

Archery Trade Association • Association of Fish and Wildlife Agencies • Bear Trust International • Boone and Crockett Club • Bowhunting Preservation Alliance • Campfire Club of America • Catch-a-Dream Foundation • Congressional Sportsmen's Foundation • Dallas Safari Club • Delta Waterfowl • Masters of Foxhounds Foundation • Mule Deer Foundation • National Association of Forest Service Retirees • National Rifle Association • National Shooting Sports Foundation • National Trappers Association • National Wild Turkey Federation • North American Bear Foundation • Pheasants Forever • Pope and Young Club • Public Lands Foundation • Quail Forever • Quality Deer Management Association • Rocky Mountain Elk Foundation • Ruffed Grouse Society • Safari Club International • Theodore Roosevelt Conservation Partnership • Tread Lightly! • U.S. Sportsmen's Alliance • Wild Sheep Foundation • Wildlife Forever • Wildlife Management Institute • Wildlife Mississippi

February 12, 2015

Dear Senator:

Our organizations seek your support for the Open Book on Equal Access to Justice Act, a bipartisan measure that last year passed the House on voice-votes. It is a breakthrough on the longstanding issue of environmental litigation. It has been introduced this year as Sec. 108 in S. 405, the Sportsmen's Act of 2015, and as H.R. 384 in the House.

Though differences on this topic have run deep, agreement is rising to the surface, starting with the plain fact that litigation has become a regular step in wildlife habitat decisions of federal agencies. Like every factor in wildlife conservation, litigation must be understood and guided. We are concerned that litigation too often needlessly impedes the work of conservation agencies, causing wildlife habitat to suffer. Others maintain their lawsuits are filed to push conservation. The only way to move the issue forward is to establish the facts, which is what the Open Book on Equal Access to Justice Act does.

Senator Barrasso has worked with Representative Lummis on this issue, committed to a bipartisan solution. In the House, Rep. Lummis (R-WY) and Rep. Steve Cohen (D-TN) developed the current bipartisan language, recruited another six cosponsors (3 Democrats, 3 Republicans), and won passage on voice votes. In the Senate, we ask your help taking the same approach. We ask you to join the effort.

The Open Book on the Equal Access to Justice Act, creates a public database and annual report on the money paid by the government to reimburse legal fees and costs per the Equal Access to Justice Act (EAJA). Records of these expenditures do not exist in any usable form, as

determined by recent investigations by the Government Accountability Office. Without such records, there is no way to evaluate the amounts, purposes, and effects on public policy of these lawsuits. Tracking and reporting these payments will help clarify how and why certain lawsuits arise and, accordingly, how to gauge and manage their purposes and costs.

Another benefit of tracking and reporting EAJA payments is to support this law's original purpose of enabling seniors, veterans, and small businesses to dispute unfair treatment by the government. The Open Book on EAJA Act carefully protects these interests by respecting the privacy of their direct and personal claims against the government. The data provided by this measure will help judge the effectiveness of EAJA in the behalf of these originally-intended beneficiaries.

Please contact Senator Barrasso to cosponsor the Open Book on EAJA Act upon introduction as a Senate stand-alone version (staff contact: Travis McNiven at 202-224-0805). Thank you for your consideration.