

HR 4854

False Claims Act Correction Act of 2007

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Law

Introduced: Dec 19, 2007

Current Status: Subcommittee on Commercial and Administrative Law Discharged.

Latest Action: Subcommittee on Commercial and Administrative Law Discharged. (Jul 16, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/4854>

Sponsor

Name: Rep. Berman, Howard L. [D-CA-28]

Party: Democratic • State: CA • Chamber: House

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Sensenbrenner, F. James, Jr. [R-WI-5]	R · WI		Dec 19, 2007
Rep. Sánchez, Linda T. [D-CA-39]	D · CA		Jul 16, 2008

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Discharged from	Jul 16, 2008
Judiciary Committee	House	Discharged from	Jul 16, 2008

Subjects & Policy Tags

Policy Area:

Law

Related Bills

Bill	Relationship	Last Action
110 S 2041	Related bill	Sep 25, 2008: By Senator Leahy from Committee on the Judiciary filed written report. Report No. 110-507.

False Claims Act Correction Act of 2007 - Amends the False Claims Act to revise requirements and procedures governing civil actions for false claims (qui tam actions) brought by private persons.

Repeals the requirement that a false or fraudulent claim for payment must be presented directly to a federal employee or member of the Armed Forces (thus tying liability for such claims directly to federal money and property, regardless to whom the claim is presented).

Revises requirements for alternate remedies affecting qui tam actions and related qui tam plaintiff awards.

Allows dismissal of a private action based upon prior public disclosures only upon timely motion to dismiss by the Attorney General.

Revises the prohibition of retaliatory action against whistleblowers to include material hindering of the person in obtaining new employment or other business opportunities.

Requires the government to pay from the proceeds of an action for financial losses suffered by administrative beneficiaries (thus permitting actions for fraud instituted against nontaxpayer funds under federal trust and administration).

Expands from six years to ten years the statute of limitations for bringing a civil action.

Requires the government, if it elects to intervene and proceed with an action, to file its own complaint, or amend the complaint of a person who brought a civil action, but in any event to relate back to the filing date of the original qui tam complaint to the extent that such claim arises out of the same set of facts.

Declares that a person bringing a private qui tam action shall not be required to identify specific claims that result from an alleged course of misconduct if: (1) the facts alleged in the complaint, if ultimately proven true, would provide a reasonable indication that one or more false claims are likely to have occurred; and (2) the allegations in the pleading provide adequate notice of the specific nature of the alleged misconduct to permit the government effectively to investigate and defendants fairly to defend such allegations.

Declares void any contracts, agreements, or private terms or conditions of employment that limit or circumvent the rights of a person to bring a qui tam action.

Declares further that no court-ordered seal on a qui tam action shall prevent the government or the person bringing the action from serving the complaint or related documents upon state or local law enforcement authorities.

Modifies procedures for civil investigative demands.

Cites circumstances in which the government may move to dismiss a qui tam action by a federal employee (who has, in effect, not exhausted administrative procedures for addressing the allegations in the false claim complaint).

## Actions Timeline

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- **Jul 16, 2008:** Committee Consideration and Mark-up Session Held.
- **Jul 16, 2008:** Ordered to be Reported (Amended) by Voice Vote.
- **Jul 16, 2008:** Subcommittee on Courts, the Internet, and Intellectual Property Discharged.
- **Jul 16, 2008:** Subcommittee on Commercial and Administrative Law Discharged.
- **Jun 24, 2008:** Subcommittee Hearings Held.
- **Jun 19, 2008:** Subcommittee Hearings Held.
- **Feb 25, 2008:** Referred to the Subcommittee on Commercial and Administrative Law.
- **Feb 25, 2008:** Referred to the Subcommittee on Courts, the Internet, and Intellectual Property.
- **Dec 19, 2007:** Introduced in House
- **Dec 19, 2007:** Sponsor introductory remarks on measure. (CR E2658-2659)
- **Dec 19, 2007:** Referred to the House Committee on the Judiciary.