

107TH CONGRESS
1ST SESSION

H. R. 2798

To amend the Federal Water Pollution Control Act to require plaintiffs
to file certain bonds when bringing citizen suits.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 2001

Mr. OTTER introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Federal Water Pollution Control Act to require
plaintiffs to file certain bonds when bringing citizen suits.

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 “Clean Water Users
5 Protection Act”.

6 **SEC. 2. FILING OF BONDS BY PLAINTIFFS IN CITIZEN**
7 **SUITS.**

8 Section 505(d) of the Federal Water Pollution Con-
9 trol Act (33 U.S.C. 1365(d)) is amended by striking the

1 second sentence and inserting the following: “The court
2 shall require the filing of a bond or equivalent security
3 by the plaintiff bringing such an action in an amount
4 equal to the defendant’s estimated costs of litigation. If
5 a temporary restraining order or preliminary injunction
6 is granted in such an action, the court shall require the
7 filing of a bond or equivalent security by the plaintiff in
8 an amount equal to the defendant’s estimated losses re-
9 sulting from the temporary restraining order or prelimi-
10 nary injunction.”.

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