



ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

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Report to Congress

Equal Access to Justice Act Awards, Fiscal Year 2022

What is the Equal Access to Justice Act (EAJA)?

Under EAJA, individuals, small businesses, and others who prevail against the federal government in federal court cases and certain adversary adjudications may be entitled to attorney's fees and other expenses. To receive fees and expenses, the government's position must not have been substantially justified.

What did ACUS study?

Federal law charges ACUS's Office of the Chairman with establishing a public database and preparing an annual report that accounts for all EAJA awards against the United States. ACUS requested FY 2022 data from 58 agencies. Fifty-four (93 percent) responded by March 31, 2023.

In addition to collecting and reporting the data from agencies about individual EAJA awards, the Office of the Chairman assembled other information about the reported EAJA awards, including a breakdown of **awards by case type** (court case or adversary adjudication) and an overview of the **statutes under which EAJA plaintiffs filed suit**.

Awards by Case Type

	Court	Adjudication	Total
Social Security Administration	11,710	0	11,710
Dep't of Veterans Affairs	6,473	2	6,473
Dep't of Homeland Security	85	0	85
Dep't of Agriculture	14	1	15
Dep't of the Interior	15	0	15
Dep't of Justice	12	0	12
Dep't of Defense	7	2	9
Dep't of Commerce	4	0	4
Dep't of Health and Human Services	0	4	4
Dep't of Labor	3	0	3
Dep't of Transportation	2	1	3
Dep't of State	2	0	2
Environmental Protection Agency	2	0	2
Federal Energy Regulatory Comm.	1	0	1
Federal Trade Commission	1	0	1
Nat'l Labor Relations Board	1	0	1
Nat'l Archives and Records Admin.	1	0	1
Total	18,331	10	18,341

Read the full report to Congress at www.acus.gov/EAJA.
Visit the EAJA database at eaja.acus.gov.

Claims For Which EAJA Plaintiffs Filed Suit

	A P A	N E P A	D J A	I N A	E S A	T A	U S C	C D A	M M P A	M V A	Other
Social Security Administration											SSA
Dep't of Veterans Affairs											VBA, VDA
Dep't of Homeland Security											PWHC
Dep't of Agriculture											ANILCA, MLA, MUSYA, NFMA, NSTA
Dep't of the Interior											CWA, FLPMA, NFMA, NHPA
Dep't of Justice											CRA, FOIA, JAG, RA, RFRA, <i>Bivens</i>
Dep't of Defense											
Dep't of Commerce											MSA
Dep't of Health and Human Services											No Court Cases
Dep't of Labor											ERISA
Dep't of Transportation											DTA, FAA
Dep't of State											
Environmental Protection Agency											FFDCA, FIFRA
Federal Energy Regulatory Comm.											
Federal Trade Commission											FTCA
Nat'l Labor Relations Board											NLRA

ANILCA	Alaska National Interest Lands Conservation Act	MLA	Mineral Leasing Act
APA	Administrative Procedure Act	MMPA	Marine Mammals Protection Act
CDA	Contract Disputes Act	MSA	Magnuson-Stevens Act
CRA	Civil Rights Act	MUSYA	Multiple Use Sustained Yield Act
CWA	Clean Water Act	MVA	Mandamus and Venue Act
DJA	Declaratory Judgment Act	NEPA	National Environmental Policy Act
DTA	Department of Transportation Act	NFMA	National Forest Management Act
ERISA	Employee Retirement Income Security Act	NHPA	National Historic Preservation Act
ESA	Endangered Species Act	NLRA	National Labor Relations Act
FAA	Federal Aviation Act	NSTA	National System Trails Act
FFDCA	Federal Food, Drug, and Cosmetic Act	PWHC	Petition for Writ of Habeas Corpus
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act	RA	Rehabilitation Act
FLPMA	Federal Land Policy and Management Act	RFRA	Religious Freedom Restoration Act
FOIA	Freedom of Information Act	SSA	Social Security Act
FRA	Federal Records Act	TA	Tucker Act
FTCA	Federal Trade Commission Act	USC	U.S. Constitution
INA	Immigration and Nationality Act	VBA	Veterans' Benefits Act
JAG	Edward Byrne Memorial Justice Assistance Grant Program	VDA	Veterans' Dioxin and Radiation Exposure Compensation Standards Act

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