

July 23, 2024 — Mark Jones Opening Statement
"Reckless Disregard: How DHS's Failure to Collect DNA at the Border
Endangers Americans."

Senator Grassley and Senator Johnson, thank you for the opportunity to come before this roundtable. Senator Grassley, I echo what my colleagues have stated about your oversight, thank you for the work you are doing to right these wrongs.

My name is Mark Jones, former Acting Director of the Weapons of Mass Destruction Division. I had the honor of leading the WMD Division and working on the DNA collection pilot program with Mike and Fred.

I plan to speak to you today about the ongoing retaliation against me, Mike, and Fred as a result of our protected disclosures of the failures that Mr. Taylor just laid out. It is important to note that the Office of Special Counsel has corroborated our claims of retaliation and DHS's failure to comply with the law.

In February 2018, our team was in communication with a staff member of the DHS Secretary's office regarding the roadblocks that career bureaucrats at CBP were putting in our way, slowing our progress towards the pilot and ultimately compliance with the law. At the time, the Trump Administration's White House and DOJ were pressuring DHS on full compliance with the DNA Fingerprint Act of 2005.

As a result of our protected disclosures, the retaliation against me and my team by CBP Leadership began. These bureaucrats immediately shut down the DNA collection pilot program and disbanded the WMD Division.

Further, during a conference call in April 2018, senior officials stated that they did not want to comply with the law despite being pressured by the Secretary of DHS and the DOJ. This is what led me and my colleagues to make protected disclosures to the Office of Special Counsel about DHS and CBPs failure to comply with the DNA Fingerprint Act of 2005.

I continually raised the non-compliance with the law to the attention of my supervisors. They told me to keep my mouth shut and things would go easier for me. Since 2018, we have been left with no meaningful tasks or work effectively ending our professional careers.

Under the current Administration, the retaliation, due to our protected disclosures to OSC and Congress, intensified and continues to this day.

For example, Mr. Wynn was pressured to take a job well below his expertise and has been subjected to significant reputational harm. One of the most overt and egregious actions taken against Mr. Taylor and myself occurred just over a year ago. We were stripped of our law enforcement authorities, credentials, and firearms. As a result, Mr. Taylor was also stripped of his law enforcement retirement benefits.

This Administration, DHS, and CBP leadership is aware of this continued retaliation. I do not believe they will willingly take the corrective actions necessary to right these wrongs. As the OSC wrote in a December 2021 memo and I quote: “the agency’s treatment of the Complainants is particularly pernicious because it has a potential chilling effect on other agency employees, as it sends the clear message that whistleblowing will derail one’s career.”

DHS and CBP’s attitude towards us can be summed up in a recent quote from a current official. “The agency wants to bankrupt us, make us quit, die, kill ourselves, or preferably all of the above.”

This is the treatment we receive for coming forward as whistleblowers simply wanting our government to follow this critical law, Congress enacted.

Thank you. I look forward to answering your questions.