

# Resolution

of the Nevada Association of Counties

## RESOLUTION in Support of Reforms to the “Equal Access to Justice Act”

**Whereas**, the United States Congress enacted the “Equal Access to Justice Act” to ensure that aggrieved citizens of this country could seek redress against the federal government, and

**Whereas**, the intent of the EAJA was to allow eligible individuals and small entities to sue the federal government in order to protect the environment without encumbering an enormous financial burden to do so, and

**Whereas**, the EAJA has been abused by certain individuals, non-profit organizations and special interest groups that have sufficient resources to fund the constant legal actions they bring against the federal government, and

**Whereas**, claims brought by these interest often contain inflated attorney and expert witness costs resulting in exorbitant legal fees being paid by the citizens of the nation, and

**Whereas**, the continual law suits filed against the federal government delay, amend or prohibit the implementation of land management policy to the detriment of the environment, sound multiple-use of the public lands and the economies and life styles of Nevada’s counties, and

**Whereas**, Nevada has the highest percentage of public lands under federal management of the fifty states, and in some Nevada counties the total of federally managed lands exceed ninety-five percent of the land mass, and

**Whereas**, the economies of Nevada’s counties are directly affected by the management policies and practices of the federal land management agencies, and

**Whereas**, legislation entitled the “Government Litigation Savings Act” (H.R. 1996, S. 1061) has been introduced in the United States Congress that will enact much needed reform to the Equal Access to Justice Act, and

**Whereas**, Nevada Senator Dean Heller is a co-sponsor of S. 1061, now

**Therefore be it Resolved** that the Nevada Association of Counties urges Congress to enact legislation to return the use of the “Equal Access to Justice Act” to its intended purpose, and

**Therefore be it Further Resolved** that NACO requests all members of the Nevada Congressional delegation that have not already signed on as co-sponsors to H.R. 1996 or S. 1061 to do so, and

**Therefore be it Further Resolved** that NACO urges the Nevada Congressional delegation to ensure that this important legislation is enacted with these necessary reforms in place, and

**Therefore be it Further Resolved** that a copy of this resolution be transmitted to Nevada’s Congressional delegation, the Governor of Nevada and the Chairman of the Nevada Legislative Committee on Public Lands.

Passed, Approved and Adopted this 5th day of August, 2011 by the Board of Directors of the Nevada Association of Counties.

Attest:



Doug Johnson  
President



Jeffrey Fontaine  
Executive Director

**NACO Resolution 11-07**

