

109TH CONGRESS
2^D SESSION

H. R. 5290

To provide that the false claims provisions of title 31, United States Code, include claims for Iraqi property or money administered or in the custody of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 4, 2006

Mr. BAIRD (for himself and Ms. ZOE LOFGREN of California) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide that the false claims provisions of title 31, United States Code, include claims for Iraqi property or money administered or in the custody of the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stop Fraud in Iraq
5 Act”.

6 **SEC. 2. CLAIMS FOR IRAQI MONEY OR PROPERTY.**

7 (a) IN GENERAL.—

1 (1) DEFINITION OF CLAIM.—The term “claim”
2 in sections 3729(c) and 3801(a)(3) of title 31,
3 United States Code, includes any request, demand,
4 or submission which is made for Iraqi property or
5 money, during the applicable period, if the United
6 States Government partially or fully controls, admin-
7 isters, has custody of, or has legal possession of,
8 such property or money.

9 (2) APPLICABLE PERIOD.—For purposes of
10 paragraph (1), the term “applicable period” means
11 the period beginning on March 19, 2003, and ending
12 on such date that all military action concludes that
13 is authorized by the Authorization for Use of Mili-
14 tary Force Against Iraq Resolution of 2002 (Public
15 Law 107–243).

16 (b) WAIVER OF STATUTES OF LIMITATIONS.—If, by
17 reason of subsection (a)—

18 (1) an action under section 3730 of title 31,
19 United States Code, would be precluded because of
20 the time limitation contained in section 3731(b) of
21 such title, or

22 (2) a hearing under section 3803(d) of title 31,
23 United States Code, would be precluded because of
24 the time limitation contained in section 3808(a) of
25 such title,

1 such time limitation shall not apply if the action or hear-
2 ing, as the case may be, is commenced not later than 1
3 year after the date of the enactment of this Act.

4 (c) RETURN OF CERTAIN PROPERTY AND MONEY.—

5 If an action is brought under section 3730 of title 31,
6 United States Code, by reason of subsection (a), the court
7 shall order that any proceeds of the action or settlement
8 of the claim that the court determines is derived from
9 Iraqi property or money be returned to the owner or own-
10 ers of the property or money, except for such portion of
11 the proceeds or settlement that is awarded to any private
12 person who brought the action under section 3720(b) of
13 such title.

14 **SEC. 3. LIMITATION ON EXTENSIONS OF TIME COMPLAINTS**

15 **REMAIN UNDER SEAL IN FALSE CLAIMS AC-**
16 **TIONS.**

17 Section 3730(b)(3) of title 31, United States Code,
18 is amended—

19 (1) by striking “(3)” and inserting “(3)(A)”;

20 (2) in the first sentence, by striking “extensions
21 of the time” and inserting “an extension of not more
22 than 6 months of the period”;

23 (3) in the second sentence, by striking “mo-
24 tions” and inserting “motion”;

1 (4) by inserting after the second sentence the
2 following: “The court may not grant more than 1 ex-
3 tension under this subparagraph with respect to the
4 complaint.”; and

5 (5) in the third sentence, by striking “The de-
6 fendant” and inserting
7 “(B) The defendant”.

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