

“Likely Voters” Overwhelming Support Whistleblowers and Want Congress to Enact Stronger Corporate Whistleblower Laws

Article By:

Siri Nelson

Stephen M. Kohn

According to a [groundbreaking poll](#), a large majority of American voters support whistleblower protections and believe the issue should be a priority for Congress. The polls demonstrate that that [82%](#) of all Americans (and 81% of “likely voters”) say that passing stronger laws that protect employees who report corporate fraud should be a priority for Congress. And, [86%](#) of Americans believe that there should be stronger legal protections for whistleblowers who report government fraud.

Marist conducted the poll on behalf of the [Whistleblower News Network \(WNN\)](#). The Marist Poll is among the most highly regarded polls in the United States. It is rated A+ by [FiveThirtyEight](#), an independent website that carefully monitors national polling and rates polls with a score from A+ to F.

The [survey](#), of adult registered voters and likely voters, shows unprecedented support for corporate insiders who blow the whistle on fraud. A large majority of “likely voters” want Congress to prioritize enacting stronger laws for corporate whistleblowers who report fraud.

Support for increased corporate whistleblower protections was bi-partisan and across all demographics: 81% of all likely voters wanted Congress to prioritize passing corporate whistleblower laws, with over one-quarter (27%) wanting such legislation as an “immediate priority.” Overall, the following percentages of all adults wanted Congress to prioritize enacting stronger corporate fraud whistleblower laws:

Democrats: 88%

Republicans: 74%

Independents: 82%

College Educated 82%

Non-College:	83%
White:	82%
Non-White:	85%
Under 45:	92%
Over 45:	75%
Men:	83%
Women:	82%
Suburban:	81%
Rural:	82%
Northeast:	82%
South:	82%
Midwest:	82%
West:	83%
Income under 50K	85%
Income over 50K	81%

Not only do the American people want stronger protections for corporate whistleblowers, a large plurality of likely voters would take a candidate's position on whistleblower protections into consideration when they enter the voting booth. The Marist poll demonstrates that [44%](#) of likely voters would be more likely to vote for a candidate who supported stronger protections for corporate whistleblowers. Thus, it is not only the "hot button" issues like climate change, abortion, or gun rights that influence votes. A candidate's record on supporting corporate whistleblowers also has an impact on a voter's decision, the poll showed.

Enacting strong whistleblower laws incentivizing employees who report corporate fraud is not only good policy, it is good politics. There are three major bi-partisan whistleblower laws pending in Congress, all of which are modeled on highly effective corporate whistleblower laws, and all of which deserve strong support by Congress. Given the pressing issues they address, they should all be enacted into law before the end of this Congress. Additionally, it is expected that a bi-partisan reform bill for the False Claims Act will also be introduced shortly. This reform bill is also critically needed as the False Claims Act is the major federal law protecting the taxpayers from fraud in COVID-19 related programs.

The other currently pending legislation that would strengthen corporate whistleblower protections are outlined below. The Marist survey results signal that now is the time for Congress to act. These bills are:

[The Whistleblower Programs Improvement Act, S.2529](#), would create protections for internal whistleblowers under the Dodd-Frank Act and establish a one-year deadline for adjudicating Dodd-Frank Act whistleblower award decisions. SEC claims decisions. This legislation is essential to fortify the already existing exemplary SEC whistleblower program.

Additionally, the SEC recently adopted [new rules](#), for its Whistleblower Program. Although some parts of the Commission's final rules, which were passed on September 23, 2020, were praised by anti-corruption and pro-investor advocates, the SEC's change to its "related action" rule was harshly condemned by two of the three SEC Commissioners, along with all whistleblower advocates. The Improvement Act should be modified to address this late-filed rules change. The "related action" provision simply guarantees that the government cannot play a shell game with whistleblowers. If a whistleblower's information leads to a successful prosecution the whistleblower should be eligible for the Dodd-Frank Act whistleblower reward regardless of which federal agency collects the sanction.

The [ILLICIT CASH Act](#), S. 2583, is an anti-money laundering bill that would establish a whistleblower program in the Department of the Treasury's Financial Crimes Enforcement Network (FinCEN). The act would create a whistleblower program, much like the highly successful SEC whistleblowers program to incentivize whistleblowers to come forward about money laundering. The program, if created as proposed by the bill, would create a whistleblower office, enable whistleblowers to report corporate fraud anonymously, and establish a reward scheme for whistleblowers who help the agency successfully punish money launderers.

This bill is essential to enhance the Treasury's ability to police money laundering activities. Whistleblowers are essential to uncovering crimes that the government would otherwise have no way of uncovering. This is meted out in the highly successful SEC program which has safeguarded the market and resulted in millions returned to investors.

The [Wildlife Conservation and Anti-Trafficking Act](#) of 2019, H.R. 864, also contains provisions applicable to corporate whistleblowers. The bill covers the multibillion-dollar illegal fishing and timbering industries, along with importers who bring in illegal wildlife. Illegal fishing and lumbering by large corporate interests or importers significantly harms U.S. fisherman, and undercuts the U.S. timber industry, along with destroying protected forests and fisheries. The annual business in illegal fishing and timbering is estimated by the United National and Interpol to be well over \$50 billion.

The law would establish a whistleblower offices to [work with whistleblowers](#) reporting under the various laws prohibiting wildlife trafficking and protecting the environment. If adopted, the law would create an award program that would incentivize whistleblowers to report wildlife, illegal fishing and illegal logging crimes, and would cover international whistleblowers. Notably, the law would also create reporting requirements to communicate the efficacy of the whistleblower program on an annual basis. This law will incentivize whistleblowers to come forward about violations of wildlife protection laws that are often difficult to uncover [without insider information](#). The creation of a whistleblower program to protect whistleblowers who report such violations would greatly enhance the government's ability to detect violations of these critical laws and ensure that existing government protections are effectively enforced.

This law is supported by major wildlife organizations, such as the [Natural Resources Defense Council](#), the [Association of Zoos and Aquariums](#), the [National Whistleblower Center](#), World Wildlife Fund, among numerous other wildlife protection groups. It has 85 co-sponsors in the House.

The full results of the WNN poll are published at [Whistleblower News Network](#). The Marist survey of

1,152 adults was taken from September 11th through September 16th, 2020. The margin of error for “likely voters” was $\pm 4.3\%$.

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