

Trade Agreement Act Fraud, General Service Administration Fraud, and Buy America Act Fraud: Receive a Reward for Reporting Supplying the Federal Government with Products Made in Countries not Part of the Trade Agreement Act or Products made outside of the United States in Violation of the Buy America Act

This article outlines how to receive a reward for reporting fraud by a company that supplies the federal government or General Service Administration (GSA) with products made in countries not part of the Trade Agreement Act (TAA), such as China or Taiwan. It also outlines how to receive a whistleblower rewards for reporting Buy America Act fraud for products made anywhere outside of the United States if this clause is included in the contract.

Trade Agreement Act Fraud: Supplying the Federal Government with Products Made in Countries not Part of the Trade Agreement Act

It is a violation of the False Claims Act for federal government contractors to sell goods or supplies that were made in countries that are not parts of the Trade Agreement Act (TAA). A whistleblower can receive a significant reward for reporting a company selling goods or supplies to the federal government that are made in countries such as China, India, Malaysia or Taiwan as prohibited by the Trade Agreement Act.

Buy America Act fraud: Supplying products made outside of the United States in Violation of the Buy America Act in government contracts

Many federal government agencies also include “Buy America Act” clauses in federal government contracts. Unless this clause is waived by the agency for a particular contract and reason, these Buy America Act clauses are enforceable and the government pays rewards to those who report when goods are made overseas. Buy America Act fraud is not limited to the countries discussed under the Trade Agreement Act, but applies to all things made overseas and supplied on a government contract. Thus, it is also a violation of the False Claims Act for federal government contractors to sell goods made in any country other than the United States if the contract contains a Buy America Act clause in the contract, and rewards are paid for reporting Buy America Act fraud.

Examples of fraud under the Trade Agreement Act, General Service Administration (GSA) fraud) or violations of Buy America Act

Fraud under the Trade Agreement Act (and General Service Administration fraud) occurs more often than you might think and by both big and small companies alike. For instance, in 2005, two national office supply companies were caught violating the Trade Agreement Act (TAA) and GSA rules because they were selling office supplies to the government that were made in China, Taiwan and other countries not part of the Trade Agreement Act. The whistleblowers were given rewards of \$700,000 and \$1.5 million each for reporting this GSA and TAA fraud.

Because the GSA has a website where government agencies can buy thousands of types of goods and supplies, it is fairly easy for a company to get included on the list by certifying that the products are made in the U.S. or a qualifying country. The GSA does not audit or verify the country of origin for each product listed. Therefore, many companies are tempted to commit fraud by lying about which country the products are made in, thinking they will not get caught.

Whistleblower rewards for reporting Trade Agreement Act Fraud, General Service Administration Fraud, and Buy America Act Fraud

The False Claims Act offers rewards for whistleblowers to step forward and report Trade Agreement Act fraud and GSA fraud. Similarly, rewards are paid to whistleblowers reporting Buy America Act fraud.

Not only are rewards available, but it is the right thing to report the fraud because it is unfair competition for those willing to lie to sell items on the GSA website or under government contracts that are made in China or other countries to compete with honest businesses following the rules.

Companies with direct federal contracts are similarly prohibited from using goods or supplies imported products from countries, such as China and Taiwan, that don't have reciprocal trade agreements with the United States. Direct federal government contracts also prohibited contractors from using goods from any country if the contract contains a Buy America Act clause.

If you work for a company that is supplying the federal government with products made in China or Taiwan (or other non-TAA countries), you may be eligible for a significant reward if you properly report the TAA or GSA fraud. The same type of reward is available if your company has a Buy America Act contract clause that is being violated.

Even if you are a competitor, if you have credible information to prove that the company is defrauding the federal government by using products from these non-Trade Agreement Act countries, you are eligible for a reward. But you must have specific and detailed facts. It is not enough to just think that the company must have bought the goods in China because the prices were low, but you need proof that they originated in a country that is not part of the Trade Agreement Act or that the Buy America Act clause was violated.

If your company (or a competitor) is supplying goods to the federal government that are made in China or Taiwan or are violating a Buy America Act provision, and you can prove it, you stand to gain a sizeable reward. This applies to direct contracts with the military or any agency, as well as listing products on the GSA website.

The Hesch Firm would be pleased to review in complete confidence your potential Trade Agreement Act (TAA) fraud, General Service Administration (GSA) fraud, or Buy America Act fraud allegation and determine if he can represent you to apply for a reward. Mr. Hesch worked for 15 years as an attorney in the Department of Justice whistleblower reward office that oversaw

the whistleblower reward program nationwide. He now exclusively represents whistleblowers reporting fraud against the government to receive a reward.

Visit his website at www.HowToReportFraud.com to find out if Mr. Hesch can help you answer the question of how to report fraud under the Trade Agreement Act (TAA), fraud under the General Service Administration (GSA), or fraud under the Buy America Act and obtain a whistleblower reward.