



NATIONAL FRATERNAL ORDER OF POLICE

PATRICK YOES NATIONAL PRESIDENT

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9 February 2023

The Honorable Maria E. Cantwell
Chairman
Committee on Commerce,
Science, and Transportation
United States Senate
Washington, D.C. 20510

The Honorable Ted Cruz
Ranking Member
Committee on Commerce,
Science, and Transportation
United States Senate
Washington, D.C. 20510

Dear Madam Chairman and Senator Cruz,

I am writing on behalf of the members of the Fraternal Order of Police to once again advise you of our strong opposition to the nomination of Gigi B. Sohn to serve as a Commissioner on the Federal Communications Commission (FCC).

Once again, Ms. Sohn will face Members of the Committee and answer questions about her anti-police bias and her refusal to disavow many of the extreme positions of the Electronic Frontier Foundation (EFF) on law enforcement technology, lawful access to digital evidence, and their lionization of Edward J. Snowden.

Our concerns about her views on “going dark” and lawful access have been thoroughly documented in previous letters, which we have included here, but they are extremely concerning and bear repeating. Technology companies have responsibilities when it comes to public safety, which include cooperating with lawful and legitimate law enforcement orders, but the EFF has been the leader in efforts to thwart lawful access to digital data and evidence. Public safety is the paramount responsibility of every governmental official, and Ms. Sohn’s commitment to end-to-end encryption puts public safety in jeopardy.

We are also submitting the FOP’s research into Ms. Sohn’s social media and public policy stances which indicates a deep animus toward law enforcement officers and the rule of law. While she has a Constitutional right to free speech and may express her views freely, she does not have a Constitutional right to be a member of the FCC—in fact, her public record should disqualify her.

Further, and with all due respect, how can you reconcile that Ms. Sohn is a board member of the EFF, which celebrates Mr. Snowden, whom they characterize as a “whistleblower” and a patriot. He is neither of those things, least of all a patriot. The fact is that Mr. Snowden was entrusted with highly classified intelligence used to protect and defend the United States, and he chose to unlawfully share that data—putting American lives at risk and seriously damaging our national security. Mr. Snowden has been charged with three Federal felonies—including two counts of violating the

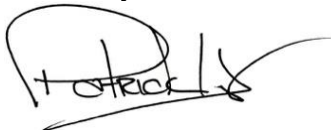
Espionage Act. He is currently a wanted fugitive who is now a citizen of Russia. As far as we know, she has not distanced herself from those who believe this man to be a hero. How is her nomination receiving any serious consideration?

We believe that a vote to favorably report Ms. Sohn's nomination next week would show a complete disregard for the hard-working men and women of law enforcement who are simply trying to do their jobs and protect the public. Is this the type of nominee that your constituents want representing them on the Federal Communications Commission?

She was unacceptable in the previous Congress and remains unacceptable in the current Congress. We do not believe she should have been nominated again. Last year, her nomination was never brought to the floor because she did not have sufficient support, and we have no reason to believe that the midterm elections changed that. They have certainly not changed the FOP's priorities or our serious concerns about this nominee.

On behalf of the more than 364,000 members of the Fraternal Order of Police, I urge all Members of the Committee to reject the nomination Gigi B. Sohn to serve on the Federal Communications Commission. If I can provide any additional information on this matter, please do not hesitate to contact me or Executive Director Jim Pasco in our Washington, D.C. office.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Yoes", with a large, stylized flourish extending to the right.

Patrick Yoes
National President

cc: Members, Committee on Commerce, Science, and Transportation, United States Senate