

**NOTE: THE DOJ-3 MUST NOT BE HANDLED BY THE FACT WITNESS OTHER THAN FOR SIGNATURE PURPOSES**

**PART I - GENERAL INFORMATION**

**This Voucher is for:**

☐ Fact Witness ☐ Travel Companion ☐ Federal Government Employee Fact Witness ☐ International Fact Witness

**This Voucher is from:**

*Please answer each question below.*

**The Fact Witness/Travel Companion:**

☐ Was ☐ Was Not a United States Citizen at the time of attendance.

☐ Was ☐ Was Not a Federal government employee at the time of attendance.

☐ Did ☐ Did Not receive a cash or check advance. **Advance Amount: \$** \_\_\_\_\_ **From:** \_\_\_\_\_

**Witness Name:** \_\_\_\_\_

**Travel Companion Name (if applicable):** \_\_\_\_\_

**For U.S. Citizen or Legal Resident - Social Security Number:** \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

**For Non-U.S. Citizen - Passport No.:** \_\_\_\_\_ **Visa No.:** \_\_\_\_\_ **Alien Registration Record No.:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **Apt. #:** \_\_\_\_\_ **City:** \_\_\_\_\_

**State:** \_\_\_\_\_ **Country:** \_\_\_\_\_ **ZIP Code:** \_\_\_\_\_

**Phone No.:** \_\_\_\_\_ **E-Mail Address:** \_\_\_\_\_

**Court Doc. No.:** \_\_\_\_\_ **Case Name/No.:** \_\_\_\_\_

**District:** \_\_\_\_\_ **Court Location:** \_\_\_\_\_

**Was CBA used for:** ☐ N/A ☐ Transportation ☐ Lodging

**PART II - ATTENDANCE CERTIFICATION**

NOTE: Retention of these fees is considered taxable income and reportable to IRS.

A. Attendance	Witnesses get \$40 for each day including travel days. Ex. If witness traveled Tues., had to be available Wed. & didn't testify until Thursday, & traveled Friday, Witness receives \$40 for 4 days			FEES			OBJECT CLASS	AMOUNTS
							SOC/SSOC	(Dollars)
Deposition Dates (Including Travel):		↑	to	\$40 @		Days	11804 / 1126	USMS will fill
Grand Jury/ Hearing/ Trial Attendance Dates (Including Travel):			to	\$40 @		Days	11804 / 1156	
Pretrial Conference Dates (Including Travel):			to	\$40 @		Days	11804 / 1194	
Detained Dates - Citizen/Visitor in Custody:			to	\$40 @		Days	11804 / 1193	
Detained Dates - Deportable Alien in Custody:			to	\$1 @		Days	11804 / 1195	↓

Must list dated individually. Ex. 3/3/2020, 3/4/ 2020, 3/5/2020

**TOTAL FEES:** \_\_\_\_\_

**B. Attendance Attestation:** I attest that the witness named above appeared at a scheduled judicial proceeding or pretrial conference (as defined under 28 CFR PART 21), and is entitled to receive the statutory fees and expenses in accordance with 28 U.S.C. § 1821.

Printed Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Title of Authorized Federal Government Official \_\_\_\_\_

A copy of Form USM-376A, Signature/Designation Form for Approving Officer must be on file with the USMS

**THIS PORTION IS TO BE FILLED OUT  
BY  
THE CLERK'S OFFICE**

## PART III - ALLOWANCES

	OBJECT CLASS SOC/SSOC	AMOUNTS (Dollars)
<b>C. Travel by Carrier</b> (Receipts over \$75.00 required if paid by witness or travel companion. <b>DO NOT claim if paid by Federal government)</b> Check One: <input type="checkbox"/> Train <input type="checkbox"/> Bus <input type="checkbox"/> Airplane	21011 / 2191 2108	<b>USMS will fill in</b>
<b>D. Travel by Privately Owned Vehicle:</b> Website for most current mileage rates: <a href="http://www.gsa.gov">http://www.gsa.gov</a>  *Can only reimburse for mileage if they live outside the city* Round Trip Mileage: _____ @ \$ _____ Per Mile Total Number of Trips: _____ Less Advance Received: _____	21015 / 2192	
<b>E. Local Transportation &amp; Other Expenses</b> (e.g. subway, bus, taxi, tolls, parking, baggage fees, hotel taxes, etc.)  ** All expenses over \$75.00 must have a receipt. If receipts are not provided for expenses over \$75.00, a Verification Without Receipt Form must be submitted. <b>List Expenses and Value of the Expenses Authorized to be Paid:</b>	21001 / 2193 2133	
<b>F. Meals and Lodging:</b> Website for most current government hotel rates and per diem: <a href="http://www.gsa.gov">http://www.gsa.gov</a>  1. Travel Days (3/4 M&IE for Federal government employee fact witness, 1/2 M&IE for non-Federal government employee fact witness) * 1/2 per diem for travel days @ \$ _____ x _____ Day(s) = \$ _____ 2. Days Away from Home (full day's M&IE per day) Can only have lodgin if they are here a full day @ \$ _____ x _____ Day(s) = \$ _____ 3. Actual Cost of Lodging, Not to Exceed \$ _____ @ \$ _____ * x _____ Day(s) = \$ _____ (Do not claim if paid by Federal government) *The Actual Cost of Lodging cannot be greater than the Not to Exceed lodging amount)	21013 / 2194 21013 / 2194 21012	
<b>NET AMOUNT PAID (Fees plus totals of Sections C, D, E, and F minus Advance Received from top of Page 1):</b>		✓

## PART IV - CERTIFICATION

**SOCIAL SECURITY NUMBER/PRIVACY ACT NOTICE:** Disclosure of your Social Security number is mandatory for Federal income tax reporting purposes under the authority of 26 CFR Section 301-6109-1, in order to ensure the accuracy of income computation by the Internal Revenue Service. This information will be used to identify an individual who is compensated by funds of the Department of Justice. Failure to provide this information may result in delay of your compensation, and the Department of Justice will be required to notify the Internal Revenue Service that your number is unknown. This information is being provided on Form 1099 to the Internal Revenue Service.

Falsification of an item may constitute a forfeiture of claim (28 U.S.C., Section 2514) and may result in a fine of not more than \$10,000 or imprisonment of not more than 5 years or both (18 U.S.C. 287).

**CERTIFICATION:** I certify that this voucher is true and correct to the best of my knowledge and belief, and that payment or credit has not been received by me.

Signature

Date

## PART V - CLAIM VERIFICATION

**VERIFICATION:** I verify that the above information and receipts provided by the witness or travel companion, is true and correct to the best of my knowledge.

Signature

Date

Title of Authorized Federal Government Official

E-mail Address

**THIS IS TO BE FILLED OUT  
BY THE CLERK'S  
OFFICE**

# INSTRUCTIONS FOR COMPLETING DOJ-3 FACT WITNESS VOUCHER

These instructions are to assist you with properly completing the DOJ-3. An incomplete or incorrect DOJ-3 will be returned for modification.

It is the responsibility of the Litigating Office to complete the DOJ-3. Fact witnesses, travel companions, Federal government employee fact witnesses, or international fact witnesses must only handle the DOJ-3 for signature purposes.

## **PART I - GENERAL INFORMATION**

### **SELECT ONE OF THE FOLLOWING:**

**This voucher is for:**

- Fact Witness Travel Companion\* Federal Government Employee Fact Witness International Fact Witness

\*Travel companions must have their own DOJ-3, separate from the fact witness, Federal government employee fact witness, or international fact witness to whom they are accompanying. A memo (OBD Litigating Offices only), UEFW Form (USAO only), or an order from the court (FPD and CJA attorneys only) approving a travel companion and expenses must be attached to the DOJ-3. Attendance fees are not allowable for travel companions or Federal government employee fact witnesses.

For travel companion vouchers, also include the name of the fact witness, Federal government employee fact witness, or international fact witness on the DOJ-3.

### **SELECT ONE OF THE FOLLOWING:**

**This voucher is from:**

- ATR CIV CJA CRM CRT ENRD FPD TAX USAO USPC USTP

**Answer each question to indicate if:**

- The fact witness, travel companion, or international fact witness was/was not a United States citizen at the time of attendance. If not a citizen, proof of legal residence or visitor status is required.
- The fact witness was/was not a Federal government employee fact witness at the time attendance.
- The fact witness, travel companion, Federal government employee fact witness, or international fact witness did/did not receive a check or cash advance for his/her expenses in traveling to court. If an advance was received, enter the amount and issuing office here.

## **INSTRUCTIONS FOR COMPLETING DOJ-3 FACT WITNESS VOUCHER**

Indicate and verify the fact witness, travel companion, Federal government employee fact witness, or international fact witness's Name, Social Security Number, Passport/Visa Number (if applicable), Alien Registration Record Number (if applicable), Address, Telephone Number, and E-mail Address.

One or more of the following forms of identification or documents will be required in order to receive fees and expenses.

### **ACCEPTABLE FORMS OF IDENTIFICATION**

- Valid Social Security Number (Legal citizen or resident of the U.S.)
- Valid Alien Registration Record Number (Alien who is legally permitted in the U.S.)
- Valid Passport Number
- Valid Visa Number (International Fact Witness only)
- Valid Photo Identification (e.g., driver's license, passport, visa, etc.)

### **ACCEPTABLE DOCUMENTS**

- Court Order Classifying a Deportable Witness
- Material Witness Warrant
- Subpoena
- USA-150 (USAO only)
- Letter in lieu of Subpoena
- Court Order Requesting the Appearance and Expenses of a Fact Witness (FPD and CJA Attorney only)
- Court of Appointment (CJA Attorney only)
- DOJ-44 (International Fact Witness only)
- Funding Cable (International Fact Witness only)
- DOJ-426 (Federal Government Employee Fact Witness only)
- Memo Explaining Unusual Circumstances

## **INSTRUCTIONS FOR COMPLETING DOJ-3 FACT WITNESS VOUCHER**

- Memo Approving Miscellaneous Expenses (DOJ-OBD only)
- UEFW Form (USAO only)

This information will be used to identify an individual who can be compensated in accordance with 5 U.S.C. § 5751, 18 U.S.C. § 3144, 28 U.S.C. § 1821, and 28 CFR PART 21.

Failure to provide any of the above forms of identification or documents will result in **delay or rejection** of payment.

### **PART II - ATTENDANCE CERTIFICATION**

A Federal government employee of the litigating office who can attest the appearance of a fact witness, Federal government employee fact witness, or international fact witness must sign Section B of Part II. CJA attorneys are prohibited from signing the DOJ-3. CJA attorneys must obtain signatures from the Clerk of the Court, U.S. Magistrate Judge, or FPD.

The Federal government employee signing Part II must have a USM-376A (Signature Form) on file with the U.S. Marshals Service.

### **PART III - ALLOWANCES**

All expenses over \$75.00 must have a receipt attached to the DOJ-3 prior to payment. Claims for reimbursement are not processed until the fact witness, travel companion, Federal government employee fact witness, or international fact witness furnishes all receipts for expenses over \$75.00.

If receipts are not provided for expenses over \$75.00, a Verification Without Receipt Form must be attached to the DOJ-3 prior to payment. The Verification Without Receipt Form is available from the U.S. Marshals Service.

In Section F.1 (Travel Days), calculate  $\frac{3}{4}$  M&IE for a Federal government employee fact witness and  $\frac{1}{2}$  M&IE for a fact witness, travel companion, or international fact witness. M&IE is based on the Federal Travel Regulations and 28 CFR Part 21.

### **PART IV - CERTIFICATION**

Verify that all items under Part III are correct. A Federal government employee assigned to assist the fact witness, travel companion, Federal government employee fact witness, or international fact witness must initial or sign any changes to Part III. The fact witness, travel companion, Federal government employee fact witness, or international fact witness must sign and date the DOJ-3.

## **INSTRUCTIONS FOR COMPLETING DOJ-3 FACT WITNESS VOUCHER**

If the fact witness, travel companion, or Federal government employee fact witness departs the trial district and does not sign the DOJ-3, a letter signed by the fact witness, travel companion, or Federal government employee fact witness requesting reimbursement of expenses is required. The fact witness, travel companion, or Federal government employee fact witness must send the letter and a copy of a valid photo ID to the litigating office for inclusion with the DOJ-3.

### **PART V - CLAIM VERIFICATION**

Before transmitting the voucher to Justice Management Division (Federal government employee fact witness only) or the U.S. Marshals Service for payment, a Federal government employee of the litigating office must validate the accuracy and completeness of the expenses claimed by the fact witness, travel companion, Federal government employee fact witness, or international fact witness and sign Part V. A USM-376A (Signature Form) is not required for the Federal government employee signing Part V.

The Justice Management Division or the U.S. Marshals Service processes the DOJ-3 and a check is mailed to the fact witness, travel companion, or Federal government employee fact witness at the address indicated on the first page of the DOJ-3.

Reimbursement for international fact witnesses and international travel companions is paid **on-the-spot by the U.S. Marshals Service** prior to departing the trial district.

### **VOUCHER DISTRIBUTION:**

Original - USMS Financial System

Copy 1 - Federal Government Employee Who Signed in Part V (Claim Verification)

Copy 2 - USMS District Office in Witness's Location (if applicable)