

VFI Executive Briefing

A weekly roundup of technology news

June 19 – June 23, 2017

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HILL UPDATE

The Hill [U.S., British Officials Push Deal On Cross-Border Data Access For Law Enforcement](#)

The Hill reported on the oral testimonies of representatives from the Department of Justice and British government at the House Judiciary Committee hearing on lawful access to data stored abroad, urging lawmakers to allow the U.S.-U.K. agreement to proceed. The article notes that Richard Downing, acting deputy assistant attorney general of the DOJ, asked lawmakers to propose a clarifying amendment to current U.S. law, reversing the Second Circuit's decision in Microsoft's warrant case.

The Hill [Senate Dem to Intel chief: Answer my surveillance question publicly](#)

The Hill reported on Senator Ron Wyden's criticism of director of National Intelligence, Dan Coats's refusal to reveal the number of Americans' communications collected under Section 702's Upstream program, and whether or not the NSA intentionally collects data on U.S. citizens. Related [Lawfare](#) published a blog by Harvard Kennedy School fellow, Anne Boustead in which she proposes a series of questions that Wyden should ask Coats in order to shed more light on the impact of Section 702 on Americans.

Special Coverage: White House Tech Summit/Tech Week

Yesterday, the Trump Administration held a technology summit to kick off Tech Week that included representatives from Apple, Amazon, Google and other leading companies. Microsoft attendees were CEO Satya Nadella and President and Chief Legal Officer Brad Smith. The articles below provide highlight the coverage from the meeting.

Here is a [link to President Trump's remarks](#) during the American Technology Council Roundtable.

Additional activities during the week include a "tech conversation to rural America" in Iowa on Wednesday and Thursday breakout sessions on 5G, IoT, drones and what the Administration can do to spur innovation.

- **Wall Street Journal [For Tech CEOs, Not Attending White House Summit Is Greater Risk](#)** (subscription required)
Technology executives at odds with the Trump administration see a bigger problem than attending a White House brainstorming session Monday—not attending. Silicon Valley has been among the most vocal critics of President Donald Trump over his positions on issues such as climate change and immigration. Still, representatives from Apple Inc., Amazon.com Inc., Microsoft Corp. and Alphabet Inc.'s Google, companies that have opposed his policies, are expected to make the cross-country trip to ensure their voices are heard. Also expected to attend are Intel Corp. Chief Executive Brian Krzanich, Oracle Corp. co-CEO Safra Katz, a member of Mr. Trump's transition team, and Cisco Systems Corp. Chief Executive Chuck Robbins.

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- **Wired** [THE WHITE HOUSE TECH SUMMIT TACKLES A SPRAWLING AGENDA](#)
WHAT A DIFFERENCE six months can make. In December 2016, tech's most famous faces flocked to Trump Tower for their first roundtable with then-President-elect Donald Trump. The meeting had a genial tone, as tech leaders joked with Trump and seemed committed to playing nice and working toward the greater good. In the time since then, though the president has repeatedly attempted to ban Muslim immigration to the United States, announced plans to pull out of the Paris Agreement to address climate change, and proposed deep cuts to spending on scientific research and development. And Trump's actions have created an at-best uncomfortable and at-worst adversarial relationship between tech bigwigs and his administration.
- **Recode** [President Trump will ask tech executives today for help in modernizing the U.S. government](#)
President Donald Trump will huddle with the leaders of Amazon, Apple, Google, Microsoft and other top technology companies on Monday, as his administration tries to harness Silicon Valley's expertise to upgrade the dated inner-workings of the U.S. government. Much like his predecessors in the White House, Trump and his team believe that Washington, D.C., has been too slow to adapt to the digital age. They fret that the lumbering federal bureaucracy is hamstrung by outmoded technology, often in such troubling ways that veterans have a hard time obtaining their medical records. And they want federal agencies to start taking advantage of new tools, including artificial intelligence, to address lingering ills, like fraudulent government spending.
- **Axios** [What Apple's Tim Cook will tell Trump](#)
Axios previewed Tim Cook's meeting with the White House, set to take place today on the first day of what Trump's administration is referring to as "Tech Week". Cook will likely argue for the merits of strong encryption services.
- **New York Times** [Daily Report: When Tech Titans Go to Washington](#)
A bunch of top technology executives and investors visited the White House on Monday. What unfolded? Among the highlights: Peter Thiel, a Facebook investor and a supporter of President Trump, praised the president and his administration for "doing well." Jeff Bezos, Amazon's chief executive, urged Mr. Trump to think about artificial intelligence. And Mr. Trump joked about how he had created \$3.5 trillion in market value since the election. Those were among the scenes from Monday's event, writes Cecilia Kang, a technology reporter for The New York Times.
- **Washington Post** [What you need to know about Trump's meeting with tech CEOs](#) Top executives from Apple, Amazon.com, Microsoft, Google and other Silicon Valley titans met with President Trump on Monday as the White House kicked off an effort to improve the federal government's digital services for everyday Americans. From upgrading slow, outdated websites to streamlining how veterans receive their health benefits, the administration said it wanted to hear ideas from leaders including Apple chief executive Tim Cook, Amazon chief executive Jeffrey P. Bezos (who also owns The Washington Post), Microsoft chief executive Satya Nadella and Eric Schmidt, the executive chairman of Google's parent, Alphabet. One notable absence was that of Facebook, which did not participate reportedly because of scheduling conflicts.

ARTICLE SUMMARY

Morning Consult [Poll: Support for Police Access to Certain Data on Personal Devices](#)

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Morning Consult published a poll finding that many American adults (55%) believe that “authorities should always be required to obtain a search warrant before accessing the personal information and data of a person under investigation.”

Wall Street Journal [Why Some of the Worst Cyberattacks in Health Care Go Unreported](#) (subscription required)

A cyberattack last year paralyzed MedStar Health computers, forcing the Maryland operator of 10 hospitals and more than 300 outpatient centers to shut down its entire electronic-record system. Doctors logged patient details with pen and paper. Laboratory staff faced delays delivering test results. “It was three weeks before we got most of everything that was important to us on a daily basis back and operational,” Craig DeAtley, director of the MedStar Institute for Public Health Emergency Readiness, said during a panel organized by federal health officials last year to address cyberthreats. Yet the attack—and others last year at hospitals in California and Kentucky—don’t appear on the U.S. Department of Health and Human Services’s public list of data breaches.

The Hill [Trump can finally make American patents great again](#)

As President Trump moves to implement his “make America great again” agenda, one rather esoteric subject cries out for attention – reversing the Obama administration’s antipathy toward patent and property rights. Patent rights – a subsidiary of the property right – ensure that inventors, entrepreneurs, and even corporations have an incentive to engage in research and development, to invest the time and money necessary to invent new things which, hopefully, will better life for all of us. Our Founders understood the patent right to be one of the keys to ensuring the security of liberty – that’s why Article 1, Section 8, Clause 8 of the Constitution itself gives Congress the power to award patents: “To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries ...”

Washington Post [A Republican contractor’s database of nearly every voter was left exposed on the Internet for 12 days, researcher says](#)

Detailed information on nearly every U.S. voter — including in some cases their ethnicity, religion and views on political issues — was left exposed online for two weeks by a political consultancy that works for the Republican National Committee and other GOP clients. The data offered a strikingly complete picture of the voting histories and political leanings of the American electorate laid out in an easily downloadable format, said cybersecurity researcher Chris Vickery. He discovered the unprotected files of 198 million voters in a routine scan of the Internet last week and alerted law enforcement officials. The precision and volume of the information, including dozens of data points on individual Republicans, Democrats and independent voters, highlights the rising sophistication of the data-mining efforts that have become central to modern political campaigns.

NOTABLE QUOTES

- *Our goal is to lead a sweeping transformation of the federal government’s technology that will deliver dramatically better services for citizens, stronger protection from cyberattacks -- which we were just discussing in the Oval Office with a little bit smaller group. That’s a big problem, there’s no question about it. We’re going to be working on it and we’re going to solve the problem -- and up to a trillion dollars in savings for taxpayers over the next 10 years. Over a trillion. We’re embracing big change, bold thinking, and outsider perspectives to transform government and make it the way it should be, and at far less cost.*
-[President Donald Trump](#)
- *“Never before have we had as great a need for access to electronic evidence to solve crimes, bring criminals to justice, and to protect public safety... That decision, and the choice by major U.S. providers to apply its ruling across the country, is preventing effective and efficient access to critical evidence where the provider has chosen to store that data overseas.”*
– [Richard Downing, acting deputy assistant attorney general, Department of Justice](#)

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- *“Crimes go on with the criminals unpunished as a result. It constrains law enforcement and it makes us all less safe... [The bilateral agreement] is not an expansion of U.K. investigatory powers. It does not impact the privacy rights of U.S. persons.”*
– [Paddy McGuinness, U.K. deputy national security adviser](#)
- *“Government surveillance activities under the FISA Amendments Act have violated Americans’ constitutionally protected rights... We oppose any reauthorization of the FISA Amendments Act that does not include substantial reforms to the government’s collection and use of Americans’ data.”*
– [Mark Meadows, chairman, House Freedom Caucus](#)
- *“Europe should have no doubt that our firm commitment to the Privacy Shield is not wavering... The business relationships that Privacy Shield enables are as important to Europe as they are to the United States. Moreover, European security services depend vitally on information U.S. intelligence agencies obtain lawfully, legitimately, and subject to robust oversight, to protect their own citizens. It is not in our shared interests to demand restrictions on that activity at a time when terrorist attacks in Europe are on the rise.”*
– [Robert Litt, former general counsel, Office of the Director of National Intelligence](#)
- *“There’s no sign to tell you whether your router is hacked or not—you’re just on the internet as normal. The only thing is that everything you’re doing on the internet is going through the CIA... Almost every home has a wireless router, and we don’t have many tools to check what’s going on on those devices. So it’s quite a stealthy way to get malware into someone’s home.”*
– [Matthew Hickey, founder and security researcher, Hacker House](#)
- *“With the Supreme Court slated to rule next term on whether cellphone location data requires a search warrant, a new poll shows that a majority of U.S. adults support law enforcement accessing certain personal data for someone under investigation, but only if it’s authorized by a warrant.”*
– [Laura Nichols, reporter, Morning Consult](#)
- *“The Government has been clear that we support the use of encryption. It helps keep peoples’ personal information safe and ensures secure online commerce. But we have also been clear that we must ensure that, in tightly proscribed circumstances, our law enforcement and security and intelligence agencies are able to access communications of criminals, including terrorists.”*
– [U.K. Home Office spokesman](#)
- *“If the British government asks for a special key like this, what stops other governments from asking for the same access. You need end-to-end encryption because it stops anyone from listening in.”*
– [Nigel Smart, cryptology professor, University of Bristol](#)
- *“We are only beginning to understand more about the conditions under which speech in general, and particularly online speech, can incite violence. But the evidence we have indicates that online speech plays a limited role. People are radicalized through face-to-face encounters and relationships. Social media might be used to identify individuals open to persuasion, or to reinforce people’s preexisting beliefs. But viewing propaganda does not turn us into terrorists.”*
– [Molly Land, law professor, University of Connecticut](#)
- *“Member States shall not impose any obligations on electronic communications service providers that would result in the weakening of the security and encryption of their networks and services.”*

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– [Proposed EU legislation on encrypted communications](#)

SOCIAL HIGHLIGHTS

- **@agcrocker:** [It is approximately 100% likely @RonWyden knows something disturbing about domestic surveillance under Section 702](#)
- **@lawfareblog:** [Robert Litt: U.S. Commitment to the Privacy Shield Remains Strong](#)
- **@motherboard:** [The upcoming Supreme Court case on cell phone location data will decide the future of privacy via @steve_vladeck](#)
- **@Reuters:** [Opposing Trump, conservative bloc demands reforms to internet spy law](#)
- **@theintercept:** [“The only way information is not going to get to ICE is to not collect it.”](#)
- **@TheRegister:** [Look who's joined the anti-encryption posse: Germany, come on down](#)
- **@zackwhittaker:** [New: CIA has been hacking into Wi-Fi routers for years, leaked documents show.](#)
- **@businessinsider:** [Apple CEO Tim Cook will push for strong encryption at the White House](#)
- **@dannyjpalmer:** [EU looks to enshrine right to use end-to-end #encryption, outlaw government #surveillance and backdoors via @ZDNet](#)
- **@dannyjpalmer:** [Note the contrast between EU plans and Theresa May's ongoing crusade to increase internet regulation](#)
- **@endgadget:** [EU proposes banning encryption backdoors](#)
- **@LC_Nichols:** [Also in this story: experts explain how police can use data, like GPS, for surveillance](#)
- **@Privacy_Lynch:** [A Look at New Trends: Data #Privacy Laws in the Western Hemisphere by Cynthia Rich of @MoFoPrivacy @BloombergLaw](#)
- **@TelegraphTech:** [EU deals Theresa May encryption setback as MEPs propose ban on government backdoors](#)
- **@thehill:** [Dem lawmaker hits intel chief: Answer my questions publicly](#)