



COMMITTEE ON HOMELAND SECURITY

FOR IMMEDIATE RELEASE

Hearing Statement of Transportation and Maritime Security Subcommittee Chairman Lou Correa (D-CA)

Righting the Ship: the Coast Guard Must Improve its Processes for Addressing Harassment, Bullying and Retaliation

December 11, 2019

Thank you to Chairman Raskin, Subcommittee Ranking Members Roy and Lesko, our Full Committee Chairs and Ranking Members, and our distinguished witnesses for joining us. I also wish to acknowledge the outstanding leadership of the late Chairman of the Committee on Oversight and Reform, Elijah Cummings, on the issue before us today. His commitment to ensuring the Coast Guard and the Coast Guard Academy exemplify the highest values and standards of our nation and its armed services was admirable. Today, we continue this work. I also wish to acknowledge Lieutenant Commander Kimberly Young-McLear, one of our witnesses here today. Her 16-year career in the Coast Guard and service to our country has been exemplary. During the Lieutenant Commander's career, she has utilized her background in STEM (Science, Technology, Engineering & Math) and her passion for inclusion as catalysts for change and innovation at the Coast Guard. Among her contributions and achievements are the following:

1. Serving as a Special Assistant to the Deputy Secretary of the Department of Homeland Security;
2. Tours of duty dedicated to naval engineering and marine safety;
3. Serving as Chair of the Coast Guard Academy's Cyber and Leadership Diversity Advisory Council;
4. Leading an award-winning research initiative focused on utilizing social media for large-scale disaster response during Hurricanes Harvey and Irma;
5. Earning a Ph.D. from George Washington University in Systems Engineering with a post-doctoral research focus on protecting critical infrastructure from cyber threats in the maritime domain;
6. Spending countless hours educating, mentoring, and supporting cadets to achieve their highest potential in all aspects of life;
7. Dedicating herself to the New London, Connecticut community, through the development of an outreach program for local middle school students aimed at closing gaps among underrepresented students in cybersecurity;
8. Serving on the Education Subcommittee of the local chapter of the NAACP;
9. Being recognized by the NAACP as a recipient of the Roy Wilkins Renown Service Award for her significant contributions to civil rights and equal opportunity; and
10. Continuing to serve honorably as a Visiting Scholar at the Cybersecurity and Infrastructure Security Agency.

Lieutenant Commander Young-McLear, I thank you for your service and your courage to come before us today. Today, we will examine how the Coast Guard handles allegations of harassment, bullying, and retaliation. I would like to briefly summarize Lt. Commander Young-McLear's allegations and how they were handled, to show how current processes, policies, and leadership have failed to support and protect complainants who rightfully seek justice and accountability for offenses. According to a December 4, 2018 report of the Department of Homeland Security Office of the Inspector General, Lieutenant Commander Young-McLear suffered retaliation in violation of the Military Whistleblower Protection Act after she made complaints about being the target of workplace harassment and bullying for years while teaching at the Coast Guard Academy. Beginning in July 2015, the Lieutenant Commander reported on multiple occasions that the harassment and bullying she faced was based, at least in part, on her race, gender and sexual orientation—all of which denote her status as a member of a protected class. When Lieutenant Commander Young-McLear acted accordingly to report the harassment, by initiating the Military Equal Opportunity process through the Coast Guard Academy's Civil Rights Service Provider, she was advised to participate in alternative dispute resolution with her supervisor, who was the subject of her complaints. Through mediation, both parties agreed to a resolution agreement, and Lieutenant Commander Young-McLear initially withdrew her claim of discrimination.

However, the harassment and bullying reportedly continued. Again, Lieutenant Commander Young-McLear took the necessary steps provided through the Equal Opportunity complaint process to have these issues addressed. The Academy's Academic Dean convened a preliminary inquiry into her claims. Even though the inquiry was not sufficiently detailed to conclude whether prohibited harassment had occurred, the Dean communicated to Lieutenant Commander Young-McLear that her claims were unsubstantiated. Rather than launch a full investigation, the Academy's Assistant Superintendent then convened a "climate and culture" survey of Lieutenant Commander Young-McLear's department. The climate and culture survey did not examine the Lieutenant Commander's specific allegations of bullying and harassment; in fact, the Assistant Superintendent directed the investigator not to investigate the specific allegations of any one person. Yet, upon the conclusion of the climate and culture survey, the Assistant Superintendent claimed to have determined that bullying and harassment had not occurred. In 2017, after Lieutenant Commander Young-McLear received lower marks on her annual performance evaluation than she had the previous year, she reported continued harassment, bullying, and discrimination—as well as retaliation for her prior complaints. An investigation was convened outside of the Academy's chain of command at Coast Guard Headquarters, and the investigator found evidence of conduct against Lieutenant Commander Young-McLear "that a reasonable person would consider intimidating, hostile, or abusive."

Yet, again, Coast Guard leadership failed to substantiate her allegations or take action in response. No corrective action was taken against the supervisor Lieutenant Commander Young-McLear accused of harassment and bullying, until April 24, 2018, after the Coast Guard found that he had harassed and bullied another member of the department. Nearly three years after the Lieutenant Commander first raised complaints, her supervisor was removed from his position just one day after the DHS Office of Inspector General contacted several Academy officials to request interviews related to a claim of possible whistleblower retaliation. For nearly three years, Lieutenant Commander Young-McLear suffered personally and professionally due in part to Coast Guard leadership's mismanagement of her complaints and poor internal processes within the Coast Guard.

In its December 2018 report, the DHS Office of Inspector General substantiated Lieutenant Commander Young-McLear's claim of retaliation. The retaliation the Lieutenant Commander has suffered and the mishandling of her complaints is completely unacceptable. Unfortunately, I am concerned that these issues may be common within the Coast Guard. In September of this year, the DHS Office of Inspector General determined that two other Coast Guard members had been retaliated against for their whistleblowing activity. And, since the Committees began their investigation 18 months ago, multiple other Coast Guard employees have come forward to report harassment, bullying, and discrimination.

If the late Chairman Elijah E. Cummings were here today, he would tell you that "We are better than this." We owe it to our service members, who have dedicated their lives to protect our nation, to have fair and thorough processes that address issues they report. We must also be intentional about eliminating any culture of harassment, bullying, and retaliation within the Coast Guard and be willing to hold those who violate others in this way accountable. The recommendations provided in the staff report that is being issued today provide a path to addressing these issues. My hope is that the Coast Guard will welcome external support from the Department of Homeland Security, Congress, and other stakeholders who, like myself, believe in the Coast Guard's core values of honor, respect, and devotion to duty. The fact that the Commandant has refused to appear today sends the message that he does not appreciate the gravity of these issues.

Trying to sweep these issues under the rug will not make them go away. Lieutenant Commander Young-McLear has exhibited incredible courage, persistence, and fortitude in sticking up for what is right in the face of tremendous adversity. We all owe her, and all those who serve with her, our best efforts to build a better Coast Guard.

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