



## NATIONAL FRATERNAL ORDER OF POLICE®

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**CHUCK CANTERBURY**  
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22 May 2018

The Honorable Paul D. Ryan  
Speaker of the House  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Nancy P. Pelosi  
Minority Leader  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Mr. Speaker and Representative Pelosi,

I am writing on behalf of the members of the Fraternal Order of Police to advise you of our strong opposition to an amendment offered by Representative Kevin W. Yoder (R-KS) to H.R. 5515, the "National Defense Authorization Act for Fiscal Year 2019."

The amendment is essentially the same language as H.R. 387, the "Email Privacy Act," which the FOP has consistently opposed for the last several Congresses. The FOP understands that there is a need to update the Electronic Communications Privacy Act (ECPA) to ensure that law enforcement retains the tools it needs to fight and investigate crimes and that the privacy of all of our citizens is protected. Any legislation that is adopted must ensure that law enforcement, subject to appropriate judicial oversight and approval, maintain its ability to access and recover digital evidence and also address the challenges we face in gathering such evidence. If this latter issue goes unaddressed, investigators will miss leads, investigation times will be lengthened, the public will be less safe and victims will be denied justice.

The House passed H.R. 387, over the objections of the entire law enforcement community, under a suspension of the rules and without committee consideration. Now proponents of the legislation seek to evade Senate consideration of the bill by attaching it to an unrelated and, in our view, inappropriate legislative vehicle. We urge the House to reject the amendment and work with the FOP and the law enforcement community to develop meaningful ECPA reform in a way that protects our privacy while ensuring that law enforcement has access to digital evidence.

On behalf of the more than 335,000 members of the Fraternal Order of Police, thank you for your consideration of our views on this important issue. If I can be of any further assistance to you, please do not hesitate to contact me or my Senior Advisor, Jim Pasco, in my Washington office.

Sincerely,

  
Chuck Canterbury  
National President