



Public Lands Council

News Release

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PLC, NCBA and ASI Urge Support of Government Litigation Savings Act

WASHINGTON (May 25, 2011) – The [Public Lands Council](#) (PLC), the [National Cattlemen’s Beef Association](#) (NCBA) and the [American Sheep Industry Association](#) (ASI) strongly support the Government Litigation Savings Act, legislation introduced today, May 25, 2011, by U.S. Representative Cynthia Lummis (R-Wyo.) and U.S. Senator John Barrasso (R-Wyo.) to bring much-needed transparency and accountability to the Equal Access to Justice Act (EAJA). NCBA President Bill Donald, PLC President John Falen and ASI President Margaret Soulen Hinson agree that while EAJA was intended to level the playing field between private citizens and the vast resources of the federal government, radical environmental groups have abused the system to target private citizens.

“Well-funded environmental activists have abused EAJA to advance their agenda to ultimately end grazing and other multiple-use activities on federal lands,” Donald said. “Congress intended EAJA to level the playing field between private citizens and the powerful federal government, not provide a means for radical environmentalists to use taxpayer dollars to target family farmers and ranchers. We strongly support the Government Litigation Savings Act and urge all members of Congress to do the same.”

EAJA allows plaintiffs to recover attorney fees and other expenses from the federal government when they prevail in a case against the government. Falen said the government often settles cases and pays plaintiffs through EAJA instead of devoting time, staff and resources to a trial. He said when environmental activists file lawsuits against a governmental agency, farmers and ranchers lose.

“Farmers and ranchers pay to defend themselves against these frivolous lawsuits and at the same time their tax dollars are paying the attorney fees for the environmental activists attacking them. In what world can this be construed as being right and just? Rep. Lummis’ and Senator Barrasso’s legislation will finally shed light onto these abuses and reform EAJA,” Falen said.

Specifically, the Government Litigation Savings Act will prohibit organizations with a net worth exceeding \$7 million from filing for EAJA funds; require that EAJA filers show a “direct and personal monetary interest” in the action to be eligible for payments; and cap the attorney fees environmental activists claim to be owed. According to a letter signed by PLC, NCBA, ASI and 34 other organizations representing livestock ranchers, the Government Litigation Savings Act “will help protect our members from the injustice of funding their own demise.”

“As the producers of food and fiber for a growing global population, livestock producers take very seriously our obligation to responsibly use and manage natural resources,” said Hinson. “Unfortunately, EAJA payments are not encouraging conservation or wise resource use – they are encouraging destructive behavior on the parts of powerful special interest groups. We commend Rep. Lummis and Sen. Barrasso for their leadership on this issue and urge all members of Congress to support this important legislation.”