

105TH CONGRESS
1ST SESSION

H. R. 2293

To eliminate attorney fee awards and limit relief available in suits against certain public entities.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 1997

Mr. TAYLOR of North Carolina introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To eliminate attorney fee awards and limit relief available in suits against certain public entities.

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 “Environmental Litiga-
5 tion Abuse Prevention Act of 1997”.

6 **SEC. 2. LIMITATION ON AWARD.**

7 Section 505(d) of the Federal Water Pollution Pre-
8 vention and Control Act (33 U.S.C. 1365(d)) is amend-
9 ed—

10 (1) by adding “(1)” before “The court, in”; and

1 (2) by adding at the end the following new
2 paragraph:

3 “(2)(A) Notwithstanding paragraph (1), in issuing
4 any final order in any action brought pursuant to this sec-
5 tion, the court shall not award costs of litigation (includ-
6 ing any attorney fees or expert witness fees) against any
7 municipality.

8 “(B) For the purposes of this paragraph, the term
9 ‘municipality’ includes the District of Columbia.”.

10 **SEC. 3. EFFECTIVE DATE.**

11 The amendments made by this Act shall apply to any
12 proceeding in which a final decree has not been entered.

○