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**Legal and Legislative Day New York**

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# Agenda

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**8:40 - 9:10AM      The FCC Privacy Rules for Broadband Providers and their Impact on Premium Publishers**

- Natasha Kohne, *Partner*, Akin Gump

**9:10 - 10:00AM      The Legal Risks/Challenges that Publishers Are Likely to Face in 2017**  
Panel:

- Scott Dailard, *Partner*, Cooley LLP
- Lauren Fisher, *Chief Legal Officer*, Vox Media, Inc.
- Henry Goldstein, *Chief Privacy Officer*, CBS Interactive
- Norbert Kaut, *Corporate General Counsel*, Meredith

**10:00 - 10:30AM      How the 2016 Elections Impact the 2017 Legislative/Regulatory Agenda**  
Panel:

- Michael Drobac, *Sr. Policy Advisor*, Akin Gump
- Arshi Saddiqui, *Partner*, Akin Gump
- Moderator - Chris Pedigo, *SVP - Government Affairs*, Digital Content Next



# How the 2016 Elections Impact the 2017 Legislative/Regulatory Agenda

## Panelists

**Michael Drobac**

*Sr. Policy Advisor*

Akin Gump Strauss Hauer  
& Feld LLP

**Arshi Saddiqui**

*Partner*

Akin Gump Strauss Hauer &  
Feld LLP

**Moderator**

**Chris Pedigo**

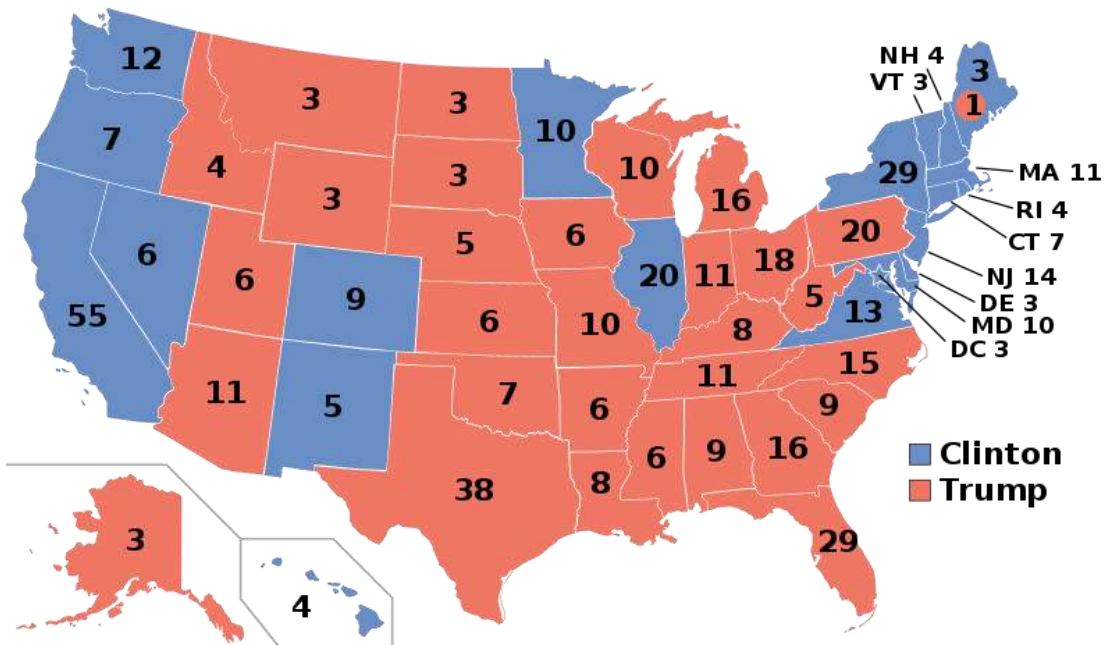
*SVP, Government Affairs*

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# 2016 Presidential Election Results

Hillary Clinton: 232

Donald Trump: 306



- **Donald Trump** was elected president with 306 electoral votes and 47 percent of the popular vote to Hillary Clinton's 47.8 percent.
- The specifics of Trump's internet and technology policy platform are largely unknown.

# 2016 Senate Election Results

**Democratic: 48**

Includes Senators Bernie Sanders (I-VT) and Angus King (I-ME).

**Likely Republican: 52**

John Kennedy (R) expected to win December 10 runoff in Louisiana.

## Results of “Most-Watched” Senate Races

State	114 <sup>th</sup> Congress	115 <sup>th</sup> Congress
Florida	Marco Rubio	Marco Rubio
Illinois	Mark Kirk	Tammy Duckworth
Indiana	<i>Dan Coats</i>	Todd Young
Louisiana	<i>David Vitter</i>	John Kennedy (R) expected to win December 10 runoff.
Missouri	Roy Blunt	Roy Blunt
Nevada	<i>Harry Reid</i>	Catherine Cortez Masto
New Hampshire	Kelly Ayotte	Maggie Hassan
North Carolina	Richard Burr	Richard Burr
Pennsylvania	Pat Toomey	Pat Toomey
Wisconsin	Ron Johnson	Ron Johnson

When all races are called, Democrats are expected to have picked up **two** seats.

# 2016 House of Representatives Election Results

**Likely Democratic: 194**

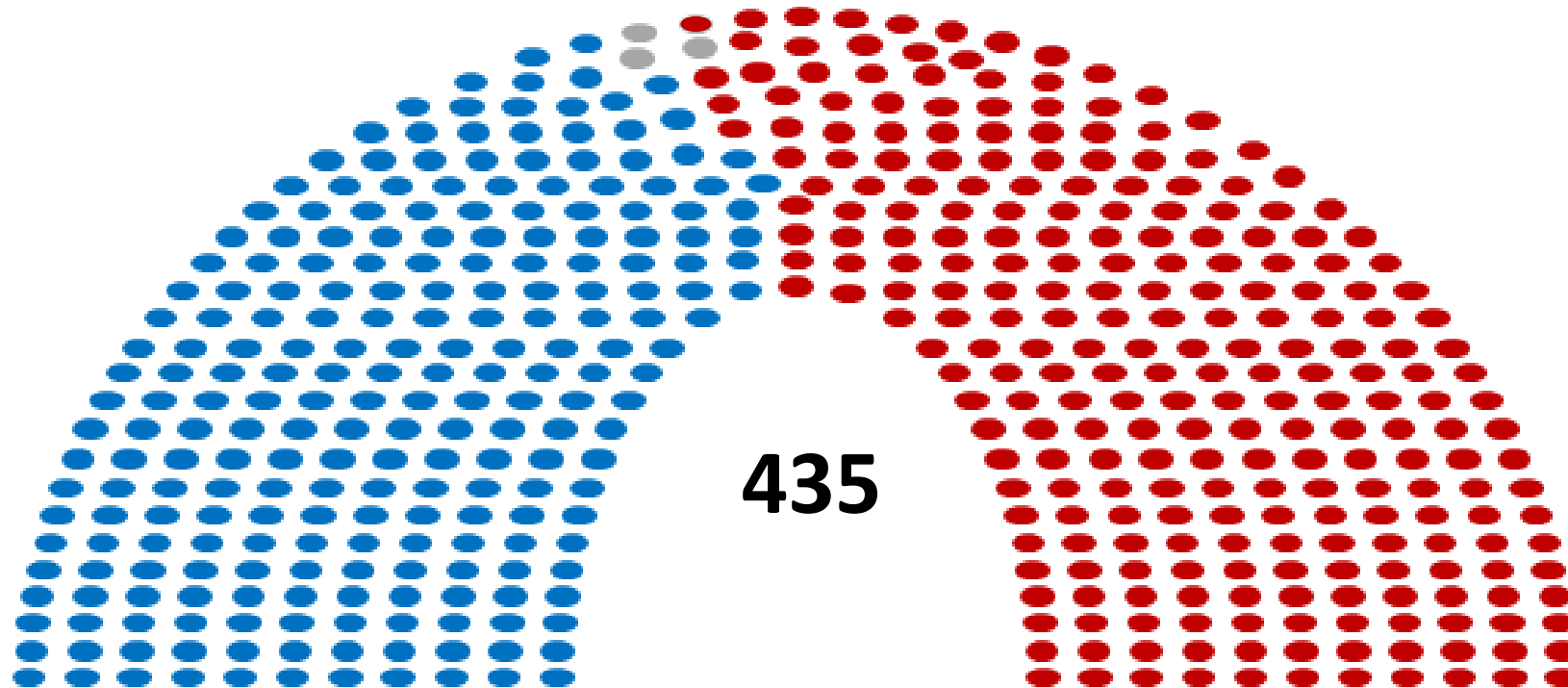
CA-07 too close to call; Rep. Ami Bera (D) holds small lead.

**Likely Republican: 241**

CA-49 too close to call; Rep. Darrell Issa (R) holds small lead.

Two Republicans advanced to December 10 runoff in LA-03.

Republican expected to win December 10 runoff in LA-04.



When all races are called, Democrats are expected to have picked up **six** seats.

# 2016 House of Representatives Election Results

## Toss-Up Congressional Races

State & District	114 <sup>th</sup> Congress	115 <sup>th</sup> Congress
California-07	Ami Bera	Still too close to call
California-10	Jeff Denham	Jeff Denham
California-25	Steve Knight	Steve Knight
California-49	Darrell Issa	Still too close to call
California-52	Scott Peters	Scott Peters
Colorado-06	Mike Coffman	Mike Coffman
Florida-02	Gwen Graham	Neal Dunn
Florida-07	John Mica	Stephanie Murphy
Florida-13	David Jolly	Charlie Crist
Florida-18	Patrick Murphy	Brian Mast
Florida-26	Carlos Curbelo	Carlos Curbelo
Illinois-10	Robert Dold	Brad Schneider
Maine-02	Bruce Poliquin	Bruce Poliquin
Michigan-01	Dan Benishek	Jack Bergman
Nevada-03	Joe Heck	Jacky Rosen
Nevada-04	Crescent Hardy	Ruben Kihuen
New Hampshire-01	Frank Guinta	Carol Shea-Porter
New Jersey-05	Scott Garrett	Joshua Gottheimer
New York-19	Chris Gibson	John Faso
New York-22	Richard Hanna	Claudia Tenney
Pennsylvania-08	Michael Fitzpatrick	Brian Fitzpatrick
Texas-23	Will Hurd	Will Hurd
Virginia-04	Randy Forbes	Donald McEachin
Virginia-10	Barbara Comstock	Barbara Comstock

# 115th Congress Leadership

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- House
  - The Republican caucus voted to maintain its current leadership, including **Speaker Paul Ryan (R-WI)**, **Majority Leader Kevin McCarthy (R-CA)**, and **Majority Whip Steve Scalise (R-LA)**.
  - The full House will vote for Speaker when the 115<sup>th</sup> Congress convenes in January.
  - Democrats have delayed leadership elections until the last week of November. **Minority Leader Nancy Pelosi (D-CA)** and **Minority Whip Steny Hoyer (D-MD)** are seeking reelection.
- Senate
  - **Majority Leader Mitch McConnell (R-KY)**, **Majority Whip John Cornyn (R-TX)**, and **Conference Chairman John Thune (R-SD)** will remain in their current roles.
  - **Senator Chuck Schumer (D-NY)** will replace retiring **Senator Harry Reid (D-NV)** as Minority Leader. **Senator Dick Durbin (D-IL)** stays on as Minority Whip and **Senator Patty Murray (D-WA)** becomes Assistant Democratic Leader.

# Senate Commerce, Science, and Transportation Committee

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- **Senator John Thune (R-SD)** will remain Chairman.
- **Senator Bill Nelson (D-FL)** will stay on as Ranking Member.
- All committee members up for reelection won their races with the exception of **Senator Kelly Ayotte (R-NH)**.

# House Energy and Commerce Committee

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- **Chairman Fred Upton (R-MI)** is term-limited under party rules.
- Candidates to succeed him are:
  - **Rep. Greg Walden (R-OR)**
    - Chaired National Republican Congressional Committee (NRCC) this cycle.
    - Currently chairs the Subcommittee on Communications and Technology and would need to seek a waiver to continue to chair that subcommittee due to term-limit if not chosen to chair the full committee.
  - **Rep. John Shimkus (R-IL)**
    - Unsuccessfully sought chairmanship in 2010 (lost to Upton).
    - Currently chairs the Subcommittee on Energy and Environment.
  - **Rep. Joe Barton (R-TX)**
    - Chaired the committee from 2004 to 2007.
- **Rep. Frank Pallone (D-NJ)** is expected to remain Ranking Member.
- **Reps. Joe Pitts (R-PA)** and **Lois Capps (D-CA)** are retiring and **Rep. Renee Ellmers (R-NC)** lost her primary.

# Senate Judiciary Committee

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- **Chairman Chuck Grassley (R-IA)** will continue to chair the committee in the next Congress.
- **Ranking Member Patrick Leahy (D-VT)** won reelection, but will become Ranking Member on the Senate Appropriations Committee, where he is the most senior Democrat, in the next Congress.
- **Senator Dianne Feinstein (D-CA)** will become Ranking Member on the Judiciary Committee.
- All Committee members up for reelection won their races.

# House Judiciary Committee

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- **Rep. Bob Goodlatte (R-VA)** will remain Chairman.
- **Rep. John Conyers (D-MI)** will stay on Ranking Member.
- **Rep. Randy Forbes (R-VA)** who lost his primary, will not return to the committee; **Rep. Darrell Issa (R-CA)**, who chairs the Subcommittee on Courts, Intellectual Property, and the Internet, holds a slight lead in a race that remains too close to call.

**Note:** The ratio of seats each party holds on all committees will narrow slightly to reflect the smaller majority Republicans will hold in both the House and the Senate.

# Key Issues to Watch in 2017

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- Net neutrality and privacy rules
- Copyright reform
- Shield law
- VPPA amendment
- Privacy
- Tax reform
- Patent reform
- Antitrust (including AT&T/Time Warner merger)
- Data breach legislation
- Media ownership
- Online subscriptions and advertising taxation
- Section 230 protections
- Libel