



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building*

*One Saint Andrew's Plaza  
New York, New York 10007*

**Re: LIRR Disability Fraud  
Voluntary Disclosure and Disposition Program**

Dear Annuitant:

This Office is conducting a continuing investigation involving an alleged fraud in which individuals retiring from the Long Island Rail Road Company ("LIRR") falsely and fraudulently claimed that they were entitled to receive disability benefits from the United States Railroad Retirement Board ("RRB") upon their retirement from the LIRR. The Office has criminally charged a number of individuals in connection with this unlawful conduct, and our criminal and civil investigations are ongoing.

We are providing this notice to all LIRR retirees who are receiving RRB disability benefits, to provide individuals with an opportunity to participate in a Voluntary Disclosure and Disposition Program (the "Program") we have established to address what our investigation shows to be an extensive fraud. **If your application and statements submitted to the RRB relating to disability benefits were truthful, this Program is not relevant to you.** If, however, your application and statements submitted to the RRB contained false or misleading statements, you should carefully consider participating in this Program. The Program works as follows: If you fill out one of the enclosed applications and are accepted into the Program, in exchange for your agreement to forego certain RRB disability benefits, our Office will agree not to prosecute you criminally or file a civil action against you based on any RRB disability benefits you previously have received. Furthermore, the RRB will agree not to commence any administrative proceedings against you seeking the repayment of any disability benefits that are the subject of this Program. In addition, the LIRR will agree not to seek forfeiture of your LIRR Company Pension Plan benefits. The Program is designed to enable participants to avoid some of the most serious consequences that may flow from having made false statements to the RRB — criminal prosecution, possible imprisonment, forfeiture of money and assets, and court-ordered restitution or fines. In addition, the Program allows participants to avoid other consequences, including court- or agency-ordered monetary penalties, damages of up to three times the amount of any disability benefits that participants were not entitled to receive, and the potential forfeiture of LIRR Company Pension Plan benefits, based on statements made in connection with applying for disability benefits.

The Program is explained in detail in the attached documents. It is important that you understand two deadlines.

**Early Version.** The deadline for the Early Version of the Program is **July 6, 2012**. If you submit your application by July 6, 2012, and are accepted into the Program, you would be required to give up your right to receive all **future** RRB disability benefits.

**Standard Version.** The deadline for the Standard Version of the Program is **August 10, 2012**. If you do not meet the early deadline of July 6, 2012, but apply by August 10, 2012, and are accepted into the Program, you would be required to: (1) give up your right to receive all **future** RRB disability benefits; and (2) agree to return 50% of **past** RRB disability benefits you already have received, on a schedule set forth in the Program.

Accordingly, if you are considering applying for this Program, it is to your advantage to apply early, by July 6, 2012.

To apply for the Program, you must carefully review and complete either the Early Version Application and Agreement or the Standard Version Application and Agreement and return the completed document to the address indicated on the document. If you have any questions regarding the Program, we encourage you to consult an attorney. You also may send any questions by email to [usanys.lirrprogram@usdoj.gov](mailto:usanys.lirrprogram@usdoj.gov), or you may leave a voice message at 212-637-2332.

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