



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 2019

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 2019 data from 63 agencies. Fifty-nine (93%) responded by March 30, 2020.

Key Findings

15

agencies reported paying EAJA awards

49

agencies reported paying no EAJA awards

8,334

total EAJA awards reported

8,322

EAJA awards in court cases

12

EAJA awards in adversary adjudications

\$58,779,452.84

total EAJA awards reported

Social Security Administration	8,223	\$ 45,842,213.45
Dep't of Commerce	3	\$ 6,068,000.00
Dep't of the Interior	22	\$ 3,567,279.44
Dep't of Homeland Security	46	\$ 643,657.92
Dep't of Agriculture	12	\$ 586,311.72
Dep't of Health and Human Services	7	\$ 549,348.96
Dep't of Energy	1	\$ 400,000.00
Environmental Protection Agency	2	\$ 341,363.00
General Services Administration	1	\$ 275,000.00
Federal Energy Regulatory Comm'n	2	\$ 226,230.00
Dep't of Transportation	6	\$ 88,900.79
Dep't of Labor	1	\$ 87,824.00
National Labor Relations Board	5	\$ 70,000.00
Dep't of Justice	2	\$ 24,147.00
Railroad Retirement Board	1	\$ 9,176.56

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