

Public Law 102-417
102d Congress

An Act

Oct. 14, 1992

[H.R. 2324]

Incarcerated
Witness Fees
Act of 1991.
28 USC 1 note.

To amend title 28, United States Code, with respect to witness fees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Incarcerated Witness Fees Act of 1991".

SEC. 2. ELIMINATION OF WITNESS FEES FOR INCARCERATED PERSONS.

(a) **IN GENERAL.**—Section 1821 of title 28, United States Code, is amended by adding at the end the following:

"(f) Any witness who is incarcerated at the time that his or her testimony is given (except for a witness to whom the provisions of section 3144 of title 18 apply) may not receive fees or allowances under this section, regardless of whether such a witness is incarcerated at the time he or she makes a claim for fees or allowances under this section."

(b) **CONFORMING AMENDMENT.**—Section 1821(d)(1) of title 28, United States Code, is amended by striking "(other than a witness who is incarcerated)".

(c) **TECHNICAL AMENDMENT.**—Section 1821(d)(4) of title 28, United States Code, is amended by striking "3149" and inserting "3144".

(d) **EFFECTIVE DATE.**—The amendments made by this section shall be effective on and after the date of the enactment of this act and shall apply to any witness who testified before such date and has not received any fee or allowance under section 1821 of title 28, United States Code, relating to such testimony.

Approved October 14, 1992.

LEGISLATIVE HISTORY—H.R. 2324:

HOUSE REPORTS: No. 102-194 (Comm. on the Judiciary).

CONGRESSIONAL RECORD:

Vol. 137 (1991): Nov. 18, considered and passed House.

Vol. 138 (1992): Aug. 6, considered and passed Senate, amended.

Oct. 3, House concurred in Senate amendments.

28 USC 1821
note.