

United States Senate

WASHINGTON, DC 20510

January 13, 2025

The Honorable Merrick Garland
Attorney General
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

The Honorable Christopher Wray
Director
Federal Bureau of Investigations
953 Pennsylvania Avenue, NW
Washington, D.C. 20535

Dear Attorney General Garland and Director Wray:

We write to you again regarding the Federal Bureau of Investigation's (FBI) capacity to investigate and respond to crimes involving child sexual abuse and exploitation.

More than a year ago, we wrote to express concern about reports of chronic understaffing among the FBI field office teams responsible for processing and investigating allegations of child sexual abuse. These shortages reportedly force staff to manage heavy caseloads, allowing them insufficient time and resources to thoroughly investigate and respond to the numerous cases that come before them.

A recent audit performed by the Department of Justice Office of the Inspector General (OIG) heightens our concern about FBI's inadequate response to allegations of child sexual abuse.¹ As part of their audit, OIG reviewed FBI case files for hundreds of incidents involving hands-on sex offenses against a child. Their findings are alarming. In 47% of the incident case files reviewed, OIG found no evidence that FBI employees complied with mandatory reporting requirements to state and local law enforcement; in 50%, OIG found no evidence of compliance with mandatory reporting requirements to social services agencies.² These failures had real-life, sometimes tragic, consequences. In one instance uncovered by OIG, the FBI received an allegation of hands-on abuse by a registered sex offender and opened an investigation; however, they failed to take appropriate investigative action or refer the suspected abuser to state or local law enforcement for over a year. OIG reported that the subject allegedly victimized at least one additional minor for approximately 15 months during this time.³

OIG's audit also specifically validates the reports our offices have received regarding staffing shortages. Multiple FBI officials interviewed by OIG reported that "resources are a significant challenge for the FBI's [crimes against children and human trafficking] program."⁴ And an agent

¹ *Audit of the Federal Bureau of Investigation's Handling of Tips of Hands-on Sex Offenses Against Children*, U.S. Dep't of Justice Office of the Inspector General (Aug. 2024), <https://oig.justice.gov/sites/default/files/reports/24-096.pdf>.

² *Id.* at ii.

³ *Id.* at i.

⁴ *Id.* at 37.

who had been assigned approximately 60 crimes against children and human trafficking cases told OIG that high agent workloads were the biggest cause of cases falling through the cracks.⁵ Yet, according to OIG, when fifteen FBI field offices proposed realigning staffing between their programs and increasing the number of Special Agents dedicated to crimes against children and human trafficking threats, only *one* of these requests—for an increase of one agent—was approved. OIG found that overall, the number of agents dedicated to these threats *fell* from 432 in fiscal year (FY) 2022 to 429 in FY 2023.⁶

In response to these findings, the OIG report suggested the FBI develop an enterprise-wide strategy that addresses the rising number of crimes against children cases and ensures crimes against children agents have appropriate support and resources to manage their assigned caseloads. We write today seeking information on the available resources dedicated to crimes against children as well as information regarding any improvements the FBI has made since the OIG report.

To be clear, we have asked for this information before. We received no response to our September 13, 2023 letter. More importantly, our letter remains unanswered even after Director Wray personally assured Sen. Ossoff that our questions would be answered in an October 2023 Senate Homeland Security and Government Affairs Committee hearing.

We therefore respectfully request again that DOJ respond in writing to the following questions included in our September 2023 letter, **by February 22, 2025**:

1. For each FBI field office, please provide:
 - a. The number of field agents or full-time equivalents dedicated to receiving, processing, and responding to reported crimes involving child sexual abuse and exploitation
 - b. The number of vacancies in field agent positions dedicated to receiving, processing, and responding to reported crimes involving child sexual abuse and exploitation
 - c. The number of field agents or full-time equivalents who have left positions working on crimes involving child sexual abuse and exploitation in the past year
 - d. The number of field agents or full-time equivalents who have entered positions working on crimes involving child sexual abuse and exploitation in the past year
 - e. The number of cases related to reported crimes involving child sexual abuse and exploitation the office has received in the past year
 - f. The number of cases comprising the average caseload for a field agent or full-time equivalent working on crimes involving child sexual abuse and exploitation in the past year

2. What is an appropriate annual caseload for a field agent working on crimes involving child sexual abuse and exploitation? Please explain the basis for your answer.

⁵ *Id.*

⁶ *Id.* at 38.

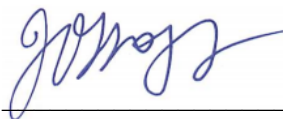
3. How has the FBI responded to any recent or current understaffing on teams working on crimes involving child sexual abuse and exploitation? What additional responses does the FBI plan to undertake in the future?
4. Has DOJ or the FBI issued its own threat assessment or similar report pertaining to crimes involving child sexual abuse and exploitation? If so, please provide a copy of any relevant report and detail what action has been taken in response to this report.

Given the new OIG findings highlighted above, we further request that DOJ respond to the following additional questions at the same time:

5. Why did the FBI approve only one of the fifteen requests to realign Funded Staff Levels between programs and increase the number of Special Agents dedicated to the crimes against children threat, as noted in the OIG report?
6. Why, despite the increase in crimes against children leads and cases and the requests for additional staffing to devote to the threat, did the number of agent positions assigned to the crimes against children program decrease from 432 in FY 2022 to 429 in FY 2023?
7. In the FBI's response to the OIG report, Executive Assistant Director Michael D. Nordwall stated he established a working group that the Assistant Director of the Criminal Investigative Division will lead with representatives from headquarters and the field – including both supervisors and agents – to review the crimes against children program to explore improvements in training, resources and controls to ensure crimes against children cases are handled with the care and expediency they demand.
 - a. Will this working group propose new staffing strategies to ensure sufficient manpower is dedicated to crimes against children?
 - b. Has the working group begun its work already? If not, when will that work begin?
 - c. When will the working group issue findings? Will the findings be public?

To promote transparency, we encourage DOJ to respond in a manner that can be made public; however, should it be necessary, we are willing to discuss accepting confidential responses, as well. Thank you for your attention to this matter and for your continued work to ensure the safety of our nation's children. We look forward to your timely response.

Sincerely,



Senator Jon Ossoff



Senator Marsha Blackburn