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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

July 8, 2025

VIA ELECTRONIC TRANSMISSION

The Honorable Kash Patel
 Director
 Federal Bureau of Investigation

Dear Director Patel:

On December 20, 2022, the Department of Justice Office of the Inspector General (DOJ OIG) released findings of an audit which reviewed the Federal Bureau of Investigation's (FBI) national security undercover operations (UCO).¹ According to the DOJ OIG, the FBI utilizes UCOS and other undercover activities to conduct "preliminary inquiries, general investigations, and intelligence gathering investigations," which are then used to make determinations about opening a full investigation, to prevent, solve, and prosecute crimes, or to obtain information related to the "goals of the enterprise under investigation."² The current structure and processes for national security UCOS were created in 2014, which centralized the program under the National Covert Operations Section (NCOS) within the Criminal Investigative Division (CID).³

The DOJ OIG's audit examined two issues related to the FBI's management of national security UCOS.⁴ First, the DOJ OIG reviewed the FBI's oversight of national security-related UCOS.⁵ Second, the DOJ OIG evaluated the FBI's efforts to recruit and train agents for UCOS.⁶ The audit found several areas where "the FBI's management of th[e] program can be improved."⁷

Specifically, the DOJ OIG found that Under Cover Coordinators (UCC), which serve as the "primary coordinator" for undercover matters, "lack important qualifications and experience."⁸ The OIG noted that UCCs are not required to take any formal training, and that some FBI officials they interviewed at the time of the report stated that they had "concerns about the status and qualifications of UCCs," because often times, UCCs do not serve full-time in their position nor do they have experience working undercover.⁹ The DOJ OIG also noted that the Stagehand Operations Program "does not control its own staffing," which could lead to field offices calling back personnel, "leav[ing] the Stagehand shorthanded."¹⁰ In addition, the report found that there is "no centralized tracking of Attorney General Exemption (AGE) or otherwise illegal activity requests," which led to delays in approval for six plus months—leaving UCCs with "uncertainty with how to proceed with an operation."¹¹ Finally, the OIG found that the Safeguard Unit, which is tasked with "preserv[ing] the safety, security, and psychological well-being of personnel assigned to undercover and overt investigations," is unable to determine UCC's conditions in a timely manner, lacks adequate staffing levels, and is under resourced.¹² As

¹ Department of Justice Office of the Inspector General, *Audit of the Federal Bureau of Investigation's National Security Undercover Operations* (Dec. 20, 2022), <https://oig.justice.gov/sites/default/files/reports/23-012.pdf>.

² *Id.* at 3.

³ *Id.*; Notes on file with Committee Staff.

⁴ Department of Justice Office of the Inspector General, *Audit of the Federal Bureau of Investigation's National Security Undercover Operations* (Dec. 20, 2022), at 9, <https://oig.justice.gov/sites/default/files/reports/23-012.pdf>.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.* at i.

⁸ *Id.* at 26.

⁹ *Id.*

¹⁰ *Id.* at 13-14.

¹¹ *Id.* at 21-23.

¹² *Id.* at i, 24.

a result of this audit, the DOJ OIG made ten recommendations to the FBI, three of which still remain open according to the OIG.¹³

More recently, whistleblower disclosures to my office have raised additional concerns about the FBI's management of national security UCOs. Whistleblowers have disclosed to my office that while assigned to UCOs during the Biden administration, they were required to cover operational expenses and secure housing out of pocket, including using personal funds for mission-related travel and lodging, creating financial hardship.¹⁴ Although FBI policies provide for financial backstopping in undercover operations,¹⁵ whistleblowers have alleged that the FBI failed to provide these resources.¹⁶ Additionally, whistleblowers also disclosed that while taking part in UCOs, the Biden-FBI placed the operational security of the mission and agents in jeopardy. For instance, it's been alleged that the FBI failed to investigate a burglary that happened at a location during a UCO.¹⁷ It's also been alleged that while actively working on a UCO, an FBI field office requested an agent enter the premises under a true name, despite having an established alias, which potentially placed them in danger.¹⁸ Finally, whistleblower disclosures to my office corroborate the findings in the DOJ OIG's report regarding the Safeguard program. Specifically, according to whistleblower disclosures, the Safeguard program has been strained because the Biden-FBI had reduced the number of licensed clinicians in the program.¹⁹

It is imperative that the FBI manages its national security UCOs in an efficient and effective manner so that it not only carries out successful operations, but also provides proper support and protects the FBI undercover agents it employs. So that Congress may conduct objective and independent oversight of the FBI's national security UCOs, please describe what steps the FBI has taken, or plans to take, to close recommendations two, seven, and nine of the DOJ OIG's December 2022 report.

Thank you for your prompt review and response. If you have any questions, please contact Tucker Akin of my Committee staff at (202) 224-5225.

Sincerely,



Charles E. Grassley
Chairman
Committee on the Judiciary

¹³ *Id.* at 31-32; Department of Justice Office of the Inspector General, *Audit of the Federal Bureau of Investigation's National Security Undercover Operations* (Dec. 20, 2022), at Open Recommendations from this Report, <https://oig.justice.gov/reports/audit-federal-bureau-investigations-national-security-undercover-operations> (According to the DOJ OIG website, as of May 31, 2025, recommendations two, seven, and nine remain open.); Emails on File with Committee Staff.

¹⁴ Notes and Documents on file with Committee Staff.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*