

**New York Office**  
40 Rector Street, 5th Floor  
New York, NY 10006-1738

T 212.965.2200  
F 212.226.7592

[www.naacpldf.org](http://www.naacpldf.org)



**Washington, D.C. Office**  
1444 Eye Street, NW, 10th Floor  
Washington, D.C. 20005

T 202.682.1300  
F 202.682.1312

January 29, 2017

*Via Email*

**Re: NAACP Legal Defense Fund Opposition to the Nomination of  
Sen. Jeff Sessions to be Attorney General of the United States**

Dear Senator:

On January 9, 2017, the NAACP Legal Defense & Educational Fund, Inc. (LDF) released a 33-page report in opposition to the nomination of Senator Jeff Sessions to be Attorney General of the United States. The report thoroughly examined Sessions' record on civil rights and racial justice, finding that, at this critical time for civil rights in America, "he is neither qualified nor prepared to vigorously enforce the nation's civil rights laws."<sup>1</sup> Since then, our conclusions have been confirmed—and in some instances deepened—by Sessions' hearing testimony, his written submissions to the Senate Judiciary Committee, and by the actions of President Donald Trump during his first week in office. With President Trump advancing an aggressive anti-civil and human rights agenda, Senator Jeff Sessions, Trump's campaign surrogate and a lifelong opponent of equal rights, is precisely the wrong person to serve as the "people's lawyer" and America's top law enforcement official.

LDF's report analyzed Sessions' 40-year legal and political career, during which Sessions has amassed a consistently troubling record on civil rights and racial justice. Such longstanding hostility to civil rights would always be problematic for a nominee poised to become our nation's chief enforcer of civil rights laws. But that is especially true now, as the nation confronts the aftermath of a polarizing presidential campaign that expressly divided Americans along racial lines, and a president who has already taken actions against women, religious minorities, immigrants, low-income people, and other vulnerable populations. We need an independent Attorney General who will unite the country and build public trust that our government and justice system will work fairly on behalf of everyone. Sessions' opposition to principles of equality, on the other hand, will only further divide the country and undermine confidence in our justice system.

---

<sup>1</sup> LDF, *Report in Opposition to the Nomination of Jefferson Beauregard Sessions III to be Attorney General of the United States*, 3 (Jan. 9, 2017), [http://www.naacpldf.org/files/about-us/LDF%20Jefferson%20Sessions%20Report%20in%20Opposition%20FINAL%201.9.2017\\_1.pdf](http://www.naacpldf.org/files/about-us/LDF%20Jefferson%20Sessions%20Report%20in%20Opposition%20FINAL%201.9.2017_1.pdf).

At best, Sessions’ hearing testimony provided vague lip service to the importance of civil rights but offered no meaningful assurance that he would actually protect them. This was in line with the Trump administration’s and Sessions’ cynical strategy of ignoring his actual record and depicting him as a civil rights champion.<sup>2</sup> For example, Sessions testified that he “deeply understand[s] the history of civil rights in our country”<sup>3</sup> and that he “understand[s] the demands for justice and fairness made by our LGBT community.”<sup>4</sup> Yet when pressed for specifics—including which “statutes protecting LGBT safety and civil rights” he would enforce, and in “what areas do racial inequalities persist”—he offered none.<sup>5</sup> Such conclusory testimony is far from enough to rebut a voluminous, decades-long anti-civil rights record.

At other times, Sessions affirmed our assessment that he is unfit to serve. Consider first the issues directly affected by Trump’s early executive actions, including access to safe and legal abortion and gender equality more broadly. During his hearing, Sessions said that he believes *Roe v. Wade* is “one of the worst clearly erroneous Supreme Court decisions of all time,” and that the decision “violated the Constitution and really attempted to set policy and not follow the law.”<sup>6</sup> And while he added that *Roe* is binding precedent, Sessions refused to say whether he would direct the Justice Department to argue that *Roe* and subsequent decisions protecting the right to abortion—including *Planned Parenthood v. Casey*<sup>7</sup> and *Whole Women’s Health v. Hellerstedt*<sup>8</sup>—should be overturned.<sup>9</sup> Similarly, Sessions refused to say that he would defend the constitutionality of the Violence Against Women Act,<sup>10</sup> despite once saying that attorneys general should defend any law unless it makes them “throw up.”<sup>11</sup> Sessions’ testimony on this issue goes not only to his substantive policy views, but calls into question his fidelity to long-settled law and consistent, unbiased law enforcement.

---

<sup>2</sup> See Sherrilyn Ifill, *How Democrats Must Fight the Confirmation of Jeff Sessions*, THE NEW REPUBLIC (Dec. 8, 2016), <https://newrepublic.com/article/139220/democrats-must-fight-confirmation-jeff-sessions>. One particularly egregious ad, paid for by a group founded to elect Donald Trump, calls Sessions “a civil rights champion who worked to desegregate Alabama schools and fight for equality,” and says that Sessions “reached across the aisle to help sponsor bipartisan criminal justice reform.” As we detail in our report in opposition, Sessions’ actual record is the opposite.

<sup>3</sup> Tr. at 20.

<sup>4</sup> *Id.*

<sup>5</sup> Questions for the Record submitted by Senator Blumenthal, Question No. 19; Questions for the Record submitted by Senator Leahy, Question No. 28.

<sup>6</sup> Tr. at 27.

<sup>7</sup> 505 U.S. 833 (1992).

<sup>8</sup> 136 S. Ct. 2292 (2016).

<sup>9</sup> Questions for the Record submitted by Senator Feinstein, Question No. 6.

<sup>10</sup> Questions for the Record submitted by Senator Leahy, Question No. 1.

<sup>11</sup> Confirmation Hearing on the Nomination of William H. Pryor, Jr. to be Circuit Judge for the Eleventh Circuit, 86 (June 11, 2003), <https://www.gpo.gov/fdsys/pkg/CHRG-108shrg91200/pdf/CHRG-108shrg91200.pdf>.

On religious freedom, Sessions' history of criticizing secular Justice Department lawyers suggests that he would use a religious or ideological litmus test when hiring Department attorneys, inciting another hiring scandal that would undermine the Department's credibility and independence. The day before the election, Sessions warned that "[i]f Hillary Clinton is elected, there will be four more years of filling every spot in the Department of Justice with these secular, progressive liberals that are going to make the Department even less traditional and lawful[.]"<sup>12</sup> Asked about this comment, Sessions testified that he was "not sure" whether a Justice Department attorney who is "secular has . . . just as good a claim to understanding the truth as a person who is religious."<sup>13</sup> This testimony, remarkable in its candor,<sup>14</sup> puts Senators on notice that Sessions would return the Department to the ignominious days when Alberto Gonzales, Attorney General in the George W. Bush administration, hired and fired even entry-level Department staff based on whether they were "loyal Bushies."<sup>15</sup>

Sessions also has defended freedom of religion for Christians while expressing hostility toward American Muslims. He sponsored a Senate resolution "affirming the right to display the Ten Commandments in public spaces, including . . . courthouses," while calling Islam "a toxic ideology" and saying that "it's appropriate to begin discuss[ing]" then-candidate Trump's proposed Muslim ban.<sup>16</sup> In answers to written questions, Sessions did state broadly that he "will enforce all civil rights laws to combat discrimination against . . . American Muslims,"<sup>17</sup> but again faltered on specifics. For example, asked about the Religious Land Use and Institutionalized Persons Act (RLUIPA), which prohibits local governments from enforcing land use regulations that discriminate against religious groups, Sessions declined to commit to "defending the rights of Muslim Americans—as strenuously as those of any other faith—to be free from unduly burdensome, unreasonable or discriminatory zoning, landmarking, and other land use regulations[.]"<sup>18</sup>

---

<sup>12</sup> Tr. at 145; Questions for the Record Submitted by Senator Whitehouse, Question No. 1; Questions for the Record Submitted by Senator Feinstein, Question No. 19.

<sup>13</sup> Tr. at 144-45.

<sup>14</sup> See Dahlia Lithwick, *True Lies: There was one moment in Jeff Sessions' confirmation hearing that revealed why so many are so terrified of him*, SLATE (Jan. 10, 2017), [http://www.slate.com/articles/news\\_and\\_politics/jurisprudence/2017/01/jeff\\_sessions\\_confirmation\\_hearing\\_had\\_one\\_moment\\_that\\_revealed\\_why\\_so\\_many.html](http://www.slate.com/articles/news_and_politics/jurisprudence/2017/01/jeff_sessions_confirmation_hearing_had_one_moment_that_revealed_why_so_many.html)

<sup>15</sup> Dan Eggen & Paul Kane, *Ex-Justice Official's Statements Contradict Gonzales on Firings*, THE WASHINGTON POST (Apr. 16, 2007), <http://www.washingtonpost.com/wp-dyn/content/article/2007/04/15/AR2007041500548.html>.

<sup>16</sup> Questions for the Record submitted by Senator Durbin, Question No. 27; see also Betsy Woodruff, *Donald Trump's Refugee Ban Has Attorney General Nominee Jeff Sessions' Fingerprints All Over It*, THE DAILY BEAST (Jan. 28, 2017), <http://www.thedailybeast.com/articles/2017/01/28/donald-trump-s-refugee-ban-has-attorney-general-nominee-jeff-session-s-fingerprints-all-over-it.html>.

<sup>17</sup> *Id.*

<sup>18</sup> Questions for the Record submitted by Senator Franken, Question No. 7.

Sessions' one-sided view of religious freedom and his criticism of "secular" lawyers raise profound concerns about his impartiality and fitness to serve as Attorney General. At the very least, Sessions should be further questioned about his reported role advising on President Trump's refugee ban that targets Muslim refugees and gives preferential treatment to Christians over those of other faiths.<sup>19</sup> That action—already stayed in part by a federal judge<sup>20</sup>—may violate the Constitution and other federal law, and raises doubts about Sessions' ability and commitment to uphold the rule of law, particularly when the rights of religious and other minorities are at stake.<sup>21</sup>

Sessions also doubled down on his opposition to equal voting rights. He testified that "voter ID laws properly drafted are OK," despite several recent federal court rulings that voter ID laws unlawfully discriminate against Black and Latino voters.<sup>22</sup> Sessions also testified that we "regularly have fraudulent activities occur during election cycles," which is often the stated justification—currently being repeated by President Trump—for discriminatory voter suppression tactics. Just last year, federal courts explained that strict voter ID laws are borne of a "preoccupation with mostly phantom election fraud" and provide a "cure worse than the disease."<sup>23</sup>

Perhaps even more alarming, Sessions adheres to these views while remaining largely uninformed. He testified that he "had not studied" the Fifth Circuit Court of Appeals decision that struck down Texas' voter ID law,<sup>24</sup> and that

---

<sup>19</sup> See Jerry Markon, Robert Costa, & Abigail Hauslohner, *Trump to sign executive orders enabling construction of proposed border wall and targeting sanctuary cities*, THE WASHINGTON POST (Jan. 25, 2017), [https://www.washingtonpost.com/world/national-security/president-trump-is-planning-to-sign-executive-orders-on-immigration-this-week/2017/01/24/aba22b7a-e287-11e6-a453-19ec4b3d09ba\\_story.html?utm\\_term=.a6702bec352b](https://www.washingtonpost.com/world/national-security/president-trump-is-planning-to-sign-executive-orders-on-immigration-this-week/2017/01/24/aba22b7a-e287-11e6-a453-19ec4b3d09ba_story.html?utm_term=.a6702bec352b); Betsy Woodruff, *Donald Trump's Refugee Ban Has Attorney General Nominee Jeff Sessions' Fingerprints All Over It*, THE DAILY BEAST (Jan. 28, 2017), <http://www.thedailybeast.com/articles/2017/01/28/donald-trump-s-refugee-ban-has-attorney-general-nominee-jeff-session-s-fingerprints-all-over-it.html>.

<sup>20</sup> Michael D. Shear, Nicholas Kulish, & Alan Feuer, *Judge Blocks Trump Order on Refugees Amid Chaos and Outcry Worldwide*, THE NEW YORK TIMES (Jan. 28, 2017), <https://www.nytimes.com/2017/01/28/us/refugees-detained-at-us-airports-prompting-legal-challenges-to-trumps-immigration-order.html? r=0>.

<sup>21</sup> See David Cole, *Why Trump's Proposed Targeting of Muslims Would Be Unconstitutional*, JUST SECURITY (Nov. 21, 2016), <https://www.justsecurity.org/34682/trumps-proposed-targeting-muslims-unconstitutional/>; David J. Bier, *Trump's Immigration Ban Is Illegal*, THE NEW YORK TIMES (Jan. 28, 2017), <https://www.nytimes.com/2017/01/27/opinion/trumps-immigration-ban-is-illegal.html?action=click&pgtype=Homepage&clickSource=story-heading&module=opinion-c-col-left-region&region=opinion-c-col-left-region&WT.nav=opinion-c-col-left-region& r=0>.

<sup>22</sup> See, e.g., *Veasey v. Abbott*, 830 F.3d 216 (5th Cir. 2016); *N. Carolina State Conference of NAACP v. McCrory*, 831 F.3d 204, 214 (4th Cir. 2016).

<sup>23</sup> *One Wisconsin Institute, Inc. v. Nichol*, 2016 U.S. Dist. LEXIS 100178 (W.D. Wis. July 29, 2016), [http://media.jrn.com/documents/vote\\_ruling.pdf](http://media.jrn.com/documents/vote_ruling.pdf); see also *McCrory*, 831 F.3d at 214 (finding that North Carolina's voter ID law and other voting restrictions were "cures for problems that did not exist.").

<sup>24</sup> Tr. at 71.

he is “not familiar with the details of the North Carolina law” that the Fourth Circuit Court of Appeals found intentionally discriminated against African-American voters.<sup>25</sup> In each of these cases, the Justice Department has played a central role in protecting voting rights, yet Sessions apparently remains unfamiliar with them and indicated he may change the Department’s position if he is confirmed.<sup>26</sup>

Sessions also expressed no remorse for his unsuccessful prosecution of the “Perry County Three” in Alabama—in fact he touted the prosecution as a “voting rights case.”<sup>27</sup> In 1985, when Sessions was U.S. Attorney for the Southern District of Alabama, he indicted three African-American civil rights workers who had used absentee ballots to increase Black voter turnout in Perry County. The flimsy case, which was designed to intimidate Black, mostly elderly voters, was largely thrown out during the course of trial, and a jury acquitted all three defendants of every remaining charge. The faulty prosecution was one of the major reasons that a Republican-controlled Senate Judiciary Committee rejected Sessions’ nomination for a federal judgeship in 1986.

In his testimony, Sessions boldly asserted that the Perry County prosecution was “a voting rights case” that “sought to protect the integrity of the ballot, not to block voting.”<sup>28</sup> But he never responded to the thorough criticism in our report,<sup>29</sup> nor did he respond to the powerful testimony of those personally involved in and affected by the case, a number of whom submitted letters to the Judiciary Committee. He did not respond to defense lawyers from the case, like Deval Patrick<sup>30</sup> and James Liebman<sup>31</sup> and Hank Sanders,<sup>32</sup> who described how the case was based on a specious legal theory that it is a federal crime to assist someone else to vote; how Sessions and federal investigators mistreated and intimidated witnesses; and how Sessions was eager to pursue voting fraud cases against Blacks

---

<sup>25</sup> Tr. at 159.

<sup>26</sup> Questions for the Record Submitted by Senator Leahy, Question No. 21; Questions for the Record Submitted by Senator Feinstein, Question No. 14.

<sup>27</sup> Tr. at 19.

<sup>28</sup> Tr. at 19.

<sup>29</sup> LDF, *Report in Opposition*, 11-13, <http://www.naacpldf.org/files/our-work/LDF-Jefferson-Sessions-Report-in-Opposition-FINAL-1-9-2017.pdf>.

<sup>30</sup> Letter from Deval L. Patrick to Sens. Charles Grassley & Dianne Feinstein re: Nomination of Hon. Jefferson B. Sessions III to the position of Attorney General (Jan. 3, 2017), <https://www.judiciary.senate.gov/imo/media/doc/01.03.17%20Deval%20Patrick.pdf>.

<sup>31</sup> Letter from James S. Liebman to Sens. Charles Grassley & Dianne Feinstein re: Nomination of Hon. Jefferson B. Sessions III to the position of Attorney General (Jan. 9, 2017), <https://www.judiciary.senate.gov/imo/media/doc/Liebman%20Letter%20re%20Sessions%20Nomination%20010917.pdf>.

<sup>32</sup> Letter from Sen. Hank Sanders to Sens. Charles Grassley and Dianne Feinstein re: Confirmation Hearing for U.S. Senator Jeff Sessions as U.S. Attorney General (Jan. 6, 2017), <https://www.judiciary.senate.gov/imo/media/doc/Hank%20Sanders%20Ltr%20in%20oppositon%20to%20Jeff%20Sessions%20as%20US%20AG.pdf>.

while ignoring the same conduct alleged against white candidates. Nor did he respond to 80-year-old Evelyn Turner, one of the charged defendants and wife of co-defendant Albert Turner, who explained that “Jeff Sessions . . . focused on eliminating or minimizing black political power in the Alabama Black Belt.”<sup>33</sup> When Evelyn Turner was honored in 2016 as one of the “foot soldiers of the voting rights movement,” Sessions spoke to her, but, as was true during his hearing testimony, “he did not attempt to apologize.”<sup>34</sup> Finally, Sessions did not respond to Coretta Scott King, who in a 1986 letter to the Senate Judiciary Committee wrote about the work of her husband Martin Luther King, Jr. and Albert Turner to bring equal voting rights to Blacks in Alabama, and how Sessions’ selective prosecution of African-American civil rights workers led to “the wide-scale chill of the exercise of the ballot for blacks, who suffered so much to receive that right in the first place.”<sup>35</sup>

No prosecutor who used federal criminal law to *stop* African-American people from voting should be confirmed as the nation’s top law enforcement official. That is especially true of a campaign surrogate for a president who is now amplifying the voter fraud lie and threatening a baseless and massive investigation into the 2016 election that is nothing more than a pretext to suppress votes.<sup>36</sup>

As with his ardent anti-voting rights positions, Sessions confirmed our report’s conclusions on other issues. On policing reform, Sessions continued to be critical of Justice Department “pattern or practice” investigations into unconstitutional and discriminatory policing and the use of consent decrees to implement systemic reform.<sup>37</sup> For example, Sessions would not commit to maintaining and enforcing consent decrees negotiated during the Obama administration that are currently in place. Instead, he largely denied the existence of racialized and unconstitutional policing culture, and voiced his concern—without providing any examples—that Department investigations are unfairly used “when you just have individuals within a department who have done wrong,” and thus “undermine the respect for police officers[.]”<sup>38</sup> Likewise, Sessions would not agree to honor the Agreement in Principle that the Justice Department reached with the City of Chicago to resolve constitutional violations through a consent decree.<sup>39</sup> Sessions’ views ignore that pattern or practice investigations are specifically

---

<sup>33</sup> Letter from Evelyn Hatch Turner to Sens. Charles Grassley & Dianne Feinstein (Jan. 4, 2017), <https://www.judiciary.senate.gov/imo/media/doc/01.04.17%20Evelyn%20Turner%20Signed.pdf>.

<sup>34</sup> *Id.*

<sup>35</sup> Letter from Coretta Scott King to Sen. Strom Thurmond re: Nomination of Jefferson B. Sessions U.S. Judge, Southern District of Alabama Hearing (March 19, 1986), <http://www.naacpldf.org/files/about-us/Scott%20King%201986%20Letter%20and%20Testimony.pdf>.

<sup>36</sup> Michael D. Shear & Peter Baker, *After His Claim of Voter Fraud, Trump Vows ‘Major Investigation,’* THE NEW YORK TIMES (Jan. 25, 2017), <https://www.nytimes.com/2017/01/25/us/politics/trump-voting-fraud-false-claim-investigation.html>.

<sup>37</sup> See LDF, *Report in Opposition*, 25 (noting how Sessions described the Department’s use of consent decrees as “an end run around the democratic process”).

<sup>38</sup> Tr. at 184-86; *see also* Questions for the Record submitted by Senator Feinstein, Question No. 36.

<sup>39</sup> Questions for the Record submitted by Senator Durbin, Question No. 2.

authorized by statute—namely, the Violent Crime Control and Law Enforcement Act of 1994<sup>40</sup>—and that in many cases, including in Chicago, such investigations are completed with the full cooperation of the police departments involved.

Sessions also continued to misrepresent his record and the extent of his personal involvement with civil rights cases during his time as U.S. Attorney. On his Senate questionnaire, Sessions listed four civil rights cases among the “ten most significant litigated matters” that he “personally handled.” In an op-ed, lawyers from the Justice Department’s Civil Rights Division who *actually* litigated three of the cases wrote that “Sessions had no substantive involvement in any of them.”<sup>41</sup> Former LDF Director-Counsel Theodore Shaw, who litigated *Davis v. Board of School Commissioners of Mobile, Alabama*, a school desegregation case that Sessions listed, filed a declaration stating that he has “no recollection, knowledge, information and belief of Mr. Sessions working directly on the *Davis* case or working directly with me or any other LDF attorney” on the *Davis* case.<sup>42</sup> Yet during his hearing Sessions insisted on taking credit for these significant civil rights victories, and in written answers said that “the role I had in these cases was equal to that of my five co-counsel.”<sup>43</sup> As ACLU National Legal Director David Cole said in his testimony on Sessions’ nomination, “if someone applying to intern for one of your offices had as many questions in his record,” including the “padding of his resume, you would not hire him.”<sup>44</sup>

Finally, there is an overarching concern, borne out in his testimony and written answers, that Sessions simply cannot see racism or admit that it exists. In addition to his inability to describe specific areas in which “racial inequalities persist,” Sessions refused to answer whether he agreed with racist and unfounded statements made by an individual he has supported. Senator Blumenthal provided Sessions with a list of statements made by the far-right activist David Horowitz, whom Sessions praised in his hearing testimony,<sup>45</sup> and asked whether Sessions agreed with the statements. For example, Sessions was asked if he agreed that:

- “there is no credible evidence [that] racism against blacks is still a prevalent and systemic problem”;

---

<sup>40</sup> 42 U.S.C. § 14141.

<sup>41</sup> J. Gerald Hebert, Joseph D. Rich, & William Yeomans, *Jeff Sessions says he handled these civil rights cases. He Barely touched them*, THE WASHINGTON POST (Jan. 3, 2017), [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=.8d246d517328](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=.8d246d517328).

<sup>42</sup> LDF, *Report in Opposition*, Appendix A.

<sup>43</sup> Tr. at 80-85; Questions for the Record submitted by Senator Feinstein, Question No. 21.

<sup>44</sup> Tr. at 18.

<sup>45</sup> Sessions testified that Horowitz is “a most brilliant individual and has a remarkable story.” Tr. at 172.

- Black Lives Matter is “a racist group” and “a roving lynch mob”; and
- It’s “obvious” that “too many blacks are in prison because too many blacks commit crimes.”

In each case, Sessions answered that “I do not know the context of the quote referenced above, or the full quote, so I do not know what he meant.”<sup>46</sup> But none of these comments require further context to assess, and Sessions’ failure to roundly condemn them, even when handed an explicit opportunity to do so, demonstrates profound racial insensitivity and a lack of the basic awareness required to adequately enforce our federal antidiscrimination laws. Based on these responses alone, it would be irresponsible to confirm Sessions as our nation’s chief protector of civil rights. One cannot enforce laws designed to fight discrimination if one does not acknowledge or see discrimination in the first place.

Concerns over Sessions’ abysmal civil rights record and lack of independence have only heightened during the past week. Since taking office, President Trump has issued or announced a series of executive actions that threaten civil and human rights in the United States and around the world. Among others, these actions include:

- A ban on refugees—some of the world’s most vulnerable people—that targets Syrians and other Muslim refugees and discriminates on the basis of religion;
- Sweeping changes to the enforcement of immigration laws, including punishing state and local governments for how they treat immigrants and coercing local governments to carry out federal immigration enforcement;
- Reinstating and expanding a “global gag rule” that bans foreign nongovernmental organizations that receive American aid from counseling health clients about abortion or advocating for access to abortion; and
- A “major investigation” into voter fraud that is based entirely on Trump’s demonstrably false belief that “millions” of fraudulent votes were cast during the 2016 presidential election and that all such votes were cast against him. Trump’s pernicious voter fraud claims are contradicted by overwhelming evidence and will serve only to disenfranchise eligible voters—especially people of color, students, people with disabilities, low-income people, and the elderly.<sup>47</sup>

---

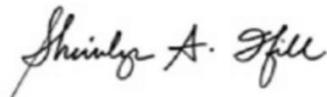
<sup>46</sup> Questions for the Record submitted by Senator Blumenthal, Question No. 27.

<sup>47</sup> See LDF, *Democracy Diminished: State and Local Threats to Voting Post-Shelby County, Alabama v. Holder* (June 9, 2016), <http://www.naacpldf.org/publication/democracy-diminished-state-and-local-threats-voting-post-shelby-county-alabama-v-holder>.

With a president who demonstrates such blatant disregard for constitutional rights, the rule of law, and even basic facts, our Attorney General must be independent and stand up for constitutional protections like freedom of religion, equal protection, the right to vote, and women's right to choose and access abortion. As confirmed in his hearing testimony, Sessions is not capable of meeting this serious responsibility. In fact, Sessions reportedly had a role advising on some of President Trump's executive actions, particularly those related to immigration, even as the Senate considers his nomination.<sup>48</sup>

In sum, Sen. Sessions' testimony confirmed—and certainly did not rebut—the conclusions in our report that form the basis of our opposition to his nomination. In addition, our concerns have heightened in light of President Trump's recent executive actions and Sessions' possible role in creating them. We join other organizations in urging a second hearing to address these new issues,<sup>49</sup> and ultimately urge Senators to vote down Sessions' nomination. Thank you for considering LDF's report in opposition, and please direct any questions to Todd A. Cox, Director of Policy or Kyle Barry, Policy Counsel at 202-682-1300.

Sincerely,



Sherrilyn Ifill  
President and Director-Counsel

w/ enclosures

---

<sup>48</sup> Jerry Markon, Robert Costa, & Abigail Hauslohner, *Trump to sign executive orders enabling construction of proposed border wall and targeting sanctuary cities*, THE WASHINGTON POST (Jan. 25, 2017), [https://www.washingtonpost.com/world/national-security/president-trump-is-planning-to-sign-executive-orders-on-immigration-this-week/2017/01/24/aba22b7a-e287-11e6-a453-19ec4b3d09ba\\_story.html?utm\\_term=.a6702bec352b](https://www.washingtonpost.com/world/national-security/president-trump-is-planning-to-sign-executive-orders-on-immigration-this-week/2017/01/24/aba22b7a-e287-11e6-a453-19ec4b3d09ba_story.html?utm_term=.a6702bec352b).

<sup>49</sup> See, e.g., Letter from Faiz Shakir & Chris Anders, The American Civil Liberties Union, to Sens. Charles Grassley & Dianne Feinstein (Jan. 25, 2017), <https://www.aclu.org/letter/aclu-letter-sjc-second-hearing-jeff-sessions>.