

# TUESDAY: CHANGE OF PACE

I need a break – a change of pace after the last several day's nonstop doom-and-gloom observing what has become an American version of the Day of the Dead. Add the nauseating bullshit misogynist circus piling on the "church faint" by a post-menopausal woman wearing too much clothing in humid weather while recovering from pneumonia. It's unrelenting ridiculousness which can only be broken by the injection of dark humor.

I like this young director Almog Avidan Antonir's body of short works, including this little zombie love story. Looking forward whatever he might have next up his sleeve.

## The Dakotas

- Lawmaker unintentionally makes armed law enforcement drones legal in North Dakota (Independent-UK) – Way to go, dude. Legislator submitted a bill to outlaw armed drones; wretched police union got to the bill with revisions and now law enforcement can use drones armed with non-lethal force. North Dakota is now the first state in the U.S. to legalize armed drones. Want to bet law enforcement is already preparing to use this technology against pipeline protesters?
- South Dakota Yankton Sioux filed suit against U.S.

government over pipeline (Indian Country Today) – While media focused attention on North Dakota's Standing Rock Sioux protest against the Dakota Access Pipeline, the Yankton Sioux in South Dakota filed against the U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service. Though the planned pipeline runs through tribal treaty lands, the government did not complete an environmental study or a consult with the affected tribe – same complaint in South as in North Dakota. The pipeline company, Energy Transfer, did not use tribe members to identify any challenges during planning of the pipeline route.

- Trespass charges against journalist Goodman blows off First Amendment and Justice Dept. (Committee to Protect Journalists) – CPJ's Carlos Lauria said the warrant issued for Democracy Now's Amy Goodman is "a transparent attempt to intimidate reporters" covering the NoDAPL protests. Morton County's warrant ignores Justice

Dept's joint statement with Interior Dept halting pipeline construction, in which the departments said, "we fully support the rights of all Americans to assemble and speak freely. ..." Goodman clearly identified herself as a reporter.

- Oil producers whine about pipeline delays interfering with cheap oil (Fortune) – These guys are just not catching the cluestick. It may take shareholder activism to wake these morons up about the end of fossil fuels and a need for entirely new business models instead of forcing oil pipelines through.
- Standing Rock: a new civil rights movement? (Guardian) – Op-ed looks at the birth of a new movement where environmental and civil rights activism join forces to protect indigenous people and Missouri River – the longest river in the continental U.S.

#### Flint Water Crisis

- Former state epidemiologist not talking about possible plea deal (MLive.com) – Corinne Miller, now retired,

was arraigned in August on felony misconduct and misdemeanor neglect of duty. Miller suppressed action on children's blood lead levels and told Michigan Dept of Health and Human Services employees to delete emails related to the blood lead data.

- Water bill moves forward in Senate (The Hill) – Emergency funding for Flint and its lead-contaminated water system closer to passing as part of a \$9.4 billion bill for water-related infrastructure and clean drinking water. The bill also includes assistance for Louisiana's flood recovery. Money for Flint's aid may be paid by cutting the Energy Dept's Advanced Vehicle Manufacturing Technology loan program.
- Water filters still needed by Flint residents through end of year, possibly longer (Detroit Free Press) – There's no clear end to the water crisis, even though funding may soon be available. Thresholds for lead levels have not yet been agreed upon by state

and federal officials. The amount of damage to the city's water system continues to complicate recovery efforts.

#### Still Picking on Volkswagen

- VW engineer plead guilty to conspiracy, wire fraud and violating Clean Air Act (Jurist.org) – The record of engineer James Robert Liang's June indictment was unsealed on Friday, revealing he and co-conspirators designed, implemented, and lied about emissions controls technology which evaded emissions standards. One interesting bit of new information is the involvement of an unnamed third-party engineering company partially owned by Volkswagen, referred to in the indictment as "Company A."
- Awkward: Liang to be sentenced during North American International Auto Show (Detroit News) – Four months from now, smack in the middle press week for Detroit's 2017 NAIAS, VW engineer Liang will be sentence in U.S. District

Court in the Eastern District of Michigan. This op-ed notes Liang's plea hints at a much-larger conspiracy in VW pursued by investigators. Somebody had to sign off on this design, at a minimum. And somebody had to tell Bosch what and how to make the non-compliant electronic controls units.

**Longread: Rakoff on Fiss and rights under a War on Terror**

United States District Judge Jed S. Rakoff looks at a collection of essays by legal scholar Owen Fiss, written over the last 13 years while the U.S. the so-called "War on Terror."

Toodles!

---

## **'PICKING ON' VOLKSWAGEN: WHY FOLLOW DIESELGATE?**

One of our commenters described my attention to Dieselgate as 'picking on' Volkswagen. It's not as if there haven't been scandalous problems with other automotive industry manufacturers, like General Motors' ignition switches or Takata's airbag failures, right?

But Volkswagen earns greater attention here at this site because:

1) A critical mass of emptywheel readers are not familiar with the automotive industry, let alone manufacturing; they do not regularly follow

automotive news. Quite a number are familiar with enterprise information security, but not car manufacturing or with passenger vehicle security. Many of the readers here are also in policy making, law enforcement, judiciary – persons who may influence outcomes at the very beginning or very end of the product manufacturing life cycle.

2) This is the first identified\* multi-year incidence in which an automotive industry manufacturer using computer programming of a street-ready vehicle to defraud consumers and willfully violate multiple U.S. laws. This willfulness wholly separates the nature of this risk from other passenger vehicle vulnerabilities, ex: Fiat Chrysler's hackable Uconnect dashboard computers or Nissan's unprotected APIs for keyless remotes. (These latter events arose from inadequate info security awareness though responsiveness of vehicle manufacturers after notification may be in question.)

3) Volkswagen Group is the single largest passenger vehicle manufacturer in Europe. This isn't a little deal considering half of all passenger vehicles in Europe are diesel-powered. Health and environmental damage in the U.S. from 600,000 passenger diesels has been bad enough; it's taking lives in the tens of thousands across Europe. 75,000 premature deaths in 2012 alone were attributed to urban NO2 exposures, the source of which is diesel engines. It was testing in the U.S. against U.S. emissions standards which brought VW's 'cheating' to light making it impossible for the EU to ignore any longer. The environmental damage from all Volkswagen passenger diesels combined isn't localized; these additional non-compliant emissions exacerbate global climate change.

These are the reasons why Dieselgate deserved heightened scrutiny here to date – but the reasons why this scandal merits continued awareness have everything to do with an as-yet unrealized future.

We are on the cusp of a dramatic paradigm shift in transportation, driven in no small part by the need for reduced emissions. Development and implementation of battery-powered powertrains are tightly entwined with artificial intelligence development for self-driving cars. Pittsburgh PA is already a testing ground for a fleet of self-driving Uber vehicles; Michigan's state senate seeks changes to the state's vehicle code to permit self-driving cars to operate without a human driver to intervene.

All of this represents a paradigm shift in threats to the public on U.S. highways. Self-driving car makers and their AI partners claim self-driving vehicles will be safer than human-driven cars. We won't know what the truth is for some time, whether AI will make better decisions than humans.

But new risks arise:

- An entire line of vehicles can pose a threat if they are programmed to evade laws, ex: VW's electronic control unit using proprietary code which could be manipulated before installation. (Intentional 'defect'.)
- An entire line of vehicles can be compromised if they have inherent vulnerabilities built into them, ex: Fiat Chrysler's Uconnect dashboard computers. (Unintentional 'defect'.)

Let's 'pick on' another manufacturer for a moment: imagine every single Fiat Chrysler/Dodge/Jeep vehicle on the road in 5-10



years programmed to evade state and federal laws on emissions and diagnostic tests for road-worthiness. Imagine that same programming exploit used by criminals for other means. We're no longer looking at a mere hundred thousand vehicles a year but millions, and the number of people at risk even greater.

The fear of robots is all hype, until one realizes some robots are on the road now, and in the very near future all vehicles will be robots. Robots are only as perfect as their makers.

An additional challenge posed by Volkswagen is its corporate culture and the deliberate use of a language barrier to frustrate fact-finding and obscure responsibility. Imagine now foreign transportation manufacturers not only using cultural barriers to hide their deliberate violation of laws, but masking the problems in their programming using the same techniques. Because of GM's labyrinthine corporate bureaucracy, identifying the problems which contributed to the ignition switch scandal was difficult. Imagine how much more cumbersome it would be to tease out the roots if the entire corporate culture deliberately hid the source using culture, even into the coding language itself? Don't take my word for how culture is used to this end – listen to a former VW employee who explains how VW's management prevaricates on its 'involvement' in Dieselgate (video at 14:15-19:46).

Should we really wait for another five to 10 years to 'pick on' manufacturers of artificially intelligent vehicles – cars with the ability lie to us as much as their makers will? Or should we look very closely now at the nexus of transportation and programming where problems already occur, and create effective policy and enforcement for the road ahead?

---

*\* A recent additional study suggests that Volkswagen Group is not the only passenger diesel manufacturer using emissions controls*

*defeats.*

---

## THURSDAY: ALIEN OCCUPATION

Since I missed a Monday post with a movie clip I think I'll whip out a golden oldie for today's post.

This movie – especially this particular scene – still gets to me 37 years after it was first released. The 'chestburster' as scene is commonly known is the culmination of a body horror trope in Ridley Scott's science fiction epic, *Alien*. The horror arises from knowing something happened to the spacecraft *Nostromo's* executive officer Kane when a 'facehugger' leapt from a pod in an alien ship, eating through his space helmet, leaving him unresponsive as long as the facehugger remained attached to his face. There is a brief sense of relief once the facehugger detaches and Kane returns to consciousness and normal daily functions. But something isn't right as the subtle extra scrutiny of the science officer Ash foreshadows at the beginning of this scene.

Director Ridley Scott employed a different variant of body horror in his second contribution to the *Alien* franchise, this time by way of a xenomorph implanted in her mimicking pregnancy in scientist Shaw. She is sterile, and she knows whatever this is growing inside her must be removed and destroyed or it will kill both her and the remaining crew. The clip shared here and others available in YouTube actually don't convey the complete body horror – immediately before Shaw enters this AI-operated surgical pod she is thwarted by the pod's programming for a default male patient. In spite of her mounting panic and growing pain she must flail at the program to enter alternative

commands which will remove the thing growing inside her.

I suspect the clips available in YouTube were uploaded by men, or they would understand how integral to Shaw's body horror is the inability to simply and quickly tell this surgical pod GET THIS FUCKING THING OUT OF ME RIGHT THE FUCK NOW.

I don't know if any man (by which I mean cis-man) can really understand this horror. Oh sure, men can realistically find themselves host to things like tapeworms and ticks and other creatures which they can have removed. But the horror of frustration, being occupied by something that isn't right, not normal, shouldn't continue, putting its host at mortal risk – and not being able to simply demand it should be removed, or expect resources to avoid its implantation and occupation in one's self? No. Cis-men do not know this terror.

Now imagine the dull background terror of young women in this country who must listen to white straight male legislators demand ridiculous and offensive hurdles before they will consider funding birth control to prevent sexual transmission of Zika, or fund abortions of Zika-infected fetuses which put their mothers at risk of maternal mortality while the fetuses may not be viable or result in deformed infants who'll live short painful lives. Imagine the horror experienced by 84 pregnant women in Florida alone who've tested positive for Zika and are now being monitored, who don't know the long-term outcomes for themselves or their infants should their fetuses be affected by the virus.

Body horror, daily, due to occupation not only by infectious agents alien to a woman's body, but occupation by patriarchy.

I expect to get pooh-poohed by men in comments to which I preemptively say fuck off. I've had a conversation this week about Zika risks with my 20-something daughter; she turned down an invitation this past week to vacation with friends in Miami. It's a realistic problem for

her should she accidentally get pregnant before/during/immediately following her trip there.

We also talked about one of her college-age friend's experiences with Guillain-Barré syndrome. It's taken that young woman nearly three years to recover and resume normal function. She didn't acquire the syndrome from Zika, but Guillain-Barré's a risk with Zika infections. There's too little research yet about the magnitude of the risk – this vacation is not worth the gamble.

But imagine those who live there and can't take adequate precautions against exposure for economic reasons – imagine the low-level dread. Imagine, too, the employment decisions people are beginning to make should job offers pop up in areas with local Zika transmission.

What's it going to take to get through to legislators – their own experience of body horror? Movies depicting body horror don't seem to be enough.

### **Wheels**

Put these two stories together – the next question is, "Who at VW ordered the emissions cheat device from Bosch before 2008?"

- Bosch asked Volkswagen for indemnification in 2008 (Bloomberg)
- Volkswagen and Bosch met shortly after ICCT revealed discovery of emissions cheat device in 2014 (WSJ)

Pretty strong incentives for Volkswagen to destroy email evidence. I wonder what Bosch did with their emails?

Self-driving electric cars are incredibly close to full commercialization based on these two stories:

- Michigan's state senate bill seeks approval of driverless cars (ReadWrite) – Bill would change state's code to permit "the motor vehicle to be operated without any control or monitoring by a human operator." Hope a final version ensures human intervention as necessary by brakes and/or steering wheel. I wonder which manufacturer or association helped write this code revision?
- California now committed to dramatic changes in greenhouse gas emissions (Los Angeles Times) – State had already been on target to achieve serious reductions in emissions by 2020; the new law enacts an even steeper reduction by 2030 in order to slow climate change effects and improve air quality.

I don't know if I'm ready to see these on the road in Michigan. Hope the closed test track manufacturers are using here will offer realistic snow/sleet/ice experience; if self-driving cars can't navigate that, I don't want to be near them. And if Michigan legislators are ready to sign off on self-driving cars, I hope like hell the NHTSAA is way ahead of them – especially since emissions reductions laws like California's are banking heavily on self-driving electric cars.

## Google-y-do

- Google's parent Alphabet-ting on burritos from the sky (Bloomberg) – No. No. NO. Not chocolate, not doughnuts, not wine or beer, but Alphabet subsidiary Project Wing is testing drone delivery of Chipotle burritos to Virginia Tech students? Ugh. This has fail all over it. Watch out anyhow, pizza delivery persons, your jobs could be on the bubble if hot burritos by drone succeed.
- API company Apigee to join Google's fold (Fortune) – This is part of a big business model shift at Google. My guess is this acquisition was driven by antitrust suits, slowing Google account growth, and fallout from Oracle's suit against Google over Java APIs. Application programming interfaces (APIs) are discrete programming subroutines which, in a manner of speaking, act like glue between different programs, allowing programmers to obtain resources from one system for use in a

different function without requiring the programmer to have more than passing understanding of the resource. An API producer would allow Google's other systems to access or be used by non-Google systems.

- Google to facilitate storage of Drive content at cloud service Box (PC World) – Here's where an API is necessary: a Google Drive user selects Box instead of Drive for storage, and the API routes the Drive documents to Box instead of Drive. Next: imagine other Google services, like YouTube-created/edited videos or Google Photo-edited images, allowing storage or use by other businesses outside of Google.

**Longread: Digitalization and its panopticonic effect on society**

Columbia's Edward Mendelson, Lionel Trilling Professor in Humanities and a contributor at PC Magazine, takes a non-technical look at the effect our ever-on, ever-observing, ever-connected technology has on us.

Catch you later!

---

# THURSDAY: ONLY YOU

Sometimes when I go exploring for music I find something I like but it's a complete mystery how it came to be. I can't tell you much of anything about this artist – only that he's German, he's repped by a company in the Netherlands, and his genre is house/electronica. And that's it, apart from the fact he's got more tracks you can listen to on SoundCloud. My favorites so far are this faintly retro piece embedded here (on SoundCloud at Only You) and Fade – both make fairly mellow listening. His more popular works are a little more aggressive, like Gunshots and HWAH.

Caught a late summer bug, not firing on all cylinders. Here's some assorted odds and ends that caught my eye between much-needed naps.

- Infosec firm approached investment firm to play short on buggy medical devices (Bloomberg) – Jeebus. Bloomberg calls this “highly unorthodox,” but it's just grossly unethical. Why didn't this bunch of hackers at MedSec go to the FDA and the SEC? This is a shakedown where they get the market to pay them first instead of ensuring patients are protected and shareholders of St. Jude medical device manufacturer's stock are appropriately informed. I call bullshit here – they're trying to game the system for profit and don't give a



shit about the patients at risk. You know when the maximum payout would be? When patient deaths occurred and were reported to the media.

- Apple iPhone users, update your devices to iOS 9.3.5  
stat: serious malware designed to spy and gain control of iPhone found (Motherboard) – Hey look, a backdoor applied after the fact by a “ghost” government spyware company. The malware has been around since iPhone 5/iOS 7; it could take control of an iPhone and allow a remote jailbreak of the device. Interesting this Israeli spyware firm received a big chunk of cash from U.S. investor(s).
- Apple filed for patent on unauthorized user biometric data collection system (AppleInsider) – If an “unauthorized user” (read: thief) uses an iPhone equipped with this technology, the device could capture a photo and fingerprint of the user for use by law enforcement. Not exactly rocket science to understand how this might be used by law enforcement

remotely to assure a particular contact (read: target) is in possession of an iPhone, either. Keep an eye on this stuff.

- India-France submarine construction program hacked (NDTV) – The Indian Navy contracted construction of (6) Scorpene-class submarines from French shipbuilder DCNS. Tens of thousands of pages of information from this classified project were leaked; the source of the documents appears to be DCNS, not India. The French government as well as India is investigating the hack, which is believed to be a casualty in “economic war.”
- Hacking of Ghostbusters’ star Leslie Jones under investigation (Guardian) – Jones’ website and iCloud accounts were breached; initial reports indicated the FBI was investigating the matter, but this report says Homeland Security is handling the case. Does this mean an overseas attacker has already been identified?
- Taiwanese White hat hacker and open government activist named to digital policy role

(HKFP) – Audrey Tang, programmer and consultant for Apple, will shift gears from private to public sector now that she's been appointed an executive councillor for digital policy by Taiwan. Tang has been part of the Sunflower Student Movement which has demanded greater transparency and accountability on Cross-Strait Service Trade Agreement with China while resisting Chinese reunification.

- Oops! Recent Google Apps outage caused by...Google? (Google Cloud) – Change management boo-boo borked an update; apparently engineers working on an App Engine update didn't know software updates on routers was in progress while they performed some maintenance. Not good.
- Gyroscope made of tiny atomic chamber could replace GPS navigation (NIST.gov) – A miniature cloud of atoms held in suspension between two states of energy could be used as a highly accurate mini-gyroscope. National Institute of Standards and

Technology has been working a mini-gyro for years to provide alternate navigation in case GPS is hacked or jammed.

- Tim Berners-Lee wants to decentralize the internet (Digital Trends) – The internet has centralized into corporate-owned silos of storage and activities like Facebook, Google and eBay. Berners-Lee, who is responsible for the development of browsing hyperlinked documents over a network, wants the internet to be spread out again and your data in your own control.

That's enough to chew on for now. Hope to check in Friday if I shake off this bug.

---

## **TUESDAY: ONE STRING**

There aren't enough words to describe this genius who can do so much with a lone string. Brushy One String is the stage name of Andrew Chin, son of Jamaican musician Freddie McKay. McKay died in 1986 in his late 30s, leaving behind a body of work representative of the rocksteady (ex: Rock-a-Bye Woman) and reggae genres. While Brushy inherited his father's musical talent, he's parlayed into an interesting Rhythm-and-Blues-meets-Roots-Reggae crossover. Check out his website when you have a

chance.

### Wheels

- Volkswagen and USD0J talking about criminal investigation (Deutsche Welle) – Up in the air yet whether DOJ goes with deferred prosecution or asks for a guilty plea from the lawmaker for criminal activity related to the promotion and sale of its so-called “Clean Diesel” passenger vehicles during the last decade. Criminal fines are estimated at \$1.2 billion. VW claims to be cooperating, but the company’s failure to disclose the additional cheat software in the 3.0L engines suggests some problems understanding what “good faith” means.
- Volkswagen’s Australian manager believes diesel fix “imminent” (CarsGuide) – And “Under Australian law, we don’t believe there’s anything on our car which is illegal.” Uh-huh. Hence the fix for 80,000 1.6L and 2.0L passenger diesels. It’s true that Australia is not as strict about NOX as the U.S., but VW’s passenger diesels didn’t meet EU or

AUS limits on other pollutants.

- Ford expects to offer self-driving car without steering wheel within five years (Detroit News) – Well, then. Better hope regulations don't require a steering wheel, huh? Ford has also invested \$75M in LiDAR-maker Velodyne; Chinese search engine company Baidu has likewise made a \$75M investment. LiDAR is expected to provide navigational assistance for these self-driving vehicles.

#### Way Up There

- China launches satellite researching unhackable quantum communications (euronews) – This is a joint mission with Austria; few details are available about the technology on board apart from the use of quantum physics in communications.
- SpaceX rumored to spend serious bucks on carbon fiber technology (Ars Technica-UK) – Carbon fibers are durable, withstand temperature extremes, and are lightweight, making them an optimum choice for space

travel. The amount of SpaceX's speculated commitment to carbon fiber manufacturer Toray is \$2-3 billion – sounds like enough for a Mars mission.

- Not just for blockbuster sci-fi movies anymore: NASA approves robotic arm for asteroid mission (Phys.org) – The robotic arm intended for use in sampling and repositioning an asteroid as part of the Asteroid Redirect Mission (ARM) has been approved for next phase in development. The robotic component has an additional planned use in NASA's Mars mission as well.

#### Words

- Univision's bid wins Gawker Media (Recode) – Of the two known bidders – Ziff-Davis and Univision – the latter's \$135M bid won bankrupt Gawker Media and its brands. Gawker's lineup joins The Onion and The Root, purchased by Univision, and Fusion which Univision originally created jointly with Disney and now owns outright. Founder Nick Denton seems pleased with this outcome as his brands

and workers continue without disruption; billionaire Pete Thiel gets partial revenge on Denton for outing him by forcing the bankruptcy and sale. Univision's editorial policy will be less personal in its coverage – probably a good thing. Let's check back in a year.

- 'Not a good fit' says Barnes & Noble as CEO shown the door (GalleyCat) – Whoa. You don't see such blunt statements about CEOs, especially one with less than a year under their belt. The company's stock has been up though retail sales continued to struggle in competition against Amazon. Feels like there's more to this story. In the mean time, Ron Boire is out the door and executive chairman Leonard Riggio will delay his retirement until a new CEO is found. Hope the next one can salvage NOOK tablet platform because I can't stand Amazon's Kindle.
- Turkish court closes pro-Kurdish newspaper Ozgur Gundem (Business Standard) – Claiming the paper was a propaganda outlet for Kurdistan Workers' Party



(PKK), labeled a terrorist organization by Turkey, EU, and the US. The court said the closure was not related to the government's post-coup purge of media believed to be sympathetic to Gülen movement. An appeal is possible.

#### **I-Spy: Cyber Edition**

You've probably heard about the alleged hacking of a NSA server and the subsequent attempt to auction contents from that server. Edward Snowden offered his perspective on the situation – I've Storify'd the tweet thread for your reading ease.

The disclosure and attempted auction were likely done by Russia for political reasons given the timing. Hacking and accessing the contents of the server should be expected – it's ordinary spying, same as the U.S. does. But the revelation is a new tack; Snowden suggests it's a warning to the U.S. about potential future disclosures. Read the thread for yourself.

I don't think this hacking and disclosure happened in a vacuum. There's a much bigger game to puzzle out – add the meeting between Russia and Saudi Arabia to "achieve oil market stability" as well as Russia's express interest in Saudi Arabia's plans to build as many as 16 nuclear reactors. Factor in a change in relationship between Iran and Russia now that Russia has deployed long-range bombers from Iran for the first time against ISIS. Russia, Saudi Arabia and Iran have some of the largest proven oil reserves in the world, all three in the top 10 and in Saudi's case, influence over OPEC. Is Russia preparing for asymmetric economic pressure?

**Late adder:** #BlueCutFire in San Bernadino

County, CA is very bad, now 82,000 ordered to evacuate.

That's it for now, still Tuesday in the next time zone. Let's see if I can make it over the hump earlier tomorrow.

---

## FRIDAY: THE IMMORAL MINORITY

While philosopher Slavoj Žižek isn't everybody's cup of quirky tea, he's got a valid point in this video.

The right-wing has abandoned its claim to be the Moral Majority.

Don't mistake this as a validation of the Democratic Party here in the U.S.; they are only earning a majority in terms of politics, and in no small part by being the "Not GOP" party. With its leadership cozying up to war criminals, climate denialists and fossil fuel-based polluters, and general denigrators both of human rights and the public commons, they are not the Moral Majority by default.

But an unorganized left in this country rejects the right-wing's ethical decay implicitly underpinning the Republican Party. The left rejects those values which undermine democracy – misogyny, racism and marginalization of other minorities, the ongoing subversion of individuals' rights to promote the interests of corporations.

A true Moral Majority won't support a social contract undermining democracy by limiting life, liberty, and happiness' pursuit to a narrow few. It's well past time for the broader left to coalesce into an organized entity based upon the belief that all humans are created equal and deserving a more perfect union.

## Zapped by Zika

- “ZIKA VIRUS | Days since White House funding request: 186 | Funding response from Congress: \$0 | Zika cases in US and territories: 8,580” (Tweet, Dan Diamond/Politico)
- Peter robbed to pay Paul: DHHS pulls money from other projects to fund Zika vaccine research (Reuters) – Lacking new dedicated funding from Congress, U.S. Department of Health and Human Services squeezed out \$81 million and spread it into Zika vaccine research, with \$34 million of that to the National Institutes of Health and \$47 million to the Biomedical Advanced Research and Development Authority (BARDA). The white House had asked for \$1.9 billion last fall for Zika, but that amount was pared down by 42%; Republicans then objected to any of the remaining portion going to Planned Parenthood, putting Democrats in a bind. Access to birth control is critically important to preventing Zika’s spread; access to abortion could

prevent the birth of severely deformed infants who will live short, utterly miserable, and expensive lives.

- Arthrogryposis – congenital joint defects – associated with Zika during pregnancy (The BMJ) – Dislocated and or misshaped knees, ankles, elbows, hips appeared in children born with other neurological defects found in Zika-infected fetuses. Further research is necessary to prove both the virus is causal and learn the mechanism by which the virus inflicts this damage in utero. The patients had been tested for other known causes of arthrogryposis – toxoplasmosis, cytomegalovirus, rubella, syphilis, and HIV. All were negative.
- First infant death due to Zika reported in Texas (KHOU) – The infant's mother traveled to El Salvador during pregnancy where it is believed she contracted the virus.
- Zika virus case confirmed in Monroe County, Michigan (Detroit Free Press) – But the method of infection is

not clear (what?!). County health and state officials are working toward mosquito surveillance.

#### Wheels and steals

- Millions of vehicles made from 1995 on vulnerable to keyless-remote hacking (USENIX) – Researchers at University of Birmingham and Kasper & Oswald GmbH presented a paper at the USENIX 2016 conference, showing more than 20 years' worth of VW Group vehicles are hackable using inexpensive Arduino-based RF transceiver technology. Alfa Romeo, Chevrolet, Peugeot, Lancia, Opel, Renault, Ford and other makes relying on the Hitag2 access security method are similarly at risk. Researchers also looked at after-market keyless entry remotes for these and other vehicles; the cars for which these worked were also vulnerable. All vehicles tested appear to be those made for the European market, but the research noted the radio frequency differences – 315 MHz band in North America and the 433 MHz or 868 MHz

band in Europe – used in remotes. The paper's research team notified VW in November 2015 of their results; NXP Semiconductor, a manufacturer of Hitag2 remote technology, was also notified. NXP had already informed customers of the vulnerability in 2012 and has already improved device security.

- Volkswagen suppressed news about keyless remote insecurity since 2013 (Bloomberg) – The same researchers from University of Birmingham and Kasper & Oswald GmbH had originally approached NXP Semiconductor and VW with their work in 2012 and 2013, respectively. VW sued and blocked release of their work; the paper was released this past week at USENIX only “after lengthy negotiations” and the removal of a single sentence which car thieves could use to easily crack the keyless remotes. A number of suspicious automobile thefts over the years may have relied on hacking remotes; will insurance companies look into these thefts and demand recovery from VW?

- DOE grants Ford \$6M for fuel cell research (Detroit Free Press) – Existing fuel cell technology has been too expensive for successful commercialization; the grant will be used to develop cheaper technology competitive with battery and internal combustion engines.

#### **Longread: Geopolitics**

FiveBooks.com interviewed former state department official and senior fellow at the Council on Foreign Relations, Jennifer M. Harris, about geopolitics. She discusses the topic and offers five book recommendations about the same. Harris is the co-author of recently released *War by Other Means: Geoeconomics and Statecraft*. Given her work as U.S. National Intelligence Council staff followed by work on economics under then-Secretary of State Hillary Clinton, this interview might offer a preview to future statecraft.

#### **Friday Jazz**

It's still Friday somewhere according to my clock. Try French performer Zaz, stage name for Isabelle Geffroy. If you like this ditty, preview more of her work on her channel on SoundCloud.

It's been a hectic week here; next week doesn't look any better, but I'll aim to be here on Monday. Have a relaxing weekend!

---

## **TUESDAY: EN GARDE**

Looks like it's going to be a thing this week, covering women in sports. This is a marvelous example of covering a female competitor, this

short film profiling U.S. Women's Individual Foil fencer Nzingha Prescod – it's about her and her approach to her sport, period. Does she sound like somebody who doesn't care about the results of competition, like she'd rather have narrative surrounding it?

Her next match is tomorrow at 8:10 a.m.; I wish I could catch it live online.

Another example of crappy coverage comes from BBC – can't imagine why the UK became so white nationalist, can you? Let's not note the countries or the individual competitors, let's point out their attire and hint at religious and political positions at the same time. What garbage.

If you're not already familiar with 'male gaze', it's time for a primer on this concept first theorized 41 years ago by Laura Mulvey. I don't know if I can even call it purely feminist theory any longer though it arose because of feminism's emergence. The way content is constructed can be political, and the way we view it can also be political; if content can be constructed for the male gaze, it can also be constructed to perform for political ideology. What we see in the BBC's photo is both a political and sexist statement – the bikini-clad woman preferred over the fully-clothed woman whose attire has been mislabeled (it's not a burka), the lack of identity in either case. These women are figures to be looked at for visual enjoyment and not in a manner which satisfies women but a male gaze with a particular ideological slant.

The problem with NBC's constructed Olympic coverage is that the corporation believes it has created a 'female gaze' product – but women don't feel immersed in the sports they are watching, continually disrupted by the inauthenticity of the content they are viewing. It feels forced, like we are supposed to care about the content presented apart from the actual sports on the screen based on a third (and likely straight male) party's expectations



of the female audience, but the mediation and curation process interfere with our autonomy in viewing. We feel a jarring disconnect from a state of attentive viewing into a state of critical viewing – we're left unsatisfied.

I don't think men are feeling any better about the content they are seeing because it fails to serve their gaze in a manner which they have always expected from the male-led sports and entertainment industries.

It's so damned easy to fix, too.

The one entity finding a silver lining in NBC's coverage of the Olympics? Netflix, which blames flat subscriber growth on the games' broadcast. Hard to argue with this based on anecdotal evidence; everybody who ordinarily binges on Netflix programming and shares the experience in social media during cooler months is now complaining about NBC's programming.

### Wheels

- Not one but THREE illegal emissions control software programs in VW's 3.0L vehicles (Reuters) – U.S. isn't saying how they found them but the existence of multiple programs hints at the reason for the lack of a "fix" for 3.0L passenger diesels under the terms of the proposed settlement. Volkswagen has admitted to emissions controls defeat in its 2.0L and 3.0L passenger diesel vehicles it marketed as "clean diesel" here in the U.S., but it has not been forthcoming about the

emissions cheat methodology. If I had to guess, I'd say every one of the 3.0L vehicles will be bought back – because even after all this time, VW having known the cheats were discovered in 2014, the company still does not have a true fix for the 3.0L engine.

- GM now testing self-driving Bolt in AZ (The Detroit News) – This is the second city in which GM has tested the Bolt; first tests were in San Francisco, which seems to me more challenging than Scottsdale.
- Court case against GM starts this week (Bloomberg) – Judge will have their hands full trying to keep the case focused on whether ignition switch at fault or not given the driver's youth and alleged reckless driving.

#### Wings

- Delta's massive outage yesterday still causing scheduling problems (Bloomberg) – System failure still attributed to power outage though interestingly Georgia Power said it was a Delta problem. No mention anywhere of other possible

causes for the outage – so far.

- Southwest's July outage revealed enterprise problems (Bloomberg) – The crash of a single router caused massive problems which Southwest is still digging out of weeks later. Why is this airline lacking adequate failover? Why is this airline so focused on stock price now to detriment of infrastructure, in spite of fuel costs having fallen so much since June 2014?
- Teen security research awarded one million flyer miles by United Airlines (ZDNet) – Olivier Beg reported 20 undisclosed bugs to the airline. The largest single reward he received was 250K miles, meaning the worst single bug he found was medium in severity. Certainly cheaper to offer Beg the equivalent of 20 roundtrips to the U.S. than pay for the costs related to a major bug-related outage.

#### Words

- "Stop calling ransomware 'attack'" demands infosec researcher (InfoSec Handlers Diary Blog) – He calls

ransomware an infection because it's not targeted or focused. Except when it is. Right.

- 'Cyber war' and 'cyber weapon' misused and confuse the public (Threatpost) – Two contributors discuss the meaning of these terms and correct application. This is a much more serious problem than ransomware attack versus infection. Warfare shouldn't be mistaken for spying, yes?
- Child porn case decision worth a read (Ars Technica) – The article doesn't mention it but the 10th Circuit Court of Appeals' decision weighed the issue of trespass with regard to opening emails obtained without a warrant. In short, if the feds want to read emails? They'd better get a warrant.

#### **One for the road**

Looks like the FBI hasn't found an app for that yet – remote surveillance on smartphones, that is. Isn't that interesting?

Off to cook dinner before the nightly Olympic debacle begins. Wonder what fresh hell the taped delayed coverage will bring?

---

## FRIDAY: LITTLE FLY

Friday jazz comes to us from vocalist and bassist Esperanza Spalding, one of my personal favorites. She's the first jazz musician to ever win the Grammy Award for Best New Artist, awarded only a handful of months after this featured performance from 2010.

My favorite tune of the three she performs here is Apple Blossom – it never fails to make me snuffle. Spalding plays more than just the double bass; sample her more progressive work on electric bass here. Want something a bit more traditional? Try her upbeat bluesy rendition of On the Sunny Side of the Street. Or maybe a little pop rock slice with her tribute to Stevie Wonder, Overjoyed.

### Wheels and steals

#### *Volkswagen:*

- Whiny op-ed complains about poor, poor Volkswagen (WSJ) – Aw, poor fraudulent enterprise lied and ripped off the American public for a decade while other automakers in the U.S. complied with emissions laws. Murdoch-NewsCorp outlet Wall Street Journal wants us to take pity on the bastards who did not care one whit they were literally poisoning U.S. citizens while lying to customers and dealers, let alone poisoning and lying to tens of

millions of customers abroad. Look, they broke U.S. laws for nearly ten years. They made interest and capital gains on the money they gained from their illegal efforts. They can make the customers they defrauded whole and they can do something to fix the damage they wreaked on our environment. And they should be punished for breaking laws on top of reparations. Anything less is a neoliberal blowjob to a company which cannot compete fairly inside the U.S.

- VW passenger diesel owners need additional protections (Reuters) – The current settlement offered by VW in federal court does not provide a secondary level of protection to consumers says the consumer advocacy journal, needed if the proposed fix to the emissions cheating diesel vehicles does not work. These vehicle owners should be able to opt for buy-back. The amount offered also undervalues retail prices on alternative replacement vehicles, Consumer Reports said in its submission

during the public comment period which ended today.

Consumer Reports said it generally supported the settlement, but urged “regulators to wield robust oversight of Volkswagen to ensure that the company implements its recall, investment, and mitigation programs appropriately” and it called on “federal and state officials to assess tough civil penalties and any appropriate criminal penalties against the company in order to hold it fully accountable.”

- South Korea halts sales of 80 VW vehicle models (NBCNews) – This is what the U.S. could have done to VW given the scale of fraud, emissions cheating, and the lack of actual “clean diesel” passenger technology available to remedy both 2.0L and 3.0L engine vehicles. The 80 models now banned for non-compliance with emissions and noise pollution laws as well as document forgery include VW, Audi and Bentley vehicles. VW has also been slapped with \$16.06 million fine, which is extremely light considering VW broke not only emissions laws while fraudulently misrepresenting

the vehicles' attributes.

- West Virginia's suit against VW amended (Hastings Tribune) – WVa Attorney General expanded the suit to include VW parent group as well as Audi and Porsche brands. Bosch, the manufacturer of VW's electronic control units which were programmed to defeat emissions controls, is included in the lawsuit.
- Fewer Americans buying VW vehicles (Business Insider) – No surprise, given the emissions controls cheating scandal, the pricey labels, iffy reliability, and a product lineup that doesn't match the U.S.' market demand. It may be a long time before VW digs itself out of its hole here.

***NOT Volkswagen:***

- Two Houston thieves hack Jeep and Dodge cars (Phys.org) – Hacking pirated computer software used by auto technicians and dealers, two men tweaked Fiat Chrysler model vehicles' security codes so their key worked. The thieves were picked up driving a stolen Jeep Grand



Cherokee after police focused on an area where a high number of vehicle thefts occurred.

- White hat hackers proved Chrysler's anti-hack update breachable (The Register) – Last year Charlie Miller and Chris Valasek showed Fiat Chrysler's wireless feature could be hacked remotely to take control of a car. At Black Hat 2016 this week the same duo showed how they could defeat Fiat Chrysler's firmware update which the automaker pushed to patch the vulnerability. But in terms of ease and speed, the two thieves in Houston might actually have a faster approach to taking control of a vehicle.
- 28-year-old cracks up his brother's car while playing Pokémon GO (The Guardian) – Dude. Really? You're lucky to be alive or that you didn't kill someone else. This is the kind of generational stupid old-man-yelling-at-clouds Clint Eastwood should take a poke at instead of doubling down on his closeted racism.
- Self-driving feature in Tesla X may have saved its

driver (CNBC) – Driver suffered a pulmonary embolism while on the road; the vehicle took him to the hospital. Article says the driver “was able to steer the car the last few meters” suggesting he was conscious and in control if limited in capacity. No further details were included to describe how the vehicle switched from its original route to the hospital.

Because opening ceremonies begin tonight at the Rio Olympics, I’ll leave you here. Catch you Monday – have a safe and restful weekend!

---

## **WEDNESDAY: HEAT OF PASSION**

Crazy stuff happens when there’s a full moon like last night’s. Crazier stuff happens under heat and pressure. Brace yourselves as the heat dome slides from the southwest to Midwest and east this week.

### **Hot wheels**

- A look at the whys behind Volkswagen’s Dieselgate scandal (DailyBeast) – Interesting read in which German and VW culture loom large as contributing factors behind the fraud

that is 'Clean Diesel'.

- New York, Maryland, Massachusetts each file lawsuits against VW (Reuters) – Filings accuse VW of violating states' environmental laws. The suits claim VW's executives knew 'clean diesel' technology would not meet states' environmental standards, and that former VW CEO Martin Winterkorn knew about this failure since 2006. The suits also claim VW employees willfully tampered with evidence after they were told an order to freeze documents was impending. A DOJ criminal investigation is still underway.
- VW set aside another \$2.4B (BBC) – In addition to the previous \$15.3B, the additional amount was set aside to address "further legal risks predominately arising in North America." Hmm...was that about the states' environmental lawsuits now popping up?
- And yet VW's stock price popped up because profits (TheStreet) – Uh-huh. Short-term churn, unsustainable, because VW hasn't yet seen half of its legal exposures

given the number of states' lawsuits so far, let alone other countries' claims. VW expects sales to lag over last year, too, not to mention all the other factors increasing market instability.

- EU Competition Commission busts European truck cartel with \$3.2B fine (Bloomberg) – Interesting push-pull inside this story: Scania AB, a Swedish truckmaker owned by Volkswagen, has been penalized after MAN SE, another Volkswagen subsidiary, squealed to the EU and got its \$1.2B fine waived. Wonder if VW execs did the math on that in advance? Another interesting tidbit is Volvo's reduction in production here in North America and abroad, blamed on stagnant market; this says something about consumption.
- Mercedes' self-driving buses pass 20-kilometer trip test (The Verge) – IMO, self-driving mass transport should have priority over passenger cars; there's not much difference between a semi-autonomous bus on a scheduled route and a

streetcar on a track like those in New Orleans or San Francisco, and we know they are successful. This distance test could mean a lot to cities the size of Detroit; now will U.S. transportation companies meet Mercedes' challenge?

#### Miscellany

- Feds seizing assets related to Malaysian theft, including *Wolf of Wall Street* (THR) – DOJ tracking down the \$1B stolen from Malaysia; destinations of cash may suffer asset forfeiture including rights to artworks like recent pop music and films. Background on the IMDb scandal here (not to be confused with Amazon's subsidiary IMDb.com).
- Oil bidness, part 1 – UK edition: Oil price crash plus Brexit accelerates capping of North Sea well heads (Bloomberg) – The uncertainty of UK's future plans makes the country a good opportunity especially when the pound is low to shut down wells. It'll only cost more to do the same when UK comes out of its

funk, and the well heads must close eventually due to falling demand and a long-term glut expected. Oh, and Scotland. Don't forget the risk of costly transition between a UK pound, the euro, and a possible Scottish pound in the future.

- Oil bidness, part 2 – Russian edition: Oil price below \$40/BBL will help Russia (Bloomberg) – Okay, this one made me laugh my butt off. Uh-huh, less cash is exactly what Putin wants in order to make Russia great again. Right. The real crux is and has been Russia's access to cash for their defense (offense?), and it's not Russia who wants less cash spent on that.
- BEFORE meeting with UK's PM May, Scotland's FM Sturgeon suggested another indy ref vote next year (The Scotsman) – I think this is the match-up we'll want to watch, the volley of words between Sturgeon and May as they jockey for best position. Sturgeon has the upper hand, period; she'd already had a chat with the

EU about remaining in the community before May was named PM, though Spain was a sticking point (because of their own potential breakaway state, Catalonia).

- Student researching WiFi brings center of Brussels to a screeching halt (Le Soir) – Good news, bad news story: Security took note of the young man wearing too long a coat for the day's heat and halted traffic in the city's center as counterterror teams were dispatched. Turns out the guy was just studying the city's WiFi. Good that security wasn't goofing off, bad that even looking odd while researching can stop a major city.

Stay cool – I'm considering popcorn for dinner at the local cineplex this evening until the sun sets and the temperature drops outside. Dinner tomorrow and Friday might be Jujubes and Good-and-Plenty.

---

## TUESDAY: RUBBISH

This won't be everybody's cup of matcha and may not offer an optimum listening experience for most business offices. Today's kick-in-the-seat to start the week is a Japanese rock genre at

the intersection of glam rock and black metal. *Visual kei* rock combines glam's signature elements with black metal's dark, heaviness. Some say punk influences *visual kei* but I really don't see or hear it. Depending on the song, death metal is far more likely to leak through both in sound and appearance.

For a little lighter variant – more pure metal than glam or black – try this live performance from Vistlip. The relationship between *visual kei* and both anime and video games is quite obvious. Want a little estrogen-loaded *visual kei*? Try exist trace's Daybreak; it, too, is not as dark and heavy, though the band can still hammer really black tunes.

Now that the kick in the ass has been locked and loaded...

#### **NINE DAYS**

Including today, that's the total number of days booked as in session on the U.S. House of Representatives' business calendar for July, of which only six days have events scheduled.

Can't see anything farther out. And of the events booked so far, nothing appears for the benefit of the Flint Water Crisis. Roughly 8000 lead-poisoned kids completely forgotten.

Michigan's state house has a mess of stuff on the calendar, but none of it clearly marked in reference to Flint Water Crisis. I imagine that hack Rep. Pscholka may have something buried in the items labeled "zero budget."

#### **Brexit buffoonery**

Whenever I get really upset with the condition of our state and federal governance, I can just take a look across the pond. The back-stabbing drama surrounding the future leadership of the Conservative Party and the Prime Minister's office looks like a mashup of House of Cards and Game of Thrones minus dragons. I'll let Christoph Waltz speak for me about the resignation of Ukip's Nigel Farage this weekend. I fear, though, that U.S. politics will take the Brexit debacle as a prompt going into the



general election.

- Pound fell to lowest level post-Brexit vote (France24)
  - The perceived inability for either the Conservatives or Labour parties to organize its leadership let alone steer out of Brexit weighs on business. Let's say Marcy's right and the Brits manage to put the brakes on this: when and how will that happen? The lack of direction and specificity between now and sometime after September's next UK election costs money.
- Apple stock could take a hit because of Brexit (Bloomberg) – Folks may update their iPhones more slowly due to economic pressures, says Citigroup analyst. IMO, it's not the updates that will hurt Apple's income as much as currency fluctuations. Was Apple able to hedge its financial holdings adequately against the abrupt drop in GBP value?
- EU to spend \$2B on public+private cybersecurity efforts (The Register) – Will UK be omitted from this spending plan altogether,

AND will the EU begin to treat the UK as a potential cybersecurity risk in whatever plans it develops?

#### Automotive Uh-oh

- German Federal Cartel Office raids six auto industry firms investigating steel price collusion (FAZ.net) – The largest automakers Volkswagen, Daimler and BMW as well as suppliers ZF and Bosch were targeted. German news reports only provide these five company names and not a sixth. Reuters reported GM's Opel division was not included in the raids. Volkswagen was already smarting badly after the nearly \$15B settlement with the U.S. announced last week.
- Electric car maker Tesla hits a speedbump on output (Bloomberg) – Market should have seen this coming. There's no way to smoothly scale up the amount of output buyers want from where Tesla's been without a few hiccups. Stock price took a hit.

#### Cyberia

- Second "Fappening" hacker

will plead guilty (NYMag) – Finally! It only took two years reach this point in prosecution of hacker who phished celebrities accounts for nude photos. But phishing corporations is a threat to the public's security, while phishing women's Gmail and iCloud accounts isn't a threat to anybody, right? Because women's bodies and personal information aren't valuable nor is systematically invading their privacy terrorizing. Ugh. Gender bias in law enforcement.

- Advocacy groups file rulemaking petition with FCC on automakers' use of Direct Short Range Communication (DSRC) (PublicKnowledge.org) – Automakers are standardizing AI systems around DSRC; two groups want the FCC to

- Limit DSRC to life and safety uses only. The auto industry plans to take spectrum allocated for safety of life and monetize it with advertising and mobile payments. This compromises cybersecurity and potentially violates the privacy of every driver and passenger.
- Require automakers to file a cybersecurity plan before

activating DSRC systems. This plan should not only show that auto manufacturers have taken appropriate precautions today, but explain how they will update security over the life of the vehicle.

- Data transparency and breach notification. Auto manufacturers must inform purchasers of DSRC-equipped cars what personal information they collect and how they will use that information. In the event of a data breach, the manufacturer collecting the information must notify the customer.

- Conficker malware found widely in internet-enabled medical equipment (Threatpost) – Medical facilities still aren't taking adequate measures to ensure internet-enabled equipment remains unattached from the internet, safe from other forms of injection (like USB ports), and free of malware. Devices like dialysis pumps and diagnostic equipment for MRIs and CT scans are infected. Same security gaps also led to leak of 655,000 patients' data over the internet two weeks ago.

Man, even in this heat this snowball just doesn't want to stop once it starts rolling down

the hill. At least it's a short week. See you tomorrow!