

Honoring Military Whistleblowers on Memorial Day

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[National Whistleblower Center](#)

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Whistleblowers are placed in difficult situations every day and those serving in the military are no exception. Loyalty is a very important concept in the military, as it is the foundation of trust and confidence among fellow soldiers and those in command. When those in the military observe or learn about misconduct, it can be very difficult to abandon or reprioritize these notions.

National Whistleblower Center ([NWC](#)) recognizes the additional and heightened challenges military members make when choosing to file their claims and their dedication to our laws and service to American citizens.

In this *Sunday Read* and in observance of Memorial Day, we shine a light on the laws protecting military whistleblowers and some of the brave men and women who, by speaking up and coming forward, have made a difference in the armed services and society at large.

Military Whistleblowers Are Protected

In an effort to encourage and support the growing culture of transparency and accountability, Congress passed the Military Whistleblowers Protection Act of 1988 ([MWPA](#)). This legislation made it illegal for the armed forces to retaliate against military personnel for communicating with members of Congress or an Inspector General.

Developments in whistleblower protections led to the Military Whistleblower Protection Enhancement Act of 2013, allowing whistleblowers claims to be made within one year instead of an abnormally small 60-day period. Most notably, [protected communications](#) were expanded to include issues concerning any violation of law, specifically including those prohibiting rape, sexual assault, and other sexual misconduct under the Uniform Code of Military Justice ([UCMJ](#)).

Military Whistleblowers in America

Several trailblazing whistleblowers have served in the armed forces in various capacities. You can learn more about their impact here and some are highlighted below:

Commander Kimberly Young-McLear, Ph.D.

[Commander Kimberly Young-McLear, Ph.D.](#) reported systemic abuses of power at the highest levels of the Coast Guard in 2014. As a result of her courage, integrity, and advocacy, the Coast Guard has since implemented more than 30 policy improvements to reduce and remove discriminatory prohibitions, such as those on dreadlocks and natural hair styles for Black women on active duty. Her courage also resulted in new protections for LGBTQ+ members of the Coast Guard.

Commander Young-McLear remains on active duty in her 19th year of service. Yet in spite of her years of service to the nation and selfless advocacy against misconduct and discrimination, Young-McLear has faced retaliation for her whistleblowing, and continues to suffer from egregious psychological harm.

[NWC has publicly supported](#) Commander Young-McLear's courageousness and in conjunction with several advocacy groups and allies, [sent a letter](#) to President Biden in January calling for him to recognize her courageous work.

Commander Young-McLear continues to serve with distinction now, as a senior advisor, at the Cybersecurity and Infrastructure Security Agency (CISA). Commander Young-McLear's service contributes to crafting CISA's first Strategic Plan, agency-wide culture & innovation building, which will increase job opportunities for HBCU alumni and underserved communities. Furthermore, the national cyber workforce development will have a positive impact for national security and economic prosperity for decades.

Daniel P. Meyer

A three-time whistleblower and naval veteran of the Persian Gulf war, [Daniel P. Meyer](#) exposed misconduct in the investigation of an explosion onboard the battleship IOWA. Meyer has also exposed issues in environmental compliance and was previously the Executive Director for Intelligence Community Whistleblowing & Source Protection.

Meyer first exposed investigative misconduct during the investigation into the explosion onboard the battleship IOWA in 1989 as a Lieutenant in the United States Navy. In the years since, he has also revealed the suppression of whistleblower reports in the case of patient abuse at the Afghan Military Hospital as well as investigative misconduct in the review of spillage in the case of the 2012 film, "Zero Dark Thirty."

Lieutenant Colonel Darrel Vandeveld

Awarded the Bronze Star Medal, the Iraqi Campaign Medal, the Joint Service Commendation Medal, and two Joint Meritorious Unit Awards, former [Lt. Col. Darrel Vandeveld](#) resigned from his post at Guantanamo Bay and exposed serious human rights violations. Instead of accepting the just criticism of the program, the Army retaliated against Lt. Col. Vandeveld.

The Core Traits of a Whistleblower

[A whistleblower](#) is someone who reports waste, fraud, abuse, corruption, or dangers to public health and safety to someone who is in the position to rectify the wrongdoing. What matters is that the individual voluntarily discloses information about wrongdoing that otherwise would not be known.

To be eligible for the [protections and rewards](#) of whistleblower law, one cannot rely on this standard definition. Instead, these whistleblowers are best advised to seek an attorney to ensure they adhere to the definitions and procedures in the laws under which they are seeking **formal whistleblower status**.

The decision to blow the whistle is not a light one, and NWC honors every person who has the courage to make this choice. We celebrate National Whistleblower Appreciation Day every year on July 30th because it is important to recognize the impact whistleblowers have had on our history and will continue to have on our future.

National Whistleblower Day's Military Roots

Memorial Day weekend is an ideal time to highlight NWC support for calls to make July 30th [National Whistleblower Day a Federal Day of Observance in the U.S.](#), as the day is inextricably connected to the bravery of servicemen who had the courage to speak out against injustice.

The origins of whistleblower law in the United States date back to the 1770s, and harken to the insubordination of Esek Hopkins, a Rhode Island slave runner who became the commander in chief of the first United States Navy under then-General George Washington.

A divisive character to this day, Hopkins' self-serving actions led to several clashes with General Washington. Investigations by future presidents John Adams and Thomas Jefferson found Hopkins to have had no intention of following orders during the Revolutionary War.

Perhaps most importantly, seamen under Hopkins' command reported wrongdoing and abuses committed by him in the Continental Navy against captured British soldiers. Hopkins subsequently retaliated against these whistleblowers, including Richard Marven and Samuel Shaw, by arresting them. Ultimately, Hopkins' commission was terminated by Congress on Jan. 2, 1778, and the passage of the world's first whistleblower law followed six months later on July 30, 1778 – which is why the date is designated as [National Whistleblower Day](#).

The broader account of the interconnection between Hopkins, Marven and Shaw was first highlighted in [The New Whistleblower's Handbook](#), written by NWC Founder & Chairman of the Board Stephen M. Kohn. And, Mr. Kohn [tells the story](#) of these incredible whistleblowers at each year's National Whistleblower Day Celebration. The value of the story is described by Kohn as "remarkable," he told [Whistleblower Network News](#). "The sentiments and the issues are exactly what I hear today [in representing whistleblowers]."

Thanks largely to NWC's awareness efforts, the U.S. Senate has unanimously voted to recognize July 30th as National Whistleblower Appreciation Day since 2013. NWC and its partners [urge the House of Representatives and President Biden](#) to further acknowledge the critical importance of all whistleblowers in defending the integrity of our democracy by

recognizing July 30th of every year as a Federal Day of Observance, National Whistleblower Appreciation Day.

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