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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,  
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

WEBSITE: <https://commerce.senate.gov>

April 28, 2026

The Honorable Markwayne Mullin  
Secretary  
U.S. Department of Homeland Security  
2707 Martin Luther King Jr. Avenue, SE  
Washington, D.C. 20528

Secretary Mullin:

We appreciate your commitment to uphold federal whistleblower protection laws during your nomination hearing to become the next Secretary of the Department of Homeland Security (DHS). Consistent with your testimony, we urge you to demand the White House withdraw the pending promotion of Commander Jesse Millard to become a Captain in the U.S. Coast Guard. An independent investigation by the DHS Office of Inspector General (OIG) confirmed Commander Millard committed whistleblower retaliation in violation of the Military Whistleblower Protection Act.<sup>1</sup> Given your testimony supporting whistleblower protection laws, we do not believe you would support advancing Commander Millard's promotion now that you oversee the Coast Guard as the Secretary of DHS.

During your nomination hearing on March 18, 2026, you testified that there are "laws in place to protect whistleblowers and I have said multiple times I will work within the law."<sup>2</sup> You also testified that, if faced with allegations of whistleblower retaliation under your leadership, "I'm going to work within the law and that's [whistleblower retaliation] unlawful."<sup>3</sup> We agree, which is why Commander Millard's promotion is particularly concerning.

In 2018, the DHS OIG published a detailed Whistleblower Retaliation Report of Investigation that found Commander Millard retaliated against his subordinate by giving her unusually low performance marks on her 2016 Officer Evaluation Report after she filed a protected whistleblower complaint against him and other Coast Guard leaders.<sup>4</sup> The DHS OIG specifically documented how Commander Millard knew about the subordinate's complaint before he gave her low marks and reacted angrily in response. For example, Commander Millard sent himself an email that demanded his subordinate "resigns after apologizing" to him—simply for submitting a

<sup>1</sup> 10 U.S.C. § 1034.

<sup>2</sup> Hearing, "Nomination of the Honorable Markwayne Mullin to be Secretary, U.S. Department of Homeland Security", *U.S. Senate Committee on Homeland Security and Governmental Affairs*, (Mar. 18, 2026); <https://www.hsgac.senate.gov/hearings/nomination-of-the-honorable-markwayne-mullin-to-be-secretary-u-s-department-of-homeland-security/>.

<sup>3</sup> *Id.*

<sup>4</sup> Report, "Whistleblower Retaliation Report of Investigation, W17-USCG-WPU-16018", *Department of Homeland Security Office of Inspector General*, (Dec. 4, 2018); <https://www.oig.dhs.gov/sites/default/files/assets/2018/WRROI-W17-USCG-WPU-16018.pdf>.

protected whistleblower complaint, as is her right under the law.<sup>5</sup> Between fiscal years 2019 and 2025, the DHS OIG validated only 11 out of more than 3,100 whistleblower retaliation complaints it received. One of those eleven is Commander Millard.<sup>6</sup> Secretary Kirstjen Nielsen accepted the DHS OIG’s findings and determined that corrective action was warranted.<sup>7</sup>

It has been less than three years since the “Operation Fouled Anchor” scandal came to light, which revealed rampant cultural failings, permissibility of harassment and retaliation, and widespread lack of leadership accountability throughout the Coast Guard.<sup>8</sup> Congress recently passed major structural reforms in a bipartisan Coast Guard Reauthorization Act—which you supported.<sup>9</sup> But there is more work to do to address these challenges and ensure the progress we have made is durable.<sup>10</sup> As DHS Secretary, you must not tolerate backsliding on this important bipartisan work to improve the Coast Guard’s culture.

The whistleblower who was subjected to this retaliation submitted a letter to the Commerce Committee urging the Senate to reject Commander Millard’s promotion. In that letter, the whistleblower correctly underscored how Commander Millard’s promotion “would perpetuate a pattern of institutional failure that Congress has already rightfully and strongly condemned.”<sup>11</sup> As someone who voted in support of vital reforms to ensure Coast Guard accountability when you were in the Senate, you no doubt share these concerns.

We urge you to chart a different course than your predecessor at DHS when it comes to protecting whistleblowers and upholding the law. Ensuring Commander Millard’s promotion is withdrawn would be a crucial step in that direction.

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<sup>5</sup> Exhibit 23, “Whistleblower Retaliation Report of Investigation, W17-USCG-WPU-16018”, *Department of Homeland Security Office of Inspector General*, (Dec. 4, 2018); on file with Democratic Committee staff.

<sup>6</sup> Angeline, Barry and Dan McCabe, “The DHS watchdog enabling corruption”, *Washington Examiner*, (Dec. 3, 2025); <https://www.washingtonexaminer.com/opinion/3905449/the-dhs-watchdog-enabling-corruption/>.

<sup>7</sup> Memorandum, “Directed Action on DHS OIG Whistleblower Retaliation Report of Investigation”, from DHS Secretary Kirstjen Nielsen to Commandant of the Coast Guard Admiral Karl Schultz, (Feb. 22, 2019); on file with Committee Democratic staff.

<sup>8</sup> Ellis, Blake, et. al., “Criminal investigation into Coast Guard Academy revealed years of sexual assault cover-ups, but findings were kept secret”, *CNN*, (Jun. 30, 2023); <https://www.cnn.com/2023/06/30/politics/coast-guard-academy-secret-sexual-assault-investigation-invs>.

<sup>9</sup> Vote Summary for S. 1071, *U.S. Senate*, (Dec. 17, 2025); [https://www.senate.gov/legislative/LIS/roll\\_call\\_votes/vote1191/vote\\_119\\_1\\_00648.htm](https://www.senate.gov/legislative/LIS/roll_call_votes/vote1191/vote_119_1_00648.htm).

<sup>10</sup> Markup, “Executive Session #20”, *U.S. Senate Committee on Commerce, Science, and Transportation*, (Mar. 12, 2026); <https://www.commerce.senate.gov/wp-content/uploads/meetings/177cf875-bbe5-14ed-bf98-5ba1dc491db8/164694-5.pdf>.

<sup>11</sup> Letter from whistleblower to Chairman Cruz and Ranking Member Cantwell (Mar. 2, 2026); on file with Committee staff; *see also* Bazail-Eimil, Eric, “A Coast Guard commander was found to have retaliated against a subordinate. The Senate may still give him a promotion”, *Politico Pro*, (Mar. 12, 2026); <https://subscriber.politicopro.com/article/2026/03/a-coast-guard-commander-was-found-to-have-retaliated-against-a-subordinate-the-senate-may-still-give-him-a-promotion-00824566>; *see also* Mordowanec, Nick, “GOP Senators Approve Coast Guard Commander Promotion Despite Whistleblower Retaliation”, *Military.com*, (Mar. 12, 2026); <https://www.military.com/daily-news/2026/03/11/coast-guard-commander-promotion-despite-whistleblower-retaliation.html>.

Sincerely,



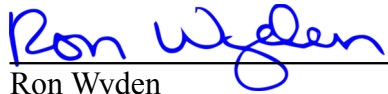
Maria Cantwell  
United States Senator  
Ranking Member, Committee  
on Commerce, Science, and  
Transportation



Lisa Blunt Rochester  
United States Senator  
Ranking Member,  
Subcommittee on Coast  
Guard, Maritime, & Fisheries



Tammy Baldwin  
United States Senator



Ron Wyden  
United States Senator

Cc: Senator John Thune, Majority Leader of the U.S. Senate  
Admiral Kevin Lunday, Commandant of the U.S. Coast Guard