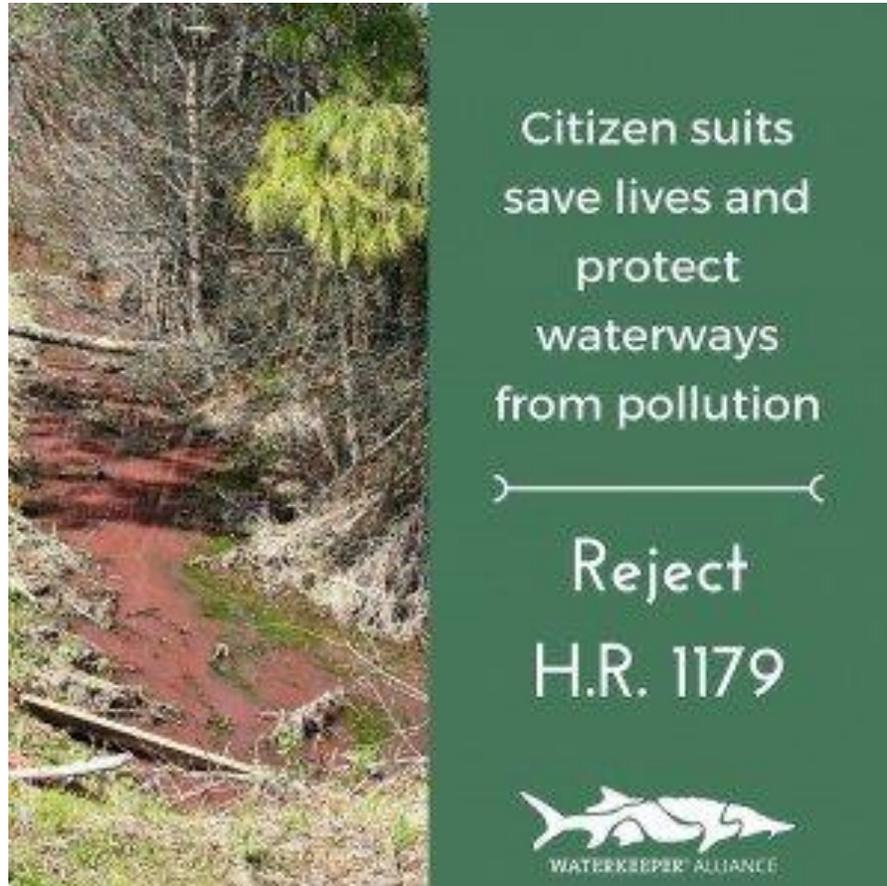


H.R. 1179 will tip the scales in favor of polluters by scaring away citizens from taking legal action to protect the health of their communities and environment.

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Citizen suits are an essential tool for the work that Waterkeeper Organizations and Affiliates do. When Congress created environmental laws like the Clean Water Act, they recognized that governmental agencies might sometimes fail to take action against illegal pollution. As a solution, the Clean Water Act includes a provision that allows ordinary citizens to take illegal polluters to court. Using citizen suit provisions, individuals and nonprofits like Waterkeeper Alliance are able to [stop illegal pollution and clean up their communities](#) when government fails to act.

Proposed bill [H.R. 1179](#) would make it so that anytime someone brings a citizen suit and loses the case for any reason (including procedural mistakes or technicalities), they are required to pay the legal costs of the defendant. Considering that illegal polluters are often companies with deep pockets that can afford to hire expensive law firms, their massive legal costs can be high enough to bankrupt an individual or nonprofit. If H.R. 1179 becomes law, individuals and nonprofits would risk financial ruin anytime they want to take an illegal polluter to court.

The deceptively named “Discouraging Frivolous Lawsuits Act,” will not actually deter citizens from bringing “frivolous” legal actions. Judges already have the power to punish parties that bring truly frivolous lawsuits by making them pay the defendant’s legal costs. What H.R. 1179 will do is tip the scales in favor of wealthy polluters by scaring away people from taking legal action to protect the health of their communities and environment. When combined with the proposed budget cuts to the U.S. Environmental Protection Agency, we see a concerted effort to give big polluters a free pass.

The U.S. House of Representatives needs to hear that citizen suits are an important right that must be protected. [Find contact information for your Representative](#), call them and say:

*“My name is [YOUR NAME] and I am a resident of ZIP code [ZIP CODE]. I am calling today to express my concerns about proposed bill H.R. 1179. This bill does nothing to stop frivolous lawsuits and instead will deter people from taking legal action to stop illegal pollution in their community. H.R. 1179 requires parties that bring a citizen suit under the Clean Water Act to pay the defendant’s legal fees anytime they lose a case for any reason. In practice, this would mean that individuals and nonprofits would risk financial ruin anytime they want to stop an illegal polluter. I strongly support the use of citizen suits to take action when government fails to, and urge you to please vote against H.R. 1179.”*



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