



## Fees and Expenses of Witnesses (FEW)

FY 2013 Budget Request At A Glance	
FY 2012 Enacted:	\$270.0 million
Current Services Adjustments:	+\$0
Program Changes:	+\$0
FY 2013 Budget Request:	\$270.0 million
Change From FY 2012 Enacted:	+\$0

### Mission:

The mission of the FEW appropriation 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 allocated to the General Legal Activities and the Executive Office for U.S. Attorneys for administration of expert witnesses that provide technical or scientific testimony and are compensated based on negotiations with the respective federal government attorney. Also, funds are provided for fact witnesses who testify to events or facts of personal knowledge, and witnesses are paid statutorily a rate of \$40 per day plus travel and other costs associated with their appearance. Additionally, funds are provided for the Protection of Witnesses 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.

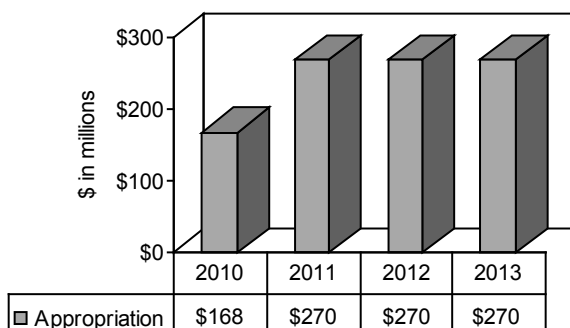
### Resources:

The FY 2013 budget request for FEW totals \$270.0 million, which is the same as 2012 Enacted.

### Personnel:

There are no authorized positions associated with this appropriation.

**Funding (FY 2010 - 2013)**



**FY 2013 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.

FEW 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 United States Marshals Service the responsibility for the security of these witnesses and their families.

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).

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 Superior Court activity provides funding for the protective services offered to the District of Columbia Superior Court witnesses.

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 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 and further provided that payment for such services will be payable from the Department's appropriations.

**FY 2013 Program Changes:**

None

**Fees and Expenses of Witnesses**

(Dollars in Thousands)

	Fees and Expenses of Witnesses		
	Pos	FTE	Amount
2011 Enacted	0	0	270,000
2012 Enacted	0	0	270,000
2013 Request	0	0	270,000
Change 2013 from 2012 Enacted	0	0	0
Technical Adjustments	0	0	0
Total Technical Adjustments	0	0	0
Adjustments to Base			
Increases:	0	0	0
Decreases:	0	0	0
Total Adjustments to Base	0	0	0
Total Adjustments to Base and Technical Adjustments	0	0	0
2013 Current Services	0	0	270,000
Program Changes			
Increases:	0	0	0
Decreases:	0	0	0
Total Program Changes	0	0	0
2013 Request	0	0	270,000
Change 2013 from 2012 Enacted	0	0	0

**Fees and Expenses of Witnesses**

(Dollars in Thousands)

Comparison by activity and program	2012 Enacted			2013 Current Services		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
Fees and Expenses of Witnesses	0	0	270,000	0	0	270,000
<b>Total</b>	0	0	270,000	0	0	270,000
Reimbursable FTE	0	0	0	0	0	0
<b>Grand Total</b>	0	0	270,000	0	0	270,000

Comparison by activity and program	2013 Total Program Changes			2013 Request		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
Fees and Expenses of Witnesses	0	0	0	0	0	270,000
<b>Total</b>	0	0	0	0	0	270,000
Reimbursable FTE	0	0	0	0	0	0
<b>Grand Total</b>	0	0	0	0	0	270,000