



## SENATOR JEFF SESSIONS' RECORD ON WOMEN'S RIGHTS

President-Elect Donald Trump has nominated Senator Jeff Sessions, Alabama's junior Senator, as his Attorney General. As the nation's chief law enforcement official, the Attorney General is responsible for enforcing federal laws, including laws of the utmost importance to women, such as the Violence Against Women Act,<sup>1</sup> the Freedom of Access to Clinic Entrances Act,<sup>2</sup> and several critically important antidiscrimination statutes that protect women at school,<sup>3</sup> at work,<sup>4</sup> when exercising the right to vote,<sup>5</sup> and in housing,<sup>6</sup> as well as against discrimination on the basis of disability.<sup>7</sup> The Department of Justice also enforces federal hate crime laws,<sup>8</sup> which create enhanced criminal penalties for crimes that target victims based on gender, race, sexual orientation and disability, among other categories. Consequently, the Attorney General has a profound impact on the legal rights and very futures of women across this country.

Unfortunately, Senator Sessions' record on legal rights and protections important to women, including those that he would be responsible for enforcing in the position to which he has been nominated, demonstrates that he should not be confirmed to this crucial position. Senator Sessions' record demonstrates that he has a deep hostility to carrying out core responsibilities of the office to which he has been nominated. His over thirty years in public office have established a consistent, incontrovertible hostility towards a broad swath of women's rights and civil rights that, if he is confirmed, would undermine the very purpose of the Department of Justice. For example:

- **Senator Sessions has taken positions hostile to the rights of survivors of sexual assault.** He voted against the 2014 reauthorization of the Violence Against Women Act.<sup>9</sup> He also voted to block the Military Justice Improvement Act,<sup>10</sup> which would have increased protections from sexual assault for military members and would have removed the decision to prosecute sexual assault from the chain of command and placed it in the hands of trained, independent military prosecutors. Indeed, when a 2005 tape in which Donald Trump described sexually assaulting and harassing women was released in October 2016, Senator Sessions stated that he wasn't even sure that grabbing a woman by her genitals constitutes sexual assault.<sup>11</sup>
- **Senator Sessions has explicitly attacked the legal validity of *Roe v. Wade* and shown hostility to women's right to reproductive health care, including abortion.** He has described *Roe v. Wade* as one of the worst, "colossally erroneous Supreme Court decisions of all time." And he has repeatedly opposed legislation providing women access to reproductive care, including abortion<sup>12</sup> and contraception.<sup>13</sup> Further, Senator Sessions has opposed funding that would help protect abortion clinics from harassment and violence.<sup>14</sup>
- **Senator Sessions has consistently opposed laws protecting women's right to equal pay and equal opportunity.** He voted against the Lilly Ledbetter Fair Pay Act and the Paycheck Fairness Act.<sup>15</sup> He also voted against a bill that would give women-owned businesses more access to government contracts for construction projects.<sup>16</sup>



- **Senator Sessions has a long record of opposing bedrock civil rights protections.** In 1986, before becoming a Senator, Senator Sessions' nomination to be a federal judge was rejected by the Senate Judiciary Committee, which cited his prior history of hostility to basic civil rights protections. The evidence presented was stark. There was even testimony that he had called the NAACP and the ACLU "un-American" and "Communist-inspired"<sup>17</sup> and during the hearing Senator Sessions stated that the Voting Rights Act was a "piece of intrusive legislation." His opposition to the Voting Rights Act continued once he became a Senator. Senator Sessions opposed legislative efforts to restore and update the Voting Rights Act, after the Supreme Court's decision in *Shelby County v. Holder*.<sup>18</sup>
- **Senator Sessions has regularly opposed antidiscrimination protections for LGBTQ individuals.** He opposed the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act,<sup>19</sup> which added violence based on bias against gender, sexual orientation, gender identity and disability to federal hate crimes legislation. Senator Sessions voted for an amendment to the Violence Against Women Act that would have removed protections for LGBTQ individuals,<sup>20</sup> and voted against the final bill that included those protections.<sup>21</sup> He voted for a constitutional amendment that would define marriage as between one man and one woman.<sup>22</sup> He voted for an amendment to the Employment Non-Discrimination Act that would have gutted protections against employment discrimination based on sexual orientation and gender identity by exempting religiously affiliated employers from the law.<sup>23</sup>
- **Senator Sessions has been a leading voice in Congress arguing against immigration reform that includes a path to citizenship for undocumented immigrants, and is in favor of drastically reducing legal immigration.** In his two decades in the Senate, Senator Sessions has opposed every single immigration bill that included a path to citizenship,<sup>24</sup> and has also sought to limit the number of legal immigrants entering the country.<sup>25</sup>

Senator Sessions' record of hostility to the key laws that he would be charged with enforcing raises serious concerns that, under his leadership, enforcement of key legal protections for women, people of color, LGBTQ people, and immigrants by the Department of Justice would be ignored at best, but more likely challenged and undermined. Women seeking to exercise their right to basic health services and health care providers could be at risk; women asserting their right to equal pay could face new hurdles; women subjected to domestic abuse and sexual assault could lose Justice Department protection; immigrants could face government harassment and prosecution; victims of police misconduct could be abandoned; those seeking to exercise their right to vote under the Voting Rights Act could confront a Department that is an adversary; those facing hate crimes could lose confidence in the Department's prosecution of the perpetrators. The consequences are great and the dangers to the pursuit of justice in our country grave, should Senator Sessions be confirmed.

In conclusion, given Senator Sessions' record, the public can have no confidence that, as Attorney General, he would fairly enforce the bedrock laws and constitutional protections that secure equality, fairness, and opportunity in this country. While he testified before the Senate Judiciary Committee that he would uphold the law, those assurances stand in stark contrast to this consistent record of hostility to women's rights and civil rights.

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3 DEPT. OF JUSTICE, CIVIL RIGHTS DIV. - EDUC. OPPORTUNITIES SECTION, <https://www.justice.gov/crt/educational-opportunities-section> (last visited Jan. 6, 2017).

4 DEPT. OF JUSTICE, CIVIL RIGHTS DIV. - EMPLOY'T LITIG. SECTION, <https://www.justice.gov/crt/employment-litigation-section> (last visited Jan. 6, 2017).

5 DEPT. OF JUSTICE, CIVIL RIGHTS DIV. - VOTING SECTION, <https://www.justice.gov/crt/voting-section> (last visited Jan. 6, 2017).

6 DEPT. OF JUSTICE, CIVIL RIGHTS DIV. - HOUS. & CIVIL ENFORCEMENT SECTION, <https://www.justice.gov/crt/housing-and-civil-enforcement-section> (last visited Jan. 6, 2017).

7 DEPT. OF JUSTICE, CIVIL RIGHTS DIV. - DISABILITY RIGHTS SECTION, <https://www.justice.gov/crt/disability-rights-section> (last visited Jan. 6, 2017).

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- 12 See, e.g., Press Release, Child Custody Protection Act (Sept. 10, 1998), available at <http://www.sessions.senate.gov/public/index.cfm/floor-statements?ID=ADB00577-7E9C-9AF9-79F9-98D660DCB8A1>.
- 13 See e.g., U.S. SENATE ROLL CALL VOTES 111TH CONGRESS - 1ST SESSION, VOTE 396, [https://www.senate.gov/legislative/LIS/roll\\_call\\_lists/roll\\_call\\_vote\\_cfm.cfm?congress=111&session=1&vote=00396](https://www.senate.gov/legislative/LIS/roll_call_lists/roll_call_vote_cfm.cfm?congress=111&session=1&vote=00396) (last visited Jan. 6, 2017); S. 1292 – DEFUND OBAMACARE ACT OF 2013 - COSPONSORS, <https://www.congress.gov/bill/113th-congress/senate-bill/1292/cosponsors> (last visited Jan. 6, 2017) ; Press Release, Sessions Backs House Effort to Defund Obamacare (Sept. 20, 2013), available at <http://www.sessions.senate.gov/public/index.cfm/news-releases?ID=3CD6748A-F4AD-8C54-16D2-95C49FBF6018>.
- 14 U.S. SENATE ROLL CALL VOTES 114TH CONGRESS - 1ST SESSION, VOTE 311, [http://www.senate.gov/legislative/LIS/roll\\_call\\_lists/roll\\_call\\_vote\\_cfm.cfm?congress=114&session=1&vote=00311](http://www.senate.gov/legislative/LIS/roll_call_lists/roll_call_vote_cfm.cfm?congress=114&session=1&vote=00311) (last visited Jan. 6, 2017).
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