



October 3, 2007

Dear Senator,

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On behalf of the Lawyers' Committee for Civil Rights Under Law, I am writing to urge you to vote against Hans von Spakovsky when his nomination to the Federal Election Commission (FEC) is considered on the Senate floor. 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. As the political arm of the Civil Rights Division recovers from this historic mismanagement with the departure of almost all the key players, von Spakovsky is the last man standing. Unlike his former colleagues who have left the Department in shame because they put politics ahead of Americans' most fundamental 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. During his stewardship of our most fundamental right – the right to vote – von Spakovsky has proved untrustworthy in handling that solemn duty. It is that track record that necessitates a vote against him, sending a clear message that our right to vote is more important than partisan squabbling; it is the foundation of our democratic structure.

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 requirement, over the near unanimous objection of career staff. Mr. von

