

CLIENT ALERT

Stay Tuned For Likely Changes In False Claims Law

Feb.28.2008

The civil False Claims Act has been the focus of attention in two fora in your Nation's Capital this week, with the Supreme Court hearing oral argument on the issue of whether a false claim must be "presented" to the Government (*US ex rel. Sanders v. Allison Engine Co.*) and the Senate Judiciary Committee holding public hearings on the proposed "False Claims Act Correction Act." Among other things, the proposed legislation would essentially eliminate the "presentment" requirement, relax the "public disclosure" bar and the statute of limitations, create liability for claims to non-Government entities that hold or administer federal funds (e.g., federal grantees, the Iraq CPA), and expressly permit Government employees to be relators in certain circumstances, despite misgivings expressed by the Department of Justice itself and fundamental policy concerns about Government employees personally profiting from their own qui tam lawsuits. For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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