

ONE HUNDRED SEVENTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON THE JUDICIARY  
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September 19, 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, including politicization within the Washington Field Office (WFO). On July 27, 2022, we wrote to you about protected whistleblower disclosures that FBI officials—including an Assistant Special Agent in Charge from the WFO—were pressuring agents to reclassify cases as “domestic violent extremism” (DVEs) even if the cases do not meet the criteria for such a classification.<sup>1</sup> Since then, new whistleblowers have come forward with concerning information about how the FBI is deliberately manipulating the way case files related to January 6 investigations are maintained in order to create a false and misleading narrative that domestic violent extremism is increasing around the country.

New whistleblower disclosures indicate that the WFO’s handling of DVE investigations relating to January 6 “diverge[s]” from established practice in a way that overstates the national DVE threat. One whistleblower has described how cases are ordinarily characterized and labeled by the originating field office, with leads “cut” to other field offices for specific assistance in that geographic location. The whistleblower alleged “the FBI has not followed regular procedure” with respect to January 6 cases, which should all be officially led by the WFO and categorized as WFO cases, explaining:

Instead, task force members in Washington D.C. identify “potential subjects” and possible locations where these individuals reside. The task force disseminates information packets with instructions to open full investigations to [local] Field Offices around the country. As such, if a subject lives in Dallas, the Dallas Field Office is expected to open the case . . . .

Although the local field offices therefore appear to be running the cases on paper, the WFO is directing the field office special agents to just “open the case” in their geographic area

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<sup>1</sup> Letter from Jim Jordan, Ranking Member, H. Comm. on the Judiciary, to Christopher A. Wray, Dir. Fed. Bureau of Investigation (July 27, 2022).

and the WFO is performing and approving “all of the investigative work and paperwork for the casefile.” The whistleblower described how “there are active criminal investigations of January 6th subjects in which I am listed as the ‘Case Agent,’ but have not done any investigative work” and the whistleblower’s supervisor “has not approved any paperwork within” those investigative files. This scheme allows you to continue to support on paper your assertion that “[t]he FBI is a field-based law enforcement organization, and the vast majority of our investigations should continue to be worked by our field offices,” while actually running the investigation from Washington.<sup>2</sup>

The whistleblower explained how the WFO’s deviation from established practice misrepresents the DVE threat nationwide:

The manipulative casefile practice creates false and misleading crime statistics. Instead of hundreds of investigations stemming from a single, black swan incident at the Capitol, FBI and DOJ officials point to significant increases in domestic violent extremism and terrorism around the United States.

In other words, the FBI’s case categorization creates the illusion that threats from DVE are present in jurisdictions across the nation, when in reality they all stem from the same related investigation concerning the actions at the Capitol on January 6. Such an artificial case categorization scheme allows FBI leadership to misleadingly point to “significant” increases in DVE threats nationwide.<sup>3</sup> These allegations are consistent with disclosures we have received from other whistleblowers that high-ranking FBI officials—including a senior WFO official—are pressing front-line agents to categorize cases as DVE matters to fit a political narrative.

In addition, the whistleblower disclosed that the FBI is sacrificing its other important federal law-enforcement duties to pursue January 6 investigations. The whistleblower recalled, for example, being “told that child sexual abuse material investigations were no longer an FBI priority and should be referred to local law enforcement agencies.” Such a posture is not only a dereliction of the FBI’s mission to investigate violations of federal laws, but it is a grave disservice to the victims of child sexual abuse and other crimes that do not advance the FBI leadership’s political agenda.

The overwhelming majority of front-line FBI special agents and employees are dedicated law-enforcement officers committed to protecting the American people and upholding the

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<sup>2</sup> Letter from Hon. Christopher A. Wray, Dir., Fed. Bureau of Investigation, to Hon. Michael Horowitz, Inspector Gen., U.S. Dep’t of Justice (Dec. 6, 2019).

<sup>3</sup> See, e.g., “*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). See also *Oversight of the Federal Bureau of Investigation, Hearing Before H. Comm. on the Judiciary*, 117th Cong. at 154 (2021) (statement 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). In June 2021, you testified that the FBI has a “very, very active domestic terrorism investigation program” and that the FBI had “doubled the amount of domestic terrorism investigations.” Attorney General Merrick Garland has also repeated this talking point, stating that “[t]he number of open FBI domestic terrorism investigations this year has increased significantly.”

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Constitution. But we have consistently heard whistleblowers describe a “rotted” culture within the FBI’s senior leadership in Washington. Contrary to your belief, the FBI is not immune to oversight or accountability. 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 the Washington Field Office’s policies and procedures for opening investigations into potential subjects of the events occurring on January 6, 2021;
2. All documents and communications referring or relating to eGuardians, preliminary investigations, and full investigations regarding January 6 investigations for which the FBI’s WFO is initiating, conducting, approving investigative work even if the WFO is not listed in the casefile as the responsible field office;
3. All documents and communications sent or received by WFO employees instructing agents in other FBI Field Offices to open full investigations into potential subjects of January 6 investigations;
4. A complete accounting of all DVE cases opened since January 6, 2021, in which the WFO has identified subjects or directed other field offices to execute search or arrest warrants, to include the following information:
  - a. The case identifier;
  - b. The responsible field office;
  - c. The date opened; and
  - d. The current disposition of the matter;
5. The number of arrest and search warrants sworn out by agents from the WFO, but executed in the geographic area of another FBI field office; and
6. The number of all FBI agents involved in January 6 investigations, identified by FBI field office.

Please provide this information as soon as possible, but no later than 5:00 p.m. on October 3, 2022. 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.

Sincerely,



Jim Jordan  
Ranking Member

cc: The Honorable Jerrold L. Nadler, Chairman