

AMENDMENT TO H.R. 1788
OFFERED BY MR. ISSA OF CALIFORNIA

Page 12, line 8, strike “Section” and insert “(1) Section”.

Page 13, insert the following after line 9:

1 (2) Section 3730(e) of title 31, United States Code,
2 is further amended by adding at the end the following:

3 “(5) A person may not bring an action under sub-
4 section (b) against an entity that is his or her employer
5 or principal unless—

6 “(A) the person disclosed in writing substan-
7 tially all material evidence and information that the
8 person possessed relating to each alleged violation of
9 section 3729(a) upon which the action is based to—

10 “(i) a ~~compliance officer~~ having authority
11 to investigate the allegations on behalf of the
12 employer or principal who the person believes is
13 not culpable of a violation upon which the ac-
14 tion is based; or

15 “(ii) a person having supervisory authority
16 over the person who the person believes is not

1 culpable of a violation upon which the action is
2 based; and

3 “(B) the entity failed to take action to inves-
4 tigate and report the violation during the 90-day pe-
5 riod beginning on the date of the disclosure under
6 parargraph (1).

7 The court may dismiss, with prejudice to the person, any
8 action brought by a person who fails to comply with this
9 paragraph on its own or on motion of a defendant.

10 “(6) A person may not bring an action under sub-
11 section (b) against an entity that is not his or her em-
12 ployer unless—

13 “(A) the person disclosed in writing substan-
14 tially all material evidence and information that the
15 person possessed relating to each alleged violation of
16 section 3729(a) upon which the action is based to
17 the Inspector General of the applicable agency; and

18 “(B) the Inspector General failed to take action
19 to investigate and report the violation during the 90-
20 day period beginning on the date of the disclosure
21 under parargraph (1).

22 The court may dismiss, with prejudice to the person, any
23 action brought by a person who fails to comply with this
24 paragraph on its own or on motion of a defendant.”.

