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HILL UPDATE

Politico: [ECPA reform vote postponed again](#)

Politico reported that the Senate Judiciary Committee postponed consideration of ECPA reform for the second time. A [release](#) from Sen. Mike Lee noted that he requested the delay due to the inclusion of an amendment that would expand the use of National Security Letters.

Morning Consult: [Privacy Bill Sponsors Pull Legislation Over Cornyn Amendment](#)

Morning Consult analyzed the Senate Judiciary Committee's decision to delay consideration of ECPA reform due to an amendment expanding the use of National Security Letters. Sens. Mike Lee and Patrick Leahy characterized the amendment as a "poison pill" that would kill the bill's chance of passage, but amendment sponsor Sen. John Cornyn expressed his belief that it would "enjoy the support" of the committee.

SPECIAL COVERAGE

COMPUTER SCIENCE EDUCATION FUNDING AND VFI WEBINAR

On June 9, the U.S. Senate Committee on Appropriations [approved](#) a bipartisan FY17 Labor, HHS & Education Appropriations Bill. As of this time, Computer Science **does not** have a dedicated funding stream in the bill. [Politico's Morning Education](#) wrote a blurb on the Senators who mentioned computer science education during the Labor HHS appropriations mark-up and highlights that there is no dedicated funding for computer science education in the current appropriations bill.

SENATORS NOD AT COMPUTER SCIENCE, BUT LITTLE FUNDS: Computer science education advocates are not backing down in their efforts to get direct federal funding to expand computer science access in K-12 classrooms, even after the Senate Appropriations Committee advanced the bipartisan Labor-Health and Human Services-Education spending bill on Thursday without the inclusion of a specific funding stream for their pet issue.

— **Without a specific set-aside, computer science education will be one of the many programs fighting for money under Title IV block grants.** Advocates from the Computer Science Education Coalition and Code.org are also urging Congress to revisit the bill's Title IV block grant funding allocation, which is meant to help fund a "well-rounded education." Under the Every Student Succeeds Act, Congress authorized \$1.65 billion for the block grants, but the bill only offers \$300 million — less than 20 percent of the originally authorized amount.

— **But while the money doesn't show it,** advocates are encouraged by the numerous shout outs computer science education got during the Appropriations markup Thursday. Sens. [Steve Daines](#), [John Hoeven](#), [Jeff](#)

VFI Executive Briefing

A weekly roundup of technology news

June 6-10, 2016

[Merkley](#), [Lisa Murkowski](#), and [Patty Murray](#) all spoke in support of expanding access to computer science education in classrooms.

— **Meanwhile, Virginia recently became the seventh state to allocate funding for K-12 computer science education.** Virginia Governor Terry McAuliffe signed off on \$550,000 in annual funding for two years in the state budget to expand computer science education.

VFI WEBINAR ON COMPUTER SCIENCE EDUCATION FUNDING

On Tuesday June 14, Voices for Innovation is holding a webinar entitled [Why K-12 Computer Science Education is Critical](#). You can RSVP to the webinar [here](#) to learn more about the importance of federal funding for computer science education.

ARTICLE SUMMARY

Washington Post [The Internet of Things has a child privacy problem](#)

"In sum: Alexa is kinda my new best friend," writes Rebecca, an author and blogger on Mommyproof. As a mother of young children, it's not hard to see why: Rebecca details the joys of virtual assistant Amazon Echo, which functions as a kind of combined kitchen helper, child entertainer and DJ. "Is it weird that Alexa feels like my trusty little friend during that six pm witching hour, gently guiding me through dinnertime?"

Politico's Morning Tech [Advocacy groups write to DNC, RNC ahead of tech meeting](#)

ADVOCACY GROUPS WRITE TO DNC, RNC AHEAD OF TECH MEETING - A coalition of 20 public interest and advocacy groups is sending a letter to RNC and DNC leaders this morning, asking them "to ensure that conversations about internet and technology policy include the voices of public interest advocates and affected communities" as they develop their party platforms for the 2016 election. "We believe it is vital that platform committees both understand the perspectives of the communities we advocate for and recognize how a free, open, and accessible internet supports so many of your policy goals," write the groups, including CDT, EFF, Free Press, Public Knowledge and the New America Foundation's Open Technology Institute. "Understanding where both political parties stand on issues such as protecting privacy online, or ensuring greater broadband access, deployment, and adoption in urban, rural, and tribal areas alike, will be crucial to helping voters make an informed choice on Election Day." The full letter, for Pros, is here. It comes as the RNC is set to meet with tech and telecom lobbyists today.

The Wall Street Journal: [Data Localization Takes Off as Regulation Uncertainty Continues](#)

The Wall Street Journal published an article analyzing how legal and regulatory uncertainty in the EU is driving companies to invest in localized data storage.

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Huffington Post [Congress Strengthens Trade-related Intellectual Property Protection](#)

On February 24, 2016, President Obama signed the “Trade Facilitation and Trade Enforcement Act of 2015” (FCFE Act) into law. The act is an important milestone for American trade. Its provisions reflect congressional intention to strengthen and protect domestic workers and businesses. The act improves the ability of U.S. agencies to enforce customs, trade laws, and regulations. The law covers a wide range of trade topics including intellectual property rights; predatory pricing; currency manipulation; policy goals for immigration and climate change; and human rights issues.

The Washington Post: [FBI wants access to Internet browser history without a warrant in terrorism and spy cases](#)

The Post reported that Facebook, Google, Yahoo, and several industry and civil rights groups submitted a [letter](#) to the Senate opposing any legislative efforts to expand the information the FBI can obtain with National Security Letters.

FedScoop: [DOJ official: New law needed for cross-border digital evidence](#)

FedScoop reported on comments from Assistant Attorney General Leslie Caldwell noting that the current processes to obtain cross-border digital evidence are “unsustainable” and suggesting that bilateral frameworks for data should replace formal treaties.

The Hill [Commerce approves domain name transition plan](#)

The Department of Commerce gave its approval Thursday to a hotly-debated plan to transition away from United States control of the domain name system. “The internet’s multistakeholder community has risen to the challenge we gave them to develop a transition proposal that would ensure the Internet’s domain name system will continue to operate as seamlessly as it currently does,” said Larry Strickling, who heads the agency’s National Telecommunications and Information Administration, said in a statement.

Fortune: [Top Prosecutor Blasts Apple and Google Over 270 Encrypted Phones](#)

Fortune reported on comments from Manhattan District Attorney Cyrus Vance Jr. criticizing Apple and Google for encrypting their phones and choosing to “engineer themselves out of criminal investigations,” allowing cybercriminals to operate with impunity. In a familiar refrain, Vance urged Congress to force tech companies to make devices accessible to law enforcement with a warrant.

Notable Quotes

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- *"It's been more than 20 years since the federal government set the substantive standard for cooperation between the telecommunications carriers and law enforcement in enacting the Communications Assistance for Law Enforcement Act of 1994. Our federal laws must be updated to recognize the evolved state of mobile communications and the responsibilities of manufacturers and providers to public safety and national security. Absent congressional intervention, Apple and Google will continue to self-regulate the rapidly evolving course of smartphone communications. That's a privacy insurance policy whose premiums are prohibitively expensive, borne by every American and paid up with the dividends of effective public safety."*

- [Col. Rick Fuentes, superintendent, New Jersey State Police](#)

- *"This expansion of the NSL statute has been characterized by some government officials as merely fixing a 'typo' in the law. In reality, however, it would dramatically expand the ability of the FBI to get sensitive information about users' online activities without court oversight. The provision would expand the categories of records, known as Electronic Communication Transactional Records (ECTRs), that the FBI can obtain using administrative subpoenas called NSLs, which do not require probable cause. Under these proposals, ECTRs would include a host of online information, such as IP addresses, routing and transmission information, session data, and more."*

- [Letter from Facebook, Google, Yahoo, and industry and civil rights groups urging Congress to oppose NSL provision](#)

- *"U.S. companies, many of whom operate as multinationals in the global economy, may face a potential legal conflict: comply with a foreign order and risk violating U.S. law, or refuse to comply and risk violating the laws of another country. Absent an adjustment, we risk competing 'data localization' requirements and initiating enforcement actions against U.S. companies for non-compliance."*

- [Assistant Attorney General Leslie Caldwell](#)

- *"The federal government's antipathy to the Fourth Amendment is palpable and well-known — notwithstanding that everyone who works for the feds has taken an oath to uphold the Constitution, not evade or avoid it. Last week, FBI Director James Comey effectively told the Senate committee that is writing this damnable new legislation that complying with the Fourth Amendment is a pain in the neck and his agents could operate more efficiently without it. Wake up, America. The Fourth Amendment is supposed to be a pain in the neck for the government. The Fourth Amendment was expressly written to protect our individual right to privacy from the voracious and insatiable appetite of government to assault it. It was also written to ensure that government can seek evidence against bad guys, but it was meant to force the government to target them based on real evidence, not to let it sweep them up in a suspicionless net along with the innocent."*

- [Andrew Napolitano, former judge of the Superior Court of New Jersey](#)

- *"Unfortunately, some Senators on the committee have decided late in the day that this bill should be a vehicle to move an unrelated and controversial expansion of the use of national security letters by the FBI. Such an expansion would swallow up the protections this bill offers to the American people. While there are other concerns we had hoped to negotiate, the national security letter amendment is something I cannot in good conscience have attached to this bill. So, with great reluctance, I have requested that Chairman Grassley withdraw the ECPA Amendments Act from the markup agenda until such time as we can proceed without risking that this bill actually decrease the privacy of our citizens."*

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- [Sen. Mike Lee](#)

- *"In my office alone, we now have 270 lawfully-seized iPhones running iOS 8 or 9 that are completely inaccessible. ... These devices represent hundreds of real crimes... that cannot be fully investigated, including cases of homicide, child sex abuse, human trafficking, assault, robbery, and yes—cybercrime and identity theft."*

- [Cyrus Vance Jr., Manhattan District Attorney](#)

"I worry anytime you give a lot of extra powers, there is always a potential for abuse. I have almost nightmares thinking what a man like that [J. Edgar Hoover] would do with the enormous enhanced powers in a digital age."

- [Sen. Patrick Leahy](#)