secretary of Defense Mark Esper, former Chief of Staff Mark Meadows, former Acting AG Jeff Rosen, former AG Bill Barr
- [REDACTED]

**Potential Charges:**

- 18 U.S.C. §§ 1512(c)(2) and (k) (attempt to obstruct an official proceeding and conspiracy to obstruct an official proceeding)
- 18 U.S.C. §1001 (false statements)
- 18 U.S.C. §371 (conspiracy to defraud the United States) 18 U.S. Code § 15343 (wire fraud)

Subpoena #	Institution	Date Served	Date Due	Date Produced	Complete	Targets	Thread	Notes
	Chain Bridge Bank	9/20/2022	9/30/2022	9/20/2022	Rolling	Save America PAC, et al	Wire Fraud	sj
	Chain Bridge Bank	10/13/2022	10/12/2022	10/13/2022	Rolling	AMMC, Dollman, et al	Misappropriation	sj
	Avidia Bank	10/12/2022	10/21/2022	10/12/2022	Rolling	Belmont, Surabian	SAR	bm
	National Capital Bank	10/12/2022	10/21/2022	10/12/2022	Rolling	CPI, Meadows, Mitchell	Bogus investigations	rb
	State Bank of Cross Plains	10/12/2022	10/21/2022	10/12/2022	Rolling	Full Compass Systems		
	TD Bank	10/12/2022	10/21/2022	11/16/2022	Rolling	Clark, Stepien, Trainer, National Public Affairs	Obstruction	bm
	Texas Partners Bank	10/12/2022	10/21/2022	10/24/2022	Rolling	Parscale, Parscale Strategies	Misappropriation	bm
	United Bank	10/12/2022	10/21/2022	11/16/2022	Rolling	Event Strategies Inc, Unes, Caporale	J6 \$	
	Bank of America	10/12/2022	10/21/2022	10/12/2022	Rolling	McEntee Group, McEntee	Misappropriation	
	National Capitol Bank	10/20/2022	10/28/2022	10/27/2022	Complete	American Voting Rights, Miller	Bogus investigations	rb
	Wells Fargo	10/20/2022	11/4/2022	emailed 11/15/2022	No production (served after due date, new subpoena has been served)	LDFFTAR, Inc., Powell	Bogus investigations	
	Wells Fargo	10/20/2022	11/4/2022	emailed 11/15/2022	No production (improper service method, new subpoena has been served)	Scott Sigman	Bogus investigations	
	PNC Bank	10/20/2022	10/28/2022	10/20/2022	Rolling	Cyfir LLC	Bogus investigations	
	JP Morgan Chase	10/20/2022	10/28/2022	10/20/2022	Rolling	Stratech, LLC	Bogus investigations	
	Bank of America	10/20/2022	10/28/2022	10/20/2022	Rolling	Powell	Bogus investigations	bm
	TransUnion	10/20/2022	10/28/2022	10/28/2022	Yes	Credit reports	Credit reports	
	Experian	10/21/2022	10/28/2022	11/3/2022	Yes	Credit reports	Credit reports	
	Seacoast Bank	10/21/2022	11/4/2022	11/7/2022	Rolling	Cyber Ninjas, Logan	Bogus investigations	
	JP Morgan Chase	10/27/2022	11/4/2022	11/15/2022		Passantino, Clark	Obstruction	bm
	Equifax	10/20/2022	10/28/2022	10/20/2022	Yes	Credit reports	Credit reports	
	City National Bank	11/2/2022	11/18/2022	Rolling prodution, complete by 12/3 [REDACTED]	Appears to be complete production though prior note indicates it would be rolling	Account Number: [REDACTED]	J6 \$	
	Bank of Central Florida	11/2/2022	11/18/2022		Complete	Account Number: [REDACTED]	J6 \$	
	Center National Bank	11/2/2022	11/18/2022	11/18/2022	Complete	My Pillow, Women for America First	Bogus investigations, J6\$	
	Chain Bridge Bank	11/7/2022	11/18/2022	11/28/2022	Complete	Conservative Partnership Inst, Meadows, Mitchell	Bogus investigations	
	JP Morgan Chase	10/11/2022	10/21/2022			Scavino, Hudson Digital	Misappropriation	
	Bank of America	11/17/2022	12/28/2022	2/14/2023	Complete	Citizens United, Citizens United Foundation		Original due date was 12/2, bank sent letter advising extension until 12/28 was needed.
	Capital One	11/17/2022	12/2/2022	12/2/2022	Complete	Conservative Partnership Institute	Bogus investigations	

Chain Bridge Bank		11/17/2022	12/2/2022	12/13/2022	Complete	Trump Make America Great Again Committee, American Made Media Consultants	Misappropriation	Cover letter advised the bank records are duplicative from prior productions in this case.
JPMorgan Chase		11/17/2022	12/2/2022	11/29/2022	Complete	America First Policy Institute	Bogus investigations	
Wells Fargo		11/17/2022	12/19/2022	12/7/2022	No records found	America First Policy Institute	Bogus investigations	No records were found.
Equifax		11/17/2022	12/3/2022	11/17/2022	Complete	Gary Coby, Sean Dollman, Amy Kremer, Kylie Kremer, Douglas Logan, William Olsen, Kurt Olsen	Credit reports	
Experian		11/17/2022	12/4/2022	12/4/2022	Complete	Gary Coby, Sean Dollman, Amy Kremer, Kylie Kremer, Douglas Logan, William Olsen, Kurt Olsen	Credit reports	
TransUnion		11/17/2022	12/5/2022	11/30/2022	Complete	Gary Coby, Sean Dollman, Amy Kremer, Kylie Kremer, Douglas Logan, William Olsen, Kurt Olsen	Credit reports	
Bill.com		11/30/2022	12/15/2022	12/23/2022	Complete	Bradley Parscale, Conservative Campaign Technology, Campaign Nucleus, Parscale Strategy	Misappropriation	
Paychex		11/30/2022	12/15/2022	12/16/2022	Complete	Bradley Parscale, Campaign Nucleus	Misappropriation	Subpoena needs to be reissued to Paychex Business Solutions.
Intuit		11/30/2022	12/15/2022	12/16/2022	Complete	Bradley Parscale, Influenceable	Misappropriation	
ADP		11/30/2022	12/15/2022	12/2/2022	Complete	Bradley Parscale, Parscale Strategy	Misappropriation	Wrong entity was served, new subpoena will be sent out to proper entity.

Paychex	11/30/2022	12/15/2022	12/21/2022	Complete	Bradley Crate, Save America (Leadership PAC)	Misappropriation		Paychex responded with letter stating no records were found; later they were able to locate the account and produced records (2/13/23)
Full Compass Systems	12/2/2022	12/15/2022			Trump Entities	Misappropriation		
American Made Media Consultants	12/2/2022	12/15/2022			Trump Entities, Parscale Entities, Coby Entities, Surabian Entities	Misappropriation		
American Made Media Holding Corporation	12/2/2022	12/15/2022			Trump Entities, Parscale Entities, Coby Entities, Surabian Entities	Misappropriation		
The McEntee Group	12/5/2022	12/15/2022	1/6/2023	Complete	Save America; Save America Joint Fundraising Committee; Trump Make America Great Again Committee; Make America Great Again PAC; and/or Donald J. Trump for President, Inc.	Misappropriation		
Magnolia Management	12/5/2022	12/15/2022	12/15/2022	Complete	Save America; Save America Joint Fundraising Committee; Trump Make America Great Again Committee; Make America Great Again PAC; and/or Donald J. Trump for President, Inc.	Misappropriation		
National Public Affairs	12/5/2022	12/15/2022	1/13/2023	Complete	Trump Entities, Surabian Entities	Misappropriation		
Hudson Digital	12/6/2022	12/15/2022	12/15/2022	Complete	Save America; Save America Joint Fundraising Committee; Trump Make America Great Again Committee; Make America Great Again PAC; and/or Donald J. Trump for President, Inc.	Misappropriation		
Event Strategies	12/7/2022	12/15/2022	1/13/2023	Rolling	1. Save America; 2. Save America Joint Fundraising Committee; 3. Trump Make America Great Again Committee; 4. Make America Great Again PAC; 5. Donald J. Trump for President, Inc.; 6. Women for America First; 7. Bluebonnet Fundraising LLC; 8. Turning Point USA, or Turning Point Action; 9. Tea Party Express; 10. Eighty Percent Coalition; and/or 11. Republican Attorneys General Association, including but not limited to, Rule of Law Defense Fund.	J 6\$		
Red Curve	12/14/2022	1/5/2023	1/24/2023	Complete	Trump Entities, Parscale Entities, Coby Entities, Surabian Entities	Misappropriation		
Bradley Crate	12/14/2022	1/5/2023			Trump Entities, Parscale Entities, Coby Entities, Surabian Entities	Misappropriation		
Wells Fargo	12/16/2022	1/5/2023	1/18/2023	Complete	Sidney Powell	Obstruction		
Wells Fargo	12/16/2022	1/5/2023	1/5/2023	Complete	Scott Sigman			

						victory.donaldtrump [REDACTED] T victory.trump [REDACTED] [REDACTED] theamericanvote [REDACTED] secureconservative [REDACTED]; and [REDACTED] ourpresident45 [REDACTED]		
Google		12/16/2022	1/5/2023	2/23/2023	Complete	victory.donaldtrump [REDACTED] T victory.trump [REDACTED] [REDACTED] theamericanvote [REDACTED] secureconservative [REDACTED]; and [REDACTED] ourpresident45 [REDACTED]	Wire Fraud	
Salesforce		12/16/2022	1/5/2023	1/24/2023	Complete	victory.donaldtrump [REDACTED] T victory.trump [REDACTED] [REDACTED] theamericanvote [REDACTED] secureconservative [REDACTED]; and [REDACTED] ourpresident45 [REDACTED]	Wire Fraud	
GoDaddy	12/19/2022	1/5/2023	1/30/2023	Complete	victory.donaldtrump [REDACTED] T victory.trump [REDACTED] [REDACTED] theamericanvote [REDACTED] secureconservative [REDACTED]; and [REDACTED] ourpresident45 [REDACTED]	Wire Fraud		
Compass Legal Services	12/20/2022	1/5/2023	1/13/2023		Trump entities	Payments to lawyers		
Elections LLC	12/20/2022	1/5/2023	1/17/2023	Complete	Trump entities			
Paychex	1/20/2023	2/2/2023	2/9/2023		Bradley Parscale, Campaign Nucleus			
ADP	1/20/2023	2/2/2023	2/24/2023	Complete	Bradley Parscale, Parscale Strategy			
Bank of America	1/20/2023	1/27/2023	1/26/2023, 4/7/2023	Partial	Pericles, LLC; Vince Haley; Ross Worthington			
JPMorgan Chase	2/8/2023	2/21/2023	3/4/2023	Complete	Elections, LLC; Justin Clark; Stefan Passantino			
Regions Bank	1/24/2023	2/7/2023	3/2/2023	Complete	John Philips Client Trust Account			
Paychex	1/25/2023	2/7/2023	2/24/2023	Complete				
ADP	1/25/2023	2/7/2023	2/10/2023	Complete	Elections, LLC			
ADP TotalSource	1/30/2023	2/10/2023	2/27/2023	Complete				
Republic Bank	2/2/2023	2/14/2023	2/15/2023		Nick Luna, CIC Ventures			
Wells Fargo	2/1/2023	2/14/2023	2/15/2023		Anthony Dolan; TVR, LLC			
Chain Bridge Bank	2/2/2023	2/16/2023			DJT MAGA			
Chain Bridge Bank	2/2/2023	2/16/2023			TMAGAC			
Chain Bridge Bank	2/2/2023	2/16/2023			Save America			
Chain Bridge Bank	2/2/2023	2/16/2023			RNC			
Stripe	2/1/2023	2/16/2023	2/16/2023	Complete	TMAGAC			
Bank of America	2/2/2023	2/16/2023	2/15/2023, 4/7/2023	Complete	Gabriel Strategies, Robert Gabriel			
Winred	2/7/2023	2/21/2023	3/6/2023	Complete	TMAGAC, Save America, Save America JFC			
Silicon Valley Bank	2/9/2023	2/23/2023	N/A - replaced by [REDACTED]		Gary Coby			
Morgan Stanley	2/9/2023	2/23/2023						
Fidelity	2/9/2023	2/23/2023	2/21/2023	Complete	Gary Coby, Direct Persuasion, Opn Sesame			
Bill.com	2/9/2023	2/23/2023	2/14/2023	Complete	Gary Coby, Direct Persuasion, Opn Sesame			
Truist Financial	2/15/2023	3/2/2023	2/27/2023	Complete	Justin Clark, Stefan Passantino			
Navy Federal	2/15/2023	3/2/2023	3/9/2023	Complete	Justin Clark, Stefan Passantino			
Chain Bridge Bank	2/2/2023	2/16/2023	2/21/2023		DJT MAGA		follow up from [REDACTED]	
JPMorgan Chase	2/22/2023	3/7/2023	3/7/2023	Complete	Nick Luna			
USAA Federal Savings	2/22/2023	3/7/2023	3/7/2023	Complete	Sean Dollman			
Iterable, Inc.	3/2/2023	3/16/2023						
American Express	3/3/2023	3/16/2023	6/8/2023	Complete	Clark, Eastman, Giuliani			
Bank of America	3/3/2023	3/16/2023	3/23/2023	Complete	Clark, Eastman, Giuliani			
Barclays	3/3/2023	3/16/2023	4/3/2023	Complete	Clark, Eastman, Giuliani			
Citibank	3/3/2023	3/16/2023	3/17/2023	Complete	Clark, Eastman, Giuliani			
Discover	3/3/2023	3/16/2023	3/31/2023	Complete	Clark, Eastman, Giuliani			
Elan Financial	3/3/2023	3/16/2023	3/11/2023	Complete	Clark, Eastman, Giuliani			
JPMorgan Chase	3/3/2023	3/16/2023	4/7/2023	Complete	Clark, Eastman, Giuliani			
PNC	3/3/2023	3/16/2023	3/15/2023	Complete	Clark, Eastman, Giuliani			
TIAA Bank	3/3/2023	3/16/2023	3/22/2023	Complete	Clark, Eastman, Giuliani			
USAA Federal Savings Bank	3/3/2023	3/16/2023	3/20/2023	Complete	Clark, Eastman, Giuliani			
Larry Weitzner	3/8/2023	3/23/2023						
Jamestown Associates	3/8/2023	3/23/2023	3/23/2023	Complete				
Iberia Bank	3/7/2023	3/23/2023	3/23/2023	Partial	Parscale			
Bank of America	3/9/2023	3/23/2023	3/20/2023		DirectSnd			
Citizens Bank	3/9/2023	3/23/2023	4/10/2023	Complete	Simpatico Software Systems			
PNC	3/8/2023	3/23/2023	3/29/2023	Complete	Berkeley Research, East Bay Dispute and Advisory			

Bay State Savings Bank	3/13/2023	3/23/2023	3/22/2023	Complete	Andrew Surabian		
Alex Murglin	3/15/2023	3/30/2023	4/5/2023	Complete	Work relating to fundraising communications		
Kevin Zambrano	3/15/2023	3/30/2023	4/6/2023		Work relating to fundraising communications		
Michael Ahrens	3/15/2023	3/30/2023	4/3/2023, 4/6/2023	Complete	Work relating to fundraising communications		
Hanna Allred	3/15/2023	3/30/2023	4/3/2023, 4/6/2023	Complete	Work relating to fundraising communications		
Austin Boedigheimer	3/15/2023	3/30/2023	4/3/2023, 4/6/2023	Complete	Work relating to fundraising communications		
Cassie Docksey	3/15/2023	3/30/2023	4/6/2023		Work relating to fundraising communications		
Merrill Lynch	3/21/2023	3/30/2023	3/23/2023	Complete	Clark, Eastman, Giuliani		
JPMorgan Chase	3/29/2023	4/11/2023	4/18/2023	Complete	Trump Media & Technology Group		
Silicon Valley Bridge Bank, N.A.	3/23/2023	4/6/2023			Gary Coby		
Navy Federal	3/23/2023	4/6/2023	3/28/2023		Sean Dollman		
Bank of America	3/23/2023	4/6/2023	4/3/2023	Complete	Sean Dollman		
Chain Bridge Bank	4/7/2023	4/14/2023	4/14/2023		Make America Great Again etc. [REDACTED]		
Chain Bridge Bank	4/7/2023	4/14/2023	4/14/2023		Justin Clark, [REDACTED]		
Capital One	4/7/2023	4/20/2023	4/28/2023	Complete	Justin Clark		
Flagstar Bank	4/11/2023	4/25/2023	5/2/2023	Complete	Giuliani		
American Funds Service Com	4/20/2023	5/4/2023	5/9/2023	Complete	Clark, Eastman		
Coinbase	4/20/2023	5/4/2023	4/21/2023	Complete	Jeffrey Clark		
Early Warning	4/20/2023	5/4/2023	5/29/2023	Complete	Clark, Eastman		
Fidelity	4/20/2023	5/4/2023	7/6/2023	Complete	Clark, Eastman		
PayPal	4/20/2023	5/4/2023	4/27/2023	Complete	Clark, Eastman		
Wells Fargo	4/20/2023	5/4/2023	5/4/2023	Complete	Clark, Eastman		
Bank of America	4/28/2023	5/11/2023	5/9/2023	Complete	Robert Gassaway		
BHG Financial	4/28/2023	5/11/2023	5/15/2023	Complete	Giuliani		
Pershing LLC	4/28/2023	5/11/2023			Giuliani		
PNC Bank	4/28/2023	5/11/2023	5/22/2023	Complete	Public Interest Legal Foundation		
PNC Bank	5/8/2023	5/18/2023	5/15/2023	Complete	2M Document Management		
JP Morgan Chase	5/11/2023	5/18/2023	5/26/2023	Complete	Rob Gassaway		
JP Morgan Securities	5/19/2023	6/1/2023			Rob Gassaway		
JP Morgan Chase	5/19/2023	6/1/2023	6/7/2023	Complete	Sean Dollman		
Atlantic Union Bank	5/24/2023	6/6/2023	6/7/2023	Complete	Dakshay Patel, EagleAmerica		
Vanguard Group	6/2/2023	6/15/2023	6/20/2023	Complete	Robert Gassaway		



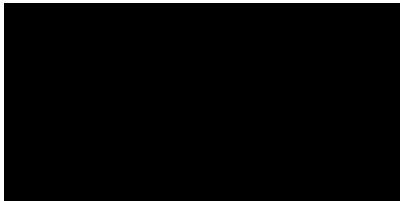
**U.S. Department of Justice**  
Office of Information Policy  
Sixth Floor  
441 G Street, NW  
Washington, DC 20530-0001

---

Telephone: (202) 514-3642

November 18, 2025

John Monaghan  
American Center for Law and Justice



Re: FOIA-2026-00400  
ADF:ERH:AKT

Dear John Monaghan:

This is to acknowledge receipt of your Freedom of Information Act (FOIA) request dated and received in this Office on November 4, 2025, in which you requested records concerning the Federal Bureau of Investigation's Arctic Frost investigation. **Please note that this Office was closed due to a lapse in funding appropriations from October 1, 2025 through November 12, 2025, which will result in a delay in responding to your request.**

As an initial matter, to the extent that you are seeking records from the Executive Office for United States Attorneys (EOUSA) and the Federal Bureau of Investigation (FBI), please be advised that the FOIA operation for both the Department of Justice is decentralized and each Department component maintains and handles FOIA requests for its own records. Accordingly, you need to submit your request to EOUSA and FBI if you have not already done so. Contact information for EOUSA and FBI can be found on [www.foia.gov](http://www.foia.gov). We note that you have also submitted your request to the Criminal Division, National Security Division, and the Office of Legal Counsel.

You have requested expedited processing of your request pursuant to the Department's standard permitting expedition for requests involving "[a]n urgency to inform the public about an actual or alleged federal government activity, if made by a person primarily engaged in disseminating information." See 28 C.F.R. § 16.5(e)(1)(ii) (2018). Based on the information you have provided, I have determined that your request for expedited processing under this standard should be denied. This Office cannot identify a particular urgency to inform the public about an actual or alleged federal government activity beyond the public's right to know about government activities generally. Please be advised that, although your request for expedited processing has been denied, it has been assigned to an analyst in this Office and our processing of it has been initiated.

To the extent that your request requires a search in another Office, consultations with other Department components or another agency, and/or involves a voluminous amount of

material, your request falls within “unusual circumstances.” See 5 U.S.C. § 552 (a)(6)(B)(i)-(iii) (2018). Accordingly, we will need to extend the time limit to respond to your request beyond the ten additional days provided by the statute. For your information, we use multiple tracks to process requests, but within those tracks we work in an agile manner, and the time needed to complete our work on your request will necessarily depend on a variety of factors, including the complexity of our records search, the volume and complexity of any material located, and the order of receipt of your request. At this time we have assigned your request to the complex track. In an effort to speed up our process, you may wish to narrow the scope of your request to limit the number of potentially responsive records so that it can be placed in a different processing track. You can also agree to an alternative time frame for processing, should records be located, or you may wish to await the completion of our records search to discuss either of these options. Any decision with regard to the application of fees will be made only after we determine whether fees will be implicated for this request.

Please be advised that the records search options available are dynamic and can be adjusted according to the types of records you are seeking. In general, there are five categories of records search options available to you:

1	Official Correspondence	This category includes final, signed communications, memoranda, policies, and guidelines.
2	Emails and Attachments	This category includes emails sent or received by Department officials and records attached thereto.
3	Calendars	This category includes the electronic calendar of Department officials.
4	Standalone Documents	This category includes both electronic computer records and non-electronic (i.e. paper) records of Department officials to the extent that such records were not attached to an email <sup>1</sup> .
5	Classified Records	This category includes both electronic and non-electronic (i.e. paper) classified records maintained by Department officials.

The time required to complete our records search will vary significantly depending on the types of records that need to be searched in order to fulfill your request. Furthermore, there are distinct and significant differences between the search time required to complete certain categories of records searches. For example, a records search focused on category 1 records (Official Correspondence) requires the least amount of time to complete. A records search seeking records from categories 2 and/or 3 requires significantly more time than that of category 1. Whereas a search seeking records from categories 4 and/or 5 is the most time-consuming search option and requires substantially more time to complete than a search focused on records of categories 2 and/or 3.

Additional factors, including the timeframe of your request and the number of Department officials who need to be searched in order to fulfill your request, can make a

---

<sup>1</sup> This category does not include Official Correspondence (i.e. category 1 records).

substantial difference in the time it takes to complete our records search. Generally speaking, requests seeking records prior to January 20, 2017, will require additional search time, and the more Department officials that are subject to the records search, the longer it will take to complete.

At this time and in an effort to facilitate our response to your request, we are focusing our records search on official correspondence (i.e. category 1) and emails and attachments (category 2) that may be responsive to your request. Based on our experience, the vast majority of records responsive to FOIA requests consist of category 2 records, and it is not common for there to be standalone documents (category 4) that are not also located as attachments to emails. If you are interested in either adding additional categories of records to your search or focusing your search on records other than categories 1 and 2, please notify this Office as soon as possible. You may also agree to an alternative formulation of your request, including a different scope or date range. Please include the administrative tracking number associated with this request in all your correspondence.

If you have any questions, wish to discuss reformulation or an alternative time frame for the processing of your request, or if you require further assistance regarding any aspect of your request, you may contact our Acting FOIA Public Liaison, Eric Hotchkiss, at: Office of Information Policy, United States Department of Justice, Sixth Floor, 441 G Street, NW, Washington, DC 20530-0001; telephone at 202-514-3642.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, MD 20740-6001; e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with this Office's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy, United States Department of Justice, Sixth Floor, 441 G Street, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically submitted within ninety days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." If possible, please provide a copy of your original request and this response letter with your appeal.

Sincerely,



for

Andrew D. Fiorillo  
Chief, Initial Request Staff