

**Testimony of**  
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**Washington, DC**

**Submitted to the**  
**Judiciary Committee**  
**United States Senate**

**Hearing on the Nomination of Jeff Sessions to be the Attorney General of the**  
**United States**

**January 10, 2017**

I would like to thank Chairman Grassley and Members of the Committee for allowing me the opportunity to submit testimony regarding the nomination of Jeff Sessions for Attorney General of the United States.

I am submitting testimony on behalf of the National Abortion Federation (NAF), the professional association of abortion providers. Our members include private and nonprofit clinics, Planned Parenthood affiliates, women's health centers, physicians' offices, and hospitals who together care for approximately half the women who choose abortion in the U.S. and Canada each year. Our mission is to ensure safe, legal, and accessible abortion care, which promotes health and justice for women.

The National Abortion Federation strongly opposes the confirmation of Jeff Sessions as Attorney General of the United States. Based on his record, we have serious concerns that Sessions will not adequately enforce the laws that protect abortion providers and their patients from violence. Indeed, while in the U.S. Senate Sessions has voted specifically against protecting abortion providers on three separate occasions.<sup>1</sup>

NAF has been compiling statistics on incidents of violence and disruption against abortion providers since 1977. In the past 38 years, there have been 11 murders, 26 attempted murders, 42 bombings, 185 arsons, and thousands of incidents of criminal activities directed at abortion providers. Our 2015 statistics reflect a dramatic increase in hate speech and internet harassment, death threats, attempted murder, and murder. As our statistics clearly illustrate, the providers of abortion care, unlike other health care professionals, risk their lives daily to provide legal, constitutionally protected reproductive health care to patients.<sup>2</sup>

The Department of Justice is charged with investigating and prosecuting federal crimes targeting abortion providers. As such, the responsibilities of the Attorney General directly impact the lives of our members, in a way that no other Cabinet position does.

Jeff Sessions' long record of opposing protections for abortion providers is very concerning. His past actions demonstrate that he cannot be trusted to fairly enforce federal laws, including the Freedom of Access to Clinic Entrances Act (FACE). In addition to enforcing FACE, the Attorney General oversees the work of the critical National Task Force on Violence Against Health Care Providers, a unique collaboration among federal agencies that, when supported, has resulted in a documented decrease in violent crimes against abortion providers.

The National Task Force was established by late Attorney General Janet Reno in November 1998 in response to the murder of Dr. Barnett Slepian and other acts of violence against reproductive health care providers. The Task Force was established to coordinate and build upon ongoing efforts within the Department of Justice and other Federal law enforcement agencies, including the Federal Bureau of Investigation (FBI), the Bureau of Alcohol, Tobacco, and Firearms (ATF), the United States Marshals Service (USMS), and the United States Postal Inspection Service (USPIS).

The Task Force and the national organizations representing abortion providers have established an effective and important working relationship. The existence of the Task Force allows reproductive health care providers to access the resources, assistance and expertise of all the above law enforcement agencies with one phone call. In addition, the federal law enforcement agencies are better able to coordinate efforts and investigations into threats and violence against abortion providers that cross jurisdictional lines. Our statistics clearly show that in the first ten years the Task Force operated, there was a recorded decrease in extreme violence against abortion providers.

The reduction of crime is a key goal of the Office of the Attorney General, and should be pursued regardless of ideology. The Attorney General has discretion and authority to affect resources, staffing, and prioritization of cases for the Task Force. Given Sessions' long record of opposition to abortion, the way in which he has used his political career to advance that agenda, and his organizational alignments, we reasonably conclude that protecting abortion providers from violence will not be a priority in a Department of Justice he directs. In a time of increased threats and violence, NAF and our members must be able to turn to the Department of Justice for protection and effective enforcement of federal law.

Our grave concerns are supported by Sessions' record in the Senate. He has repeatedly voted to reject an amendment put forth by Senator Charles Schumer to the Bankruptcy Reform Act, which would prevent violent perpetrators of crimes against abortion providers and clinics from evading charges levied against them by filing for bankruptcy.<sup>3</sup> This amendment passed in 2000 by a Senate vote of 80-17. Sessions further voted as recently as 2015 to reject enhanced safety measures proposed under the "Women's Health Care and Clinic Security and Safety Fund," once again demonstrating his disregard for the safety and security of abortion providers and their patients.<sup>4</sup>

Furthermore, the endorsement of Sessions by the dangerous anti-abortion group Operation Rescue is troubling. Operation Rescue sees the nomination of Jeff Sessions as an opportunity to investigate abortion providers and end access to abortion care. And they have good reason to believe Sessions will be their ally. Sessions previously co-led a letter to Attorney General Loretta Lynch and Health and Human Services Secretary Sylvia Burwell, urging them to investigate abortion providers, based on false allegations made by organizations that publicly support violence against providers.<sup>5</sup> The investigations of abortion providers that Sessions supports only serve to amplify dangerous rhetoric and increase threats and violence against abortion providers.

The Attorney General must lead with impartiality. Over the years, our members have worked very effectively with those law enforcement officials who have been committed to upholding the law, regardless of those officials' personal positions on abortion. We cannot tolerate a further increase in violence and criminal activity because an Attorney General will not vigorously enforce the law or allow the Task Force to continue its vital work.

The dedicated individuals who risk their lives every day to provide safe abortion care deserve nothing less than an Attorney General who will vigorously enforce the law. NAF's examination of Jeff Sessions' record leads us to conclude that he is unable and unwilling to fulfill that mission.

We urge the Members of this Committee to oppose Jeff Sessions' confirmation as Attorney General of the United States.

Thank you.

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<sup>1</sup> Senator Jeff Sessions, <https://www.congress.gov/member/jeff-sessions/S001141?pageSort=latestAction:asc> ; <http://www.sessions.senate.gov/public/index.cfm/voting-record>

<sup>2</sup> Violence Statistics & History, *National Abortion Federation*, <http://prochoice.org/education-and-advocacy/violence/violence-statistics-and-history/>

<sup>3</sup> S. Amdt. 2763 to S.625 (Bankruptcy Judgeship Act of 1999), (Feb. 2, 2000), <https://www.congress.gov/amendment/106th-congress/senate-amendment/2763>

<sup>4</sup> On the Motion to Table S. Amdt. 2876 to H.R. 3762 (Restoring Americans' Healthcare Freedom Reconciliation Act of 2015), (Dec. 3 2015), <https://www.govtrack.us/congress/votes/114-2015/s311>

<sup>5</sup> Lee Letter to DOJ and HHS to Conduct Full Investigation of Planned Parenthood, (July 21, 2015), <https://www.scribd.com/document/272235009/Lee-Letter-to-DOJ-and-HHS-to-conduct-full-investigation-of-Planned-Parenthood>