



# **National Whistleblower Day Luncheon Celebration**

**July 27, 2017  
Kennedy Caucus Room  
Russell Senate Office Building  
Washington, D.C.**



**Establishing a Bipartisan Tradition of Honoring  
Whistleblowers Since 1778**



## **In Honor of the 239th Anniversary of National Whistleblower Day**

*National Whistleblower Day commemorates the bold vision of our Founding Fathers and their uncompromising support for whistleblowers. Today, National Whistleblower Day celebrates those everyday heroes who combat fraud, corruption, and other crimes; their courage in the face of adversity; and the strength of their conviction and dedication to the truth. National Whistleblower Day was first recognized following National Whistleblower Center (NWC) Executive Director Stephen Kohn's discovery of the 1778 Continental Congress resolution showing unequivocal support for ten whistleblowers who reported wrongdoing and abuses committed by a superior officer in the Continental Navy. Uncovering this historic resolution led the U.S. Senate to recognize National Whistleblower Day by a unanimous resolution in 2013. Similar unanimous resolutions have been passed every year since.*



### **Unanimously passed on the 30th day in July, 1778 in Philadelphia, the Congress of the United States of America:**

*"Resolved, that is the duty of all persons of the United States, as well as all other the inhabitants thereof, to give the earliest information to Congress or any other proper authority of any misconduct, frauds or misdemeanors committed by any persons in the service of these states, which may come to their knowledge."*



### **Honored Whistleblowers in Attendance**

Hap Barko, Christopher Benjamin, Brad Birkenfeld, Jim Boberski, Brandon Coleman, Carol Czarkowski, Thomas Day, Thomas Drake, Sharon Eubanks, Felipe Franchini, Jackie Garrick, Bunnatine Greenhouse, Paul Jayko, Darin Jones, Ron Kavanagh, John Kiriakou, Robert Kobus, David Lewis, Robert MacLean, Kernan Manion, Judy Mikovitz, Brenda McCracken, Michael McCray, Marrita Murphy, Barbara Newman, Colby Powell, Jesselyn Radack, Carlos Ramirez, Marcel Reid, Dan Richardson, Michael Sandknop, Toni Savage, Andrew Scollick, Gerald Smith, Jane Turner, Sherron Watkins, David Weber, Sheila White, Fred Whitehurst, and Ken Williams,  
*and we celebrate all the other courageous whistleblowers  
who combat fraud, corruption, and injustice.*



### ***Keynote Speakers***

Senator Chuck Grassley  
Senator Ron Wyden  
Representative Rod Blum  
Representative Mark Meadows  
Representative Kathleen Rice  
Representative Jackie Speier

### ***Whistleblower Advocates***

John C. Cruden  
Michael E. Horowitz  
Henry Kerner  
Lee D. Martin

### ***Whistleblowers***

Bradley C. Birkenfeld  
Dr. Tommie G. Savage  
Sherron Watkins

### ***History of Whistleblower Day***

Stephen Kohn

### ***Masters of Ceremonies***

Dr. Frederic Whitehurst  
Jane Turner

*\* Speaker list does not reflect order of appearance*



## ***Keynote Speakers***

**Senator Chuck Grassley** (R-Iowa) is a devoted champion of government accountability. Throughout his time in Congress, he has worked to empower government employees and contractors to shine a light on fraud, inefficiencies, or misconduct in government. He also has strongly defended these individuals, whom he often refers to as “patriotic citizens,” for speaking out. Grassley authored the modern-day False Claims Act, which allows whistleblowers who disclose fraud against taxpayers to share in the government’s recoveries. This law is instrumental in recouping several billion dollars lost to fraud each year and has recovered more than \$50 billion since it was passed in 1986. Grassley continues to advocate for policy that expands legal protections for whistleblowers. As Chairman of the Senate Judiciary Committee, Grassley led the effort to pass the Whistleblower Protection Enhancement Act, which, among other things, brings protections at the FBI in line with most other federal agencies. Grassley is the founder and chairman of the bipartisan Senate Whistleblower Protection Caucus, which raises awareness of the need for adequate protections against retaliation for private sector and government employees who call attention to wrongdoing. The caucus’ mission is to foster bipartisan discussion on legislative issues affecting the treatment of whistleblowers and serve as a clearinghouse for current information on whistleblower developments as well as best practices for responding to whistleblower disclosures and claims of retaliation.

**Senator Ron Wyden** (D-Oregon) is the vice-chair of the bipartisan Senate Whistleblower Protection Caucus, working side-by-side with Republican Senator Chuck Grassley to protect whistleblowers who seek to expose government waste, fraud, and abuse. He has a long history of working with and working to protect whistleblowers, especially those at the Department of Energy. Wyden was first elected to Congress in 1980 to represent Oregon’s 3rd District. In 1996, he was elected to the U.S. Senate in a special election, becoming the first federal official elected in an entirely vote-by-mail election.

**Representative Rod Blum** (R-IA, 1st District), a lifelong Iowan, put himself through college, earning a B.A. in finance from Loras College and an M.B.A. from the University of Dubuque. After graduating, he entered the software industry, eventually becoming President and CEO of Dubuque-based Eagle Point software. Blum’s company grew from 5 to over 300 employees in just five years and, as a result, Blum was named Iowa Entrepreneur of the Year by Ernst & Young and Iowa Exporter of the Year by Governor Branstad. His company went public on the Nasdaq stock exchange in 1995 and was named an INC 500 fastest growing company in America three times. Blum also served on the board of American Trust & Savings Bank, a \$1 billion Iowa-based bank, as chair of the commercial credit committee for 15 years. He is currently the CEO and owner of Digital Canal Software and owns a real estate development company as well. Before running for office, Blum also served as Dubuque County Republican Chairman, a volunteer high school basketball coach, and was a columnist for the Dubuque Telegraph Herald. In his second term as a member of Congress, Blum represents the First District of Iowa. He serves on the Small Business Committee as Chairman of the Subcommittee on Agriculture, Energy, and Trade, and on the Oversight and Government Reform Committee.

**Representative Mark Meadows** (R-NC, 11th District) is in his third term in Congress and has been serving North Carolina's Eleventh District since January of 2013. During his time in the House, Meadows has championed principles of limited government, lower taxes, and a rollback of the regulatory state to create a climate for businesses to thrive - while serving on three Committees: the Oversight and Government Reform Committee, the Transportation and Infrastructure Committee, and the Foreign Affairs Committee. In November of 2016, Meadows was elected Chairman of the House Freedom Caucus, a group of roughly 40 conservative Members of Congress dedicated to giving a voice to those who feel forgotten by their government. Meadows and his wife Debbie live in South Asheville and have two adult children, Blake and Haley.



**Representative Kathleen Rice** (D-NY, 4th District) is in her second term representing New York's fourth congressional district, a diverse suburban community on Long Island. Rice serves on the House Homeland Security and Veterans' Affairs Committees, and is a founding co-chair of the House Whistleblower Protection Caucus. Before she was elected to Congress, Rice served as the District Attorney of Nassau County, NY from 2006-2014, where her efforts to combat drunk driving helped lead to a statewide overhaul of DWI laws and Long Island's first DWI-related murder convictions. Rice began her career in public service as an Assistant District Attorney in Brooklyn, NY, where she prosecuted cases of domestic violence and gang activity before joining the office's elite Homicide Bureau. In 1999, Rice was appointed an Assistant U.S. Attorney, and she went on to an award-winning career as a federal prosecutor in the U.S. Department of Justice's Philadelphia office.

**Representative Jackie Speier** (D-CA, 14th District) is a tireless advocate for women's rights, the public good, and the security of Americans. She was named to Newsweek's list of 150 "Fearless Women" in the world. She serves on the House Armed Services Committee (HASC) as the Ranking Member of the Subcommittee on Military Personnel and on the House Permanent Select Committee on Intelligence (HPSCI). Speier believes whistleblowers are the eyes and ears that provide Congress with key insights needed to effectively oversee the federal government. While serving in the California State Senate, Speier created a whistleblower hotline that received hundreds of tips exposing government waste and passed legislation to strengthen the California Whistleblower Protection Act. Since serving in Congress, Speier has worked with whistleblowers on military issues, including systemic quality control weaknesses in the Littoral Combat Ship program, as well as district issues, such as the causes behind the devastating 2010 San Bruno gas pipeline explosion. She is proud to be a co-chair of the Whistleblower Protection Caucus.

**"We are ready to hazard everything that is dear and if necessary,  
sacrifice our lives for the welfare of our country,  
we are desirous of being active in the defense of our constitutional liberties."  
- America's first whistleblowers, February 19, 1777.**

## ***Whistleblower Advocates***

**John C. Cruden** is the president elect of the American College of Environmental Lawyers and the most recent Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice (DOJ). He was confirmed by the Senate in December 2014 and served until January 2017. While at DOJ, Cruden led the settlement negotiations for BP/Deepwater Horizon and Volkswagen litigation. Cruden is a graduate of the U.S. Military Academy with advanced degrees from the University of Virginia and Santa Clara Law School. After graduating from West Point, Cruden served in airborne, ranger, and special forces units in Germany and Vietnam before attending law school. After graduating, Cruden attended the Army's Judge Advocate General's Graduate Course where he was named the outstanding graduate. His final assignment in the military was as the Army's Chief Legislative Counsel. In the Department of Justice, Cruden was Special Counsel to the Assistant Attorney General, Civil Division; Chief, Environmental Enforcement Section; and was the career Deputy Assistant Attorney General from 1995 to 2011. Following that tenure, Cruden served as President of the Environmental Law Institute until 2015. Cruden has received a number of military awards and the prestigious Presidential Rank Award from three Presidents.



**Michael E. Horowitz** was sworn in as Inspector General of the Department of Justice (DOJ) in April 2012. As Inspector General, Horowitz oversees a nationwide workforce of more than 450 special agents, auditors, inspectors, attorneys, and support staff. Since 2015, he has simultaneously served as the Chair of the Council of the Inspectors General on Integrity and Efficiency, an organization comprised of all 73 federal Inspectors General. Horowitz has twice held Senate-confirmed positions: in addition to his current position, he served from 2003 to 2009 as a Commissioner on the U.S. Sentencing Commission. Horowitz previously worked as a partner at the law firm of Cadwalader, Wickersham, & Taft LLP. He also was a board member of the Ethics Resource Center and the Society for Corporate Compliance and Ethics. Earlier in his career, Horowitz was an Assistant U.S. Attorney for the Southern District of New York from 1991 to 1999, where he was the Chief of the Public Corruption Unit and a Deputy Chief of the Criminal Division. From 1999 to 2002, Horowitz worked at DOJ's Main Justice in the Criminal Division in Washington, D.C., first as Deputy Assistant Attorney General and then as Chief of Staff.

**Henry Kerner** joined Cause of Action Institute in May of 2016 and serves as the Assistant VP for Investigations. Prior to that, he worked on Capitol Hill for over five years, serving Chairmen Issa and Chaffetz on the Oversight and Government Reform Committee as Senior Counsel and Deputy Director for Investigations, respectively. In between his Oversight Committee tenures, he worked for Ranking Member John McCain on the Permanent Subcommittee on Investigations as Staff Director and Chief Counsel to the Minority. Prior to coming to Washington, Kerner was a Deputy District Attorney for the County of Los Angeles, assigned primarily to the Compton Branch Office, where he tried over 50 jury trials to verdict and conducted hundreds of other hearings. He also spent time in the gang and juvenile units as a charging deputy and supervisor. Kerner graduated with a Juris Doctorate from Harvard Law School, after obtaining a Master's degree in Ancient History and a Bachelor's Degree in History from UCLA. Having spent most of his youth in Munich, Germany, Kerner is fluent in German and also speaks Polish, his mother tongue. He is a passionate sports fan, especially college football, and also favors the Lakers and Dallas Cowboys. Kerner is the presidential nominee for Special Counsel, Office of Special Counsel.

**Lee D. Martin** is the Director of the Internal Revenue Service (IRS) Whistleblower Office. In this role, he serves as a principal advisor to the Commissioner and top IRS officials on the execution of the \$3.5 billion IRS Whistleblower Program. Previously, Martin served as Deputy Director of the Office of Professional Responsibility where he oversaw the conduct of attorneys, CPAs, enrolled agents, enrolled retirement plan agents, actuaries, and appraisers who practice before the IRS under Treasury Circular 230. Prior to this, Martin was the Director of Enterprise Networks Operations in the Information Technology organization. In this role, Martin was responsible for providing executive leadership over the operations and maintenance of the enterprise-wide network infrastructure, while working closely with IT executives to ensure delivery of a world-class network and high quality services. Before joining the IRS, Martin held management positions with AT&T as Assistant Vice President-Project Management and Vice President-Information Systems/Chief Technologist of SBC Interactive – SmartPages.com, an on-line Directory Service. Martin has a Masters of Business Administration (MBA) and a BS degree with dual majors in Mathematics and Chemistry. He is a Certified Project Management Professional and Six Sigma Green Belt. Martin is a recipient of the AT&T Excellence in Project Management Achievement Award for Leadership. Martin received a patent for a consumer product he developed and has two NOVA Achievement Awards from Southwestern Bell for innovations to the business.

## ***Masters of Ceremonies***

**Dr. Frederic Whitehurst** was the first successful FBI whistleblower. Whitehurst's actions led the president to execute an Executive Order ensuring whistleblower protection of all FBI agents who expose misconduct. His case exposed forensic fraud in the FBI crime lab and subjected it to outside oversight for the first time. He presently practices law in North Carolina and provides forensic consulting services nationally.

**Jane Turner**, after 25 years as a FBI Special Agent, led efforts to force the FBI to provide protection for child sex crime victims on the North Dakota Indian Reservations. In retaliation for exposing FBI failures within its child crime program, Turner was removed from her post as the first female Senior Resident Agent. Turner also learned that FBI agents had stolen evidence and artifacts from the 9/11 terrorist attack crime scene. She was fired after reporting the thefts to the Inspector General. A federal jury vindicated her in a historic 2007 verdict in her Title VII discrimination case. The Office of Special Counsel also officially designated her as a whistleblower regarding the information she uncovered about 9/11, after 12 years of litigation. A highly decorated FBI veteran, Turner often speaks about retaliation and how law enforcement agencies should properly deal with whistleblower complaints.

## Whistleblowers

**Bradley C. Birkenfeld** is the most significant financial whistleblower in history and the author of *Lucifer's Banker: The Untold Story of How I Destroyed Swiss Bank Secrecy* (November 2016). As an international private banker, he exposed how UBS, the world's largest bank, helped ultra-wealthy Americans commit billions in tax fraud. His bombshell revelations cracked the impenetrable fortress of Swiss banks, proving that offshore financial institutions systematically aided clients' tax evasion, corruption, and terrorist activities. His case triggered monumental changes in banking laws, the federal tax code, and international tax treaties. In 2005, despite a thriving career spanning Credit Suisse, Barclays Bank, and UBS, Birkenfeld could no longer keep silent about bank-enabled tax fraud. When UBS rejected his concerns, he turned to the U.S. authorities. Though jailed for 30 months, he was soon vindicated with a record-breaking IRS reward: his work had enabled the U.S. Treasury to recover \$15 billion in back taxes, fines, and penalties. The case set off a domino effect of international investigations into offshore banking's secret crimes, including the Panama Papers and much more. Now retired, Birkenfeld is a philanthropist and supports whistleblowing efforts worldwide.

**Dr. Tommie ("Toni") G. Savage** was the top procurement specialist at the U.S. Army Corps of Engineers' Engineering and Support Center, Huntsville, Alabama ("HNC") when she stumbled on rampant fraud in the Ranges Program—a high-profile Army contracting program. Although Savage's performance appraisals over her 20-year career ranked her as an extraordinary performer whose "integrity" was "beyond reproach," and after she was recently promoted and awarded the "Director of Contracting Professional Award for Integrity," her career came crashing down when she blew the whistle on the gross Ranges Program fraud that was costing tax-payers millions of dollars. HNC protected the fraudster-in-chief, even after an internal audit and two separate Army internal investigations (AR 15-6 reports) substantiated all of Savage's allegations and asserted that Savage should be commended. In lieu of the commendations recommended by the auditors, Savage was subjected to hostile retaliation, removed from her position, received downgraded performance appraisals, and ultimately removed from government service—while the fraudster-in-chief was allowed to continue to engage in wrongdoing with impunity. The harm she suffered is currently being addressed before The Merit Systems Protection Board (MSPB).

**Sherron Watkins** is the former Vice President of Enron Corporation who alerted then-CEO Ken Lay in August 2001 to accounting irregularities within the company, warning him that Enron "might implode in a wave of accounting scandals." She has testified before Congressional Committees from the U.S. House and Senate investigating Enron's demise. TIME magazine named Watkins, along with Coleen Rowley of the FBI and Cynthia Cooper of WorldCom, as 2002 Persons of the Year for being "people who did right just by doing their jobs rightly." Watkins speaks globally about ethics and leadership, and the lessons to be learned from the collapse of Enron, where she served in a variety of executive positions over eight years. Watkins was employed

for over two decades as an executive for three large global companies, the accounting firm Arthur Andersen, the German metals giant Metallgesellschaft AG, and Enron Corp. All were multi-billion dollar, global companies brought down by scandal. Watkins has seen firsthand the cost of an erosion in values. Her current passion is leadership development and coaching. Watkins is co-author of *Power Failure: the Inside Story of the Collapse of Enron* (Doubleday, 2003). She is a Certified Public Accountant and holds a Masters in Professional Accounting as well as a B.B.A. in accounting and business honors from the University of Texas at Austin.

## ***History of Whistleblower Day***

**Stephen M. Kohn** serves *pro bono* as the Executive Director of the National Whistleblower Center, and is a partner at the Washington, D.C. law firm of Kohn, Kohn and Colapinto, LLP. He has represented whistleblowers for over 30 years, successfully setting numerous precedents that have helped define modern whistleblower law. *The New Whistleblower's Handbook: A Step-by-Step Guide to Doing What's right and Protecting Yourself* (Lyons Press, 2017), is Kohn's eighth book on whistleblowing. Kohn's research resulted in uncovering the forgotten history of America's first whistleblowers.

### **The National Whistleblower Center**

#### **Board of Directors, Officers, and Staff**

Dr. Gina Green and Dr. Fredric Whitehurst, *Co-Chairs, Board of Directors*

Michael Kohn, *President*

Mary Jane Wilmoth, *Secretary-Treasurer*

Dr. Mark Toney, *Director*

Dr. David Lewis and Jane Turner, *Co-Chairs, Leadership Counsel*

Stephen Kohn, *Executive Director*

Ashley Binetti, *Chief Operating Officer*

David Colapinto, *General Counsel*

Dean Zerbe, *Senior Policy Analyst*

Meera Gajjar, *Wildlife Program Staff Attorney*

Rebecca Guiterman, *Wildlife Program Staff Attorney*

Gabrielle Nagle, *Wildlife Program PR and Outreach*

Paul Lyons, *Outreach*

Todd Yoder, *Public Interest Law Fellow*

#### **Special Thanks**

Alina Berzins, Anissa Cheikh, Micca Cao, Dane Cruz,

Wyatt Green-Williams, Arthur Kohn, Corrine Kohn, Leslie Kohn,

Ana Maria Ramos-Kohn, Chase Migas, Gannon Palmiter, Gabriel Ragsdale,

Gordon Smith, Leah Tedesco, Stephany Triska, Brandon Walker, Laura Zwicker

... and everyone who made this celebration possible!