



# 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 2023

## 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 2023 data from 56 agencies. Fifty-six (100 percent) responded by March 31, 2024.

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	9,295	0	9,295
Dep't of Veterans Affairs	6,350	0	6,350
Dep't of Homeland Security	46	0	46
Dep't of Agriculture	15	6	21
Dep't of the Interior	19	0	19
Department of Defense	10	0	10
Environmental Protection Agency	6	0	6
Dep't of Justice	4	0	4
Dep't of Health and Human Services	2	1	3
Dep't of State	2	0	2
Federal Energy Regulatory Commission	1	0	1
Dep't of Labor	1	0	1
United States Postal Service	1	0	1
National Labor Relations Board	1	0	1
Office of Personnel Management	1	0	1
Dep't of Housing and Urban Dev.	1	0	1
<b>Totals</b>	<b>15,755</b>	<b>7</b>	<b>15,762</b>

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).

Claims For Which EAJA Plaintiffs Filed Suit

	A P A	U S C	I N A	C W A	E S A	F O I A	N E P A	P W H C	Other
Social Security Administration									BA, SSA
Dep't of Veterans Affairs									VBA
Dep't of Homeland Security									CAT, FRCP, MVA, RA
Dep't of Agriculture									PPA
Dep't of the Interior									FACA, FLPMA, FVRA, LWCFA
Department of Defense									CDA, MDRA, MPA, TA
Environmental Protection Agency									CWA, FIFRA
Dep't of Justice									
Dep't of Health and Human Services									
Dep't of State									
Federal Energy Regulatory Commission									
Dep't of Labor									
United States Postal Service									
National Labor Relations Board									NLRA
Office of Personnel Management									CSRA
Dep't of Housing and Urban Dev.									CRA

<b>APA</b>	Administrative Procedure Act	<b>INA</b>	Immigration and Nationality Act
<b>BA</b>	Bankruptcy Act	<b>LWCFA</b>	Land and Water Conservation Fund Act
<b>CAT</b>	Convention Against Torture	<b>MPA</b>	Military Pay Act
<b>CDA</b>	Contract Disputes Act	<b>MVA</b>	Mandamus and Venue Act
<b>CRA</b>	Civil Rights Act	<b>MDRA</b>	Military Disability Retirement Act
<b>CSRA</b>	Civil Service Reform Act	<b>NEPA</b>	National Environmental Policy Act
<b>CWA</b>	Clean Water Act	<b>NLRA</b>	National Labor Relations Act
<b>ESA</b>	Endangered Species Act	<b>PPA</b>	Plant Protection Act
<b>FACA</b>	Federal Advisory Committee Act	<b>PWHC</b>	Petition for Writ of Habeas Corpus
<b>FIFRA</b>	Federal Insecticide, Fungicide, and Rodenticide Act	<b>RA</b>	Rehabilitation Act
<b>FLPMA</b>	Federal Land Policy and Management Act	<b>SSA</b>	Social Security Act
<b>FOIA</b>	Freedom of Information Act	<b>TA</b>	Tucker Act
<b>FRCP</b>	Federal Rules of Civil Procedure	<b>VBA</b>	Veterans' Benefits Act
<b>FVRA</b>	Federal Vacancies Reform Act		

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