



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 or contact us at info@acus.gov.

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 maintaining 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.

Key Findings

17	agencies reported paying EAJA awards
37	agencies reported paying no EAJA awards
18,341	total EAJA awards reported
18,331	EAJA awards in court cases
10	EAJA awards in adversary adjudications

\$179,508,528.91

total EAJA awards reported

Dep't of Veterans Affairs	6,473	\$94,664,784.07
Social Security Administration	11,710	\$68,380,977.32
Dep't of Homeland Security	85	\$7,004,352.82
Dep't of Justice	12	\$3,325,225.23
Dep't of Agriculture	15	\$1,564,007.00
Dep't of the Interior	15	\$1,377,506.77
Dep't of Defense	9	\$986,977.69
Dep't of Commerce	4	\$691,853.00
Federal Trade Commission	1	\$260,000.00
Dep't of Health and Human Services	4	\$249,038.07
Dep't of State	2	\$244,071.99
Environmental Protection Agency	2	\$219,699.80
National Labor Relations Board	1	\$150,000.00
Dep't of Labor	3	\$138,265.78
Dep't of Transportation	3	\$135,533.96
Nat'l Archives and Records Admin.	1	\$60,779.41
Federal Energy Regulatory Commission	1	\$55,456.00

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