SEP 14 2012

The Honorable James Moran
Ranking Member
Subcommittee on Interior, Environment, and Related Agencies
Committee on Appropriations
U.S. House of Representatives
1016 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Moran:

Enclosed is the response from the Department of Agriculture’s Forest Service relating to payments made under the Equal Access to Justice Act (EAJA) in fiscal year 2011, as requested in House Report 112-151.

The Forest Service was requested to provide detailed reports on the amount of program funds used, the names of the fee recipients, the names of the Federal judges, the disposition of the applications (including any appeals of action taken on the applications), and the hourly rates of attorneys and expert witnesses stated in the applications that were awarded for all EAJA fee payments awarded as a result of litigation against the Forest Service or its respective employees.

The Forest Service can provide information on the case name and docket/court number, the name of the award recipient, the amount of program funds used, and date paid. The agency does not track and therefore cannot report on the Federal judges making the awards, the disposition of the applications for EAJA fees (including any appeals of action taken on the applications), or the hourly rates of the attorneys and expert witnesses stated in the applications for which an award was made.

In compliance with section 435 of Public Law 111-88, after 45 days this report will be posted to the Forest Service Web site at: http://www.fs.fed.us/aboutus/budget/congressional-directives.shtml.
A similar letter and copy of the report are being sent to Senators Jack Reed and Lisa Murkowski and Congressman Michael K. Simpson.

Sincerely,

[Signature]

Thomas J. Vilsack
Secretary

Enclosure
The Honorable Lisa Murkowski
Ranking Member
Subcommittee on Interior, Environment, and Related Agencies
Committee on Appropriations
United States Senate
125 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Murkowski:

Enclosed is the response from the Department of Agriculture’s Forest Service relating to payments made under the Equal Access to Justice Act (EAJA) in fiscal year 2011, as requested in House Report 112-151.

The Forest Service was requested to provide detailed reports on the amount of program funds used, the names of the fee recipients, the names of the Federal judges, the disposition of the applications (including any appeals of action taken on the applications), and the hourly rates of attorneys and expert witnesses stated in the applications that were awarded for all EAJA fee payments awarded as a result of litigation against the Forest Service or its respective employees.

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A similar letter and copy of the report are being sent to Senator Jack Reed and Congressmen Michael K. Simpson and James Moran.

Sincerely,

Thomas J. Vilsack
Secretary

Enclosure
SEP 14 2012

The Honorable Jack Reed  
Chairman  
Subcommittee on Interior, Environment, and Related Agencies  
Committee on Appropriations  
United States Senate  
131 Dirksen Senate Office Building  
Washington, D.C. 20510

Dear Mr. Chairman:

Enclosed is the response from the Department of Agriculture’s Forest Service relating to payments made under the Equal Access to Justice Act (EAJA) in fiscal year 2011, as requested in House Report 112-151.

The Forest Service was requested to provide detailed reports on the amount of program funds used, the names of the fee recipients, the names of the Federal judges, the disposition of the applications (including any appeals of action taken on the applications), and the hourly rates of attorneys and expert witnesses stated in the applications that were awarded for all EAJA fee payments awarded as a result of litigation against the Forest Service or its respective employees.

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An Equal Opportunity Employer
The Honorable Jack Reed
Page 2

A similar letter and copy of the report are being sent to Congressmen Michael K. Simpson and James Moran and Senator Lisa Murkowski.

Sincerely,

[Signature]

Thomas J. Vilsack
Secretary

Enclosure
SEP 14 2012

The Honorable Michael K. Simpson
Chairman
Subcommittee on Interior, Environment,
and Related Agencies
Committee on Appropriations
U.S. House of Representatives
2312 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

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The Forest Service was requested to provide detailed reports on the amount of program funds used, the names of the fee recipients, the names of the Federal judges, the disposition of the applications (including any appeals of action taken on the applications), and the hourly rates of attorneys and expert witnesses stated in the applications that were awarded for all EAJA fee payments awarded as a result of litigation against the Forest Service or its respective employees.

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Sincerely,

[Signature]

Thomas J. Vilsack
Secretary

Enclosure
Forest Service Report on Equal Access to Justice Act

Response to Congressional Directive

August 2012

The following is the Forest Service’s response to the Statement of the Managers: DIVISION E- DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012; which directs the Department of the Interior, the EPA, and the Forest Service to provide specific information to the Appropriations Committees relating to payments made under the Equal Access to Justice Act (EAJA.). This report is provided for the House and Senate Committees on Appropriations including information on payments made in fiscal year 2011 under EAJA.

The Forest Service can provide information on the case name and docket/court number, the name of the award recipient, the amount of program funds used and dates paid.

We do not track and therefore cannot report on the following information:

- the Federal judges making the awards;
- the disposition of the applications for EAJA fees (including any appeals of action taken on the applications); and
- the hourly rates of the attorneys and expert witnesses stated in the applications for which an award was made.

Forty-five days after the report has been provided to the Appropriations Committees, the Forest Service will post the report as information available to the public in the same location where the agency posts responses to other Congressional directives.
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