

ONE HUNDRED SEVENTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951
judiciary.house.gov

July 27, 2022

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

Dear Director Wray:

We continue to hear from brave whistleblowers about disturbing conduct at the Federal Bureau of Investigation. From recent protected disclosures, we have learned that FBI officials are pressuring agents to reclassify cases as “domestic violent extremism” even if the cases do not meet the criteria for such a classification. Given the narrative pushed by the Biden Administration that domestic violent extremism is the “greatest threat” facing our country,¹ the revelation that the FBI may be artificially padding domestic terrorism data is scandalous.

The FBI defines a domestic violent extremist (DVE) as “an individual based and operating primarily within the United States or its territories without direction or inspiration from a foreign terrorist group or other foreign power who seeks to further political or social goals wholly or in part through unlawful acts of force or violence.”² According to you and other Biden Administration officials, investigations into DVEs have increased “significantly.”³ In June 2021, you testified that the FBI has a “very, very active domestic terrorism investigation program” and that you had “doubled the amount of domestic terrorism investigations.”⁴ Attorney General Merrick Garland has repeated this talking point, stating that “[t]he number of open FBI domestic terrorism investigations this year has increased significantly.”⁵

¹ “*The Way Forward on Homeland Security*”: *Hearing of the H. Comm. on Homeland Sec.*, 117th Cong. (2021) (statement of Homeland Security Secretary Alejandro Mayorkas).

² FED. BUREAU OF INVESTIGATION AND DEP’T OF HOMELAND SECURITY, STRATEGIC INTELLIGENCE ASSESSMENT ON DATA AND DOMESTIC TERRORISM at 2, note 3 (May 2021).

³ “*Threats to the Homeland: Evaluating the Landscape 20 Years After 9/11*”: *Hearing before the S. Comm. on Homeland Sec. & Governmental Affairs*, 117th Cong. (2021) (testimony of FBI Director Christopher Wray); Remarks, U.S. Dep’t of Justice, Attorney General Merrick B. Garland Remarks: Domestic Terrorism Policy Address (Jun. 15, 2021).

⁴ *Oversight of the Federal Bureau of Investigation, Hearing Before H. Comm. on the Judiciary*, 117th Cong. at 154 (2021) (statement of Director Christopher Wray).

⁵ Remarks, U.S. Dep’t of Justice, Attorney General Merrick B. Garland Remarks: Domestic Terrorism Policy Address (Jun. 15, 2021).

New whistleblower disclosures made by multiple FBI employees from different field offices indicate that the Biden Administration's narrative may be misleading. We have received accusations that FBI agents are bolstering the number of cases of DVEs to satisfy their superiors. For example, one whistleblower explained that because agents are not finding enough DVE cases, they are encouraged and incentivized to reclassify cases as DVE cases even though there is minimal, circumstantial evidence to support the reclassification. Another whistleblower—who led at least one high profile domestic terrorism investigation—stated that a field office Counterterrorism Assistant Special Agent in Charge and the FBI's Director of the Counterterrorism Division have pressured agents to move cases into the DVE category to hit self-created performance metrics. According to whistleblowers, the FBI uses these metrics to dispense awards and promotions. Every whistleblower has called it an environment of "pressure" within the FBI.

These whistleblower allegations that the FBI is padding its domestic violent extremist data cheapens actual examples of violent extremism. This information also reinforces our concerns—about which we have written to you several times—regarding the FBI's politicization under your leadership. As we have detailed, multiple whistleblowers have disclosed how the Biden FBI is conducting a "purge" of FBI employees holding conservative views. You have ignored these concerns. It appears instead that the FBI is more focused on classifying investigations to meet a woke left-wing agenda.

To inform our ongoing oversight of the politicization at the FBI, please provide the following documents and information:

1. All documents and communications referring or relating to eGuardians, preliminary investigations, and full investigations classified as domestic violent extremism, including by type of case, for the period of January 1, 2020, to the present;
2. All documents and communications between or among employees of the Federal Bureau of Investigation, the Department of Justice, and the Executive Office of the President referring or relating to classifying or reclassifying domestic violent extremism cases, for the period of January 1, 2020, to the present;
3. The total number of preliminary investigations and full investigations of domestic violent extremism, including by type of case, for the period of January 1, 2020, to the present; and
4. The total number of Confidential Human Sources that contributed to any reports of domestic violent extremism cases, for the period of January 1, 2020, to the present.

Please provide this information as soon as possible, but no later than 5:00 p.m. on August 10, 2022. In addition, we ask for a briefing about this topic, including the FBI's Threat Review Prioritization process to review and prioritize threats to inform its strategies.

The Honorable Christopher A. Wray

July 27, 2022

Page 3

If a full response requires the disclosure of classified information, please provide such information under separate cover. We remind you that whistleblower disclosures to Congress are protected by law and that we will not tolerate any effort to retaliate against whistleblowers for their disclosures.

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
Ranking Member

cc: The Honorable Jerrold L. Nadler
Chairman

The Honorable Michael E. Horowitz
Inspector General, U.S. Department of Justice