



January 10, 2017

Dear Senator:

The National Council of Asian Pacific Americans, a coalition of more than 30 national Asian American, Native Hawaiian, and Pacific Islander organizations, strongly opposes the nomination of Senator Jeff Sessions, who is unfit to be our nation's next Attorney General.

First and foremost, we urge each of you to treat this nomination as you would any other—without preferential treatment for Senator Sessions simply because he is a fellow Senator. While some of you have served alongside him for two decades, others have known him for less than two weeks. Your constitutional obligation—to provide advice and consent—is the same. The question before you—is he fit to serve as the People's Lawyer, to protect the civil rights and liberties of *all* Americans—is the same. And the burden of proof—for *him* to demonstrate that he can faithfully and independently fulfill the duties of the nation's chief law enforcement officer—is the same.

We recognize that it may not be easy to set aside your personal relationship. For those who have known Senator Sessions for as many as twenty years, you may like him despite having policy differences; you may consider him a friend; and you may believe he is a person of character. But when you examine Senator Sessions' *record* and cast your vote, we are confident that your loyalty to the Constitution will prevail over your loyalty to a friend. We are confident that you will understand that for far too many Americans, there may be no worse combination than this nominee for this position at this time. And we are confident that you will join us in opposing this nomination.

Senator Sessions' dismal record on civil rights stretches more than three decades. We believe the Senate made the right determination in 1986 when it rejected his nomination to serve as a district court judge because of his actions and comments as U.S. Attorney for the Southern District of Alabama. While these offenses occurred many years before you met Senator Sessions, it would be a mistake to dismiss them as history. We understand that because some argue Senator Sessions is a changed man, these incidents alone may not be sufficient for you to reject his nomination again today. But his *record* has not changed at all.

Since Senator Sessions' nomination was announced, there has been considerable debate over his record with respect to voting rights and African Americans. Some have even tried to suggest that Senator Sessions has a "strong record on civil rights." We strongly dispute these claims. While he supported reauthorization of the Voting Rights Act in 2006 (along with every other Senator), he [applauded](#) the Supreme Court ruling striking down a central provision. While he supported reducing the disparity in sentencing between crack and powder cocaine offenses, he [refuses](#) to support relief for the thousands who had already been sentenced under the unjust law and [vigorously opposes](#) any additional criminal justice reform. While he supported the nomination of Eric Holder to be Attorney General, he voted to [filibuster](#) the nomination of Loretta Lynch.

Even if you accept every argument that Senator Sessions' supporters have offered regarding his civil rights record, his overall record is too damning for him to serve as Attorney General.

Although the 1986 debate centered on Senator Sessions' civil rights attitudes and actions with respect to African Americans, our nation's understanding of civil rights has expanded and progressed since then:

Immigrant rights are civil rights.

LGBTQ rights are civil rights.

Disability rights are civil rights.

Women's rights are civil rights.

When it comes to these communities, Senator Sessions simply cannot meet his burden of proof that he will protect the civil rights of all Americans.

Nearly two-thirds of Asian Americans are foreign-born, and since 2010, more immigrants are from Asian countries than of Hispanic origin. Senator Sessions does not even support [birthright citizenship](#) for children born in the United States, despite the plain text of the Constitution. He opposes relief for DREAMers. He wants to limit legal immigration and believes that if the number of immigrants is "too great," it can "[create cultural problems](#)." He opposes civil rights for people who are Limited English Proficient—one-third of Asian Americans and 9% of Native Hawaiians and Pacific Islanders. He has legitimized extremist anti-immigrant hate groups, such as the [Federation for American Immigration Reform](#), [Center for Immigration Studies](#), and [NumbersUSA](#).

Where is the evidence that Senator Sessions will protect the civil rights of Asian Americans and Pacific Islanders—or any immigrants—based on race, color, or national origin?

Senator Sessions [opposed](#) inclusion of LGBTQ people in the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act and the Violence Against Women Act reauthorization. He opposed the repeal of Don't Ask Don't Tell, arguing that repeal would "[have a corrosive impact on the men and women in the military](#)." He opposes same-sex marriage and supports the Federal Marriage Amendment to the Constitution.

Where is the evidence that Senator Sessions will protect the civil rights of LGBTQ Americans based on sexual orientation or sex?

Senator Sessions has been [critical](#) of the Individuals with Disabilities Education Act, arguing “very sincerely” that federal laws and regulations for children with disabilities are “a big factor in accelerating the decline in civility and discipline in classrooms all over America” and “may be the single most irritating problem for teachers throughout America.” He also [opposes](#) the United Nations Convention on the Rights of Persons with Disabilities.

Where is the evidence that Senator Sessions will protect the civil rights of people with disabilities—and in particular children with disabilities?

Senator Sessions has a [long record of hostility](#) toward reproductive health, rights, and justice. He also opposed the Lilly Ledbetter Fair Pay Act and reauthorization of the Violence Against Women Act. In one interview, he was asked, “So if you grab a woman by the genitals, that’s not sexual assault?” and responded “[I don’t know](#),” and in another, he dismissed the controversy as “overblown” because “[everybody knows that Trump likes women](#).”

Where is the evidence that Senator Sessions will protect the civil rights of women based on sex—or even protect them from assault?

We understand that elections have consequences, and indeed, if President-Elect Trump had selected Senator Sessions for another position in his Cabinet, while our concerns would have remained, they may not have been disqualifying. But it is clear that his record is not worthy of this position. The Attorney General is the nation’s top law enforcement officer, and given our concerns on the full range of civil rights, Senator Sessions cannot demonstrate that he will be able to set aside his ideological policy views and enforce the very laws that he opposed.

Finally, our objections to Senator Sessions’ nomination are particularly heightened given the climate today, in which hate crimes have spiked and bigotry and xenophobia are being mainstreamed. Now, more than ever, we need a Department of Justice that will protect the civil rights of all Americans. Instead, we have a nominee who has defended a ban on all Muslims entering the United States, who has closely associated himself with the anti-Muslim [David Horowitz Freedom Center](#) and [Center for Security Policy](#), and who [routinely uses Breitbart](#)—the [self-proclaimed “platform for the alt-right”](#)—as his media platform.

There may be no worse combination than this nominee for this position at this time. Regardless of any views you may have regarding Senator Sessions as a person, an impartial review of his *record* demonstrates that he is unfit to serve as Attorney General, and therefore, you must oppose his nomination.

Sincerely,



Christopher Kang
National Director