



The False Claims Act

Many of the Fraud Section’s cases are suits filed under the False Claims Act (FCA), 31 U.S.C. §§ 3729 -3733, a federal statute originally enacted in 1863 in response to defense contractor fraud during the American Civil War.

The FCA provides that any person who knowingly submits, or causes to submit, false claims to the government is liable for three times the government’s damages plus a penalty that is [linked to inflation](#). FCA liability can arise in other situations, such as when someone knowingly uses a false record material to a false claim or improperly avoids an obligation to pay the government. Conspiring to commit any of these acts also is a violation of the FCA.

In addition to allowing the United States to pursue perpetrators of fraud on its own, the FCA allows private citizens to file suits on behalf of the government (called “*qui tam*” suits) against those who have defrauded the government. Private citizens who successfully bring *qui tam* actions may receive a portion of the government’s recovery. Many Fraud Section investigations and lawsuits arise from such *qui tam* actions.

The Department of Justice obtained more than \$2.9 billion in settlements and judgments from civil cases involving fraud and false claims against the government in the fiscal year ending Sept. 30, 2024. More information about those recoveries can be found [here](#) and the 2024 FCA statistics can be found [here](#).”

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