

January 16, 2023

President Joseph Biden
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear Mr. President:

We write to express our urgency to advance accountability, dignity, and legislation for and brought forth by whistleblowers. As justice-seeking advocates, we were encouraged by your anti-corruption strategy which mentions whistleblowers, recently achieved quorum at the Merit Systems Protection Board, and the passing of several whistleblower laws in 2022, including the Anti-Money Laundering (AML) Whistleblower Improvement Act. Current whistleblower programs have proven the incredible impact whistleblowers can have on ensuring market integrity and we now call for you to recognize the impact federal whistleblowers have on government integrity and effective oversight. Federal whistleblowers need your attention now, and Commander Kimberly Young-McLear (Ph.D.) who has served for 19 years is still seeking justice. Will you be the President courageous enough to grant her this justice and show government officials throughout the United States that their Commander in Chief will not tolerate the abuse of its employees and whistleblowers.

I. Protecting Whistleblowers is a Core Part of U.S. History and Values:

Whistleblowers throughout our history have played a vital role in restoring trust and integrity within our government institutions, non-government institutions, private corporations, and over public-private contracts. On July 30, 1778, the United States Constitutional Congress unanimously passed its first whistleblowing law. This law was a mandate to release Navy whistleblowers who reported the abuses against prisoners of war and faced retaliation for speaking up. The Constitutional Congress stood with these whistleblowers, signaling the United States commitment to human rights, dignity, integrity, and rule of law – making it a duty of all people to blow the whistle in the face of violations.

Within the federal government, employees and agencies are vital forces against corruption that threatens our national security. Over the decades and in recent years, we have witnessed uniformed services whistleblowers drive change as catalysts for new laws essential to sexual assault and anti-discrimination prosecutions within the armed forces and maritime industry¹. Without these critical whistleblowers, and many others within federal government, unbridled abuses lead to a

¹ The 2023 NDAA removes “convening authority” duties from the military commander for 13 crimes and it is handled by an independent prosecutor. The bill also includes provisions from the Seafarer’s Act to take additional steps toward eliminating sexual violence within the maritime industry.

culture of silence which ultimately result in national crises. From our earliest whistleblowers of the U.S. Continental Navy², as a nation, we are indebted to the sacrifices of whistleblowers.

Despite the incredible contributions whistleblowers make, they are often retaliated against and left to cope with a lifetime of devastating consequences and traumas from the accumulation of psychological, financial, and emotional toll -- *without closure*. Make no mistake that this is abusive, and it is cruelty. Through our decades of advocacy, tragically, we know that these experiences are far too common. Given all that we benefit from the integrity of courageous whistleblowers who selflessly chose to report fraud, waste, abuse, and other wrongdoings, we must always continue to advocate for their safety, healing, justice, dignity. When the United States fails to uphold our values of equality and justice for all, especially those in service to our Nation, adversaries weaponize this failure as evidence that democracy and democratic values are a failure.

As we look into 2023 we are optimistic that you will continue to strengthen your advocacy for all whistleblowers, many of whom are on the front lines within education, technology, first responders, healthcare, military, public safety, and other institutions charged with safeguarding our democracy and critical infrastructure. Your Presidential record has given us the confidence that you understand the value whistleblowers bring to our nation, and you are a President with the courage to protect those whistleblowers to whom we are so indebted. You, Mr. President, hold the keys to integrity in our nation.

II. Commander Young-McLear is an Exemplary Service Member.

Commander Kimberly Young-McLear (Ph.D.), is serving on active-duty in her 19th year in the U.S. Coast Guard. She hails from an immigrant family of educators³ and U.S. military servicemembers with more than 100 years of combined active-duty service. With roots from Trinidad and having lived abroad in Asia and Europe, Commander Young-McLear is keenly aware of our global humanity and how our actions impact others. She felt a deep calling to serve because she believed her actions would positively impact others. In 2003, while at Florida A & M University, Young-McLear enlisted into the Coast Guard to serve our nation. In her career since, she has earned her commission and served with honor at a wide variety of complex and high-profile assignments.

Early in her career, Young-McLear applied her vast knowledge and acumen of industrial safety, engineering, and environmental compliance toward maritime operations. She served as the lead inspector for South Florida at two of the world's largest cruise ship ports ensuring the safety and security for tens of thousands of passengers and crew annually. She also managed millions of dollars in repair projects for Coast Guard ships, ensuring operational readiness of its vital missions.

² "America Needs Whistle-Blowers Because of People Like This," by Allison Stanger. *The Atlantic*, September 2019. [What the First Whistle-Blowers Taught America - The Atlantic](#)

³ Ms. Rachel Guilfoyle, sister to Commander Young-McLear is the 2022 Department of Defense Education Activity Teacher of the Year [DoDEA Announces 2022 Teacher of the Year | DoDEA](#)

Harnessing her strategy and policy expertise within the Intelligence Community, Young-McLear served as special assistant to the cabinet Secretary and Deputy Secretary of Homeland Security on a range of emergent domestic and international challenges. She also spearheaded numerous internal Coast Guard policy changes including first in military to remove the prohibition for locs & similar natural hair styles for Black active-duty women, as well as strengthening LGBTQ+ protections and dignity. Commander Young-McLear was also a key figure in the policy change to remove of the Confederate battle flag displays from Coast Guard and other military installations.

At the Coast Guard Academy, even as she suffered deleterious abuses and ongoing retaliation by the Coast Guard chain-of-command, Commander Young-McLear led innovation efforts bridging academia, the community, and military operations during the Hurricane Harvey response – resulting in lives saved. She also an instrumental voice as tenured professor at the Coast Guard Academy in creating the Cyber Systems major – the newest major for the institution in 30 years.

She continues to serve with distinction now, as a senior advisor, at the Cybersecurity and Infrastructure Security Agency (CISA) where her service in contributing to crafting CISA’s first Strategic Plan, agency-wide culture & innovation building, increasing job opportunities for HBCU alumnus and underserved communities, and national cyber workforce development, will undoubtedly have a positive impact for our national security and economic prosperity for decades to come.

Commander Young-McLear’s impact extends well beyond the military, including advocacy work in support of the C.R.O.W.N. Act⁴, and through her whistleblowing has helped advance a wide range of legislation on Capitol Hill – including laws creating more transparency for the Homeland Security Inspector General Office. Commander Young-McLear is a former State of the Union Guest of Honor and has also directly helped *hundreds of other whistleblowers* -- her impact to the nation is simply immeasurable.

III. Retaliation Against Commander Young-McLear has Broad Impacts

In 2014, Commander Young-McLear became a whistleblower when she reported gross and unlawful misconduct within the U.S. Coast Guard. Her extensive years of whistleblowing have shown extraordinary courage – including publicly testifying on Capitol Hill – she exposed systemic abuses of power at the highest levels of the Coast Guard revealing loopholes and disregard to how sexual assault, bullying, harassment, discrimination, retaliation cases are handled⁵. Because of her

⁴ In 2014, Young-McLear spearheaded efforts in the Coast Guard, becoming the first military branch to remove racist hair policies. [The Crown Act September 2020 Cover Story: Was It Our Hair? Or Was It You? | Glamour](#)

⁵ On December 11, 2019, then Lieutenant Commander Young-McLear testified on Capitol Hill in the joint committee hearing [Righting the Ship: The Coast Guard Must Improve its Processes for Addressing Harassment, Bullying, and Retaliation | House Committee on Oversight and Reform](#). On August 14, 2019, officials from the Coast Guard Academy, on orders from Coast Guard Commandant Admiral Karl Schultz, refused to answer any questions from Committee staff regarding any past events at the Academy involving faculty or cadets, including any questions pertaining to the Inspector General’s report or to any document

bravery, Commander Young-McLear's advocacy has resulted in more than 30 policy improvements across the Coast Guard⁶ making the Coast Guard better reflect of U.S. values and increasing compliance with anti-harassment and anti-discrimination laws.

Despite her unparalleled record of performance to the nation advancing the complex multi-missions of the Department of Homeland Security, the U.S. Coast Guard, and the Cybersecurity and Infrastructure Security Agency (CISA), Commander Young-McLear was and *continues to suffer* egregious psychological harm nearly nine years later.

When a service member of excellence can be abused and retaliated against for nearly nine years, it sends a clear message to the federal community as a whole. It says that we are not a nation of integrity, or of merit, but of bullies. This message silences those who would speak up about wrongdoing of any sort, and especially impacts those who would speak up about discrimination or harassment. This silence enables dangerous people to rise through the ranks of government while skilled and loyal service people like Commander Young-McLear are left to languish in isolation. We know that the impacts of whistleblower retaliation reach far beyond the individual and contribute to larger issues. Retaliation is the cause of fear for 82% of employees who consider speaking up about wrongdoing. We also know, and you know, that whistleblowers are the key to protecting everything we hold dear. Our national security, our democratic values, our commitment to freedom and equality.

Mr. President, by recognizing Commander Young-McLear and by finally granting her relief, you have the power to send shockwaves through the ranks that have oppressed and retaliated against her. You hold the keys to messaging strength, integrity, and alliance with whistleblowers over corruption and illegal behavior.

IV. Accountability is the Only Path to Integrity.

We urge you as Commander in Chief to exercise your authority to swiftly hold all those responsible accountable, ensure her professional military record accurately reflects her vast contributions to the nation, and formally acknowledge the wrongdoings she courageously sacrificed to expose. There has never been any formal written apology and written acknowledgement of wrongdoing to Commander Young-McLear, who is a patriot and survivor living with post-traumatic stress everyday.

Disturbingly, during this ongoing nearly nine year time frame now spanning *three* Coast Guard 4-star military service chiefs, there has never been a single Coast Guard official held accountable, despite the reality that the senseless and indisputable abuses she endured were

produced by the Coast Guard to the Committee. In addition to obstruction, ADM Schultz also refused to appear before Congress as the service chief.

⁶ [Chairs Thompson, Maloney, Correa, and Raskin Announce Coast Guard Has Made Sweeping Policy Changes After Joint Committee Report | House Committee on Oversight and Reform](#)

substantiated by the Department of Homeland Security Office of the Inspector General, the House Committee on Government and Oversight Reform (previously chaired by the late Congressman Elijah Cummings), and the House Committee on Homeland Security Committee (previously chaired by Congressman Bennie Thompson). We cannot tolerate these injustices, let alone within institutions responsible for defending and upholding our freedoms. A great nation must never neglect its duty to hold individuals accountable when there is clear evidence and patterns of wrongdoing.

We call on you to show your support for whistleblowers, and their centrality to your efforts to safeguard U.S. national security interests by inviting whistleblower advocates to the White House for a roundtable dedicated to whistleblower issues and federal whistleblower protections. We ask that Commander Young-McLear play a role in planning this event and that her recognition and formal apology for the abuse and retaliation she endured – and continues to endure - as a whistleblower be central to this meeting.

Further, we urge you to send the essential message that your commitment to federal whistleblowers is unwavering by issuing a Presidential Proclamation recognizing July 30th of every year as a Federal Day of Observance, National Whistleblower Appreciation Day. On this day, we ask that you call on every agency to recognize and celebrate the contributions whistleblowers make and educate their employees about their right to blow the whistle. This proclamation will be as historical as the Congressional Congress' first action to protect and recognize whistleblowers and will act as a tremendous opportunity to strengthen your commitment to whistleblowers and show that U.S. integrity is alive and well. This day of recognition has long been celebrated by advocacy groups in the United States and for the tenth year it will be recognized by the U.S. Senate. We would be grateful to celebrate this ten-year anniversary with you at a signing ceremony in the White House Rose Garden.

V. Make an Example of Commander McLear and set the Record Straight on Workplace Abuses and Retaliation.

The seas of change are upon us. Whistleblowers are becoming increasingly high profile. News stories on your State of the Union commendation of courage of whistleblowers and invitation of whistleblower Frances Haugen sparked conversation across America. Exemplary whistleblowers are changing the narrative on blowing the whistle and the role we can play on an individual level to stand up for democracy and integrity. Make an example of Commander Young-McLear like you did of Frances Haugen. Just as you sent a message to the Tech Industry that no one is above the law, so should you send the message to Federal employees who report to you. Command written apologies for Commander Young-McLear, ensure her professional military record accurately reflects her vast contributions to the nation, publicly convene with whistleblower advocates, and establish National Whistleblower Day as a Federal Day of Observance. Only you, President Biden, are capable of doing all this.

This Dr. Martin Luther King Day, we optimistically look forward to working with your administration on attaining full justice and acknowledgement for Commander Young-McLear, Ph.D., formally recognizing National Whistleblower Appreciation Day 2023 through Presidential Proclamation and hosting us at the White House in partnership to advance critical legislation aimed at restoring trust in U.S. government institutions.

Updates about Commander Young-McLear and the growing support for whistleblower can be found on our website at: www.whistleblowers.org/RightTheShip.

“We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly”
– Dr. Martin Luther King, Jr.

Sincerely,

Siri Nelson
Executive Director
National Whistleblower Center

Don Christensen
Colonel, U.S. Air Force (ret.)
President
Protect Our Defenders

Jennifer Dane
U.S. Air Force Veteran
Executive Director
Modern Military Association of America

Jacqueline Garrick, LCSW-C
U.S. Army Veteran (former Captain)
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Ryan Sweazey
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