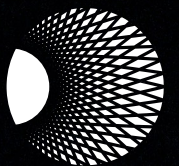


UAP Whistleblower Restitution Fund Would Incentivize Disclosures to Congress

Kirk McConnell



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Executive Summary

Individuals considering disclosing information regarding classified executive branch unidentified anomalous phenomena (UAP) programs to Congress potentially face significant acts of retaliation. As several prominent US senators have affirmed, such retaliation can include immediate loss of employment and livelihood; threats of prosecution; and, most alarmingly, direct risks to personal safety. The potential loss of livelihood is the most commonly cited fear among prospective whistleblowers, and has undoubtedly deterred potential whistleblowers from disclosing UAP-related information to Congress. To mitigate this impediment to lawful disclosures, it is imperative that Congress establish a “UAP Whistleblower Restitution Fund.” The fund would financially sustain and support whistleblowers whose allegations of unreported UAP programs and activities are deemed credible by, for example, the general counsel and/or member(s) of a congressional committee, or an inspector general of an executive branch department or agency. Additionally, such a fund would incentivize other knowledgeable individuals to make lawful disclosures to Congress. This would, in turn, enable Congress to perform its constitutionally mandated authority to exercise oversight over executive branch UAP activities, which are of profound significance for humanity.

1. Credible Fears of Retaliation Discourage Urgent Disclosures to Congress

Individuals from the military, intelligence community, and private defense contracting industry who possess information of interest to Congress about undisclosed and possibly unconstitutional executive branch UAP programs and activities, as well as those who have witnessed UAP events and shared their knowledge and experiences, have consistently reported receiving threats to their livelihoods and personal safety. In August 2023, Senator Kirsten Gillibrand, who serves on the Senate Select Committee on Intelligence and the Senate Armed Services Committee, stated that these individuals, now known as UAP whistleblowers, are “reluctant to testify to the [All-Domain Anomaly Resolution] office, [which is] part of the Department of Defense. They’re afraid of retaliation, they’re afraid of lots of things.”¹ Two years later, in July 2025, Senator Michael Rounds, who also serves on these committees, echoed this remark, asserting that these “very, very capable” and “brilliant individuals ... fear sometimes that if their full story got out, they’d lose their jobs.”² In some cases, harassment has been severe, most notably following the disclosures made by the two most visible UAP whistleblowers, former National Reconnaissance Office officer David Grusch and former Department of Defense intelligence official Luis Elizondo. As Secretary of State and acting National Security Advisor Marco Rubio, in his prior capacity as the vice chairman of the Senate Select Committee on Intelligence, stated in July 2023, “Some of these [UAP whistleblowers] still work in the government and, frankly, a lot of them are very fearful, fearful of their jobs, fearful of their clearances, fearful of their career. And some, frankly, are fearful of harm coming to them.” Many potential whistleblowers, he explained, “signed these non-disclosure agreements, and they’re fearful of ever commenting because they think it’s punishable by death.”³

The specific fear of criminal prosecution for alleged violations of nondisclosure agreements may be unfounded: per the Whistleblower Protection Act, Congress is an authorized recipient of classified information covered by executive branch nondisclosure agreements, and truthful complaints and disclosures filed through the Intelligence Community Inspector General “urgent concern” process do not result in prosecution.⁴ Nevertheless, both the DoD and the Intelligence Community heavily discourage and often outright oppose whistleblowing of any kind, and thus engage in various forms of retaliation against potential and actual whistleblowers, such as:

- Fabricated or highly exaggerated allegations of security violations, leading to indefinite clearance investigations or revocations;
- Manufactured claims of misconduct or poor performance to justify termination;
- “Black marks” placed in security files, preventing future employment;
- Reassignment and/or isolation, marginalization, and hostility within work environments;
- Administrative leave with or without pay;
- For contractors, sudden revisions to government requirements for employment that eliminate their positions.

Moreover, if potential UAP whistleblowers must assume alternative employment during an appeals process so as to financially sustain themselves and their families, they often lose legal standing to file whistleblowing complaints.

In short, whistleblowers can face financial ruin, especially as legal expenses accumulate, and their very capacity to file and sustain whistleblowing complaints is undermined if their livelihoods are put at risk. The fallout faced by David Grusch is a case in point: after filing a DoD Inspector General complaint, and prior to testifying to the House Oversight and Government Reform Committee in 2023, he endured what were likely manufactured claims of poor performance and was placed on administrative leave. According to Grusch, the retaliation “tactics” he experienced were “brutal,” “very unfortunate,” and “hurt” him both professionally and personally.⁶ Another example is Dylan Borland, a former Air Force private contractor who testified in September 2025 to the House Oversight and Government Reform Committee about classified UAP activities that he allegedly became cognizant of through both government and private sector work. Borland alleged not only that threats and intimidation were directed against him when he attempted to share information about these activities with the All-Domain Anomaly Resolution Office, but also that he was subsequently terminated from his government position and had his security clearance suspended, leading to severe financial hardship.⁷

2. The UAP Whistleblower Restitution Fund

To mitigate the risks of financial ruin and professional hardship and to encourage whistleblowing, Congress should establish a “UAP Whistleblower Restitution Fund.” Such a fund would serve as a rapid, assured mechanism to compensate individuals for lost wages and expenses as well as incentivize additional whistleblowers to come forward. Individuals whose allegations of unreported UAP activities are deemed credible⁸ by, for example, a general counsel and/or member(s) of a congressional committee or an inspector general of an executive branch department or agency,⁹ would be eligible to receive compensation for loss of income from this dedicated restitution fund. Compensation would then be disbursed quickly, out of recognition of the urgent needs of whistleblowers, and a regular review process would determine whether they require continued support.

Establishing a whistleblower restitution fund will not be easy, however, given the expected opposition of executive branch departments and agencies long suspected of withholding UAP information from Congress, the novelty of the proposal, and potential concern about singling out a specific class of whistleblower for special treatment. There are at least three possible approaches to establishing a restitution fund, none of which need be mutually exclusive with the others. One possibility would be for Congress to use legislation to establish within the executive branch, perhaps under the Office of Special Counsel, the whistleblower fund and the process for determining the eligibility of potential recipients. The risk with this approach, as with all laws and regulations intended to protect whistleblowers, is that the executive branch actors who oppose disclosure and threaten and enact retaliation against UAP whistleblowers might find a way to subvert the process. (Ultimately, the President would need to provide fulsome support for the process to prevent such bureaucratic resistance.) A second possibility would be to locate the fund and corresponding process in Congress itself, perhaps even by creating separate funds in each chamber. The propriety of and mechanics for executing such a fund would need to be explored, however, including with respect to whether House and Senate leadership or the committees with primary jurisdiction over the UAP issue (such as the intelligence and armed services committees) would control monetary awards, as well as with regard to whether Congress would take the unusual step of holding the fund’s “purse” itself. Finally, a fund could be established outside government, likely in a nonprofit corporation that receives philanthropic support and possibly federal funds. This option could be the easiest and most flexible, but vetting the credibility and impact of whistleblowers possessing classified information could be challenging.

Regardless of how and where the UAP Whistleblower Restitution Fund would be located and administered in government, this much holds true: while all whistleblowers who disclose credible allegations of waste, fraud, abuse, or criminal or unconstitutional activity deserve robust protection against retaliation, those who can attest to hidden government activities involving UAP are qualitatively distinct and uniquely important. There is no doubt that accurate disclosures regarding unreported government programs and activities concerning UAP and nonhuman, possibly extraterrestrial, intelligence have enormous geopolitical, economic, and cultural ramifications, both domestically and globally. The establishment of a restitution fund is vital to ensuring that Congress exercises its constitutionally mandated authority and oversight over executive branch UAP activities, which are of profound significance for humanity.

About the Author

Kirk McConnell retired from Congress in March of 2024, after 37 years of service on the staff of the Senate Armed Services Committee, the Senate Select Committee on Intelligence, and the House Permanent Select Committee on Intelligence. His professional involvement in the UAP issue began after publication of breakthrough reporting on the phenomena in *The New York Times* in 2017, after which he participated in UAP investigations and helped to draft UAP-related legislation during his remaining years in Congress. Since leaving government, McConnell has sustained his commitment to UAP disclosure, serving as an adviser to several nonprofit UAP organizations and as the Senior Legislative Affairs Officer of the Sol Foundation.

Notes

1. Kirsten Gillibrand, speech, Glens Falls, NY, August 6, 2023, www.poststar.com/news/local/gillibrand-on-ufos-speaking-in-glens-falls/article_1855b1d0-3adb-11ee-8684-0bc422cfed95.html.
2. Michael Rounds, interview by Blake Troli, KOTA Territory News, July 31, 2025, <https://www.youtube.com/live/nYH1HSbrfQI?t=1182>.
3. Marco Rubio, interview by Joe Khalil, NewsNation, June 26, 2023, www.newsnationnow.com/space/ufo/rubio-recent-ufo-whistleblower-isnt-the-only-one/.
4. Whistleblowers who disclose classified information to Congress are unlikely to be prosecuted. Even in the case of a prosecution, whistleblowers would almost certainly not be convicted of a crime; Whistleblower Protection Act of 1989, Public Law 101–12, U.S. Statutes at Large 103 (1989): 16–35.
5. Bill Chappell and Vanessa Romo, “US Recovered Non-Human ‘Biologics’ from UFO Crash Sites, Former Intel Official Says,” NPR, July 27, 2023, www.npr.org/2023/07/27/1190390376/ufo-hearing-non-human-biologics-uaps.
6. Dylan Borland, “Whistleblower Statement for the House of Representatives Task Force,” September 8, 2025, www.oversight.house.gov/wp-content/uploads/2025/09/Borland-Written-Testimony.pdf.
7. On December 13, 2023, then Senate Majority Leader Chuck Schumer stated on the Senate floor that Congress has “been notified by multiple credible sources that information on UAPs has also been withheld from Congress, which, if true, is a violation of laws requiring full notification to the legislative branch.”
8. The Intelligence Community Inspector General deemed David Grusch’s complaint “credible and urgent,” triggering mandatory disclosures to the congressional intelligence committees.

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