

United States Senate

WASHINGTON, DC 20510

November 18, 2019

The Honorable Mark T. Esper
Secretary of Defense
Department of Defense
1000 Defense Pentagon
Washington, D.C. 20301

Dear Secretary Esper:

This week, Lieutenant Colonel Alexander Vindman and Deputy Assistant Secretary of Defense Laura Cooper are scheduled to testify publicly before Congress as part of an inquiry into the President's efforts to press Ukraine to interfere with our 2020 elections by withholding security assistance to help counter Russian aggression.

Since their identities were revealed, LTC Vindman and Ms. Cooper have been vilified and attacked by individuals in the media and elsewhere. Some have even gone so far as to call LTC Vindman, a recipient of the Purple Heart after being wounded while serving in Iraq, a spy and question his loyalty to the United States.

Bravely, in the face of these shameful attacks, these individuals have still chosen to come forward and tell the truth despite the risk of professional reprisals and threats to their personal safety. I fear, however, these attacks will only increase after their participation in these public hearings.

Recently, in response to questions from the media, you stated that LTC Vindman should not fear retaliation and that the Pentagon has protections for whistleblowers. While I welcome your statement, I believe the Department of Defense must do more to formally ensure that all Department military and civilian personnel understand that they may make protected disclosures to Congress free from retaliation. I also remained concerned about the chilling effect of the Department's recent correspondence that appeared to discourage employees from cooperating with Congress— which is at odds with commitments you and other senior officials made before the Senate Armed Services Committee to provide documents and witnesses when requested.

Accordingly, I request that you formally notify all civilian and military personnel of their legal rights to make protected disclosures to Congress. I also request that you brief me on what actions are being taken to ensure that LTC Vindman, Ms. Cooper, and other whistleblowers like them are afforded appropriate protections—both from workplace reprisals and for their personal safety and that of their families.

In addition, I request that the Department immediately cease any efforts to prevent officials from cooperating with Congress and that the Department produce to Congress all documents collected in response to General Counsel Paul Ney's October 3rd memorandum directing the

identification, preservation, and collection of documents and other records regarding the Ukraine Security Assistance Initiative.

LTC Vindman, Ms. Cooper, and whistleblowers like them are standing up for the Constitution they swore an oath to defend. They are patriots for being willing to do what we hope and expect all civilian and military officials will do when asked: tell the truth. It is incumbent on you to ensure that they and others who come forward are afforded the same protections as whistleblowers and are protected from retaliation.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in blue ink that reads "Charles E. Schumer". The signature is stylized, with the first letters of the first and last names being large and prominent.

Charles E. Schumer
U.S. Senator