

January 4, 2022

The Honorable Charles E. Schumer  
Majority Leader  
United States Senate  
Washington, DC 20510

The Honorable Mitch McConnell  
Minority Leader  
United States Senate  
Washington, DC 20510

The Honorable Richard J. Durbin  
Chairman  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

The Honorable Charles E. Grassley  
Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Dear Majority Leader Schumer, Minority Leader McConnell, Chairman Durbin and Ranking Member Grassley:

I am writing in support of Sharon Bradford Franklin's nomination as Chair of the United States Privacy and Civil Liberties Oversight Board. Ms. Franklin is eminently qualified for this position based on her education, experience, demeanor, commitment to civil liberties and privacy, and her ability to work with intelligence and law enforcement agencies to achieve results.

I have known and worked with Ms. Franklin for over 15 years, starting when she was a Senior Counsel at The Constitution Project and I was the Associate Director of the ACLU's Washington Legislative Office. I worked with Ms. Franklin when she served as the Executive Director of the PCLOB, and when she assumed leadership roles at New America's Open Technology Institute. Currently, we co-direct the Project on Security and Surveillance at the Center for Democracy & Technology, a non-partisan 501(c)(3) organization with offices in Washington, DC and Brussels.

Ms. Franklin is a strong advocate of privacy and civil liberties who often assumes a leadership position in initiatives of the privacy and civil liberties community, and who works well with national security and law enforcement professionals. She understands the importance of implementing robust and meaningful safeguards for civil liberties that allow the government to keep people safe. Her seven-year stint as a trial attorney in the Department of Justice no doubt sensitized her to this need.

Ms. Franklin is a consensus builder. She perhaps most clearly and publicly demonstrated this talent when she brought together civil libertarians, former law enforcement officials, academics and others in the Liberty and Security Committee of the Constitution Project. Despite the professional diversity of its membership and its commitment to operate on the basis of rough consensus, this Committee produced over 20 influential reports and statements under Ms. Franklin's leadership. More recently, she also led to rough consensus a key committee of the Internet & Jurisdiction Policy Network, which consisted of academics, law enforcement personnel, politicians, and NGOs from around the world. I've seen Ms. Franklin work behind the

scenes to forge consensus around joint letters eventually subscribed to by NGOs from across the political spectrum. She is an honest broker. Her talents at leading people to agreement will serve her well as Chair of the bi-partisan PCLOB.

Ms. Franklin has been steeped in national security and civil liberties issues throughout her career. She would bring deep and current knowledge of these issues to the PCLOB, and could hit the ground running. This is particularly important for the position of PCLOB Chair because the PCLOB has not had a quorum of members for a number of months, and its privacy and civil liberties “docket” is only growing.

PCLOB played an important role in helping intelligence agencies be more transparent in the wake of the Snowden disclosures. Such transparency is essential to both congressional oversight and to public trust. In many of our interactions about intelligence surveillance, building trust through transparency has been a hallmark of Ms. Franklin’s advocacy.

I urge you to move swiftly to consider the nomination of Sharon Bradford Franklin as PCLOB Chair, and to support her nomination.

Sincerely,

A handwritten signature in black ink that reads "Greg Nojeim". The signature is written in a cursive, slightly slanted style.

Gregory T. Nojeim