



September 26, 2007

The Honorable Dianne Feinstein, Chairwoman
The Honorable Robert Bennett, Ranking Member
Senate Rules and Administration Committee
305 Russell Senate Office Building
Washington, DC 20510

Dear Chairwoman Feinstein and Ranking Member Bennett:

On behalf of the more than one million members and activists of People For the American Way (PFAW), a national, nonprofit social justice organization with more than a quarter century of commitment to nonpartisan civic participation efforts, I urge you to oppose the nomination of Hans von Spakovsky to the Federal Election Commission (FEC). Since our founding by Norman Lear, Barbara Jordan, and other civic, religious, business and civil rights leaders, PFAW has urged Americans to engage in civic participation, and we have sought to empower those who have been traditionally underrepresented at the polls, including young voters and people of color.

Yet, Mr. von Spakovsky's record has consistently been at odds with this mission to enfranchise voters, instead promoting policies that would disenfranchise voters in traditional underrepresented communities for partisan purposes. The right to vote is far too important to allow Mr. von Spakovsky to hold a position that would have such a significant impact upon protecting voters' rights.

While at the Department of Justice's Civil Rights Division, Mr. von Spakovsky played a major role in the development and implementation of practices that injected partisan political factors into decision-making on enforcement matters and into the hiring process.

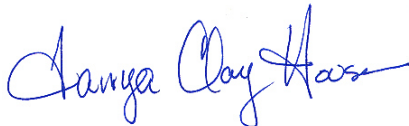
Perhaps one of the most significant concerns with von Spakovsky's record is his coordination of the selective enforcement of civil rights law within the DOJ's Voting Section. Particularly egregious were his efforts to purge talented career staff who were at odds with the political goals of the Department's political appointees in an attempt to shift the priorities of the section away from protecting the right to vote of all Americans. Former attorneys of the Voting Section, including PFAW Senior attorney David Becker who worked with von Spakovsky, substantiated this shifting of priorities in a more detailed letter submitted to the Committee earlier this year.

Furthermore, during Mr. von Spakovsky's tenure at 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. His actions at the Voting Section undermined the true intent of the long standing voting rights laws, such as Section 5 of the Voting Rights Act, by using them to remove voters from the process rather than encouraging and protecting their civic engagement. Unfortunately, this appears to have resulted in the

firing of numerous United States Attorneys who refused to pursue unsubstantiated voter fraud cases in states targeted for partisan purposes. In conjunction with von Spakovsky's actions to ideologically steer the Civil Rights Division towards actively supporting voting policies such as voter ID laws that would make it harder for poor and minority voters to cast ballots, his record does not engender confidence in anyone interested in protecting the right to vote for all Americans.

As investigations continue, we cannot condone actions such as those by von Spakovsky that undermined the integrity of our Justice Department by rewarding him with another position of authority over the rights of voters. The right to vote is fundamental and those delegated with the responsibility to protect that right should not, in fact, have a history of undermining those rights. We urge you to oppose Mr. von Spakovsky's appointment to the FEC.

Sincerely,



Tanya Clay House
Director, Public Policy

Cc: Senate Rules and Administration Committee