



## ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

ACUS is an independent federal agency that develops recommendations to improve administrative process and procedure and arranges for the interchange of useful information to carry out its mission. For more information about ACUS, visit our website at [www.acus.gov](http://www.acus.gov) or contact us at [info@acus.gov](mailto:info@acus.gov).

### Report to Congress

## Equal Access to Justice Act Awards, Fiscal Year 2021

### 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 maintaining a public database and preparing an annual report that accounts for all EAJA awards against the United States.

ACUS requested FY 2021 data from 58 agencies. Fifty-six (97%) responded by March 31, 2022.

### Key Findings

16	agencies reported paying EAJA awards
40	agencies reported paying no EAJA awards
15,691	total EAJA awards reported
15,683	EAJA awards in court cases
8	EAJA awards in adversary adjudications

# \$112,229,032.01

total EAJA awards reported

Social Security Administration	8,369	\$46,962,147.88
Dep't of Veterans Affairs	7,119	\$43,508,910.61
Dep't of Justice	23	\$7,398,751.89
Dep't of Homeland Security	120	\$3,728,598.63
Dep't of Agriculture	21	\$2,657,203.30
Dep't of the Interior	11	\$2,506,789.43
Dep't of Commerce	2	\$2,400,000.00
Environmental Protection Agency	7	\$1,850,158.93
Dep't of Health and Human Services	6	\$664,354.08
Dep't of Energy	1	\$191,330.79
Dep't of Transportation	4	\$144,759.32
Dep't of Education	1	\$115,000.00
Dep't of Labor	4	\$72,600.00
Dep't of Housing and Urban Development	1	\$17,500.00
General Services Administration	1	\$8,195.36
National Archives and Records Administration	1	\$2,731.79

Read the full report to Congress at [www.acus.gov/EAJA](http://www.acus.gov/EAJA).  
Visit the EAJA database at [eaja.acus.gov](http://eaja.acus.gov).