



**WRITTEN TESTIMONY FOR HEARING ON “INSIDE
THE BIDEN FBI: WASTE, FRAUD, ABUSE, AND A
BUREAU LEADERSHIP IN DECLINE”**

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Chairman Van Drew, Ranking Member Crockett, and members of the subcommittee: Good afternoon. My name is Stewart Whitson, and I am the Senior Director of Federal Affairs at the Foundation for Government Accountability (FGA).

FGA is a non-profit organization that seeks to enhance the lives of all Americans by improving welfare, workforce, health care, and election integrity policy, at both the state and federal level. Our work also focuses on promoting limited, constitutional government through deregulation, rigorous oversight, and accountability.

Prior to joining FGA, I served as a special agent in the Federal Bureau of Investigation (FBI) and eventually as an acting section chief leading a large section in the FBI's Directorate of Intelligence. Earlier in my career, I led the FBI's effort to analyze and exploit terrorist electronic communications. As a program manager in the FBI's International Terrorism Operations Section (ITOS 1) at the National Counterterrorism Center (NCTC) I managed hundreds of international terrorism investigations throughout the United States and worldwide. Before that, I served as the FBI's lead investigator following the first ISIS-claimed attack upon the U.S. homeland and deployed to Iraq, Jordan, and Eastern Europe in support of other FBI international terrorism investigations. Lastly, I served as a member of the FBI Special Weapons and Tactics (SWAT) team, executing dozens of high-risk arrest operations, and as an FBI-certified legal advisor, providing training and guidance to fellow agents on national security-related matters.

How Biden and entrenched bureaucrats broke the FBI

Elections have consequences. And right away in 2021 with then-President Biden assuming office I witnessed firsthand, from my office in the FBI's Hoover building, the impact a new president with different priorities from his predecessor could have on the way the FBI operates. Almost immediately, personnel and resources were redirected away from legitimate threats such as international terrorism and China and, instead, refocused on January 6 protestors and other enemies of the Left.

A comparison of the FBI's final budget proposal under the Trump administration and its first proposal under the Biden administration highlight the differences in priorities. Under the Trump administration's final budget proposal, the first threat listed was terrorism, including Islamic State of Iraq and ash-Sham (ISIS) as well as homegrown violent extremists (HVE).¹ Biden's proposed budget for the very next year, FY 2022, on the other hand, listed "Capitol Violence" as the number one national security threat.² In his statement before the Senate Appropriations Committee's Subcommittee on Commerce, Justice, Science, and Related Agencies on June 23, 2021, then-Director Wray proudly stated, "the FBI has deployed our full investigative resources and is working closely with our federal, state, local, tribal, and territorial partners to aggressively pursue those involved" in the January 6 protest, including by working closely with "private sector partners" to identify participants.

While the “full investigative resources” of the FBI were focused on the January 6 protestors throughout 2021, the number of murders committed across the U.S. increased 4.3 percent, with rapes too on the rise.³

In just four years, the Biden administration managed to politicize and weaponize the FBI in ways never seen, even in the days of Hoover. Whether targeting President Trump, parents at school board meetings, or Catholics doing nothing more than practicing their faith, the Biden administration—and a handful of lackeys embedded in the FBI bureaucracy—hijacked the FBI to promote their political objectives.⁴ In the process, they tarnished the good work and reputation of the rest of the bureau, while undermining public safety and national security. As a result, Americans have lost trust in the FBI, and this loss of trust is nothing less than a crisis, not only for the FBI, but for the country.

Ours is a nation of laws, and America needs a world class federal law enforcement agency that is highly capable and able to help enforce these laws, the way the FBI is. Equally important, for the FBI to succeed, Americans must trust the FBI to do its work fairly and consistently. Restoring this trust requires new leadership willing to make bold sweeping change while vigorously supporting and defending the vast majority of FBI employees who are solid, talented and hard-working, while quickly removing those who put personal politics before their country. Fortunately for the FBI, Kash Patel seems up to the challenge.

Seven ways to fix the FBI and restore public trust

Clearly, under the Biden administration, the FBI lost its moorings and drifted off course from its law enforcement and public safety-focused mission. Fortunately, the new Director, Kash Patel, and the team he’s assembled are working quickly to right the ship. But it’s not going to happen overnight, and it’s going to require significant and sweeping changes if the FBI is to regain the trust of Americans.

Here are seven key changes Director Patel can pursue in coordination with Congress to fix the FBI and restore public trust:

1. Clean House

With new leadership in place at the FBI, poised to do what is required to get the bureau back on track, one big hurdle stands in the way: entrenched bureaucrats pledging to fight against efforts to improve accountability and efficiency.⁵ In fact, one FBI senior leader already made waves in the press using his current position of authority to try to pressure and brow beat his subordinates to “dig in” against the administration alongside him; a clear act of insubordination.⁶ While this particular employee didn’t last long—this blatant act of insubordination wasn’t hard to spot and deal with—he certainly got the public attention he

was looking for. Undoubtedly, there are other FBI employees entrenched in the agency that will slow roll and resist meaningful change in less obvious ways.

While the vast majority of FBI employees are incredible, hardworking people who love our country and will faithfully execute their duties under the law—I should know, I served alongside many of them for a decade in the FBI—those who have promised to resist the policy decisions of the Trump administration should not be permitted to do so. And those who have engaged in past behavior warranting dismissal, or who refuse to come to work when ordered to do so, must be fired. Personnel is policy. And with insubordinate acts of resistance to the lawful orders of the president taking place across the country, it has become clear that personal politics is driving bureaucratic resistance.

While three-quarters of federal employees are “non-political” career personnel that are responsible for implementing and overseeing federal policy directives, the partisan affiliation of most of these government employees is overwhelmingly on the side of the Democrats.⁷ In fact, 84 percent of political donations from federal employees went to Kamala Harris in 2024.⁸ In a recent research paper, my FGA colleague Hayden Dublois utilized a first-of-its-kind analysis to demonstrate the persistent Democrat margin in senior executive positions across the federal bureaucracy.⁹ On average, the career Senior Executive Service—which is charged with key policy-implementing responsibilities—has a Democrat advantage of about 30 percentage points over Republicans in terms of voter identification.¹⁰ Among D.C.-area workers, this rises to 40 percentage points.¹¹

There are more than 2.3 million employees in the executive branch, not counting contractors.¹² The cost to compensate these employees was just under \$360 billion in 2023 and projected to climb to more than \$400 billion in 2025.¹³ Spending on compensation for federal employees has grown by more than \$90 billion since 2019—a 31 percent increase.¹⁴ For the FBI, its FY 2021 budget included \$9.7 billion for salaries and expenses covering 35,842 employees.¹⁵ For FY 2025, Biden’s last year in office, the budget rose to \$11.3 billion in salaries and expenses covering 37,083 positions.¹⁶

Rigid federal employment regulations and laws make it difficult to fire or take any disciplinary action against federal employees, including those in the FBI, even in cases of poor performance or misconduct.¹⁷ The involuntary separation rate for federal employees is just 0.2 percent.¹⁸ Because government agencies including the FBI are not subject to market forces, they can just request larger budgets and more employees to cover the productivity gap left by poor performers, rather than taking action to improve productivity.

The Trump administration has already made strides to prevent wasteful spending and trim unnecessary bureaucracy, with much more to come.¹⁹ Congress can help cement these reforms by codifying the president’s authority to require agencies to eliminate vacant

positions and consolidate non-essential positions, and by making it easier for the president to fire unproductive or insubordinate agency employees by making all executive branch employees at-will, including those serving in the FBI.

At the end of the day, federal agencies, including the FBI, fall within the executive branch, and the president is the head of that branch. More importantly, the president and vice president are the only two officials directly accountable to the entire American people. Unelected career personnel interfering with the actions of the elected president and Senate-confirmed leadership is antithetical to democracy. Codifying the president's authority to fire unproductive or insubordinate partisan bureaucrats before they can undermine the president's agenda, a power he could then delegate to Director Patel as he oversees the FBI, is essential not only for efficiency's sake, but for the sake of democracy. Whatever political party a president hails from, he must be able to fire entrenched bureaucrats who openly undermine his agenda.

And it all starts with leadership. Not only on the seventh floor of the Hoover building where the Director and other high-ranking officials work, but across the globe, in every field office, resident agency, and legal attaché. And it doesn't end with leadership. Rank and file agents, analysts, and support staff that are insubordinate or unproductive must be identified and removed as well.

This is the most important and immediate need at the FBI: removing incompetent, weak, partisan, or corrupt leaders, while elevating great agents and other employees into those positions. There's plenty of solid talent already in the FBI that can fill these vacant positions. But firing the bad cops won't be easy without the support of Congress.

2. Drain the Swamp

Second, with the help of Congress, Director Patel should drastically reduce the size of FBI headquarters (HQ), keeping a small HQ footprint in D.C. to maintain accountability, while shifting more staff and resources to the field offices where they're needed. FBI leadership should be geographically close to the President, the Attorney General, and Congress, to ensure the FBI remains highly responsive to all three. It is unnecessary, expensive, and harmful to keep units that support field office investigations in this same proximity.

Relocating federal agencies including the FBI out of D.C. would save taxpayer money, improve the quality life for federal employees, and reduce political influence by allowing agencies to hire outside the D.C. bubble.

After consolidating and reorganizing FBI HQ, what remains of HQ should be relocated to Huntsville, Alabama, Quantico, or other established FBI site locations located outside the D.C. area, where mission allows. With few exceptions, FBI HQ employees working in support roles should be required to either return to their field office of origin (if on a Temporary Duty Assignment), or transfer to another field office or Huntsville (if a vacancy exists and the receiving unit/office approves the transfer). If the employee cannot find a seat to move to, they should be involuntarily moved to a location based on the needs of the bureau. If they refuse the move, they should be fired and given a fair severance package. Leaders must make it a bureau-wide priority to identify solid employees impacted by the closing of HQ and ensure they are provided the resources and help they need to find positions in other units where they are needed and can continue to serve. This kind of reallocation and relocation will take time, and every effort should be made to make the transition as easy and smooth as it can be for FBI employees and their families.

As Director Patel has recently noted, of the almost 38,000 employees at the FBI, close to one-third of them work in and around Washington, D.C.²⁰ But the threats the FBI needs to address aren't confined to the D.C. area—they are spread across the country and around the world. Clearly, it is in the best interests of the country that the FBI push its agents, analysts, and professional staff out of HQ and the D.C. swamp and to the field offices where they can perform the important work of the bureau.

3. Reduce Redundancy & Promote Efficiency Through Consolidation & Reorganization

Moving the bulk of FBI HQ out of D.C. will present a natural opportunity to consolidate and reorganize existing units that perform duplicative or outdated missions. Before moving any units out of D.C., leadership should pause and ask questions such as: "Is this unit still needed?"; "Is it performing a mission that is already being performed by another unit?" If great FBI employees are assigned to a unit that is no longer needed, that is not an indictment on the employee, but merely the realization that the employee should be moved to another unit where his experience and skills are needed. This might be disruptive and uncomfortable in the short term, but in the long term the country will be better off, and the employees reassigned will likely be happier putting their talents to work for the good of the country in furtherance of a mission that matters. This is why most FBI employees joined the FBI in the first place.

Along with this consolidation and reorganization will come the need to eliminate unnecessary positions and relocate thousands of FBI employees. Again, this is an area where congressional support will be key, and it is not something that can be done effectively overnight. It will take time. And, again, Congress can help by codifying the president's authority to eliminate vacant or unneeded positions. This will enable the new FBI Director

to regain control of the growth of the FBI to reduce redundancy, promote efficiency, and better serve the American people.

4. Get DEI Out of the FBI

Under Director Comey, the FBI moved away from merit-based hiring and promotion and instead toward race-based hiring.²¹ One's race should play no role into whether one is hired by the FBI or promoted within its ranks. To get the FBI back on track, Director Patel should immediately restore the FBI's official values to Fidelity, Bravery, and Integrity, and ensure hiring decisions are based purely on merit and talent, all while getting Diversity, Equity, and Inclusion (DEI) out of the FBI.

5. Refocus on Crime Fighting & Public Safety Instead of Intelligence Gathering and Political Targets

Another key reform Director Patel should consider is refocusing the FBI back to a law enforcement agency that uses intelligence to advance its law enforcement mission, rather than an intelligence agency that also engages in law enforcement. He could start by eliminating the intelligence branch and merging its personnel and mission into the FBI's other operational units. Intelligence should be a tool used by operational departments, not its own standalone department.

That's not to say that the FBI should stop using intelligence to advance its law enforcement mission. But it should stop trying to do the job of intelligence agencies such as the CIA, at the expense of performing its duties as a law enforcement agency. And right now, the FBI is needed more than ever to help deal with the rise in drug- and gang-related violent crime, while still advancing its national security-related cases.

As Director Patel recently noted, an American dies every seven minutes due to drug overdose, "every six and a half minutes a woman or child is raped," and every 30 minutes an American is murdered.²² But instead of focusing on mitigating these and the myriad national security threats facing our country, large swaths of the FBI are instead focused on collecting intelligence and writing reports that frankly are not the job of the FBI. Some intelligence collecting is critically important, some intelligence reports are critically important too. But the fact of the matter is, for the FBI, most, are not. Most are never even read. This isn't an indictment on the FBI's intelligence analysts, it's an indictment on FBI leadership that has mismanaged this resource and grown it to a capacity that is simply not needed.

Already, we've seen the FBI's new focus on crime fighting and public safety pay off in big ways with the apprehension of three of the FBI's Top Ten fugitives in less than two months.²³⁻²⁴ To put that in perspective, over the last year—12 months, not two—before

Director Patel took over leadership of the FBI the number of Top Ten fugitives apprehended was zero.²⁵

In addition, under Director Patel's leadership, the FBI has already helped bring to justice one of the terrorists that orchestrated the horrific attack that killed 13 American service members back in 2021 during the Biden administration's poorly planned withdrawal from Afghanistan.²⁶ So, not only is the FBI taking down some of the worst criminals here at home, but it's also using its expertise and partnerships to reach out and capture international terrorists the Biden administration failed to. Clearly new leadership and refocus on what matters is making a big difference at the FBI.

Bottom line, for the FBI to succeed, the director needs to refocus the FBI on legitimate threats—international terrorism and threats to the homeland, including both Iranian-based as well as Salafi Jihadist threats, drug cartels, and counterintelligence and cyber threats from China and Russia—and away from those the Biden administration targeted including traditional Catholics, parents at school board meetings, and political opponents.

6. Promote Oversight & Accountability Within the FBI

Director Patel has already made clear his intention to ensure the FBI holds itself accountable through its own vigorous oversight, but to ensure proper oversight and accountability within the FBI—oversight the American people can trust—Congress must get involved. There must be an unprecedented level of transparency if the trust of the American people is to be regained.

One way Congress can help is to pass new laws that place more restrictions and oversight on the use of intelligence-gathering authorities and create new criminal penalties for FBI employees who knowingly violate rules/regulations. If Congress makes it a federal crime for an FBI employee to knowingly abuse the FBI's investigative powers, then FBI employees will be far less likely to do so.

7. Identify & Eliminate Fraud, Waste, and Abuse Across the FBI

Finally, to get the FBI back on track, Director Patel should execute his own Department of Government Efficiency (DOGE) effort within the FBI to identify and address fraud, waste and abuse. This might involve identifying and eliminating unnecessary travel and other wasteful spending, including overspending on confidential human sources. It might also include a full evaluation of all contracts with outside organizations to identify and eliminate waste. Lastly, it might include a thorough review of the FBI's overseas presence and its International Operations Division to ensure that FBI is only deployed overseas where it needs to be, and that overseas assignments are awarded based on merit, talent, and the needs of the country.

With that, I thank you for the opportunity to testify in today's hearing and I look forward to your questions.

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