

Statement of Senator Jeff Sessions
“Deceptive Practices and Voter Intimidation Tactics”

No one disputes that deceptive voting practices are wrong and should be punished; that is why we have laws on the books to prohibit them. I do not believe that we need a new law to address this issue and for that reason I do not support this bill. Perhaps there are provisions in the bill that are justified and if there are, I would be willing to consider them.

But current law already allows the Justice Department to protect eligible voters from deceptive practices and voter intimidation. For example, an individual

who deprives, attempts to deprive, or conspires to deprive anyone of their right to vote faces a fine of up to \$5,000, five years imprisonment, or both. Current law also prohibits conspiracies “to injure, oppress, threaten, or intimidate any person...in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States...”

I supported the reauthorization of the Voting Rights Act. No one, regardless of race, religion, or ethnicity should be hampered in the right to vote. And only eligible voters should vote.

The Justice Department has the power to prosecute individuals who seek to deprive others of the right to vote and they do not hesitate to use it. The real problem here is the failure of this Justice Department to prosecute voter fraud and its actions to undermine the constitutionally legitimate efforts by states to combat that fraud. We should be holding a hearing on those issues. We should be talking about the Justice Department's refusal to approve legitimate voter ID laws in South Carolina and Texas and the Department's lawsuit against Florida for its legitimate efforts to clean up its voter rolls.

States not only need to maintain accurate voter rolls, but are required to do so by federal law. When they fail to do so, this allows people who are not citizens, people who are felons, people who have moved, or people who are deceased to remain on the rolls. When these names remain on the rolls, and voters are not required to present a photo ID at a polling place, anyone can walk in with a paper document and say “I am John Jones” and vote for that person.

As a young man illustrated during Virginia’s primary election, when a voting location does not require voter ID, the votes

of living, eligible voters can be stolen as well. This young man walked into a polling place in Virginia and said that he was Attorney General Eric Holder and that he hoped he did not have to provide an ID because he did not have one. The poll worker believed him and was going to allow him to cast the Attorney General's ballot. And just last week, a Virginia man received a voter registration card in the mail asking his dog, who had been dead for two years, to register to vote.

We also should be discussing the problems with early voting and absentee voting practices, which were highlighted in

the 2005 Justice Department investigation of the Noxubee County Democratic Executive Committee in Mississippi. In that case, the Chairman of the Committee recruited absentee voters, whether they were qualified or not, and sent “notaries” to their homes to fill out their ballots for them. These strong arm tactics by machine politicians deny people the right to a private ballot and the federal government does not do anything about it.

When the investigation led to a prosecution in the Noxubee County case in 2007, political appointees at the Holder Justice Department, upset with this event,

made sure that such action would never be taken again. This Justice Department does not believe that all people are protected by the Voting Rights Act, and chided Christopher Coates, the Chief of the Voting Section at the time, for pursuing cases where whites were the minority in the precincts in question.

In September of 2010, Coates testified before the U.S. Commission on Civil Rights revealing the Voting Section's "long-term hostility to the race-neutral enforcement of the [Voting Rights Act]." According to his testimony, Assistant Deputy Attorney General Julie Fernandez told the attorneys

in the Voting Section that “the Obama Administration was only interested in bringing traditional types of Section 2 cases that would provide political equality for racial and language minority voters.”

Statements like these completely ignore that fact that in some precincts, like Noxubee County, the majority of voters and political leaders are of a national racial minority.

So Mr. Chairman, I would just say that there is plenty of evidence of vote fraud in this country. In 2005, the bipartisan Commission on Federal Election Reform headed by former President Carter and

former Secretary of State Baker found that “the electoral system cannot inspire public confidence if no safeguards exist to deter or detect fraud or to confirm the identity of voters. Photo IDs currently are needed to board a plane, enter federal buildings, and cash a check. Voting is equally important.” And a 2012 report from the non-partisan Pew Center on the States found that 1 in 8 voter registration records are inaccurate, out-of-date, or duplicates. This suggests to me that there is a reasonable and significant justification for voter ID reforms in states like South Carolina, Texas and Florida. We should be discussing those

issues and the fact that this Justice Department has blocked efforts to ensure the integrity of the electoral process. Such actions are unjustified as a matter of law and evidence of a DOJ policy to politicize the enforcement of the Voting Rights Act.