

FY 2008 Performance Budget Congressional Submission

Fees and Expenses of Witnesses

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Overview Summary Statement
Fees and Expenses of Witnesses

For the Fees and Expenses of Witnesses (FEW) appropriation, the Department requests a total funding level of \$168,300,000 for FY 2008 to remain available until expended. This resource level does not include any program increases for FY 2008 and keeps this appropriation at the FY 2007 President's request level.

Beginning in FY 2007, electronic copies of the Department of Justice's congressional budget justifications and Capital Asset Plan and the Business Case exhibit's can be viewed or downloaded from the Internet using the Internet address:

<http://www.usdoj.gov/jmd/2008justification/>.

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.

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 officials 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.

No programs in this budget account have been subject to a PART review.

II. Summary of Program Changes-N/A

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, \$168,300,000, to remain available until expended, of which \$10,000,000 is for construction of buildings for protected witness safesites; not to exceed [\$1,000,000] \$3,000,000 is for the purchase and maintenance of armored and other vehicles for [transportation of protected witnesses;] witness security caravans ; and not to exceed \$9,000,000 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

- The proposed language change “\$3,000,000” would raise the authorized level to purchase and maintain vehicles to reflect inflation. The cost of outfitting armored vehicles has increased over the years. The Witness Security Program vehicle fleet consists of 27 armored vehicles and 157 regular vehicles. Setting the vehicle spending limitation at \$3,000,000 allows for cyclical maintenance, unexpected accident repairs that necessitate vehicle replacement, and future inflation.
- The proposed language change “and other” would clarify that non-armored cars used to transport participants in low-risk areas, can be purchased and maintained with FEW funding. Program participants are not always transported in armored vehicles. When the risk is relatively low, participants may ride with WITSEC Inspectors. These vehicles were initially purchased with USMS Salaries and Expenses funds. However, because the FEW appropriation provides funding to pay all expenses associated with protected witnesses, it is the appropriate funding source for this purpose. This language change would enable the USMS to use FEW funding to maintain and plan cyclical replacement of non-armored vehicles used to transport protected witnesses.
- The proposed language change “witness security caravans” would clarify that the lead and chase vehicles in protective detail caravans, can be purchased and maintained with FEW funds.

Footnote: The FY 2008 President’s Budget uses the FY 2007 President’s Budget language as a base so all language is presented as new.

Legal Activities
Fees and Expenses of Witnesses
Program Performance Justification
Activity Resource Summary
(In thousands of dollars)

Activity: Fees and Expenses of Witnesses

<i>[Name of Decision Unit]</i> TOTAL	Perm. Pos.	FTE	Amount
2006 Enacted with Rescissions	126,000
2006 Supplementals
2006 Enacted w/Rescissions and Supplementals	126,000
2007 President's Budget	126,000
Adjustments to Base and Technical Adjustments
2008 Current Services	126,000
2008 Program Increases
2008 Offsets
2008 Request	126,000
Total Change 2007-2008

<i>[Name of Decision Unit]</i> —Information Technology Breakout (of Decision Unit Total)	Perm. Pos.	FTE	Amount
2006 Enacted with Rescissions
2006 Supplementals
2006 Enacted w/Rescissions and Supplementals
2007 President's Budget
Adjustments to Base and Technical Adjustments
2008 Current Services
2008 Program Increases
2008 Offsets
2008 Request
Total Change 2007-2008

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 2006 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. This examination is 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 continue 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 continue 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 continue 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 continue to provide payment for the fees and expenses of psychiatrists who perform court-ordered evaluations to determine the mental competency of defendants, pursuant to 18 U.S.C. 4241 and 4242.

Legal Activities
Fees and Expenses of Witnesses
Justification of Program and Performance
Activity Resources Summary
(In thousands of dollars)

Activity: Protection of Witnesses

<i>[Name of Decision Unit]</i> TOTAL	Perm. Pos.	FTE	Amount
2006 Enacted w/Rescissions and Supplementals	33,000
2007 Estimate	33,000
Adjustments to Base and Technical Adjustments
2008 Current Services	33,000
2008 Program Increases
2008 Offsets
2008 Request	33,000
Total Change 2007-2008

<i>[Name of Decision Unit]</i> —Information Technology Breakout (of Decision Unit Total)	Perm. Pos.	FTE	Amount
2006 Enacted w/Rescissions and Supplementals
2007 Estimate
Adjustments to Base and Technical Adjustments
2008 Current Services
2008 Program Increases
2008 Offsets
2008 Request
Total Change 2007-2008

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.

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.

Legal Activities
Fees and Expenses of Witnesses
Program Performance Information
Activity Resource Summary
(In thousands of dollars)

Activity: Victim Compensation Fund

<i>[Name of Decision Unit]</i> TOTAL	Perm. Pos.	FTE	Amount
2006 Enacted w/Rescissions and Supplementals
2007 Estimate
Adjustments to Base and Technical Adjustments
2008 Current Services
2008 Program Increases
2008 Offsets
2008 Request
Total Change 2007-2008

<i>[Name of Decision Unit]</i> — Information Technology Breakout (of Decision Unit Total)	Perm. Pos.	FTE	Amount
2006 Enacted w/Rescissions and Supplementals
2007 Estimate
Adjustments to Base and Technical Adjustments
2008 Current Services
2008 Program Increases
2008 Offsets
2008 Request
Total Change 2007-2008

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 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. In FY 2006 the Department paid \$22,500 from this program and the Department anticipates another \$22,500 to be paid in FY 2007. No costs are anticipated to be paid from this program in FY 2008.

Planned Base Initiative:

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

Legal Activities
Fees and Expenses of Witnesses
Program Performance Information
Activity Resource Summary
(In thousands of dollars)

Activity: Private Counsel

<i>[Name of Decision Unit]</i> TOTAL	Perm. Pos.	FTE	Amount
2006 Enacted w/Rescissions and Supplementals	7,000
2007 Estimate	7,000
Adjustments to Base and Technical Adjustments
2008 Current Services	7,000
2008 Program Increases
2008 Offsets
2008 Request	7,000
Total Change 2007-2008

<i>[Name of Decision Unit]</i> — Information Technology Breakout (of Decision Unit Total)	Perm. Pos.	FTE	Amount
2006 Enacted w/Rescissions and Supplementals
2007 Estimate
Adjustments to Base and Technical Adjustments
2008 Current Services
2008 Program Increases
2008 Offsets
2008 Request
Total Change 2007-2008

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.

Legal Activities
Fees and Expenses of Witnesses
Program Performance Information
Activity Resource Summary
(In thousands of dollars)

Activity: Superior Court Informant Program

<i>[Name of Decision Unit]</i> TOTAL	Perm. Pos.	FTE	Amount
2006 Enacted w/Rescissions and Supplementals	1,000
2007 Estimate	1,000
Adjustments to Base and Technical Adjustments
2008 Current Services	1,000
2008 Program Increases
2008 Offsets
2008 Request	1,000
Total Change 2007-2008

<i>[Name of Decision Unit]</i> — Information Technology Breakout (of Decision Unit Total)	Perm. Pos.	FTE	Amount
2006 Enacted w/Rescissions and Supplementals
2007 Estimate
Adjustments to Base and Technical Adjustments
2008 Current Services
2008 Program Increases
2008 Offsets
2008 Request
Total Change 2007-2008

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.

Planned Base Initiatives:

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.

Legal Activities
Fees and Expenses of Witnesses
Program Performance Information
Activity Resource Summary
(In thousands of dollars)

Activity: Alternative Dispute Resolution (ADR)

<i>[Name of Decision Unit]</i> TOTAL	Perm. Pos.	FTE	Amount
2006 Enacted w/Rescissions and Supplementals	1,300
2007 Estimate	1,300
Adjustments to Base and Technical Adjustments
2008 Current Services	1,300
2008 Program Increases
2008 Offsets
2008 Request	1,300
Total Change 2007-2008

<i>[Name of Decision Unit]</i> — Information Technology Breakout (of Decision Unit Total)	Perm. Pos.	FTE	Amount
2006 Enacted w/Rescissions and Supplementals
2007 Estimate
Adjustments to Base and Technical Adjustments
2008 Current Services
2008 Program Increases
2008 Offsets
2008 Request
Total Change 2007-2008

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 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.

A: Organizational Chart/NA

B: Summary of Requirements

Summary of Requirements
 Fees and Expenses of Witnesses
 Salaries and Expenses
 (Dollars in Thousands)

	FY 2008 Pres. Budget		
	Perm. Pos.	FTE	Amount
2006 Enacted (with Rescissions, direct only)			\$168,300
2006 Supplementals			
Total 2006 Enacted (with Rescissions and Supplementals)	168,300
2007 President's Budget (Information Only)			168,300
2007 Continuing Resolution Level (as reflected in the 2008 President's Budget; Information Only)			168,300
2007 Estimate (direct only)*			168,300
2007 Rescission Against Balances			
2007 Estimate (with Rescissions)	168,300
2008 Current Services	168,300
2008 Total Request	168,300
2007 - 2008 Total Change	168,300
2008 Rescissions from Balances			

* The Department of Justice 2008 budget request was built on a starting point that recognized progress in enacting the FY 2007 appropriation. The starting point used (referred to throughout this document as the "Estimate") is the average of the Senate Committee and House passed marks, less one percent, unless noted otherwise.

Summary of Requirements
Fees and Expenses of Witnesses
Salaries and Expenses
(Dollars in Thousands)

Estimates by budget activity	2006 Enacted w/Rescissions and Supplementals			2007 Estimate			2008 Adjustments to Base and Technical Adjustments			2008 Current Services			2008 Increases			2008 Offsets			2008 Request			
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	
Fees and Expenses of Witnesses			\$126,000			\$126,000			\$0	....	....	\$126,000	....	....	\$0	....	....	\$0	....	....	\$126,000
Protection of Witnesses			33,000			33,000			....	....	....	33,000	....	....	....	....	....	....	....	....	33,000
Victim Compensations			\$0	
Private counsel			7,000			7,000			....	....	....	7,000	....	....	....	....	....	....	....	....	\$7,000
Superior Court Informant			1,000			1,000			....	....	....	1,000	....	....	....	....	....	....	....	....	\$1,000
Alternative Dispute Resolution			1,300			1,300			....	....	....	1,300	....	....	....	....	....	....	....	....	\$1,300
Total	168,300	....	....	168,300	....	....	....	....	....	168,300	....	....	....	....	....	....	....	....	168,300	
Reimbursable FTE											
Total FTE		
Other FTE:																						
LEAP												
Overtime												
Total Comp. FTE		

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)

Strategic Goal and Strategic Objective	2006 Enacted w/Rescissions and Supplementals		2007 Estimate		2008 Current Services		2008				2008 Request			
	Direct, Reimb. Other FTE	Direct Amount \$000s	Direct, Reimb. Other FTE	Direct Amount \$000s	Direct, Reimb. Other FTE	Direct Amount \$000s	Increases		Offsets		Direct, Reimb. FTE	Direct Amount \$000s		
							Reimb. FTE	Amount \$000s	Reimb. FTE	Amount \$000s				
Goal 1: Prevent Terrorism and Promote the Nation's Security 1.1: Prevent, disrupt, and defeat terrorist operations before they occur 1.2: Investigate and prosecute those who have committed, or intend to commit, terrorist acts in the United States														
Subtotal, Goal 1	-	-	-	-	-	-	-	-	-	-	-	-	-	
Goal 2: Enforce Federal Laws and Represent the Rights and Interests of the American People 2.1														
Subtotal, Goal 2	-	-	-	-	-	-	-	-	-	-	-	-	-	
Goal 3: Assist State, Local, and Tribal Efforts to Prevent or Reduce Crime and Violence 3.1:														
Subtotal, Goal 3	-	-	-	-	-	-	-	-	-	-	-	-	-	
Goal 4: Ensure the Fair and Efficient Operation of the Federal Justice System 4.1:	-	168,300	-	168,300	-	168,300	-	-	-	-	-	-	168,300	
Subtotal, Goal 4	-	168,300	-	168,300	-	168,300	-	-	-	-	-	-	168,300	
GRAND TOTAL	-	\$ 168,300	-	\$ 168,300	-	\$ 168,300	-	\$ -	-	\$ -	-	\$ -	-	\$ 168,300

F: Crosswalk of 2006 Availability

Crosswalk of 2006 Availability
 Fees and Expenses of Witnesses
 Salaries and Expenses
 (Dollars in Thousands)

Decision Unit	FY 2006 Enacted Without Rescissions			Rescissions			Supplementals			Reprogrammings / Transfers			Carryover/ Recoveries			2006 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Fees and Expenses of Witnesses	126,000	....	....		....	....		....	....		....	....	81,162	....	....	207,162
Protection of Witnesses	33,000	....	....		....	....		....	....		....	....	3,000	....	....	36,000
Victim Compensation	22,500	....	....	22,500
Private Counsel	7,000	....	....		....	....		....	....		....	....	7,300	....	....	14,300
Superior Court Informants	1,000	....	....		....	....		....	....		....	....		....	....	1,000
Alternative Dispute Resolution	1,300	....	....		....	....		....	....		....	....	117	....	....	1,417
TOTAL	168,300	....	....	\$0	....	....	\$0	....	....	\$0	....	....	114,079	....	....	282,379
Reimbursable FTE																	
Total FTE	
Other FTE																	
LEAP																	
Overtime																	
Total Compensable FTE	

Enacted Rescissions. Funds rescinded as required by the Department of Justice Appropriations Act, 2006 (P.L. 109-108) and the Department of Defense Appropriations Act, 2006 (P.L. 109-148).

1/ Includes total carry-over of unobligated balances of \$96,843,543 from the FY 2005 Fees and Expenses of Witnesses X Account, \$18,116,844 in prior year recovery deobligations and minus -\$881,500 Account Receivable that was cancelled by cancelling out an undelivered order.

G: Crosswalk of 2007 Availability

Crosswalk of 2007 Availability

Fees and Expenses of Witnesses

Salaries and Expenses

(Dollars in Thousands)

Decision Unit	2007 Estimate			Rescissions			Reprogrammings / Transfers			Unobligated Balances Carried Forward /Recoveries			2007 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Fees and Expenses of Witnesses	126,000	....	....	....	....	....	....	....	....	76,166	....	....	202,166
Protection of Witnesses	33,000	....	....	....	....	....	....	....	....	2,958	....	....	35,958
Victim Compensation
Private Counsel	7,000	....	....	....	....	....	....	....	....	8,558	....	....	15,558
Superior Court Informants	1,000	....	....	....	....	....	....	....	....	....	....	....	1,000
Alternative Dispute Resolution	1,300	....	....	....	....	....	....	....	....	494	....	....	1,794
Unobligated Balance Rescission														
TOTAL	168,300	....	....	\$0	....	....	\$0	....	....	\$88,176	....	....	256,476
Reimbursable FTE														
Total FTE		
Other FTE														
LEAP														
Overtime														
Total Compensable FTE		

Estimates for FY 2007 is authorized pursuant to DOJ Appropriations Act, 2006, P.L. 109-108 (119 STAT. 2293) and CR P.L. 109-383 H.J. Res. 102.

Unobligated Balances. Funds were carried over from FY 2006 balances of \$88,176,594 from the Fees and Expenses of Witnesses X account.

L: Summary of Requirements by Object Class

Summary of Requirements by Object Class

Fees and Expenses of Witnesses

Salaries and Expenses

(Dollars in Thousands)

Object Classes	2006 Actuals		2007 Estimate		2008 Request		Increase/Decrease	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
11.1 Direct FTE & personnel compensation
11.3 Other than full-time permanent
11.5 Total, Other personnel compensation
<i>Overtime</i>
<i>Other Compensation</i>
11.8 Special personal services payments	163,785	....	159,300	....	159,300	....	....
Total	163,785	....	159,300	....	159,300	....	....
Reimbursable FTE:								
Full-time permanent								
Other Object Classes:								
12.0 Personnel benefits	
21.0 Travel and transportation of persons		11,131		1,952		1,952		....
25.1 Advisory and assistance services		1,000		800		800		....
25.2 Other services		7,000		4,250		4,250		....
25.3 Purchases of goods & services from Government accounts		2,000		700		700		....
25.8 Subsistence and support of persons		1,000		1,298		1,298		....
Total obligations		\$185,916		\$168,300		\$168,300		\$0
Unobligated balance, start of year		(96,844)		(96,232)		(96,232)		
Unobligated balance, end of year		96,232		96,232		96,232		
Recoveries of prior year obligations		(18,117)		....		....
Accounts Receivable		1,113						
Total requirements		168,300		168,300		168,300		
Relation of Obligation to Outlays:								
Total obligations		185,916		168,300		168,300		
Obligated balance, start of year		126,097		144,332		144,332		
Obligated balance, end of year		(144,332)		(144,332)		(144,332)		
Recoveries of prior year obligations		(18,117)		....		....
Outlays		149,564		168,300		168,300		

End of year unobligated balances in FY 2006 does not agree with MAX because of rounding tolerance of \$1M.
This difference is caused by \$-1,113 in accounts receivables.