

119TH CONGRESS
2D SESSION

H. R. 9295

To amend chapter 5 of title 5, United States Code, and chapter 161 of title 28, United States Code, to provide a maximum amount for the fees and other expenses that may be awarded in connection with an agency adjudication, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2026

Mr. RULLI introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend chapter 5 of title 5, United States Code, and chapter 161 of title 28, United States Code, to provide a maximum amount for the fees and other expenses that may be awarded in connection with an agency adjudication, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stop Serial Litigation
5 Act of 2026”.

1 **SEC. 2. FEES AND OTHER EXPENSES IN AGENCY ADJUDICA-**
2 **TIONS.**

3 Section 504 of title 5, United States Code, is amend-
4 ed—

5 (1) in subsection (a)—

6 (A) in paragraph (2), by striking “the ac-
7 tual time expended and the rate at which fees
8 and other expenses were computed” and insert-
9 ing “the actual total time expended, the rate at
10 which fees and other expenses were computed,
11 the dates on which tasks were performed, the
12 actual time expended on each such task, and a
13 descriptor of each such task”; and

14 (B) by adding at the end the following:

15 “(5) Except in the case of an adversary adju-
16 dication conducted by the Veteran’s Administration
17 or the Social Security Administration, an award of
18 fees and other expenses under this section may not
19 exceed—

20 “(A) in the case of a party that is an orga-
21 nization described in section 501(c)(3) of the
22 Internal Revenue Code of 1986 (26 U.S.C.
23 501(c)(3)) exempt from taxation under section
24 501(a) of such Code, \$300,000 during a 1-year
25 period; or

1 “(B) in the case of a party that is any
2 owner of an unincorporated business, or any
3 partnership, corporation, association, unit of
4 local government, or organization, \$300,000
5 during a 1-year period.”; and

6 (2) in subsection (b)(1)(A), by amending sub-
7 paragraph (A) to read as follows:

8 “(A) ‘fees and other expenses’ includes the
9 reasonable expenses of expert witnesses, the
10 reasonable cost of any study, analysis, engineer-
11 ing report, test, or project which is found by
12 the agency to be necessary for the preparation
13 of the party’s case, and reasonable attorney or
14 agent fees, and the amount of fees awarded
15 under this subsection shall be based upon pre-
16 vailing market rates for the kind and quality of
17 the services furnished, except that—

18 “(i) no expert witness shall be com-
19 pensated at a rate in excess of the highest
20 rate of compensation for expert witnesses
21 paid by the agency involved; and

22 “(ii) attorney or agent fees shall not
23 be awarded in excess of—

24 “(I) in the case of an adversary
25 adjudication conducted by the Vet-

1 eran’s Administration or the Social
2 Security Administration, \$125 per
3 hour, unless the agency determines by
4 regulation that an increase in the cost
5 of living or a special factor, such as
6 the limited availability of qualified at-
7 torneys or agents for the proceedings
8 involved, justifies a higher fee; or

9 “(II) in the case of an adversary
10 adjudication conducted by any other
11 agency, \$175 per hour (beginning in
12 the first fiscal year that begins 5
13 years after the date of enactment of
14 the Stop Serial Litigation Act of
15 2026, adjusted annually for inflation
16 to the nearest lower dollar increment
17 to reflect changes for the 12-month
18 period ending on the preceding June
19 30 in the Consumer Price Index for
20 All Urban Consumers published by
21 the Bureau of Labor Statistics of the
22 Department of Labor), except that the
23 fees awarded for the adjudication of
24 the issue of whether the position of
25 the agency was substantially justified

1 or that special circumstances make an
2 award unjust shall not be awarded in
3 excess of the amount that is half of
4 the hourly fee otherwise awarded;”.

5 **SEC. 3. FEES AND OTHER EXPENSES IN CIVIL ACTIONS.**

6 Section 2412(d) of title 28, United States Code, is
7 amended—

8 (1) in paragraph (2)—

9 (A) by amending subparagraph (A) to read
10 as follows:

11 “(A) ‘fees and other expenses’ includes the
12 reasonable expenses of expert witnesses, the
13 reasonable cost of any study, analysis, engineer-
14 ing report, test, or project which is found by
15 the court to be necessary for the preparation of
16 the party’s case, and reasonable attorney fees,
17 and the amount of fees awarded under this sub-
18 section shall be based upon prevailing market
19 rates for the kind and quality of the services
20 furnished, except that—

21 “(i) no expert witness shall be com-
22 pensated at a rate in excess of the highest
23 rate of compensation for expert witnesses
24 paid by the United States; and

1 “(ii) attorney fees shall not be award-
2 ed in excess of—

3 “(I) in the case of a civil action
4 brought by or against the Veteran’s
5 Administration or the Social Security
6 Administration, \$125 per hour unless
7 the court determines that an increase
8 in the cost of living or a special fac-
9 tor, such as the limited availability of
10 qualified attorneys for the proceedings
11 involved, justifies a higher fee; or

12 “(II) in the case of a civil action
13 brought by or against any other agen-
14 cy, \$175 per hour (beginning in the
15 first fiscal year that begins 5 years
16 after the date of enactment of the
17 Stop Serial Litigation Act of 2026,
18 adjusted annually for inflation to the
19 nearest lower dollar increment to re-
20 flect changes for the 12-month period
21 ending on the preceding June 30 in
22 the Consumer Price Index for All
23 Urban Consumers published by the
24 Bureau of Labor Statistics of the De-
25 partment of Labor), except that the

1 fees awarded for the adjudication of
2 the issue of whether the position of
3 the United States was substantially
4 justified or that special circumstances
5 make an award unjust shall not be
6 awarded in excess of the amount that
7 is half of the hourly fee otherwise
8 awarded;” and

9 (B) in subparagraph (B), by striking “the
10 actual time expended and the rate at which fees
11 and other expenses were computed” and insert-
12 ing “the actual total time expended, the rate at
13 which fees and other expenses were computed,
14 the dates on which tasks were performed, the
15 actual time expended on each such task, and a
16 descriptor of each such task”; and

17 (2) by adding at the end the following:

18 “(9) Except in the case of a civil action brought
19 by or against the Veteran’s Administration or the
20 Social Security Administration, an award of fees and
21 other expenses under this section may not exceed—

22 “(A) in the case of a party that is an orga-
23 nization described in section 501(c)(3) of the
24 Internal Revenue Code of 1986 (26 U.S.C.
25 501(c)(3)) exempt from taxation under section

1 501(a) of such Code, \$300,000 during a 1-year
2 period; or

3 “(B) in the case of a party that is any
4 owner of an unincorporated business, or any
5 partnership, corporation, association, unit of
6 local government, or organization, \$300,000
7 during a 1-year period.”.

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