

April 15, 2026

The Honorable Bill Hagerty  
Chair  
Subcommittee on Financial Services and  
General Government  
Senate Committee on Appropriations  
Washington, DC 20510

The Honorable Jack Reed  
Ranking Member  
Subcommittee on Financial Services and  
General Government  
Senate Committee on Appropriations  
Washington, DC 20510

Dear Chair Hagerty and Ranking Member Reed,

Thank you for your work to restore funding for the Defender Services Office in Fiscal Year (FY) 2026. Your support reflects dedication to our constitutional system and to the rule of law. As you consider the FY 2027 Financial Services and General Government Appropriations bill, we write respectfully to request \$1.792 billion for Defender Services, which reflects a modest 1.5% increase over enacted FY 2026 funding levels.

The Sixth Amendment to the U.S. Constitution guarantees the right to an attorney in criminal proceedings. The Criminal Justice Act (CJA) provides that courts appoint counsel from Federal Public and Community Defender Organizations or from a panel of private attorneys established by the court. Well over 90% of defendants in federal court cannot afford to hire their own attorney.<sup>1</sup> As the Executive Branch pursues increased federal prosecutions, including capital cases, it is essential to ensure a stable flow of funding for the Defender Services Office.

The Federal Defender Services program supports our constitutionally-based adversarial system of justice in which federal criminal laws and federally guaranteed rights are equally enforced.

The Defender Services program has a history of bipartisan support. This essential funding supports more than 4,000 attorneys, investigators, paralegals, and support personnel throughout the 83 federal defender organizations serving 92 of 94 judicial districts. It also supports the approximately 12,000 CJA-contracted panel attorneys who represent indigent individuals. Importantly, the work done by these legal professionals is entirely non-partisan—federal defenders and panel attorneys alike represent everyone regardless of political affiliation.

Funding for the Federal Defender Services program is also cost effective. Given the constitutional right to counsel regardless of ability to pay, courts that do not have federal defenders must employ private CJA attorneys, often at a higher cost to the taxpayer. An overwhelming majority of federal defender budgets are dedicated to personnel and space, leaving limited funds available for other case essentials.

---

<sup>1</sup> Federal Judicial Center, *2017 Report of the Ad Hoc Committee to Review the Criminal Justice Act*, XIV (2023).

A properly funded federal public defense system enhances the confidence of everyone who has an interest in an efficient, reliable, and fair criminal justice system, including crime victims and the public at large. Failure to properly fund this important program results in delayed processing of criminal cases, backlogs in U.S. Attorneys Offices and in federal courts, increased costs, and lengthier appellate reviews.

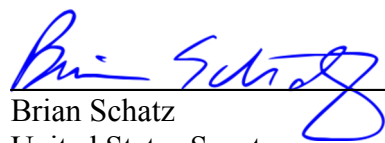
We thank you for both the inclusion of an anomaly for Defender Services in the FY 2026 Continuing Resolution and full funding in the FY 2026 appropriations bill. After several years of chronic underfunding, these funds allowed for the end of a two-year-long hard hiring freeze, along with critical infrastructure and cyber-security investments. Just as importantly, inclusion of these funds facilitated payment for past work performed by CJA panel attorneys—who are largely small businesspeople reliant on timely compensation—and established a degree of stability in payment for these services going forward through FY 2026. A modest 1.5% increase in FY 2027 is necessary to sustain these important priorities.

As you consider the FY27 Financial Services and General Government Appropriations bill, we urge you to continue supporting this important program and to provide much needed stability for a system that has experienced significant strain over the past several years. Thank you for your attention to this important matter.

Sincerely,



Peter Welch  
United States Senator



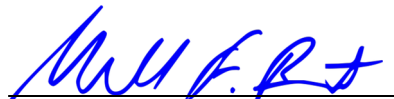
Brian Schatz  
United States Senator



Cory A. Booker  
United States Senator



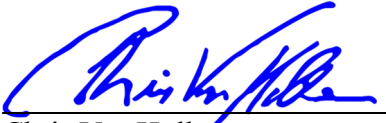
Sheldon Whitehouse  
United States Senator



Michael F. Bennet  
United States Senator



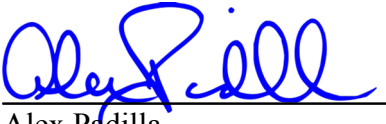
Tammy Baldwin  
United States Senator



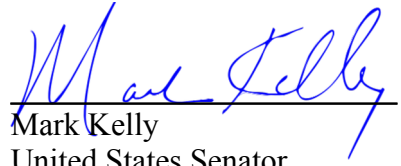
Chris Van Hollen  
United States Senator



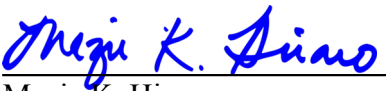
Jon Ossoff  
United States Senator



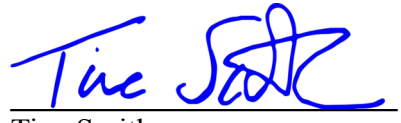
Alex Padilla  
United States Senator



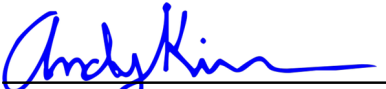
Mark Kelly  
United States Senator



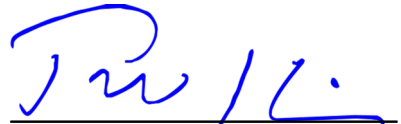
Mazie K. Hirono  
United States Senator



Tina Smith  
United States Senator



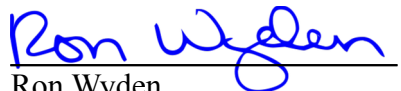
Andy Kim  
United States Senator



Tim Kaine  
United States Senator



Tammy Duckworth  
United States Senator



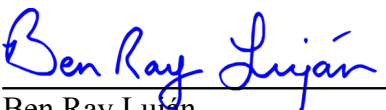
Ron Wyden  
United States Senator



Raphael Warnock  
United States Senator



Angela D. Alsobrooks  
United States Senator



Ben Ray Lujan  
United States Senator



Elizabeth Warren  
United States Senator



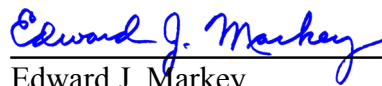
Christopher A. Coons  
United States Senator



Richard Blumenthal  
United States Senator



Bernard Sanders  
United States Senator



Edward J. Markey  
United States Senator



Richard J. Durbin  
United States Senator



Amy Klobuchar  
United States Senator



Lisa Blunt Rochester  
United States Senator



Adam B. Schiff  
United States Senator