



Fees and Expenses of Witnesses (FEW)

FY 2018 Budget Request At A Glance	
FY 2017 Continuing Resolution:	\$250.9 million
Current Services Adjustments:	+ \$19.1 million
Program Changes:	+ \$0
FY 2018 Budget Request:	\$270.0 million
Change From FY 2017 Continuing Resolution:	+ \$19.1 million (+7.6%)

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. Funds are allocated to various Department components for administration of expert witnesses who provide technical or scientific testimony and are compensated based on negotiations with the respective Federal attorney. Also, funds are provided for fact witnesses who testify to events or facts of personal knowledge. Fact witnesses statutorily are paid a rate of \$40 per day, plus travel and other costs associated with their appearance. Finally, funds are provided for the Protection of Witnesses for the security of government witnesses or potential government witnesses and their families when their testimony may jeopardize their personal security.

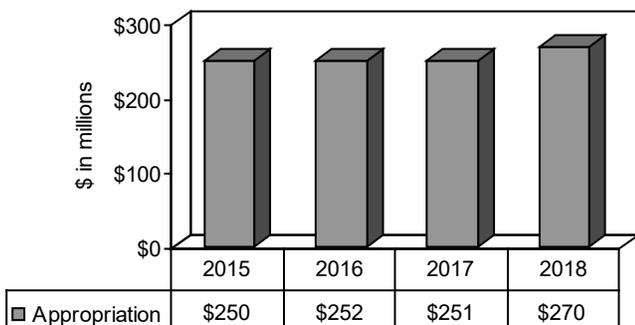
Resources:

The FY 2018 budget request for FEW totals \$270.0 million, which is a 7.6% increase over the FY 2017 Continuing Resolution.

Personnel:

There are no authorized positions associated with this appropriation.

Funding (FY 2015 - 2018)



FY 2017 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. 28 C.F.R. 50.15 and 50.16 delegate the Civil Division 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 offers the opportunity to settle pending civil litigation using 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. 28 C.F.R. §0.46 authorizes the Civil Division to retain such counsel. Payment for such services will be made from the FEW's appropriations.

FY 2017 Program Changes:

The budget proposal includes funds for current services for FEW. No program changes are requested.

Fees and Expenses of Witnesses

(Dollars in Thousands)

	Fees and Expenses of Witnesses		
	Pos	FTE	Amount
2016 Appropriation	0	0	270,000
2016 Sequester Cut	0	0	-18,360
2016 Enacted with Rescissions	0	0	251,640
2017 Continuing Resolution	0	0	270,000
2017 Rescission - 0.1901%	0	0	-478
2017 Sequester Cut	0	0	-18,630
2017 Continuing Resolution with Rescissions	0	0	250,892
2018 Request	0	0	270,000
Change 2018 from 2017 Continuing Resolution	0	0	19,108
Technical Adjustments			
Restoration of 2017 Sequester	0	0	18,630
Restoration of Rescission	0	0	478
Total Technical Adjustments	0	0	19,108
Base Adjustments			
Total Base Adjustments	0	0	0
2018 Current Services	0	0	270,000
Program Changes			
Increases:			
Subtotal, Program Increases	0	0	0
Decreases:			
Subtotal, Program Decreases	0	0	0
Total Program Changes	0	0	0
2018 Request	0	0	270,000

