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February 4, 2019

Honorable Mitch McConnell
Majority Leader
United States Senate
Washington, D.C. 20510

Honorable Lindsey Graham
Chairman
Judiciary Committee
United States Senate
Washington, D.C. 20510

Honorable Charles Schumer
Minority Leader
United States Senate
Washington, D.C. 20510

Honorable Dianne Feinstein
Ranking Member
Judiciary Committee
United States Senate
Washington, D.C. 20510

Dear Majority Leader McConnell, Minority Leader Schumer, Chairman Graham,
and Ranking Member Feinstein:

As Members of the Congressional Black Caucus (CBC), we write to express strong opposition to the confirmation of William Barr for U.S. Attorney General. In light of a problematic record that dates back more than 30 years, there are legitimate questions about his qualifications to run the Department of Justice (DOJ) efficiently and effectively. As the sole entity bestowed with the responsibility of enforcing the laws and protections of our great nation, we hold this job in the highest regard and urge careful scrutiny of whoever is considered for such a powerful position.

Former Attorney General Jeff Sessions, as we cautioned about during his own confirmation process, proved to be an abject failure who regularly abdicated his responsibilities to uphold and protect several civil rights protections. From a review of all consent decrees to the lack of intervention into egregious voter suppression efforts, this well-coordinated strategy communicated to many in our communities loudly and clearly that DOJ has chosen to embrace policy that harkens back to a darker time in our nation's history. Unfortunately, Mr. Barr does not represent a noticeable departure from what we have already seen thus far. Instead, he represents a reprise that only portends to take up the mantle of suppression, mass incarceration, and divineness.

A careful review of Mr. Barr's record uncovers a litany of items that serve as a litmus test for how he would likely act if confirmed. As U.S. Attorney General for President George H.W. Bush from 1991-1993, Mr. Barr's central focus was the expansion of mass incarceration and the "War on Drugs." At the beginning of his

tenure he stated that, “violent crime is a high priority, the role of gangs, the problem we have in the juvenile justice system...the importance of prosecuting the war on drugs, similarly, I think, is responsive to one of the real problems we have in our cities in the United States.” Shortly thereafter, under his stewardship, DOJ published a report titled “The Case for More Incarceration” which attempted to legitimize tough-on-crime policies and dampen any criticisms that may be levied against them. As someone who argued less than four years ago that, “our system of justice is not broken,” we are not confident that Mr. Barr’s views have evolved in such a way that would garner our support today.

From criminal justice reform to enforcement of civil rights protection, the U.S. Attorney General has primary jurisdiction over several issues that disproportionately impact African Americans. In consideration of candidates for this role, U.S. Senators have a clear duty to advise and consent. Likewise, any nominee for U.S. Attorney General should almost certainly be disqualified for asserting that “the people who have been given mandatory minimums generally deserve them— richly.” At a time when we should be dedicating ourselves to strengthening police accountability, expanding voting rights, and restoring justice for non-violent offenders, Mr. Barr’s confirmation runs counter to this moral imperative and is antithetical our mission as Members of the CBC. While we are indeed a nation of laws, it is incumbent upon the top law enforcement official in the country to possess a basic understanding of the disparate impacts these laws may have. Additionally, it is incumbent upon that same individual to enforce the laws currently on the books. As such, we emphatically reiterate our strong opposition to Mr. Barr’s confirmation and urge you to swiftly reject his advancement to the full U.S. Senate.

Sincerely,



Karen Bass
Chair, Congressional Black Caucus