Fees and Expenses of Witnesses

FY 2013 President's Request

U.S. Department of Justice

FY 2013 President's Budget Request Fees and Expenses of Witnesses

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I. Overview for Fees and Expenses of Witnesses

For the Fees and Expenses of Witnesses (FEW) appropriation, the Department requests a total funding level of \$270,000,000 for FY 2013 to remain available until expended. This resource level is the same request as the FY 2012 Enacted level. The (FEW) is a mandatory appropriation and is under Strategic Goal III to ensure the Fair and Efficient Administration of Justice. Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: http://www.justice.gov/02organizations/bpp.htm.

The Fees and Expenses of Witnesses activity provides funding for all fees and expenses associated with the provision of testimony on behalf of the Federal Government. Specifically, there are two types of witnesses that are compensated under the provisions of this activity. Fact witnesses testify as to events or facts about which they have personal knowledge. These witnesses are paid a statutorily established rate of \$40 per day plus reasonable amounts for travel and certain other costs associated with their appearance. Expert witnesses provide technical or scientific testimony and are compensated based on negotiations with the respective Federal Government attorney. Funding allocated to this activity is also used to pay the fees of physicians and psychiatrists who examine defendants upon order of the court to determine their fitness to stand trial.

The Emergency Witness Assistance Program allows the Government to aid witnesses who might not otherwise testify because of perceived threats surrounding the litigation. This program started in 1997 and is limited to a participation period not to exceed 30 days. The services provided include transportation needs, temporary housing, temporary subsistence, emergency telephone calls, and child/elder care.

The Protection of Witnesses activity provides funding for the security of government witnesses, or potential government witnesses, and their families when their testimony, concerning organized criminal activity, may jeopardize their personal security. Typical expenses include, but are not limited to, subsistence, housing, medical and dental care, travel, documentation, identity changes, one-time relocation, costs associated with obtaining employment, and other miscellaneous expenses. This activity also provides for construction and maintenance of strategically located safesite facilities to house protected witnesses before and during trial; the purchase and maintenance of armored vehicles; and the maintenance of a secured network.

The Victim Compensation Fund was established by Section 1208 of the Comprehensive Crime Control Act (Title II of P.L. 98-473). The Fund is used by the Attorney General to "pay restitution to, or in the case of death, compensation for the death of any victim of a crime that causes or threatens death or serious bodily injury and that is committed by any person during a period in which that person is provided protection under this chapter." In the case of death, an amount not to exceed \$50,000 may be paid to the victim's estate. Moreover, the act authorizes payment of an amount not to exceed \$25,000 to the estate of any individual whose death was caused by a protected witness before the enactment of this law.

The Private Counsel activity was established under 28 C.F.R. 50.15 and 50.16, whereby, the Civil Division is authorized to retain private counsel to represent government officers and employees who are sued, charged or subpoenaed for actions taken while performing their official

duties. Further, funding allotted to this activity is used to pay private legal representation expenses associated with the provision of testimony before Congressional committees in instances wherein government counsel is precluded from representing Federal Government employees, or in instances wherein private counsel is otherwise appropriate.

The District of Columbia Superior Court Informant Program (SCIP) was established upon passage of the 1991 Dire Emergency Supplemental Appropriations Act. Unlike the Witness Security program, which provides permanent relocations and identity changes, the SCIP provides temporary relocation and limited protective services to witnesses who provide prosecution testimony in District of Columbia Superior Court cases.

The Alternative Dispute Resolution activity funds the expenses of hiring third party neutrals and witnesses in resolution proceedings.

The Foreign Counsel activity was established under 28 C.F.R. § 0.46, whereby, the Civil Division is authorized to all other civil litigation including claims by or against the United States, its agencies or officers, in domestic or foreign courts, special proceedings, and similar civil matters not otherwise assigned, and shall employ foreign counsel to represent before foreign criminal courts, commissions or administrative agencies of the Department of Justice and all other law enforcement officers of the United States who are charged with violations of foreign law as a result of acts which they performed in the course and scope of Government services.

II. Summary of Program Changes

No Program Changes.

III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, \$270,000,000, to remain available until expended, of which not to exceed \$10,000,000 is for construction of buildings for protected witness safesites; not to exceed \$3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed \$11,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

Analysis of Appropriations Language

No substantive changes proposed.

IV. Decision Unit Justification

A. Fees and Expenses of Witnesses

| Fees and Expenses of Witnesses | Perm. Pos. | FTE | Amount |
|--------------------------------|---------------|-----|---------|
| 2011 Enacted | | | 214,622 |
| 2012 Enacted | | | 214,622 |
| 2013 Current Services | | | 214,622 |
| 2013 Program Increases | | | 0 |
| 2013 Program Offsets | | | 0 |
| 2013 Request | | | 214,622 |
| Total Change 2012-2013 | | | 0 |

Base Program Description:

This program provides for payment of fees and expenses of expert witnesses who appear on behalf of the Federal Government when scientific or technical expertise is required in the prosecution or defense of a case. The pursuit of complex litigation by the Department would not be possible without qualified experts to testify and to refute the non-legal particulars of individual cases. The testimony of expert witnesses is essential to the successful outcome of such litigation. While a wide array of specialized disciplines are involved in the Department's litigation, experts from certain disciplines are used extensively. For example, approximately seventy percent of expert witnesses used by the Department in 2010 were physicians, psychiatrists, appraisers, engineers, or economists. Also, the testimony of fact witnesses is used in court proceedings by the Department's legal divisions and the United States Attorneys. Fact witnesses are needed in a wide range of court proceedings, as well as pre-trial conferences. Daily attendance fees and other expenses paid to fact witnesses are intended to defray the costs of appearing to testify. The attendance fee is set by law. Courts often order the Federal Government to pay the costs associated with mental competency examinations conducted by physicians or psychiatrists. These examinations are performed in an attempt to determine whether an accused person is mentally competent to stand trial and/or was mentally competent at the time of the offense.

Planned Base Initiatives:

- To provide adequate funding for payment 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 right of accused persons to a fair and impartial trial by ensuring that the accused is mentally competent to stand trial and that the court has testimony regarding the mental competency of the accused at the time of the alleged offense.
- To provide reasonable compensation for expert witnesses, who testify on behalf of the United States, at rates established by the Attorney General or the Assistant Attorney General for Administration, pursuant to 28 U.S.C. § 524.

- To provide adequate resources to compensate fact witnesses who testify on behalf of the Federal Government for the expenses associated with the attendance at legal proceedings. The court-attendance fee paid to fact witnesses is 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 regulations governing official travel by federal employees and promulgated by the Administrator of the General Services Administration.
- To provide adequate resources to compensate fact witnesses used by those defendants designated as indigent by the courts. Expenses are paid to those witnesses who appear in criminal proceedings in Federal court for the indigent defendants.
- To provide payment for the fees and expenses of psychiatrists who perform courtordered evaluations to determine the mental competency of defendants, pursuant to 18 U.S.C. § 4241, § 4242, and § 4248.

B. Protection of Witnesses

| Protection of Witnesses | Perm. Pos. | FTE | Amount |
|-------------------------|---------------|-----|--------|
| 2011 Enacted | | | 43,661 |
| 2012 Enacted | | | 43,661 |
| 2013 Current Services | | | 43,661 |
| 2013 Program Increases | | | 0 |
| 2013 Program Offsets | | | 0 |
| 2013 Request | | | 43,661 |
| Total Change 2012-2013 | | | 0 |

Base Program Description:

The procedure for designating a person as a protected witness is set forth in Department of Justice OBD Order 2110.2 "Witness Protection and Maintenance Policy and Procedures." This order places within the United States Marshals Service the responsibility for the security of these witnesses and their families. This program provides for their financial maintenance including the following: subsistence expenses; housing; medical and dental expenses; travel; documentation expenses for identity changes; one-time relocation; costs for obtaining employment; and other miscellaneous expenses. This activity also provides for construction and maintenance of strategically located safesite facilities to house protected witnesses before and during trial. Therefore, the Witness Protection Program provides the funding for the protective services offered to the District of Columbia Superior Court Witnesses for subsistence expenses; travel; temporary relocation and other miscellaneous expenses.

Planned Base Initiatives:

- To increase the effectiveness of the Department's efforts to combat criminal
 activity in such areas as organized crime, drugs or narcotics, and murder or
 conspiracy to commit murder, by ensuring the safety of endangered or threatened
 witnesses.
- To protect witnesses and their families when the testimony of the witnesses may jeopardize their personal security.
- To compensate witnesses for subsistence costs such as housing, food, relocation, and incidental expenses as provided by the Witnesses Security Reform Act of 1984.
- To provide orientation, documentation, and family-oriented services to new WITSEC Program entrants. In FY 2010 a realignment of the current program structure was proposed by eliminating the Superior Court Informant Program (SCIP) and moving the funds previously allotted for the SCIP in the amount of (\$1.0 million) to the Protection of Witnesses decision unit. A formal notification of the proposed decision unit realignment will be transmitted once the FY 2010 President's request is enacted.
- To increase the effectiveness of Federal prosecutions in the District of Columbia by providing funding to temporarily relocate District of Columbia Superior witnesses who face potential danger as a result of their participation in Superior Court prosecutions.
- To provide funding to temporarily protect Superior Court witnesses and their families when the testimony of the witnesses may jeopardize their personal security.
- To compensate Superior Court witnesses for subsistence costs such as food, temporary relocation, and other expenses incidental to their protection.

C. Victim Compensation Fund

| Victim Compensation Fund | Perm. | FTE | Amount |
|--------------------------|-------|-----|--------|
| | Pos. | | |
| 2011 Enacted | | | 0 |
| 2012 Enacted | | | 0 |
| 2013 Current Services | | | 0 |
| 2013 Program Increases | | | 0 |
| 2013 Program Offsets | | | 0 |
| 2013 Request | | | 0 |
| Total Change 2012-2013 | | | 0 |

Base Program Description:

This program 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).

Restitution will not exceed \$50,000 for those victimized since the establishment of the Fund. Restitution not to exceed \$25,000 shall be paid to the estate of victims killed as a result of crimes committed by persons who have been enrolled in the Witness Security Program if such crimes were committed prior to enactment of P.L. 98-473. The Department paid \$22,500 from this program in FY 2006 and 2007. No costs are anticipated for this program in FY 2011 and FY 2012.

Planned Base Initiative:

• To provide compensation to those individuals, or, in the case of death, to the individual's estate, who are victimized by a protected witness.

D. Private Counsel

| Private Counsel | Perm. | FTE | Amount |
|------------------------|-------|-----|--------|
| | Pos. | | |
| 2011 Enacted | | | 7,000 |
| 2012 Enacted | | | 7,000 |
| 2013 Current Services | | | 7,000 |
| 2013 Program Increases | | | 0 |
| 2013 Program Offsets | | | 0 |
| 2013 Request | | | 7,000 |
| Total Change 2012-2013 | | | 0 |

Base Program Description:

This activity provides funding to allow the Department to retain outside private counsel to represent Government officers and employees who are sued for actions taken while performing their official duties. As provided for under 28 C.F.R. 50.15 and 50.16, the Civil Division is delegated the authority to retain such counsel and further provided that payments for such services will be payable from the Department of Justice appropriations.

Planned Base Initiatives:

• To continue to defend Federal employees personally sued for carrying out official duties. To retain private counsel to represent Government officers and employees who are sued for actions taken while performing their official duties.

E. Superior Court Informant Program

| Superior Court Informant Program | Perm. Pos. | FTE | Amount |
|----------------------------------|---------------|-----|--------|
| 2011 Enacted | | | 0 |
| 2012 Enacted | | | 0 |
| 2013 Current Services | | | 0 |
| 2013 Program Increases | | | 0 |
| 2013 Program Offsets | | | 0 |
| 2013 Request | | | 0 |
| Total Change 2012-2013 | | | 0 |

Base Program Description:

This program provides for funding for the protective services offered to the District of Columbia Superior Court witnesses. Specifically, funding is provided for subsistence expenses; travel; temporary relocation and other miscellaneous expenses. Funding in 1996 was provided from available balances. All participants have already converted to the Witness Security Program (WSP). No one has entered this short term program in four years. Due to the lack of activity in this program, previously available funding has been moved into the allotment for Protection of Witnesses where SCIP funding originated.

F. Alternative Dispute Resolution

| Alternative Dispute Resolution | Perm. | FTE | Amount |
|--------------------------------|-------|-----|--------|
| | Pos. | | |
| 2011 Enacted | | | 1,300 |
| 2012 Enacted | | | 1,300 |
| 2013 Current Services | | | 1,300 |
| 2013 Program Increases | | | 0 |
| 2013 Program Offsets | | | 0 |
| 2013 Request | | | 1,300 |
| Total Change 2012-2013 | | | 0 |

Base Program Description:

Alternative Dispute Resolution (ADR) encompasses a wide range of problem-solving and conflict management techniques including mediation, early neutral evaluation, arbitration and mini-trials. ADR processes offer the opportunity to settle pending civil litigation in ways that can be more efficient than unassisted negotiations, and on terms that can be more advantageous to the parties. According to the National Performance Review, ADR can enhance the public's access to justice by reducing delays and costs associated with government litigation. ADR can provide quick solutions in government disputes which, in turn, produce savings in interest payments on outstanding debts that the government owes in cases in litigation. ADR can provide quick solutions in government disputes which, in turn, produce savings in interest payments on outstanding debts that the government owes in cases in litigation. ADR can provide flexibility,

creativity, and control that lawyers and clients do not enjoy in litigation. Moreover, ADR often produces better, more comprehensive long-term solutions to problems.

Planned Base Initiatives:

- To attempt resolution of civil disputes and litigation by using professional services of a mediator, arbitrator or other alternative dispute resolution provider.
- To provide funding to pay the Government's share of the costs incurred during ADR proceedings.

G: Foreign Counsel

| Foreign Counsel | Perm. | FTE | Amount |
|-------------------------------|-------|-----|--------|
| | Pos. | | |
| 2011 Enacted | | | 3,417 |
| 2012 Enacted | | | 3,417 |
| 2013 Current Services | | | 3,417 |
| 2013 Program Increases | | | 0 |
| 2013 Program Offsets | | | 0 |
| 2013 Request | | | 3,417 |
| Total Change 2012-2013 | | | 0 |

Base Program Description:

This activity provides funding to allow the Department to retain outside foreign 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 and further provided that payment for such services will be payable from the Department of Justice appropriations.

Planned Base Initiatives:

• To continue to defend Federal employees personally sued for carrying out official duties. To retain foreign counsel to represent Government officers and employees who are sued for actions taken while performing their official duties in a foreign country.

VII. EXHIBITS

B: Summary of Requirements

Summary of Requirements

| |] | FY 2013 Req | uest |
|---|------------|-------------|-----------|
| | Perm. Pos. | FTE | Amount |
| 2011 Enacted (without Rescissions, direct only) | 0 | 0 | \$270,000 |
| 2012 Enacted (without Rescissions, direct only) | 0 | 0 | \$270,000 |
| Total 2012 Enacted (with Rescissions) | 0 | 0 | \$270,000 |
| 2013 Current Services | 0 | 0 | \$270,000 |
| Program Changes | | | |
| Total Program Changes | 0 | 0 | \$0 |
| 2013 Total Request | 0 | 0 | \$270,000 |
| 2012 - 2013 Total Change | 0 | 0 | 0 |

| | | appropriat w/Resciss | ion Enacted sions | | 2012 Enacted | | | - | nts to Base djustments | 2013 Current Services 2013 Increases | | 2013 Offsets | | | 2013 Request | | | | | | |
|---------------------------------|------|-------------------------|----------------------|------|-----------------|-----------|-----|-------|---------------------------|--------------------------------------|-------|--------------|------|-----|--------------|-----|-------|--------|------|-----|-----------|
| Estimates by budget activity | Pos. | . FTE | Amount | Pos. | FTE | Amount | Pos | . FTE | Amount | Pos | . FTE | Amount | Pos. | FTE | Amount | Pos | . FTE | Amount | Pos. | FTE | Amount |
| Fees and Expenses for Witnesses | 0 | 0 | 214,622 | 0 | 0 | 214,622 | 0 | 0 | 0 | 0 | 0 | 214,622 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 214,622 |
| Protection of Witnesses | 0 | 0 | 43,661 | 0 | 0 | 43,661 | 0 | 0 | 0 | 0 | 0 | 43,661 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 43,661 |
| Victim Compensation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Private Counsel | 0 | 0 | 7,000 | 0 | 0 | 7,000 | 0 | 0 | 0 | 0 | 0 | 7,000 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 7,000 |
| Superior Court Informant | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Alternative Dispute Resolution | 0 | 0 | 1,300 | 0 | 0 | 1,300 | 0 | 0 | 0 | 0 | 0 | 1,300 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1,300 |
| Foreign Counsel | 0 | 0 | 3,417 | 0 | 0 | 3,417 | 0 | 0 | 0 | 0 | 0 | 3,417 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3,417 |
| Total | 0 | 0 | \$270,000 | 0 | 0 | \$270,000 | 0 | 0 | \$0 | 0 | 0 | \$270,000 | 0 | 0 | \$0 | 0 | 0 | \$0 | 0 | 0 | \$270,000 |
| Reimbursable FTE | | | | | | | | | | | | | | | | | | | | 0 | |
| Total FTE | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | |
| Other FTE: LEAP | | | | | | | | | | | | | | | | | | | | 0 | |
| Overtime | | | | | | | | | | | | | | | | | | | | 0 | |
| Total Comp. FTE | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | |

D: Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective Fees and Expenses of Witnesses

(Dollars in Thousands)

| | | | | | | | | | | | 1 | |
|--|----------------|-----------------|----------------|---------------|------------------|---------------------|----------------|---------------|----------------|---------------|----------------|------------------|
| | 2011 Appropr | riation Enacted | 2012 | Enacted | 2013 Curr | ent Services | | 20 | 013 | | 2013 1 | Request |
| | | | | | | | Incr | eases | Off | sets | 1 | |
| | Direct, Reimb. | Direct Amount | Direct, Reimb. | Direct Amount | Direct, Reimb. | Direct Amount | Direct, Reimb. | Direct Amount | Direct, Reimb. | Direct Amount | Direct, Reimb. | Direct Amount |
| Strategic Goal and Strategic Objective | Other FTE | \$000s | Other FTE | \$000s | Other FTE | \$000s | Other FTE | \$000s | Other FTE | \$000s | Other FTE | \$000s |
| Goal 1: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law 1.1 Prevent, disrupt, and defeat terrorist operations before they occur 1.2 Prosecute those involved in terrorist acts | | | | | 0 0 | 0 0 | | | | | 0 0 | 0 0 |
| 1.3 Combat espionage against the United States Subtotal, Goal 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Goal 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law 2.1 Combat the threat, incidence, and prevalence of violent crime 2.2 Prevent and intervene in crimes against vulnerable populations, uphold the rights of, and improve services to, America's crime victims | | | | | 0 | 0 | | | | | 0 | 0 |
| 2.3 Combat the threat, trafficking, and use of illegal drugs and the diversion of licit drugs 2.4 Combat corruption, economic crimes, and international organized crime 2.5 Promote and protect Americans' civil rights 2.6 Protect the federal fisc and defend the interests of the United States | | | | | 0 0 0 0 | 0 0 0 0 | | | | | 0 0 0 | 0 0 0 0 |
| Subtotal, Goal 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Goal 3: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels 3.1 Promote and strengthen relationships and strategies for the administration of justice with state, local, tribal and international law enforcement | | | | | 0 | 0 | | | | | 0 | 0 |
| 3.2 Protect judges, witnesses, and other participants in federal proceedings; apprehend fugitives; and ensure the appearance of criminal defendants for judicial proceedings or confinement 3.3 Provide for the safe, secure, humane, and cost-effective confinement of detainees awaiting trial and/or sentencing, and those in the custody of the Federal Prison System | | 270,000 | | 270,000 | 0 | 270,000 | | 0 | | 0 | 0 | 270,000 |
| 3.4 Adjudicate all immigration cases promptly and impartially in accordance with due process Subtotal, Goal 3 | | 270,000 | Δ. | 270,000 | 0 | <u>0</u> 270,000 | 0 | 0 | 0 | 0 | 0 | <u> </u> |
| Subtotal, Goal 3 | | 270,000 | | 270,000 | <u> </u> | 270,000 | 0 | U | 1 0 | U | | 270,000 |
| GRAND TOTAL | 0 | \$270,000 | 0 | \$270,000 | 0 | \$270,000 | 0 | \$0 | 0 | \$0 | 0 | \$270,000 |
| | - | , ~ | | , | <u> </u> | , | | | <u>!</u> | • | ! | , |

F: Crosswalk of 2011 Availability

Crosswalk of 2011 Availability

| | | l Enacted Rescission | Without ns | Rescissions | | | _ | ogramı Fransfe | _ | Carryover | Recoveries | 2011 Availability | | |
|---------------------------------|------|-------------------------|---------------|-------------|-----|--------|------|-------------------|--------|-----------|------------|-------------------|-----|-----------|
| Decision Unit | Pos. | FTE | Amount | Pos. | FTE | Amount | Pos. | FTE | Amount | Amount | Amount | Pos. | FTE | Amount |
| Fees and Expenses for Witnesses | 0 | 0 | 214,622 | 0 | 0 | 0 | 0 | 0 | 0 | 14,993 | 27,908 | 0 | 0 | 257,523 |
| Protection of Witnesses | 0 | 0 | 43,661 | 0 | 0 | 0 | 0 | 0 | 0 | 1,120 | 2,085 | 0 | 0 | 46,866 |
| Victim Compensation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 23 | 43 | 0 | 0 | 66 |
| Private Counsel | 0 | 0 | 7,000 | 0 | 0 | 0 | 0 | 0 | 0 | 2,139 | 3,981 | 0 | 0 | 13,120 |
| Superior Court Informant | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Alternative Dispute Resolution | 0 | 0 | 1,300 | 0 | 0 | 0 | 0 | 0 | 0 | 260 | 484 | 0 | 0 | 2,044 |
| Foreign Counsel | 0 | 0 | 3,417 | 0 | 0 | 0 | 0 | 0 | 0 | 17 | 32 | 0 | 0 | 3,466 |
| TOTAL | 0 | 0 | \$270,000 | 0 | 0 | \$0 | 0 | 0 | \$0 | \$18,552 | \$34,533 | 0 | 0 | \$323,085 |
| Reimbursable FTE | | | | | | | | | | | | | 0 | |
| Total FTE | | 0 | | | 0 | | | 0 | | | | | 0 | |
| Other FTE | | | | | | | | | | | | | | |
| LEAP | | | | | | | | | | | | | 0 | |
| Overtime | | | | | | | | | | | | | 0 | |
| Total Compensable FTE | | 0 | | | 0 | | | 0 | | | | | 0 | |

G: Crosswalk of 2012 Availability

Crosswalk of 2012 Availability

| | FY 2012 Enacted Without Rescissions | | | Rescissions | | Reprogrammings / Transfers | | | Carryover | Carryover Recoveries | | 2012 Availability | | |
|---------------------------------|--|-----|-----------|-------------|-----|----------------------------|------|-----|-----------|----------------------|---------|-------------------|-----|-----------|
| Decision Unit | Pos. | FTE | Amount | Pos. | FTE | Amount | Pos. | FTE | Amount | Amount | Amount | Pos. | FTE | Amount |
| Fees and Expenses for Witnesses | 0 | 0 | 214,622 | 0 | 0 | 0 | 0 | 0 | 0 | 73,496 | 7,619 | 0 | 0 | 295,737 |
| Protection of Witnesses | 0 | 0 | \$43,661 | 0 | 0 | 0 | 0 | 0 | 0 | 6,243 | 647 | 0 | 0 | 50,551 |
| Victim Compensation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 112 | 12 | 0 | 0 | 124 |
| Private Counsel | 0 | 0 | 7,000 | 0 | 0 | 0 | 0 | 0 | 0 | 11,184 | 1,159 | 0 | 0 | 19,343 |
| Superior Court Informant | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Alternative Dispute Resolution | 0 | 0 | 1,300 | 0 | 0 | 0 | 0 | 0 | 0 | 1,261 | 131 | 0 | 0 | 2,692 |
| Foreign Counsel | 0 | 0 | 3,417 | 0 | 0 | 0 | 0 | 0 | 0 | 82 | 8 | 0 | 0 | 3,507 |
| TOTAL | 0 | 0 | \$270,000 | 0 | 0 | \$0 | 0 | 0 | \$0 | \$92,378 | \$9,576 | 0 | 0 | \$371,954 |
| Reimbursable FTE | | | | | | | | | | | | | 0 | |
| Total FTE | | 0 | | | 0 | | | 0 | | | | | 0 | |
| Other FTE | | | | | | | | | | | | | | |
| LEAP | | 0 | | | 0 | | | 0 | | | | | 0 | |
| Overtime | | 0 | | | 0 | | | 0 | | | | | 0 | |
| Total Compensable FTE | | 0 | | | 0 | | | 0 | | | | | 0 | |

L: Summary of Requirements by Object Class

Summary of Requirements by Object Class

| | 2011 Ac | tuals | 2012 Availability | | 2013 Request | | Increase/Decrease | |
|---|---------|-----------|-------------------|-----------|--------------|-----------|-------------------|--------|
| Object Classes | FTE | Amount | FTE | Amount | FTE | Amount | FTE | Amount |
| 11.1 Direct FTE & personnel compensation | | | | | | | 0 | \$0 |
| 11.3 Other than full-time permanent | | | | | | | 0 | 0 |
| 11.5 Total, Other personnel compensation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Overtime | | | | | | | 0 | 0 |
| Other Compensation | | | | | | | 0 | 0 |
| 11.8 Special personal services payments | | 176,172 | | 251,339 | | 251,339 | 0 | 0 |
| Total | 0 | 176,172 | 0 | 251,339 | 0 | 251,339 | 0 | 0 |
| Other Object Classes: | | | | | | | | • |
| 12.0 Personnel benefits | | | | | | | | 0 |
| 21.0 Travel and transportation of persons | | 11,807 | | 6,252 | | 6,252 | | 0 |
| 22.0 Transportation of things | | | | 0 | | 0 | | 0 |
| 23.1 GSA rent | | | | 0 | | 0 | | 0 |
| 23.2 Moving/Lease Expirations/Contract Parking | | | | | | | | 0 |
| 23.3 Comm., util., & other misc. charges | | | | | | | | 0 |
| 24.0 Printing and reproduction | | | | | | | | 0 |
| 25.1 Advisory and assistance services | | 4,985 | | 800 | | 800 | | 0 |
| 25.2 Other services | | 25,414 | | 4,250 | | 4,250 | | 0 |
| 25.3 Purchases of goods & services from Government accounts (Antennas, DHS Sec. Etc.) | | 4,393 | | 700 | | 700 | | 0 |
| 25.4 Operation and maintenance of facilities | | | | | | | | 0 |
| 25.5 Research and development contracts | | | | | | | | 0 |
| 25.7 Operation and maintenance of equipment | | | | | | | | 0 |
| 25.8 Subsistance and Support of Persons | | 7,935 | | 6,659 | | 6,659 | | |
| 26.0 Supplies and materials | | | | | | | | 0 |
| 31.0 Equipment | | | | | | | | 0 |
| Total obligations | | \$230,706 | | \$270,000 | | \$270,000 | | \$0 |
| Unobligated balance, start of year | | (18,552) | | (92,378) | | 0 | | |
| Unobligated balance, end of year | | 53,084 | | 0 | | 0 | | |
| Recoveries of prior year obligations | | (34,533) | | 9,576 | | 0 | | |
| Total DIRECT requirements | | 230,705 | | 187,198 | | 270,000 | | |
| Reimbursable FTE: | | | | | | | | |
| Full-time permanent | 0 | \$0 | 0 | \$0 | 0 | \$0 | | |
| 23.1 GSA rent (Reimbursable) | | \$0 | | \$0 | | \$0 | | |
| 25.3 DHS Security (Reimbursable) | | \$0 | | \$0 | | \$0 | | |