

United States Senate
WASHINGTON, DC 20510

September 30, 2024

The Honorable Christopher A. Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Ave., NW
Washington, D.C. 20535

Dear Director Wray,

We write to express our profound disappointment and concern regarding the recent audit conducted by the Department of Justice’s Office of the Inspector General (OIG) on the FBI’s handling of child sexual abuse cases. This report, which scrutinizes the Bureau’s performance from October 2021 to February 2023, reveals several egregious failures in your agency’s duty to protect the most vulnerable members of our society—our children.¹

Despite your assurances following the Larry Nassar scandal that the FBI would do “everything in [its] power to make sure [the Nassar investigation failures] never happen[ed] again,”² this audit reveals little, if any, progress has been made. Under your leadership, the FBI has not only failed to implement effective changes but has instead continued to mishandle cases of child sexual abuse with disturbing frequency.³

The OIG report highlights gross negligence in four critical areas: mandatory reporting of suspected child abuse, victim services, case transfers between field offices, and timely responses to allegations of active child sexual abuse.⁴ In 47% of cases reviewed, FBI employees failed to comply with mandatory reporting requirements to state and local law enforcement, and for social services, that figure rose to 50%.⁵ Only 43% of mandatory reports reviewed were made within the required 24-hour period, and a mere 17% of the reports were fully documented.⁶

Even more outrageous is the complete breakdown of the FBI’s tip management system and blatant disregard for the agency’s post-Nassar policy updates. As the audit revealed, in a staggering 73% of transferred allegations, there was no verbal contact or confirmation of receipt, as required by the FBI’s post-Nassar policy updates.⁷ In one example, the FBI delayed action for

¹ Dep’t of Justice Off. of Inspector Gen., *Audit of the Federal Bureau of Investigation’s Handling of Tips of Hands-on Sex Offenses Against Children* (Aug. 2024), <https://oig.justice.gov/sites/default/files/reports/24-096.pdf> [hereinafter OIG 2024 Audit].

² Dereliction of Duty: Examining the Inspector General’s Report on the FBI’s Handling of the Larry Nassar Investigation, 117th Cong. (Sept. 15, 2021), Testimony of Director Wray.

³ See Dep’t of Justice Off. Of Inspector Gen., *supra* note 1.

⁴ OIG 2024 Audit, *supra* note 1, at i.

⁵ *Id.* at 18-19.

⁶ *Id.* at 19-20.

⁷ *Id.* at 31.

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over a year on an allegation against a registered sex offender, during which time the offender allegedly abused another person over a 15-month period.⁸ This level of negligence is beyond unacceptable—it’s indefensible.

The audit also identified 42 incidents requiring *immediate attention* due to investigative inactivity, failure to take logical steps, or outright non-compliance with FBI policies.⁹ How can the American public trust the FBI when it consistently neglects to fulfill its duties in protecting our children from abuse?

The findings are even more frustrating when viewed alongside the 2022 whistleblower revelation alleging child sexual abuse material investigations were deprioritized in favor of politically charged January 6 inquiries.¹⁰ The FBI whistleblower recalled being “told that child sexual abuse material investigations were no longer an FBI priority and should be referred to local law enforcement agencies.”¹¹ Meanwhile, the Department of Justice requested \$34 million from Congress specifically for its January 6 investigations, describing them as “unprecedented in scale” and “among the most complex investigations” it has ever undertaken.¹² The FBI also has prioritized DEI hiring practices and other radical reforms.¹³ We are deeply concerned the Bureau has lost sight of its core function, “to protect the American people.”¹⁴ Protecting all Americans, especially children, must take priority over politically motivated sideshows.

According to the OIG, child sexual abuse cases were flagged with concern due to “a lack of recent investigative activity” and “lack of logical investigative steps.”¹⁵ Ignoring child exploitation investigations for political expediency is a grave betrayal to the victims who depend on the FBI’s expertise and resources. The \$138.7 million settlement stemming from the Nassar case should have been a turning point for the FBI, a stark reminder of the human toll caused by your agency’s failures.¹⁶ Instead, it is clear the reforms you promised have been grossly

⁸ *Id.* at 11.

⁹ *Id.* at 10-11.

¹⁰ See Press Release, House Judiciary Committee, FBI Whistleblower Alleges Bureau Took Agents Off Child Sex Abuse Cases To Pursue Political Probes (Sept. 20, 2022), <https://judiciary.house.gov/media/press-releases/fbi-whistleblower-alleges-bureau-took-agents-off-child-sex-abuse-cases-to>.

¹¹ Letter from Jim Jordan, Ranking Member, H. Comm. on the Judiciary, to Christopher A. Wray, Dir. Fed. Bureau of Investigation (Sept. 19, 2022), <https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/2022-09/2022-09-19-JDJ-to-Wray-re-WFO-DT-investigations.pdf>.

¹² Sahil Kapur & Ryan J. Reilly, *DOJ says it needs more money for the Jan. 6 probe. The next spending bill may be its last chance*, NBC NEWS (Oct. 20, 2022), <https://www.nbcnews.com/politics/justice-department/doj-says-needs-money-jan-6-probe-spending-bill-may-last-chance-rcna51767>.

¹³ See Press Release, House Judiciary Committee, Chairman Jordan Opens Inquiry into the Biden FBI’s DEI Hiring Practices (May 6, 2024), <https://judiciary.house.gov/media/press-releases/chairman-jordan-opens-inquiry-biden-fbis-dei-hiring-practices>.

¹⁴ *Mission and Priorities*, FBI, <https://www.fbi.gov/about/mission> (last visited Sept. 17, 2024).

¹⁵ See OIG 2024 Audit, *supra* note 1, at i, 10-11.

¹⁶ See Glenn Thrush & Juliet Macur, *Justice Dept. Reaches \$138.7 Million Settlement Over F.B.I.’s Failures in Nassar Case*, N.Y. TIMES (Apr. 24, 2024), <https://www.nytimes.com/2024/04/23/us/politics/us-doj-larry-nassar-fbi->

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insufficient. Despite your public reassurances, the FBI has shown that it is incapable of learning from its mistakes.

Nonetheless, in response to the OIG audit, you have once again reassured Americans that the FBI is committed to keeping children safe.¹⁷ The time for empty promises is over. The FBI and DOJ must now fulfill its duty with the seriousness it demands and administer justice. The American people, and more importantly, the victims of these heinous crimes, deserve better.

For these reasons, we ask that the Bureau respond to the following inquiries:

1. Is the FBI facing non-monetary, systemic hurdles that hinder its compliance with these mandatory reporting requirements?
2. Please explain why the FBI has failed to implement effective reforms in the aftermath of the Nassar case, despite previous assurances, and what will be done differently to avoid repeating these failures.
3. Please describe specific actions the FBI has taken, or plans to take, in response to the August 2024 OIG audit to address the failures identified in handling child sexual abuse cases.
4. How many FBI personnel have been reassigned from investigations related to child sexual abuse to investigations related to the events of January 6, 2021?
5. Please describe what mechanisms are in place to ensure compliance with mandatory reporting requirements, and why there has been such widespread non-compliance, particularly in nearly 50% of the reviewed cases.
6. Please explain the reasons for the failure in 73% of cases to verify receipt or establish verbal contact when transferring allegations between FBI field offices, as required by FBI policy.

[settlement.html#:~:text=The%20Justice%20Department%20said%20on,from%20the%20failure%20of%20F.B.It-chance-rcna51767.](#)

¹⁷ In a statement to Fox News Digital, the FBI wrote, “Ensuring the safety and security of children is not just a priority for the FBI; it is a solemn duty that we are committed to fulfilling with the highest standards. The FBI’s efforts combating crimes against children are among the most critical and demanding undertakings we do.” Timothy H.J. Nerozzi & David Spunt, *FBI must do more to fight sex crimes against children, DOJ watchdog says*, FOX NEWS (Aug. 29, 2024), <https://www.foxnews.com/us/fbi-must-do-more-fight-sex-crimes-against-children-doj-watchdog-says>.

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7. Please state if any specific disciplinary actions have been taken against FBI personnel who have failed to comply with internal policies regarding child sexual abuse cases. Information responsive to this request should protect personally identifiable information and include answers to the following questions:
- How many FBI personnel have repeatedly failed to follow internal policies?
 - What disciplinary actions were taken against each employee who failed, once or more than once, to follow internal policies?
 - How many employees have been placed on administrative leave resulting from their failure or failures to follow internal policies?
 - How many employees have been either fired or allowed to resign resulting from their failure or failures to follow internal policies? In the case of those allowed to resign, please provide a brief narrative of the actions or inactions taken necessitating their separation from the FBI.

We request answers by October 11, 2024. Thank you in advance.

Sincerely,



Eric S. Schmitt
United States Senator



Rick Scott
United States Senator



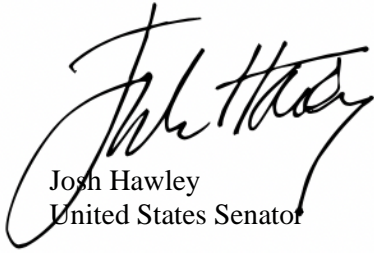
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Josh Hawley
United States Senator



Bill Cassidy, M.D.

Dr. Bill Cassidy
United States Senator



Marco Rubio

Marco Rubio
United States Senator



Joni K. Ernst

Joni K. Ernst
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Ron Johnson

Ron Johnson
United States Senator



Michael S. Lee

Michael S. Lee
United States Senator



Dr. Roger W. Marshall

Dr. Roger W. Marshall
United States Senator