

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

September 14, 2026

The Honorable Kash Patel
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, DC 20535

Dear Director Patel:

We write to request a full accounting of the Federal Bureau of Investigation's (FBI) decision to gut hiring standards that have governed the FBI's workforce for decades. In June, the FBI reportedly issued an internal directive removing theft from an employer, sex solicitation, and bestiality from the list of automatic hiring disqualifications¹—and it appears that some of these changes may have been quietly implemented as early as February 2025.²

Under the new criteria, an applicant who paid for sex fewer than three times more than 10 years ago no longer faces automatic disqualification from serving at the FBI, so as long as they were not in a position deemed one of “public trust.”³ Notably, the FBI does not identify a number of positions from which it recruits agents as positions of public trust, including members of the armed forces.⁴ Theft from a prior employer is also no longer a categorical bar if it occurred more than three years ago.⁵ Other extreme conduct, including a history of bestiality or animal cruelty, is not automatically disqualifying under this new policy either, so long as the conduct occurred before the applicant turned 18.⁶ These are not minor technical adjustments. They represent a considered decision to open the Bureau's ranks to individuals who engaged in conduct that the FBI previously treated as disqualifying—and that, in the case of solicitation of prostitution, controlling Department of Justice policy describes as “threaten[ing] the core mission of the Department, not simply because it invites extortion, blackmail, and leaks of sensitive or classified information, but also because it undermines the Department's efforts to eradicate the scourge of human trafficking.”⁷

¹ Sarah N. Lynch & Daniel Klaidman, *At the FBI, a history of hiring prostitutes or stealing from employer may no longer be a barrier to being hired*, CBS NEWS (Aug. 28, 2026), <https://www.cbsnews.com/news/fbi-candidates-prostitutes-theft>.

² See *Employment Eligibility*, FED. BUREAU OF INVESTIGATION, available at https://fbijobs.gov/sites/default/files/2025-02/guide_eligibility.pdf (metadata indicates this document was created on February 28, 2025 and last updated March 27, 2025).

³ Lynch & Klaidman, *supra* note 1.

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ *Id.* (citing Memorandum from Eric H. Holder, Jr., *Prohibition on the Solicitation of Prostitution*, Office of the Att'y General (Apr. 10, 2015), available at <https://www.justice.gov/jmd/media/944251/dl?inline>).

You have defended your efforts to overhaul hiring standards, stating that the FBI is “losing too many qualified candidates to the rigors of the requirements from yesteryear.”⁸ Though the FBI faces real recruitment and retention challenges, you are primarily responsible for the current shortfall of personnel. The FBI reportedly lost over 1,100 special agents “with an average tenure of 21.8 years” in 2025.⁹ The major driver of that attrition: your own purge of the Bureau’s personnel, including over 5,000 nonpartisan career personnel, all six former Executive Assistant Directors, and at least 18 Special Agents in Charge.¹⁰ Having dangerously thinned the FBI’s experienced workforce for reasons that had nothing to do with performance, you are now asking the American people to accept, without explanation, that the resulting shortfall justifies admitting applicants with histories of employee theft, paying for sex, or bestiality.

Attrition also cannot be the sole reason for this disturbing shift in standards, because the FBI appears to have changed its public document denoting employment eligibility standards on February 28, 2025, just eight days after your confirmation, to remove “engagement in prostitution or bestiality” as an automatic disqualification.¹¹ Although the Administration’s retributive and partisan purges had begun as soon as President Trump took office, February 2025 was long before the bulk of the drastic workforce reduction currently imperiling critical missions.

The Committee has a constitutional obligation to conduct oversight of the FBI’s personnel practices, and a change of this magnitude with no discernible justification must be scrutinized. We therefore request the FBI produce the following no later than September 28, 2026:

1. A complete, unredacted copy of the June 16, 2026 memorandum outlining these hiring policy changes, and any drafts, analyses, or briefing materials prepared in connection with it;
2. All records reflecting who at the FBI reviewed or approved this change and any consultation with internal or external parties before it was adopted;
3. The number of applicants hired, extended conditional offers, or placed under case-by-case review since June 16, 2026, whose files would previously have been automatically disqualified, broken out by category of conduct;

⁸ *Id.*

⁹ Philip Fields, *By the Numbers: The Quiet Collapse of Justice*, JUSTICE CONNECTION (Apr. 7, 2026), <https://justiceconnection.substack.com/p/by-the-numbers-the-quiet-collapse>.

¹⁰ Press Release, *Ahead of Senate Judiciary Hearing with FBI Director Patel, Durbin Highlights FBI Officials Forced Out Under Patel’s Direction*, S. COMM. ON THE JUDICIARY (Sep. 15, 2025), <https://www.judiciary.senate.gov/press/dem/releases/ahead-of-senate-judiciary-committee-hearing-with-fbi-director-patel-durbin-highlights-fbi-officials-forced-out-under-patels-direction>; Ben Penn, *Patel Pushes Out More FBI Leaders and Agents in Renewed Purge*, BLOOMBERG LAW (Jan. 23, 2026), <https://news.bloomberglaw.com/us-law-week/patel-pushes-out-more-fbi-leaders-and-agents-in-renewed-purge>.

¹¹ See *Employment Eligibility*, *supra* note 2. Compare *Special Agent FAQ: Frequently Asked Questions and Answers*, FED. BUREAU OF INVESTIGATION, available at https://fbijobs.gov/sites/default/files/2023-03/Special_Agent_FAQ.pdf.

4. The number of applicants hired, extended conditional offers, or placed under case-by-case review since February 28, 2025, whose files would previously have been automatically disqualified for engagement in prostitution or bestiality;
5. Any analysis the Bureau conducted, before or after February 28, 2025, of the effect these changes could have on courtroom credibility, counterintelligence exposure, or blackmail vulnerability among personnel hired under them; and
6. All guidance issued to background investigators, polygraph examiners, and adjudicators instructing them to apply the revised standards.

We further expect the Bureau to make appropriate officials available for a Committee briefing on this matter without delay.

Sincerely,



Richard J. Durbin
Ranking Member



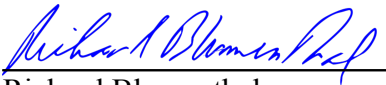
Sheldon Whitehouse
United States Senator



Amy Klobuchar
United States Senator



Christopher A. Coons
United States Senator



Richard Blumenthal
United States Senator



Mazie K. Hirono
United States Senator



Cory A. Booker
United States Senator



Alex Padilla
United States Senator



Peter Welch
United States Senator



Adam B. Schiff
United States Senator

