



# BROOKS BAWDEN LLC

## Weekly Update

January 3 - 6, 2017

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### Latest News

- Happy New Year to all of you. Washington, DC is already in high-gear and in the next few months are going to be extremely active on the legislative and policy fronts. Best wishes for a safe and productive 2017.
- The House and Senate convened on January 3 for the first official day of the 115th Congress. In the House, all Members were sworn in, and the election for the Speaker of the House was held. Congressman Paul Ryan (R-WI) easily won reelection to the post. The House then approved a rules package governing the chamber, and will consider several bills this week including legislation to combat major rulemaking by the administration, as well as a resolution to express disapproval of the recent United Nations resolution targeting Israel.
- In the Senate, Senators were sworn in, and Majority Leader McConnell released the proposed Republican 2017 budget resolution which may be considered next week. It is expected that this budget will include reconciliation instructions which will be used to target Obamacare. Reconciliation is the process by which the Senate directs committees to develop legislative language that brings budgets in line with policy, and is viewed as a "short cut" around normal legislative procedures because reconciliation only requires a simple majority vote, while most standard legislative measures require 60 votes to close debate. Additionally, Senator Chuck Schumer (D-NY) has taken over as Democratic Leader in the Senate, replacing retired Senator Harry Reid (D-NV).
- **House Encryption Working Group** - On December 20, the House Encryption Working Group, consisting of members from the Judiciary and Energy & Commerce Committees, released its year-end report that lays out four key observations and identifies several areas for future discussion next Congress. The law enforcement community widely views the working group's report as ill-informed and ignorant of the legitimate concerns regarding the impact of encryption on criminal investigations. You can view the report [here](#). Multiple law enforcement groups sent a joint letter to the working group expressing their concerns with the report. You can view the letter [here](#).
- **Trump Administration Transition Update** - President-elect Donald Trump has named Thomas Bossert, a former deputy homeland security adviser under President George W. Bush, as his chief adviser on homeland security, counterterrorism and cybersecurity matters and is giving him "elevated" status within the White House. The Trump transition team stated that Bossert's position, which was formerly filled by a deputy to the national security adviser, will be "elevated and restored to its independent status." In this position, he will be an assistant to the president on a par with the incoming national security adviser. In the Bush Administration, he helped draft the federal government's first cybersecurity strategy, and also spent two years as the White House director of infrastructure protection policy.

- **Cyber Report** - A task force at the Center for Strategic and International Studies, headed by House Homeland Security Chairman Mike McCaul, and Senator Sheldon Whitehouse released a report urging the overhaul of how key departments and agencies approach cybersecurity. The group has recommended elevating the role of the White House cyber coordinator, reconsidering how the State Department promotes cyber norms abroad, broadening the FTC's focus on data security, increasing transparency around cyber incidents, expanding NIST's work to secure the internet of things and clarifying the digital defense roles of civilian and military agencies. You can view the report [here](#).
- **FBI & DHS Report on Russian Hacking** - On December 29, the FBI and the Department of Homeland Security released a report detailing how federal investigators linked the Russian government to hacks of Democratic Party organizations. The report provides details regarding tools and infrastructure used by Russian civilian and military intelligence services to "compromise and exploit networks and endpoints associated with the U.S. election, as well as a range of U.S. Government, political, and private sector entities." Despite this, some security experts say this document does not go far enough to provide definitive forensic proof to confirm the Russian governments involvement. You can view the report [here](#).

- **ARTICLES OF INTEREST:**

- **Police seek Amazon Echo data in murder case (updated)**

- **Engadget | Billy Steele**

- Amazon's Echo devices and its virtual assistant are meant to help find answers by listening for your voice commands. However, police in Arkansas want to know if one of the gadgets overheard something that can help with a murder case. According to The Information, authorities in Bentonville issued a warrant for Amazon to hand over any audio or records from an Echo belonging to James Andrew Bates. Bates is set to go to trial for first-degree murder for the death of Victor Collins next year. Amazon declined to give police any of the information that the Echo logged on its servers, but it did hand over Bates' account details and purchases. Police say they were able to pull data off of the speaker, but it's unclear what info they were able to access. Due to the so-called always on nature of the connected device, the authorities are after any audio the speaker may have picked up that night. Sure, the Echo is activated by certain words, but it's not uncommon for the IoT gadget to be alerted to listen by accident. **Continue reading [here](#).**

- **Ambushes and fatal shootings fuel increase in police death toll this year**

- **The Washington Post | Mark Berman and Kevin Uhrmacher**

- The first shots were fired just before 9 p.m. A protest against deadly shootings by police was winding down in Dallas, with demonstrators making their way back to their cars, when officers heard the initial burst of gunfire. By the time it was over, five police officers had been killed, several others were injured and a lone gunman was dead after a standoff with officers. The Dallas ambush was the deadliest day for law enforcement since Sept. 11, 2001. That bloodshed, coupled with another attack days later in Baton Rouge, helped fuel an increase this year in the number of police officers slain in the line of duty, a tally pushed upward by a surge in ambush attacks and other shootings. **Continue reading [here](#).**

- **TSA to deny 9 state licenses as valid ID for domestic travel**

- **AOL | Stephanie Liebergen**

- If you're like most Americans, you use a driver's license to get through security at the airport. Well, the rules on what makes that license a valid form of federal ID are changing. It's a process more than a decade in the making. In 2005, Congress passed the Real ID Act. It sets stricter and more secure requirements for state driver's licenses and identification cards. So what's on a Real ID? Your full legal name, birth date, gender, address, signature, a license or ID number, digital photograph, security features and machine-readable technology, like a barcode. The problem is some states are issuing IDs that don't comply with the new rules. Those states are Kentucky, Maine, Minnesota, Missouri, Montana, Oklahoma, Pennsylvania, South Carolina and Washington.

- **Continue reading [here](#).**

- **Are the police tracking you? Push to restrict license plate readers heads to Va. Supreme Court**

- **The Washington Post | Tom Jackman**

The police use of automatic license plate readers, photographing hundreds of license plates per minute and capturing the exact time and place of the photo, has become routine in law enforcement and is credited with helping to solve all manner of crimes, find missing persons and locate stolen autos. But the vast data those readers generate continues to alarm civil liberties advocates, troubled by the possibility of police tracking people's movements, and now a legal challenge is headed to Virginia's Supreme Court to determine whether the police can keep the information indefinitely — or not at all. **Continue reading [here](#).**

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## Hearings & Markups Happening This Week

Senate Armed Services Committee - Full Committee Hearing  
[Foreign Cyber Threats to the United States](#)  
January 5 @ 9:30 am - Dirksen G50

Senate Judiciary Committee - Full Committee Nomination Hearing  
[Nomination of Senator Jeff Sessions \(R-AL\) to be Attorney General](#)  
[Documents Submitted](#)  
January 10 & 11 @ TBD - 226 Dirksen

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## Legislation on the Floor This Week

### **House:**

Nothing affecting the law enforcement or homeland security community.

### **Senate:**

Nothing affecting the law enforcement or homeland security community.



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Our government relations practice helps clients advance critical policy priorities with Congress, federal agencies, and state legislatures. Our Capitol Hill experience and track record of successful advocacy for public safety causes is unmatched. Our business strategy consulting practice enables companies to connect innovative products and services with market needs. Through decades of service we have built a deep network of relationships at the local, state, and federal levels.

**We are Moving:** As of January 6, our office will be relocating from the 402-B suite to the 402 suite in the same building at 300 M St. SE.



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