

114TH CONGRESS  
1ST SESSION

# H. R. 4282

To clarify the meaning of the term “prevailing party” with regard to the recovery of attorneys’ fees.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 17, 2015

Mr. CARTWRIGHT introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To clarify the meaning of the term “prevailing party” with regard to the recovery of attorneys’ fees.

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 “Catalyst Theory Res-  
5       toration Act of 2015”.

6       **SEC. 2. IN GENERAL.**

7       (a) MEANING OF PREVAILING PARTY.—In deter-  
8       mining the meaning of any Act of Congress, or of any  
9       ruling, regulation, or interpretation of the various depart-  
10      ments and agencies of the United States, or of any judicial

1 or administrative rule, which provides for recovery of at-  
2 torneys' fees, the term "prevailing party" shall include a  
3 party whose pursuit of a nonfrivolous claim or defense was  
4 a catalyst for a voluntary or unilateral change in position  
5 by the opposing party that provides any significant part  
6 of the relief sought.

7 (b) RULE OF CONSTRUCTION.—This section shall not  
8 alter special eligibility criteria established for prevailing  
9 defendants nor alter any specific eligibility criteria con-  
10 tained in any statute that expressly limits or qualifies who  
11 may be considered a prevailing party for purposes of that  
12 statute.

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