

November 29, 2022

Honorable Nancy Pelosi
Speaker
United States House of Representatives
H-232, The Capitol
Washington, DC 20515

Honorable Kevin McCarthy
Minority Leader
United States House of Representatives
H-204, The Capitol
Washington, DC 20515

Honorable Chuck Schumer
Majority Leader
United States Senate
322 Hart Senate Office Building
Washington, DC 20510

Honorable Mitch McConnell
Minority Leader
United States Senate
317 Russell Senate Office Building
Washington, DC 20510

Dear Members of Congress,

We, the undersigned individuals and organizations, write to urge your active support of the Corporate Crime Database Act, newly introduced by Rep. Mary Gay Scanlon (D-Pa.) and Sen. Dick Durbin (D-Ill.). At present, no single federal authority is responsible for providing easily accessible public data and government reports on corporate lawbreaking. This legislation would address a shocking gap in public knowledge about corporate lawbreaking – and the federal government’s actions to address it – by directing the Justice Department to develop a searchable, sortable, downloadable public database and to publish annual reports on corporate crime.

Corporate lawbreaking harms millions upon millions of Americans every year. Every year, corporations rip off consumers, exploit workers, injure patients, pollute the environment, cheat the government, and unfairly undermine their law-abiding business competitors. A Harvard Business School analysis recently concluded that major firms are engaging in misconduct at least [twice a week](#). Health and safety violations sicken, injure, and kill countless Americans, while data security violations place individuals’ finances and personal safety at risk. Investors and shareholders, meanwhile, are lured into fraudulent schemes.

The annual cost of corporate and white-collar crime to Americans is estimated at between [\\$300 and \\$800 billion](#) a year, while street-level crimes cost about \$16 billion. Yet, while the FBI releases a detailed report on Crime in the United States every year focusing on street-level crimes, the Department of Justice has not released a report on corporate crime [since 1979](#). This information asymmetry mirrors outdated enforcement priorities that concentrate disproportionate resources toward arresting low-level offenders while turning a blind eye to the crimes of the powerful.

The Corporate Crime Database act would begin to correct this historic oversight by requiring the DOJ to release an annual report on corporate crime.

Enforcement agencies penalize numerous lawbreaking corporations every year. But the lack of a unified authority on corporate enforcement data when corporations break different laws in different enforcement jurisdictions – such as when a single company violates consumer protection laws, employment laws, and environmental laws – means corporate recidivism goes unnoticed. Deputy Attorney General Lisa Monaco estimates between [10% and 20%](#) of the DOJ’s criminal resolutions against large corporations involve repeat offenders. Inconsistencies across how agencies report enforcement against corporate lawbreaking is a barrier to understanding the scope and scale of these corporate misdeeds. A whole-of-government approach is needed.

The Corporate Crime Database Act would introduce much-needed consistency to how federal agencies report corporate wrongdoing in a way that would be particularly effective for holding corporate recidivists accountable.

In order to protect the American public from corporate lawbreaking, law enforcement agencies must collect and disclose to the public the information they need in order to effectively allocate law enforcement resources. The significant work that agencies perform to protect the public from corporate lawbreakers is too important to be hard to understand by the public. Providing this data in a uniform federal system, as the Corporate Crime Database Act will do, is the clear and obvious answer.

Signed:

Individuals:

Professor Brandon Garrett, J.D., Duke University School of Law
Dr. Cory Doctorow (h.c.), author, activist
Professor Rena Steinzor, J.D., University of Maryland School of Law
Professor Robert Reich, J.D., University of California, Berkeley

Organizations:

Accountability Lab
Anti-Corruption Data Collective
Center for Auto Safety
Center for Food Safety

Center for Health, Environment, and Justice
Center for Justice and Democracy
Center for Progressive Reform
Center for Study of Responsive Law
Centers for Public Interest Law
Consumer Watchdog
Corporate Accountability Lab
Corporate Research Project
Food and Water Watch
Friends of the Earth
Global Echo Litigation Center
Government Accountability Project
Government Information Watch
Greenpeace USA
Harrington Investments, Inc.
Heartland Initiative
Institute for Policy Studies (Global Economy Project)
International Corporate Accountability Roundtable (ICAR)
International Service for Human Rights
Knowledge Ecology International
Liberty Shared
Office of Justice, Peace, and Integrity of Creation (Missionary Oblates of Mary Immaculate)
National Transparency Project
Oxfam America
Project On Government Oversight (POGO)
Public Citizen
Revolving Door Project
Sciencecorps
United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service
Workers International Union (United Steelworkers)
U.S. Public Interest Research Group (PIRG)
WV Citizen Action