



# 2015 YEAR IN REVIEW

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Through the help of our supporters, the National Whistleblower Center has been able to accomplish great things this year. In fact 2015 has been such a successful year that we've had a hard time narrowing down the biggest events of the year. The following is our list of the top ten triumphs of 2015:

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Cover Image: Senator Ron Johnson addresses an audience of whistleblowers, their families and their advocates at National Whistleblower Day 2015

[Photography by Tom Wolff](#)

# 1. The Whistleblower Protection Caucus Forms



Senator Ron Wyden (left) and Senator Chuck Grassley (right) speak on the founding of the Senate Whistleblower Protection Caucus.

We'd be making a mistake if we didn't start this review off by talking about the formation of the [Senate Whistleblower Protection Caucus](#) in February.

Through the years, there have been prominent politicians who have stood up for whistleblowers both in their speeches and by drafting good legislation, but the formation of this caucus represents a breakthrough for whistleblowers. Never before has there been such organized political support for whistleblowing. The Senate Whistleblower Protection Caucus is perfectly bipartisan, with six Republicans and six Democrats making up its membership.

Members of the National Whistleblower Center attended the press conference announcing the formation of the caucus, which included a direct acknowledgment of our work by the Chairman.

## 2. The First Congressional Celebration of National Whistleblower Day



Senator Chuck Grassley Speaks at National Whistleblower Day. [Tom Wolf](#)

On July 30, the U.S. Senate's Kennedy Caucus Room was packed with whistleblowers, their families and whistleblower advocates as six senators and one representative each gave moving remarks in recognition of [National Whistleblower Day](#).

This event, hosted by the National Whistleblower Center, marked the first ever Congressional celebration of National Whistleblower Day. It also marked the third year in a row that the Senate officially recognized National Whistleblower Day through unanimous resolution.

This is a powerful turning point in developing a culture that honors whistleblowers rather than rejecting them. Looking forward, we've had nearly 33,000 people sign a petition to show their support for making National Whistleblower Day a permanent occasion to honor whistleblowers.

### 3. First Sanction Issued Against a Corporation for Restricting Employee Rights to Report Fraud



On April 1, the Securities and Exchange Commission [issued a sanction](#) against the major government contractor KBR, for using illegally restrictive Non-Disclosure Agreements to cover up fraud.

This was the first time a major corporation was sanctioned for using these agreements, and it sent a clear message that restricting a whistleblower's right to speak out against corruption will no longer be tolerated.

The case was filed by the National Whistleblower Center and a KBR whistleblower. We expect a major increase in corporate whistleblowers coming forward as a result.

## 4. Advancing Protections for FBI Whistleblowers



Stephen Kohn testifies before the Senate Judiciary Committee

On March 4, Stephen Kohn, Executive Director of the National Whistleblower Center, [testified before the Senate Judiciary Committee](#) on the broken and dysfunctional system for protecting whistleblowers at the FBI.

The need for increased protections for FBI whistleblowers was highlighted in [the case of Robert Kobus](#). The FBI retaliated against Mr. Kobus after he reported fraud as part of his official duties as an operations manager. It took ten years of litigation to get justice for Mr. Kobus, who was just awarded damages in April.

Unfortunately, Mr. Kobus's case was not an anomaly. The Government Accountability Office studied FBI whistleblower protections and found that whistleblowers were frequently left without any meaningful protections, and that they were required to navigate a bureaucratic review process that made it impossible to attain justice before it was already far too late.

Steps are now being taken to address this issue. Based on Mr. Kohn's testimony and the other participants at the Senate hearing, as well as extended consultation with the NWC, Senators Chuck Grassley (R-Iowa) and Patrick Leahy (D-VT) introduced the [FBI Whistleblower Protection Enhancement Act](#) in the Senate on December 11. Kohn called it "the most important whistleblower reform introduced this session."

## 5. Getting Justice For Victims of FBI Misconduct



Dr. Whitehurst, Director of the National Whistleblower Center's Forensic Justice Project, first exposed systemic misconduct in the FBI Crime Lab in 1995. He showed how the crime lab was committing serial perjury and distorting the results of forensic examinations in order to help prosecutors convict thousands of people.

On April 19, twenty years after Dr. Whitehurst's first disclosures, the [FBI finally admitted](#) to systematically fabricating evidence through the crime lab. Dr Whitehurst's work to obtain justice for the wrongfully convicted is ongoing.

## 6. Sarajevo Whistleblower Week and the Global Program Launched



Stephen Kohn speaks in Sarajevo on Whistleblowers, their rights, and the fight against corruption around the world.

On May 26th, Stephen Kohn, Executive Director of the National Whistleblower Center traveled to Sarajevo in Bosnia, to be the keynote speaker at [Sarajevo Whistleblower Week](#).

This was an excellent opportunity to reach out to potential whistleblowers throughout the Balkans and beyond, and to inform government officials, NGOs and journalists on how American whistleblower laws can be used to combat corruption around the world.

This visit coincided with the launch of a new website, [globalwhistleblower.org](http://globalwhistleblower.org) which seeks to educate whistleblowers around the world on how to use U.S. laws to combat corruption and obtain rewards.



# 7. Wildlife Crime Whistleblower Campaign



This was also the year in which we discovered a series of potentially powerful, but underused, protections for wildlife whistleblowers. These laws cover a wide range of wildlife crime, from trafficking in endangered species, to destroying habitats through clear-cutting forests and over-fishing. Whistleblowers from around the world can work with the government to bring those committing wildlife crimes to justice.

Unfortunately, the agencies that are responsible for administering the laws have not developed a sufficient program. [The National Whistleblower Center is campaigning to change this](#) so whistleblowers can have just as much success combatting this 140 billion dollar criminal enterprise as they've had fighting against corrupt government contractors and Swiss bankers.

## 8. Federal Employee Rights Expanded



Ms. Tommie Savage stands to be recognized at the National Whistleblower Day celebration this summer. [Tom Wolff](#)

Building on the National Whistleblower Center's successful efforts to expand protections for federal employees (including our historic work helping enact the Whistleblower Protection Enhancement Act), on September 3rd, the federal agency with authority over whistleblower cases ruled to expand whistleblower protections.

Under the new ruling, [whistleblowers in the Federal Government are now protected explicitly from hostile work environments](#), and can prove anti-whistleblower retaliation by demonstrating they were subjected to a hostile work environment alone.

The particular case concerned Tommie Savage, an Army Corps of Engineers whistleblower who was retaliated against for finding and reporting a long-standing practice of fraud within the agency.

## 9. Educating foreign government officials and NGOs to fight corruption



Stephen Kohn speaks before a Conference at World Learning.

Throughout the year, the National Whistleblower Center met with legislative aides, distinguished government officials, members of the foreign press and officers of foreign NGOs from countries such as Japan, Kazakhstan, Afghanistan, Indonesia, Italy, Israel, the Republic of Congo and Egypt among others.

The purpose of these meetings was to educate foreign officials and NGO leaders about how US whistleblower programs have proven incredibly effective, not only in our own anti-corruption efforts domestically but also in combating corruption around the world.

We encouraged these leaders to help whistleblowers and to help their own countries, either by setting up their own domestic whistleblower protections, or by encouraging whistleblowers to report fraud and corruption using internationally applicable U.S. laws.

## 10. Obtained a More Favorable Burden of Proof



To cap off our list, we wanted to talk about a case that had a profound impact on employee whistleblower protections. On March 20, the U.S. Department of Labor's top whistleblower appeals board issued a narrow 3-2 ruling for the whistleblower in the case of [\*Powers v. Union Pacific Railroad Company\*](#).

The case was hard-fought by both sides. Stephen Kohn of the National Whistleblower Center argued on behalf of the whistleblower and against the Chamber of Commerce and American Trucking Association's corporate lawyers.

The victory established a more whistleblower-friendly standard for proving retaliation under the full range of corporate whistleblower law, and has consequently made it safer to blow the whistle in corporate America.

# Looking Forward to 2016

The year 2015 has been great for the National Whistleblower Center and for whistleblowers in general. We'd like to have your [support](#) so we can make 2016 even better.

Here's what's on our Agenda:

- The permanent recognition of July 30th as a day to honor whistleblowers
- Instituting an effective whistleblower program to combat wildlife crime
- Fixing the broken FBI whistleblower protection program
- Expanding protections for military whistleblowers
- Reforming FIRREA to better protect whistleblowers who report fraud in the financial industry
- Combating corporate monopolies and protecting anti-trust whistleblowers
- Expanding protections for corporate whistleblowers
- Protecting and strengthening existing whistleblower protection laws

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