



NATIONAL FRATERNAL ORDER OF POLICE

PATRICK YOES NATIONAL PRESIDENT

JIM PASCO EXECUTIVE DIRECTOR

328 Massachusetts Ave NE | Washington DC 20002

(202) 547-8189 | www.fop.net | legislative@fop.net

9 February 2023

The Honorable Maia 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

This is an exaggeration and based on Sohn “liking” other people’s tweets that call out police brutality — something no professional law enforcement officer can condone.

EFF is a highly respected and popular organization that defends the digital civil liberties of internet users. Sitting on the board of EFF does not mean that Sohn decides the organization’s policy positions.

This is false. Sohn has not condoned Edward Snowden’s actions, and even disavowed them before the U.S. Congress.

Like many lawmakers, Sohn has stated publicly that she supports individuals’ rights under the 4th Amendment and law enforcement’s legal access to data and evidence.

Sohn has never made a statement about end-to-end encryption. Regardless, Sohn will not have any authority over end-to-end encryption as an FCC Commissioner.

This again is a false exaggeration based on Sohn “liking” 11 tweets of other people that called out police brutality. Police brutality should not be condoned by anyone. Sohn’s “likes” and “retweets” were part of nationwide protests against police violence involving millions.

Sohn’s education and experience make her qualified for the FCC Commissioner position. It is damaging to our democracy to disqualify people with diverse viewpoints from public service.

Again, Sohn has not condoned Edward Snowden’s actions, and even disavowed them before the U.S. Congress.

THE VOICE OF OUR NATION’S LAW ENFORCEMENT OFFICERS

- Since 1915 -

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?**

Once more, this is an unfounded and plainly false attack. Sohn has not condoned Edward Snowden's actions, and even publicly disavowed them before the U.S. Congress.

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?

This is not supported by fact. Due to limited floor time to consider must pass legislation and attendance, the Senate ran out of time; Sohn has the full support of the White House and was renominated this Congress.

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,



Patrick Yoes
National President

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