

YUCCA WHISTLEBLOWER INFORMATION

Did you know —

- You can't be fired or demoted for reporting safety violations or fraud at Yucca Mountain
 - If you are, you're entitled under the law to recover your job with back pay (double your back pay if reporting fraud)
- If you report fraud, you can share in the proceeds of any recoveries made by the government
 - Under the law, whistleblowers get 15- to 30-percent of any monies recovered by the government
 - Whistleblowers have received hundreds of millions of dollars since this law was enacted

Reporting Safety Violations

If you know of any facts, actions, or omissions that may adversely affect the ultimate safety or quality of the Yucca Mountain repository, you become “protected” under federal and state law by reporting them to the U.S. Nuclear Regulatory Commission (“NRC”).

NRC is obligated to preserve your anonymity, and to conduct a thorough investigation. If reported activities constitute a crime, NRC refers investigations to the Justice Department.

Whistleblowers are protected both by NRC and Nevada regulations and by Section 202 of the Energy Reorganization Act, which entitles those adversely affected for reporting potential violations to damages, attorneys fees, and reinstatement with back pay.

You don't have to be "right" to be protected. The law protects you for reporting in good faith activities you believe *may* impact the safety or quality of the repository.

Report Potential Violations to:

U.S. Nuclear Regulatory Commission
Toll-Free Hotline: 1-800-695-7403
e-mail: allegation@nrc.gov

Reporting Fraud

If you know of any fraud against the government by a contractor or sub-contractor at Yucca Mountain, you can get paid for secretly reporting it.

Under the False Claims Act, it is unlawful for any contractor to make false statements to the government for purposes of securing payments, fees, or rewards. This can take the form of submission by the contractor of false or inaccurate invoices, incorrect performance reports, falsified time or expense records, or inaccurate data or studies known by the contractor to be defective. Contractors can be fined \$10,000 per false statement, and can be forced to return all defrauded monies and pay other damages to the government.

The False Claims Act permits whistleblowers to file suit secretly to recover such defrauded monies and fines for the government. Filing such a suit – called a *qui tam* action – entitles

the whistleblower to protection against retaliation or job loss, with double back pay and attorneys fees available in most instances.

When a *qui tam* suit is filed, your allegations are “sealed” and quietly investigated by the Justice Department and often the FBI. If the Justice Department believes intervention is warranted, it will prosecute the case for you, at its expense, to recover defrauded funds. *You are then entitled to between 15- and 25-percent of any monies recovered in a settlement or trial.*

If the Justice Department elects not to intervene, you can nevertheless prosecute the case yourself with your own *qui tam* attorney. Then, *you are entitled to between 25- and 30-percent* of any monies you recover for the government in a settlement or jury trial.

In recent years, whistleblowers have recovered over \$3.5 billion for the government in *qui tam* actions. Hundreds of millions of dollars have been paid to the whistleblowers themselves.

You have only one year to file, so if you know of fraud, it is imperative to act quickly and secretly.

There are numerous attorneys in the U.S. who specialize in representing whistleblowers in *qui tam* actions, often on a contingent-fee basis (*i.e.*, they get paid only if you win). There is a not-for-profit organization in Washington established solely to help whistleblowers – Taxpayers Against Fraud (“TAF”).

If you know of fraud at Yucca Mountain, contact TAF toll-free at 1-800-USFALSE, or visit its web site at www.taf.org. TAF can help find you a *qui tam* lawyer, and can explain the rules to you.

* * *