

November 13, 2019

The Honorable Senator Lindsey Graham
Chairman
Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Senator Dianne Feinstein
Ranking Member
Senate Committee on the Judiciary
152 Dirksen Senate Office Building
Washington, D.C. 20510

Re: Opposition to the Nomination of Steven Menashi to the Second Circuit Court of Appeals

Dear Chairman Graham and Ranking Member Feinstein,

Free Press Action is a national, nonpartisan organization working to reform the technology and media sector, focusing on issues such as Net Neutrality, privacy, unwarranted government surveillance, and civil rights. Free Press Action has 1.4 million activists and members in all fifty states, the District of Columbia and Puerto Rico.

We write to oppose the nomination of Steven Menashi to the Second Circuit Court of Appeals, and do so in light of recent news reports of Menashi's participation in a scheme to violate the Privacy Act in order to deny students financial protections against predatory for-profit colleges.

Steven Menashi is an under-qualified right-wing activist determined to advance the privileges of the powerful instead of protecting the rights of marginalized people.

As a public interest group that is working to pass federal consumer privacy legislation we are especially worried about Menashi's cavalier attitude towards the rule of law and reported willingness to violate the Privacy Act to help enrich for-profit-education-companies.

This administration is marked by rampant illegality. Yet we are deeply concerned that once we turn the page on this era, any federal privacy legislation will be interpreted and enforced by Trump appointees who have shown themselves incapable of understanding the values at stake when people's privacy is violated.

We have worked with members on both sides of the aisle that recognize the importance of protecting privacy against undue commercial and government intrusions. We hope all members of the Senate take Mr. Menashi's serious abuse of power and violations of students' privacy rights into account when voting on his nomination.

For these reasons, we urge the Senate to oppose Mr. Menashi's nomination to the Second Circuit Court of Appeals.

Regards,

Gaurav Laroia
Senior Policy Counsel