

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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May 6, 2024

The Honorable Christopher A. Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, N.W.
Washington, DC 20535

Dear Director Wray:

The Committee on the Judiciary and the Select Subcommittee on the Weaponization of the Federal Government are conducting oversight of the Federal Bureau of Investigation's (FBI) hiring standards and practices. In particular, we are interested in the FBI's hiring and retention practices and its use of so-called Diversity, Equity, and Inclusion (DEI) initiatives.

On Inauguration Day, President Biden issued his first Executive Order promulgating DEI programs within the whole of Executive Branch.¹ A few months later, on April 21, 2021, you announced the hiring of the FBI's first Chief Diversity Officer, Scott McMillon.² From that time forward, we understand that the FBI has struggled with attracting enough qualified applicants from all desired target groups to sustain its mission. This is likely due to the FBI re-focusing its recruitment efforts on DEI statistics.³

In October 2023, a group of retired FBI Special Agents and Analysts, many of whom held senior positions of trust and authority within the FBI, authored a report detailing "alarming trends" in the FBI's recruitment and selection process.⁴ The detailed, 112-page report highlighted several troubling findings, including that:

The law enforcement and intelligence capabilities of the FBI are degrading because the FBI is no longer hiring "the best and

¹ Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* (Jan. 20, 2021).

² Stephanie Pagonis, *FBI Director Wray appoints agency's first-ever chief diversity officer*, FOX NEWS (Apr. 21, 2021).

³ See, e.g., Miranda Devine, *DEI hires pushed onto the FBI are putting the country's safety at risk for the sake of being 'woke'*, N.Y. POST (Jan. 24, 2024).

⁴ A National Alliance of Retired and Active-Duty FBI Special Agents and Analysts, *Report on Alarming Trends in FBI Special Agent Recruitment and Selection* (Oct. 2023) [hereinafter: "The Report"].

brightest” candidates to fill the position of Special Agent of the FBI.⁵ An increasing number of lower quality candidates—described by one source as “bread crumbs” because they were rejected by other federal law enforcement agencies—are applying to become FBI Special Agents; and the FBI is selecting those candidates to become FBI Special Agents because they satisfy the FBI’s priority to meet Diversity, Equity and Inclusion (DEI) mandates.⁶

... The FBI’s Special Agent hiring numbers are down, likely due to the decline in the Nation’s trust in the FBI and a corresponding decrease in the number of individuals interested in applying to the FBI for employment.⁷ To more easily accommodate a larger pool of available applicants, FBI Special Agent hiring standards have been relaxed and requirements measurably lowered in categories that include physical fitness, illicit drug use, financial irregularities, mental health, full-time work experience, and integrity.⁸

With respect to the decreasing numbers of applicants cited above, the Committee and the Select Subcommittee have been informed by whistleblowers—both active duty and retired FBI Special Agents—that from the mid-1990s to the early 2000s, the FBI had over 100,000 applications on file at any given time for the position of Special Agent. During that time, roughly 1,000 new agents—or one percent of those who applied—graduated annually from the FBI Academy. By contrast, in February 2024, FBI Assistant Director for the Training Division Jacqueline Maguire reported that the FBI currently only has an estimated 48,000 applications for the position of Special Agent on file.⁹

The FBI’s hyper-fixation on hitting Biden Administration-imposed DEI initiatives, rather than qualifications that make the best federal law enforcement candidates and officers, has created a climate within the FBI that puts the American public and American civil liberties at risk. For example, well-documented incidents like the FBI Richmond Field Office’s infamous Catholic memo,¹⁰ the armed, pre-dawn raid on the residence of pro-life advocate Mark Houck,¹¹ and the FBI’s nefarious role in ensuring the Hunter Biden laptop story was suppressed and censored from the American people weeks before the presidential election¹² have all contributed

⁵ *Id.* at 5.

⁶ *Id.*

⁷ *Id.* at 6.

⁸ *Id.*

⁹ Jacqueline Maguire, *What I See: A Message from the Assistant Director of the FBI’s Training Division*, FBI.GOV (Feb. 2, 2024).

¹⁰ H. COMM. ON THE JUDICIARY, SELECT SUBCOMM. ON THE WEAPONIZATION OF THE FED. GOV THE FBI’S BREACH OF RELIGIOUS FREEDOM: THE WEAPONIZATION OF LAW ENFORCEMENT AGAINST CATHOLIC AMERICANS, FINDINGS OF THE 118TH CONGRESS (Dec. 4, 2023).

¹¹ Peter Pinedo, *Mark Houck and Wife Sue FBI and DOJ for Malicious Prosecution: Era of Targeting Pro-Lifers ‘Is Over’*, NAT’L CATHOLIC REGISTER (Nov. 8, 2023).

¹² Press Release, Testimony Reveals FBI Employees Who Warned Social Media Companies about Hack and Leak Operation Knew Hunter Biden Laptop Wasn’t Russian Disinformation, House Judiciary Republicans (July 20, 2023).

to the public's lack of confidence in the FBI's ability to execute its mission in an impartial and competent manner.¹³

To assist the Committee's and the Select Subcommittee's oversight, please provide the following documents and information:

1. Documents sufficient to show the number of FBI Special Agents and Professional Support Employees currently employed, either full-time or part-time, as either Applicant Coordinators or DEI Coordinators and/or professional staff in support thereof;
2. All documents and communications referring or relating to financial incentives, awards, and/or promotional considerations given to FBI Senior Executive Service managers for meeting recruitment and/or DEI goals; and
3. Documents sufficient to show all relevant FBI Special Agent Recruitment and Selection statistics for the last ten years, including but not limited to the following data:¹⁴
 - a. Month-to-month totals of FBI Special Agent applications received;
 - b. Evaluation and scoring averages for all FBI Special Agent applicants throughout all phases of assessment and testing;
 - c. Annual failure and graduation rates at the FBI Academy based on applicant categories for the requested period;
 - d. Annual number and percentage of new FBI Special Agents who failed to complete their probationary periods from 2014 to 2024; and
 - e. Termination and retention rates for FBI Special Agents at five-year intervals.
4. All documents and communications referring or relating to the FBI's implementation of the Biden Administration's DEI Executive Orders.

Please provide this information as soon as possible, but no later than 5:00 p.m. on May 20, 2024.

The Committee is authorized to conduct oversight of the FBI pursuant to Rule X of the Rules of the House of Representatives.¹⁵ In addition, H. Res. 12 authorizes the Select Subcommittee to investigate "issues related to the violation of the civil liberties of citizens of the United States."¹⁶

¹³ Kevin R. Brock, *Nearly half of the country now has serious doubts about the FBI. Here's why*, THE HILL (October 3, 2022).

¹⁴ See The Report at 33-34.

¹⁵ Rules of the House of Representatives, R. X, 118th Cong. (2023).

¹⁶ H. Res. 12 § 1(b)(1).

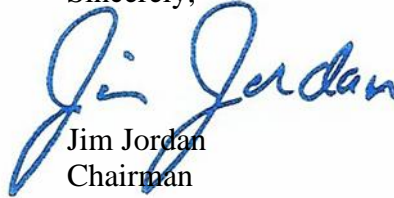
The Honorable Christopher A. Wray

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If you have any questions about this request, please contact Judiciary 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 written in a cursive, flowing style.

Jim Jordan
Chairman

cc: The Honorable Jerrold L. Nadler, Ranking Member