

## *StepToe Cyberlaw Podcast: An Interview with Glenn Gerstell*

Lawfare: Hard National Security Choices

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### **Body**

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Feb 25, 2016( Lawfare: Hard National Security Choices: <http://www.lawfareblog.com> Delivered by Newstex) ;; What is the most surprising discovery a law firm partner makes when he jumps to the National Security Agency? I direct that and other questions at Glenn Gerstell[1], who has just finished six months in the job as General Counsel at the National Security Agency. In the news roundup, we begin, of course, with the fight between Apple and the Justice Department[2]. I open the discussion by reminding the audience that the war on terror cannot be a war on one of the world's great religions and insisting that Apple remains a religion of peace.

Michael Vatis[3] describes the Justice Department's latest filing, and we trade for deep discovery, not only at the FBI but also at Apple. CFIUS has released its annual report[4] - only eighteen months late - and the report shows continuing tough review standards from the Committee, Stephen Heifetz[5] reports. There is no sign yet that Chinese acquisitions will experience a smoother ride in future. Michael and I report on Google's new effort to accommodate European data censors[6] by geolocating users of google.com. Finally, the judiciary is allowing defense lawyers to take a close look[7] at the code used by the FBI to capture data about users of a child porn site seized by the Bureau. As always, the Cyberlaw Podcast welcomes feedback. Send an e-mail to [CyberlawPodcast@stepToe.com](mailto:CyberlawPodcast@stepToe.com)[8] or leave a message at +1 202 862 5785.; Download the 102nd episode (mp3)[9]. Subscribe to the Cyberlaw Podcast here[10]. We are also now on iTunes[11] and Pocket Casts[12]! The views expressed in this podcast are those of the speakers and do not reflect the opinions of the firm.  
`/html5-player.libsyn.com/embed/episode/id/4173076/height/400/width/450/theme/standard/autoplay/no/autonex`

[ 1]: [https://www.nsa.gov/public\\_info/press\\_room/2015/nsa\\_announces\\_glenn\\_gerstell\\_general\\_counsel.shtml](https://www.nsa.gov/public_info/press_room/2015/nsa_announces_glenn_gerstell_general_counsel.shtml) [ 2]: [https://www.washingtonpost.com/news/the-switch/wp/2016/02/19/the-two-sides-of-the-apple-debate/?hpid=hp\\_hp-cards\\_hp-card-technology%3Ahomepage%2Fcard](https://www.washingtonpost.com/news/the-switch/wp/2016/02/19/the-two-sides-of-the-apple-debate/?hpid=hp_hp-cards_hp-card-technology%3Ahomepage%2Fcard) [ 3]: [http://www.stepToe.com/professionals-Michael\\_Vatis.html](http://www.stepToe.com/professionals-Michael_Vatis.html) [ 4]: <https://www.treasury.gov/resource-center/international/foreign-investment/Documents/Annual%20Report%20to%20Congress%20for%20CY2014.pdf> [ 5]: [http://www.stepToe.com/professionals-Stephen\\_Heifetz.html](http://www.stepToe.com/professionals-Stephen_Heifetz.html) [ 6]: <http://www.nbcnews.com/tech/tech-news/google-right-be-forgotten-will-be-applied-more-widely-n516656> [ 7]: <http://motherboard.vice.com/read/judge-rules-fbi-must-reveal-malware-used-to-hack-over-1000-computers-playpen-jay-michaud> [ 8]: [CyberlawPodcast@stepToe.com](mailto:CyberlawPodcast@stepToe.com) [ 9]: <http://www.stepToe.com/staticfiles/StepToeCyberlawPodcast-102.mp3> [ 10]: <http://www.stepToe.com/feed-Cyberlaw.rss> [ 11]: <https://itunes.apple.com/us/podcast/stepToe-cyberlaw-podcast/id830593115?mt=2> [ 12]: <http://pcast.s.in/stepToe> [ 13]: [http://html5-player.libsyn.com/embed/episode/id/4173076/height/400/width/450/theme/standard/autoplay/no/autonext/no/thumbnail/yes/preload/no/no\\_addthis/no/direction/backward/no-cache/true/](http://html5-player.libsyn.com/embed/episode/id/4173076/height/400/width/450/theme/standard/autoplay/no/autonext/no/thumbnail/yes/preload/no/no_addthis/no/direction/backward/no-cache/true/)

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