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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

January 27, 2026

VIA ELECTRONIC TRANSMISSION

The Honorable Rodney S. Scott
 Commissioner
 Customs and Border Protection

Dear Commissioner Scott:

On August 18, 2025, I wrote to you concerning Customs and Border Protection (CBP) whistleblowers Fred Wynn, Mike Taylor, and Mark Jones.¹ My letter highlighted that they were retaliated against for making lawful disclosures about the government's failure to comply with the DNA Fingerprint Act of 2005.² I also expressed my gratitude to the Department of Homeland Security (DHS), under the leadership of Secretary Noem and President Trump, for promoting the three whistleblowers who had endured over seven years of retaliation and making right what the Biden administration had failed to do.³

In my August 2025 letter, I also requested that CBP investigate the reported instances of whistleblower retaliation and hold accountable, as appropriate, all individuals responsible for the seven-year nightmare these brave whistleblowers endured.⁴ As I noted in my August 2025 letter, according to whistleblower disclosures, which were corroborated by the Office of Special Counsel (OSC), CBP's Office of Intelligence (OI) management, including then-Executive Director of Intelligence Operations Ronald Ocker and then-Acting Deputy Executive Director of Intelligence Operations Juan Fernandez, engaged in retaliation.⁵ I also noted in my letter that, according to disclosures to my office, neither Ocker nor Fernandez had been held accountable, and both were promoted.⁶ On April 30, 2025, during your confirmation hearing, you stated:

Thank you for always stepping up and supporting the whistleblowers. I think it's a critical part of our government, it pushes transparency... I do know those three [whistleblowers], and I know one allegation that's never been levied against them is a challenge of their integrity. I will look into [this], and I will hold people accountable if they've violated policies.⁷

¹ Letter from Chairman Charles E. Grassley to Rodney Scott, Commissioner, Customs and Border Protection (Aug. 18, 2025), https://www.grassley.senate.gov/imo/media/doc/grassley_to_cbp_-_cbp_retaliation_investigation.pdf.

² *Id.*

³ Press Release, Office of Sen. Charles E. Grassley, *Grassley Helps Restore Three CBP Whistleblowers' Careers after Nearly a Decade of Retaliation* (May 5, 2025), <https://www.grassley.senate.gov/news/news-releases/grassley-helps-restore-three-cbp-whistleblowers-careers-after-nearly-a-decade-of-retaliation>.

⁴ Grassley, *supra* note 1.

⁵ *Id.*

⁶ *Id.*; Disclosures on File with Committee Staff.

⁷ Press Release, Office of Sen. Charles E. Grassley, *Grassley Secures Key Backing from CBP Nominee on Whistleblower Protections, Counterfeit Prevention* (Apr. 30, 2025), <https://www.grassley.senate.gov/news/news-releases/grassley-secures-key-backing-from-cbp-nominee-on-whistleblower-protections-counterfeit-prevention>.

As I stated at the hearing, holding the retaliators accountable would send a clear message throughout the agency that this type of behavior towards whistleblowers cannot and will not be tolerated.⁸ Accordingly, I'm seeking an update on your efforts to hold the retaliators accountable. If nothing has been done, please explain why.

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

⁸ *Id.*