

January 6, 2017

Chairman Chuck Grassley
Senate Judiciary Committee
United States Senate

Ranking Member Dianne Feinstein
Senate Judiciary Committee
United States Senate

Dear Chairman Grassley and Ranking Member Feinstein,

We write on behalf of 70 reproductive health, rights, and justice organizations in strong opposition to the nomination of Senator Jeff Sessions to serve as United States attorney general. Given his long record of hostility towards reproductive rights and his alignment¹ with extreme anti-abortion organizations, we firmly believe that Senator Sessions is not capable of fair and impartial action as attorney general. His long-held bias will negate his ability to oversee Department of Justice obligations to protect without prejudice the constitutional right to abortion, as well as the patients and providers of reproductive health care.

Since 1977, there have been 11 murders, 26 attempted murders, 42 bombings, 185 arsons, and thousands of incidents of criminal activities directed at abortion providers. In 2015, there was a dramatic increase in hate speech, death threats, attempted murder, and murder.²

Especially at this time, the importance of the Department of Justice, and specifically the leadership of the attorney general, in helping to stem the tide of violence against abortion providers cannot be overemphasized.

The Department of Justice is charged with investigating and prosecuting federal crimes targeting abortion providers, and thus impacts the safety of abortion providers and their patients more than any other agency. Specifically, the attorney general is responsible for enforcing the Freedom of Access to Clinic Entrances (FACE) Act which, when enforced, has a clear impact on the number of violent acts directed against clinics and providers.³ The attorney general also oversees the work of the critical National Task Force on Violence Against Health Care Providers.⁴ The attorney general has discretion and authority regarding resources and staffing, and can decide whether to pursue FACE cases, in addition to what level of priority the Task Force takes within the Department of Justice.

Senator Sessions' record indicates that he is not fit to carry out these responsibilities as the Attorney General of the United States. His prior actions lead us to believe that protecting abortion providers from violence will not be a priority for a Department of Justice directed by Senator Sessions. In fact, he has voted against protecting abortion providers from violence.⁵ Senator Sessions voted repeatedly to reject an amendment put forth by Senator Schumer that would have prevented perpetrators of violent crimes against abortion providers and clinics from evading fines resulting from convictions by filing for bankruptcy.⁶ Sessions' votes amount to excusing criminals and indicate his low prioritization of safety issues when they impact abortion

providers and their patients. Additionally, in 2015 Sessions voted against an amendment to create a “Women’s Health Care and Clinic Security and Safety Fund” that would ensure enhanced safety measures and provisions for reproductive health providers and clinics.⁷

Senator Sessions’ long history of opposition to women’s health is reason for concern for all who value the safety of women’s health providers and their patients. Sessions has made it clear that he opposes abortion access, repeatedly voting against resolutions in support of *Roe v. Wade*, the landmark Supreme Court decision guaranteeing women’s constitutional right to decide to have an abortion. In fact, he has described the precedential case by saying “I firmly believe that *Roe v. Wade* and its descendants represent one of the worse [sic] colossally erroneous Supreme Court decisions of all time. It was an activist decision... it was a Court that decided to politically impose their will. Good law should prevail.”⁸ Among his many anti-abortion votes are multiple votes for the Unborn Victims of Violence Act, a law that grants separate legal status to an embryo or fetus⁹, and for a measure banning medically appropriate abortion care as early as 20 weeks without an adequate exception to protect a woman’s health.¹⁰

Sessions has consistently opposed reproductive health, rights, and justice, voting 86 times against these critical issues during his 20 years in the Senate.¹¹ This includes voting to eliminate the essential Title X family planning program¹², which provides millions of women with health care services.¹³ He has repeatedly voted against contraceptive access, including voting to defund Planned Parenthood health centers and/or other family-planning clinics¹⁴, voting for measures purporting to address the Zika crisis but which included restricted access to contraception¹⁵, and repeatedly voting to defund the United Nations Population Fund (UNFPA), an organization that provides family planning services for the world’s poorest women.¹⁶

The Attorney General, as head of the U.S. Department of Justice, is directly responsible for carrying out the President’s constitutional charge to “take care” that the laws of the United States are faithfully executed. While Senator Sessions may understand that his responsibility would be to execute the laws as they are, and not as he might wish them to be, the extreme positions that have been a driving and overriding theme of his public career cause concern that he could use the vast powers of Attorney General to endanger the constitutional guarantees and hard-won federal laws that form core legal protections for women’s ability to exercise their reproductive rights.

The next United States attorney general cannot be allowed to promote his extreme personal ideology over enforcing the law and holding criminals to account. Senator Sessions’ hostility to abortion and troubling record on civil rights disqualifies him for a cabinet level appointment. We strongly urge you to oppose Senator Jeff Sessions for attorney general.

Sincerely,

30 for 30 Campaign
Access Reproductive Care-Southeast
Advocates for Youth
Black Women's Health Imperative
California Latinas for Reproductive Justice
Catholics for Choice

Center on Reproductive Rights and Justice at UC Berkeley
Civil Liberties and Public Policy Program
Colorado Organization for Latina Opportunity and Reproductive Rights (COLOR)
Desiree Alliance
Eastern Massachusetts Abortion Fund
Feminist Majority Foundation
Forward Together
Freedom From Religion Foundation
Gender Justice
If/When/How: Lawyering for Reproductive Justice
Institute for Science and Human Values
International Women's Health Coalition
Jane Fund of Central Massachusetts
Jewish Women International (JWI)
Legal Aid at Work (formerly Legal Aid Society-Employment Law Center)
Legal Voice
Lift Louisiana
Lilith Fund
Mabel Wadsworth Center
Methodist Federation for Social Action
Muslims for Progressive Values
NARAL Pro-Choice America
National Abortion Federation
National Asian Pacific American Women's Forum
National Black Justice Coalition
National Center for Lesbian Rights
National Council of Asian Pacific Americans
National Council of Jewish Women
National Council of Jewish Women - St. Louis
National Council of Jewish Women- Columbus
National Council of Jewish Women- Essex County
National Council of Jewish Women- Ohio State
National Council of Jewish Women- Rockland County
National Council of Jewish Women- Seattle Section
National Council of Jewish Women Washington State Policy Advocacy Network
National Health Law Program
National Immigration Law Center (NILC)
National Latina Institute for Reproductive Health
National LGBTQ Task Force Action Fund
National Network of Abortion Funds
National Partnership for Women & Families
National Women's Health Network
National Women's Law Center
New Voices for Reproductive Justice
Nursing Students for Sexual & Reproductive Health (formerly Nursing Students for Choice)
Physicians for Reproductive Health

Planned Parenthood Federation of America
Population Connection Action Fund
Population Institute
Positive Women's Network - USA
Raising Women's Voices for the Health Care We Need
Religious Institute
Reproductive Health Access Project
Sexuality Information and Education Council of the U.S. (SIECUS)
SisterReach
SisterSong: National Women of Color Reproductive Justice Collective
Tewa Women United
Texas Equal Access Fund
The Interfaith Alliance of Colorao
Unitarian Universalist Women's Federation
URGE: Unite for Reproductive and Gender Equity
Virginia NOW
Women's Medical Fund, Inc. (WI)
WV FREE (West Virginia Focus: Reproductive Education and Equality)

¹ In Operation Rescue's press statement announcing its endorsement of Senator Sessions, the group's president Troy Newman states "I have worked on projects with Sen. Sessions in the past and know him to be an experienced prosecutor and a principled pro-life advocate with a reputation for honesty."

² 2015 Violence and Disruption Statistics: A dramatic escalation in hate speech, threats, and violence, National Abortion Federation, (April 2016), <http://prochoice.org/wp-content/uploads/2015-NAF-Violence-Disruption-Stats.pdf>

³ Department of Justice, Freedom of Access to Clinic Entrances & Places of Religious Worship, <https://www.justice.gov/crt-12>

⁴ Department of Justice, National Task Force on Violence Against Health Care Providers, <https://www.justice.gov/crt/national-task-force-violence-against-health-care-providers-0>

⁵ Schumer amendment to Bankruptcy Reform Act, S.265, 2/2/00; Bankruptcy Reform Act, H.R.2415, 12/7/00; Schumer amendment to Bankruptcy Reform Act, S.256, 3/8/05.

⁶ Maura Reynolds, Abortion Debate Still Tangled in Bankruptcy Bill, *Los Angeles Times*, (Feb. 28, 2015), <http://articles.latimes.com/2005/feb/28/nation/na-bankrupt28>

⁷ Motion to table Murray amendment to H.R.3762, 12/3/15.

⁸ Veronica Neffinger, Trump Offers Attorney General Position to Sen. Jeff Sessions, *Christian Headlines.com*, (Nov. 18, 2016), <http://www.christianheadlines.com/blog/trump-offers-attorney-general-position-to-sen-jeff-sessions.html>

⁹ Unborn Victims of Violence Act, H.R.1997, 3/25/04.

¹⁰ Motion to invoke cloture on the motion to proceed on H.R.36, 9/22/15.

¹¹ NARAL Pro-Choice America, Congressional Record on Choice, 1997-2016.

¹² FY'11 Continuing Resolution, H.R.1, 3/9/11.

¹³ *Id.*

¹⁴ Vitter amendment to Labor, Health Human Services, and Education Appropriations Act, H.R.3043, 10/18/07; FY'11 Continuing Resolution, H.R.1, 3/9/11; Enrollment Resolution to FY'11 Continuing Resolution, H.Con.Res.36, 4/14/11; Motion to invoke cloture on S.1881, 8/3/15; motion to invoke cloture on H.J.Res.61, 9/24/15; motion to table Murray amendment to H.R.3762, 12/3/15; Collins amendment to Restoring Americans' Healthcare Freedom Reconciliation Act, H.R.3762, 12/3/15.

¹⁵ Motion to invoke cloture on the conference report for H.R.2577, 6/28/16; motion to invoke cloture on the conference report for H.R.2577, 7/14/16; motion to invoke cloture on the conference report for H.R.2577, 9/6/16.

¹⁶ Conference report of the Foreign Affairs Reform and Restructuring Act, H.R.1757, 4/28/98; Brownback amendment to Department of State, Foreign Operations, and Related Programs Appropriations Act, H.R.2764, 9/6/07; FY'11 Continuing Resolution, H.R.1, 3/9/11.