

The Honorable Joe Lieberman, Chair
Senate Committee on Homeland Security and
Governmental Affairs`
706 Hart Senate Office Building
Washington, DC 20510

The Honorable Susan Collins, Ranking Member
Senate Committee on Homeland Security and
Governmental Affairs
413 Dirksen Senate Office Building
Washington, DC 20510

VIA FAX

April 11, 2011

Dear Senators Lieberman and Collins:

We are writing to comment upon one provision in S. 679 which would remove Senate confirmation for a number of Presidential appointees. While we understand the reasons behind removal of Senate confirmation and do not wish to intercede in Senate procedures, we want to raise some very strong concerns about the impact that removal of the Senate confirmation requirement from the position of Director of the Office for Victims of Crime would have on crime victims in this country.

We firmly believe that the Director of the Office for Victims of Crime has extremely important government-wide and international responsibilities that necessitate the position retain the status afforded only by Presidential appointment *with Senate confirmation*.

When the Office for Victims of Crime was created by statute in 1988, the crime victim assistance field strongly supported the requirement that the Director's position be a presidential appointment with Senate confirmation. We believed then and believe even more so today, that this stature is much more than mere symbolism but is crucial to OVC's success as *the Federal government's key agency* that identifies and directly serves the needs of victims and survivors of crime in America. OVC provides critical leadership and vision for our field and our support for the Presidential appointment with Senate confirmation of its Director remains as strong as ever.

The other bureaus and offices within the Office of Justice Programs work with and on behalf of criminal justice professionals whose views are represented by their national organizations. Unlike those units, OVC's constituency is the diverse and largely unorganized population of individual citizens and their families who become victims of crime. OVC provides financial and on-site support responding to some of our nation's most tragic incidents of mass violence and terrorism both domestically and internationally. These include, for example the bombing and murders at the 1995 Alfred P. Murrah Federal Building bombing in Oklahoma City, numerous mass violence crimes at schools and universities over the past 20 years, the terrorist attacks on our Nation in 2001 and the recent shooting in Tucson. OVC's responsibilities when American citizens become victims of crime at the charge of a foreign leader, terrorist group or individual, such as Pan Am 103 and the bombings of the U.S. Embassies in Tanzania and Kenya in 1998, require the OVC Director to stand on a par with counterparts throughout the Federal government and with foreign dignitaries.

In each of these tragic cases in America and around the world, the OVC Director represents the Federal government and the interests and needs of crime victims serving as an "epicenter" for the provision of immediate-, short- and long-term support to individual victims and survivors and communities.

We also recognize that there have been and will continue to be situations when the interests of crime victims may diverge from the demands of the criminal justice system and the professionals whose mission might differ from an individual victim's own interests or desires. The OVC Director must be able

to independently explain and advocate policies on behalf of victims' interests during internal Justice Department discussions and decision-making.

Perhaps the most important function of the OVC Director is the administration of the Crime Victims Fund, the non-taxpayer source that Congress established and reaffirmed to be used solely to support services to crime victims. In light of the large amounts of money retained in the Fund, we are concerned that other units within the Justice Department may see the Crime Victims Fund as a source to support their non-victim activities. We believe that the OVC Director must be able to exercise an independent voice to protect the Crime Victims Fund—an independence certainly strengthened by being a Senate confirmed Presidential appointment.

We also note that under S. 679 the Director of the Office on Violence Against Women would retain Senate confirmation. In some respects, the OVW Director has comparable responsibilities as the OVC Director. Whereas OVW's focus is on the important mission of combating violence against victims of domestic violence, sexual assault, stalking and dating violence, OVC's mission is broader in that it encompasses rights and services for victims of *all* types of crimes and is responsible for administration of much greater resources through the Crime Victims Fund. Removal of Senate confirmation would diminish the OVC Director position.

Finally, we are concerned that removing the Senate confirmation requirement may only be a first step toward eventually eliminating the position as a Presidential appointment, thus further eroding the status and place of the interests of crime victims and the commitment of the Federal government in recognizing and addressing their needs.

Certainly, as we approach the tenth anniversary of the September 11 attacks, we should acknowledge the importance of the Director's position by retaining its significance as a Presidential appointment with Senate confirmation. For further discussion or information, please contact Steve Derene, Executive Director, National Association of VOCA Assistance Administrators, steve@navaa.org, 608-233-2245.

Thank your for consideration of these comments.

Sincerely,

National Association of VOCA Assistance
Administrators
National Center for Victims of Crime
National Organization of Parents of Murdered
Children, Inc.
National Organization for Victim Assistance
International Organization for Victim Assistance
National Association of Crime Victim
Compensation Boards

National Crime Victim Law Institute
American Society of Victimology
National Leadership Council on Victim Justice
Crime Victims United of Illinois
National Organization of Victims of Juvenile
Lifers
Force 100
Security on Campus, Inc.

cc: The Honorable Charles Schumer
The Honorable Lamar Alexander
The Honorable Harry Reid
The Honorable Mitch McConnell
The Honorable Patrick Leahy
The Honorable Chuck Grassley