



September 25, 2007

The Honorable Diane Feinstein
The Honorable Bob Bennett
Senate Committee on Rules and Administration
SR-305 Russell Senate Office Building
Washington, DC 20510

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Dear Chairman Feinstein and Ranking Member Bennett,

On behalf of the Lawyers' Committee for Civil Rights Under Law, I am writing to urge you to oppose the nomination of Hans von Spakovsky to the Federal Election Commission (FEC). As a former political appointee in the Department of Justice's Civil Rights Division, von Spakovsky was the architect of a plan to use the Department's power to enforce our nation's historic civil rights protections to further partisan goals. He is the last man standing in the politicization scandal that has rocked the Justice Department. Unlike his former colleagues who have left the government in shame because they put politics ahead of Americans' rights, von Spakovsky is on the cusp of being confirmed to the powerful post of FEC commissioner, where he will once again have control over enforcing voting protections. The right to vote is too important to allow him to have a continued role in protecting voters' rights.

Mr. von Spakovsky was not just a participant in the program to politicize civil rights enforcement; he orchestrated the role the Department's Voting Section played in that process. During his tenure with the Department of Justice, von Spakovsky was part of a conscious effort to purge the section of the talent and dedication of long time civil servants; punished career staff when they recommended a course of action that diverted from the political goals of the Department's political appointees; politicized substantive law enforcement decisions; and shifted the priorities of the section away from protecting the participatory rights of America's voters. His actions while at the Department raise serious questions about his professionalism and commitment to serve his country before his party.

During his time overseeing the Voting Section, enforcement of federal civil rights protections took a back seat to politics as the priorities of the section shifted to combating unfounded claims of voter fraud. As a result, the Department overruled decades of precedent by using the Department's authority pursuant to Section 5 of the Voting Rights Act to approve discriminatory legislation, such as the Georgia photo identification

