



Fees and Expenses of Witnesses (FEW)

FY 2027 Budget Request At A Glance

FY 2026 Enacted:	\$301.8 million
Current Services Adjustments:	+\$18.2 million
Program Changes:	\$0.0 million
FY 2027 Budget Request:	\$320.0 million
Change From FY 2026 Enacted:	+\$18.2 million (+6.0%)

Mission:

The mission of the Department's Fees and Expenses of Witnesses (FEW) account is to provide funding for all fees and expenses associated with the provision of testimony on behalf of the Federal Government. Funding is also provided to pay for private and foreign counsel.

Organization:

The FEW appropriation is centrally managed by the Justice Management Division's Budget Staff, and funds are predominantly allocated to the General Legal Activities components and the Executive Office for U.S. Attorneys for expert witnesses that provide technical or scientific testimony. Funds are also provided for fact witnesses who testify to events or facts of personal knowledge. Per statute, fact witnesses are paid a rate of \$40 per day, plus travel and other costs associated with their appearance. Additionally, funds are provided for the Protection of Witnesses program for the security of Government witnesses or potential Government witnesses, and their families when their testimony may jeopardize their personal security.

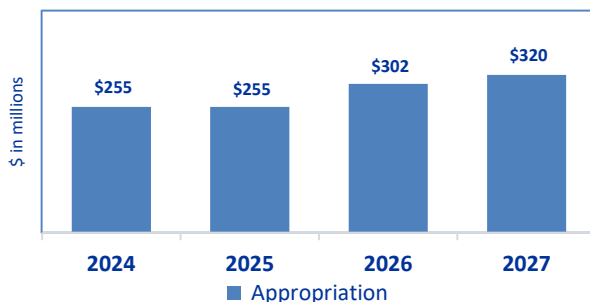
Resources:

The FY 2027 budget request for FEW totals \$320.0 million, which is a 6.0 percent increase over the FY 2026 Enacted.

Personnel:

There are no authorized positions associated with this appropriation.

Funding (FY 2024 - 2027)



FY 2027 Strategy:

The FEW appropriation provides adequate funding of fees and related expenses incurred by individuals who provide factual, technical or scientific testimony on behalf of the United States or court-designated indigent individuals, as provided by law. Funds provided for this activity also guarantee the rights of accused persons to a fair and impartial trial by ensuring that the accused is mentally competent to stand trial and that the courts have testimony regarding the mental competency of the accused at the time of the alleged offense.

It also provides the court-attendance fee paid to fact witnesses set by law (28 U.S.C. §1821). As a result of Public Law 96-346 (September 10, 1980), the amounts authorized for travel, per diem and mileage are set by regulation governing official travel by Federal employees.

The procedure for designation of a person as a protected witness is set forth in Department of Justice Offices, Boards and Divisions Order 2110.2 "Witness Protection and Maintenance Policy and Procedures." This Order places with the U.S. Marshals Service the responsibility for the security of these witnesses and their families.

The Private Counsel activity provides funding to retain outside counsel to represent Government officers and employees who are sued for actions taken while performing their official duties. Per 28 C.F.R. 50.15 and 50.16, the Civil Division is delegated the authority to retain such counsel.

The Foreign Counsel activity provides funding to allow the Department to retain outside counsel to represent Government officers and employees who are sued in a foreign country while performing their official duties. As provided under 28 C.F.R. §0.46, the Civil Division is delegated the authority to retain such counsel.

The Alternative Dispute Resolution activity encompasses a wide range of problem-solving and conflict management techniques including mediation, early neutral evaluation, arbitration, and mini-trials.

The Victim Compensation Fund provides resources to compensate individuals who are victimized by protected witnesses. The Fund was initially funded by the 1985 Supplemental Appropriations Act (P. L. 99-88).

FY 2027 Program Changes:

No program changes are requested.

Fees and Expenses of Witnesses

(Dollars in Thousands)

	Fees and Expenses of Witnesses		
	Pos	FTE	Amount
2025 Appropriation	0	0	270,000
2025 Sequester Cut	0	0	-15,390
2025 Enacted with Rescissions	0	0	254,610
2026 Enacted	0	0	301,760
2027 Request	0	0	320,000
Change 2027 from 2026 Enacted	0	0	18,240
Technical Adjustments			
Sequester Restoration	0	0	18,240
Total Technical Adjustments	0	0	18,240
Base Adjustments			
Total Base Adjustments	0	0	0
2027 Current Services	0	0	320,000
Program Changes			
Increases:			
	0	0	0
Subtotal, Program Increases	0	0	0
Decreases:			
Subtotal, Program Decreases	0	0	0
Total Program Changes	0	0	0
2027 Request	0	0	320,000

Fees and Expenses of Witnesses

(Dollars in Thousands)

Comparison by activity and program	2026 Enacted			2027 Current Services		
	Pos.	FTE	Amount	Pos.	FTE	Amount
Protection of Witnesses	0	0	47,628	0	0	47,628
Fees and Expenses of Witnesses	0	0	236,887	0	0	255,127
Private Counsel	0	0	3,628	0	0	3,628
Foreign Counsel	0	0	9,916	0	0	9,916
Alternative Dispute Resolution	0	0	3,701	0	0	3,701
Total	0	0	301,760	0	0	320,000

Comparison by activity and program	2027 Total Program Changes			2027 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount
Protection of Witnesses	0	0	0	0	0	47,628
Fees and Expenses of Witnesses	0	0	0	0	0	255,127
Private Counsel	0	0	0	0	0	3,628
Foreign Counsel	0	0	0	0	0	9,916
Alternative Dispute Resolution	0	0	0	0	0	3,701
Total	0	0	0	0	0	320,000