



**National
Urban League**

*Empowering Communities.
Changing Lives.*

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January 9, 2017

The Honorable Mitch McConnell
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Charles Schumer
Democratic Leader
United States Senate
Washington, DC 20510

The Honorable Chuck Grassley
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

The Honorable Dianne Feinstein
Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Leader McConnell, Leader Schumer, Chairman Grassley, and Ranking Member Feinstein:

As President and CEO of the National Urban League, and on behalf of its 88 affiliates in 36 states and the District of Columbia, we call upon members of this committee and the entire Senate to reject the nomination of Senator Jefferson Sessions as the next Attorney General of the United States. A review of his past and current record on civil and human rights reveals that, as this nation's top law enforcement official, Senator Sessions would preside over an unprecedented rollback of racial justice, immigration policy, LGBTQ rights and gender equality, among other hard-fought for gains in the American struggle towards equality for all its citizens.

In 1986, when President Ronald Reagan nominated Sessions as the then United States Attorney for the Southern District of Alabama for a federal judgeship, his bid for the lifetime appointment was promptly derailed by the Republican-controlled Senate Judiciary Committee as a result of sworn testimony that pointed to a disturbing pattern of racist actions and comments. For his alarming and distressing comments, Senator Sessions became the second man in half a century to be rejected by the Senate Judiciary Committee.

As United States Attorney for the Southern District of Alabama, Sessions repeatedly demonstrated animus towards African-Americans and civil rights. The Justice Department's J. Gerald Hebert testified that Sessions claimed that the NAACP and the ACLU were "communist inspired" and "un-American" organizations "because they forced Civil Rights down the throats of people." Thomas Figures, an African-American prosecutor who worked under Sessions, testified that Sessions said the Ku Klux Klan – an organization known for racists and violent behavior – was "okay" until he learned they smoked marijuana. Figures also testified that Sessions called him "boy" and told him to "be careful what you say to white folks." As U.S. Attorney, Sessions used his power to bring baseless fraud prosecutions against civil rights activists in Alabama because those activists were helping African-American voters complete absentee ballots.ⁱ A jury acquitted all three defendants of all charges, in deliberations that lasted only a few hours. But the chilling effect on voting rights activists was substantial.

Senator Sessions' record over the years speaks volumes on his hostility toward civil and human rights where he has repeatedly opposed legislation that would make our nation more

equal and more just, including many statutes that as Attorney General he would be responsible for enforcing. For example, Senator Sessions:

- Called the Voting Rights Act, a “piece of intrusive legislation.” And, when the Supreme Court in *Shelby County v. Holder* struck down Section 5 of the Voting Rights Act, making it easier for states and localities to implement racially discriminatory voting laws, Sessions applauded the ruling and opposed efforts to update the law.
- Voted against the Shepard-Byrd Hate Crime Act, which extended Federal hate crimes protections to women, LGBT people, and people with disabilities – hate crimes protections that the Department of Justice now enforces.
- Opposed critical laws that protect persons with disabilities, including criticizing the Individuals with Disabilities Education Act and blaming federal protections for children with disabilities for “accelerating the decline in civility and discipline in classrooms all over America.” Sessions said that federal laws that are designed to ensure children with disabilities can receive an equal education “may be the single most irritating problem for teachers throughout America today.”
- Strongly opposed allowing undocumented immigrants to apply for temporary work authorization, and voted against the DREAM Act, which would have provided a way for immigrants who came to the United States as children to earn their citizenship
- Voted against the reauthorization of the Violence Against Women Act, which protects women from domestic violence, dating violence, and sexual assault.
- Voted against the Lilly Ledbetter Fair Pay Act, which seeks to ensure equal pay for equal work.

Additionally, and most disturbing, are the recent revelations that Senator Sessions has close ties to extremist, white nationalist organizations.ⁱⁱ A review by People For the American Way’s Right Wing Watch demonstrates that Sessions has strong ties to Breitbart, a white nationalist media organization that its former head, Stephen Bannon, has called a “platform for the Alt-Right.” Bannon has called Senator Sessions “one of the intellectual, moral leaders of this populist, nationalist movement in this country.” Sessions has praised Breitbart, saying that “your writers get it, every day they find new information that I use repeatedly in debate on the floor of the Senate because it’s highlighting the kind of problems that we have. And nobody else is doing it effectively, it’s just not happening, so to me it’s like a source. And we consistently find your data to be accurate and hold up under scrutiny.”

Senator Sessions has even disrespected the Senate and its constitutional responsibility to provide advice and consent where he has not made a good faith effort to complete his Senate Judiciary Committee questionnaire.ⁱⁱⁱ He has omitted decades of information, including numerous controversial interviews and speeches related to white nationalist groups. In addition to these omissions, Senator Sessions provided misleading and inaccurate information regarding his litigation experience, including exaggerating the role that he played in civil rights litigation in Alabama in the past.^{iv} Sessions made up a civil rights enforcement history when, in truth, he is one of the biggest opponents of civil rights in the Senate.

Never in recent memory has a nominee for U.S. Attorney General faced such united and widespread opposition from a wide spectrum of concerned individuals, civil rights activists and

organizations, including a group of more than 1,100 distinguished professors of law who sent a letter to Congress urging the rejection of his nomination, stating that "Nothing in Senator Sessions' public life since 1986 has convinced us that he is a different man than the 39-year-old attorney who was deemed too racially insensitive to be a federal district court judge."

The Attorney General is one of the most important positions in the entire Federal government. The Justice Department has the responsibility to vigorously enforce some of our nation's most critical laws; to protect the rights and liberties of all Americans; and to serve as an essential independent check on the excesses of an Administration. The evidence is overwhelmingly clear that Senator Sessions is unfit to serve as chief enforcer of civil rights laws. We join the rest of the civil rights and legal community and all defenders of equal rights in asking the Senate Judiciary Committee and the entire United States Senate to reject the nomination of Senator Sessions as our next Attorney General.

Respectfully,

A handwritten signature in black ink, appearing to read "marc morial", with a large, stylized flourish at the end.

Marc H. Morial
President and CEO

Cc: Members of the Senate Judiciary Committee

ⁱ <http://www.naacpldf.org/files/about-us/Deval-L-Patrick-Letter-re-Sessions-AG-Nom-1-3-17.pdf>

ⁱⁱ http://www.huffingtonpost.com/marge-baker/jeff-sessions-relationshi_b_13941372.html

ⁱⁱⁱ <http://www.pfaw.org/press-releases/2016/12/sessions-updated-questionnaire-still-shockingly-incomplete-groups-call-sena-0>

^{iv} https://www.washingtonpost.com/opinions/jeff-sessions-says-he-handled-these-civil-rights-cases-he-barely-touched-them/2017/01/03/4ddffa6-d0fa-11e6-a783-cd3fa950f2fd_story.html?utm_term=.400ca1d1d2a7