

KEMBA ENEAS WALDEN

*twitter: @KembaWalden. LinkedIn: Kemba Eneas Walden.
cell: (202) 295-7506 work: (301)767-5431 email:kte@georgetown.edu*

Bar Membership: D.C. and Maryland

Certification: Law of Data Security and Investigations ([GLEG](#))

EMPLOYMENT

Microsoft – April 2019 – present

Senior Counsel, Cyber and Democracy

William & Mary School of Law – Spring 2020

Adjunct Professor – the Law of Election Security

Georgetown School of Continuing Studies – Fall 2019 - present

Adjunct Professor – Information Security Law and Regulatory Compliance

United States Department of Homeland Security – 07/09 to 03/19

Attorney Advisor (Cybersecurity), Office of the General Counsel NPPD Legal Division

Attorney Advisor (CFIUS), Office of the General Counsel Operations and Enforcement Law Division

Senior Policy Analyst/Acting Director, Office of Policy Transportation and Cargo Security

Honors and Awards:

2010 DHS Fellow

2010 Assistant Secretary of Policy Team Leadership Award

2011- 2018, General Counsel Performance Award

Pillsbury Winthrop Shaw Pittman – 10/06 to 06/09

Associate, International Trade Practice Group

United States Department of Commerce -- 6/05 to 10/06

International Trade Staff Attorney

Mayer Brown Row & Maw LLP -- 9/03 to 5/05

Associate, Appellate Litigation Practice Group

U.S. Court of Appeals, Fifth Circuit 8/02 – 8/03

Law Clerk, Chief Judge Carl E. Stewart, Shreveport, Louisiana

PROFESSIONAL PROFILE

Kemba Eneas Walden is an Attorney in the Digital Security Unit at Microsoft and operates at the intersection of cybersecurity and critical infrastructure protection. Kemba primarily supports Microsoft's Digital Diplomacy team, specifically focused on the Defending Democracy Program. Prior to Microsoft, Kemba spent a decade in government service at the Department of Homeland Security. At DHS, Kemba held a number of attorney roles, most recently as an Attorney-Advisor for the newly created Cybersecurity and Infrastructure Security Agency (CISA) which is responsible for cybersecurity, telecommunications, and infrastructure resilience. Kemba negotiated complex data protection, information sharing, and risk mitigation agreements, supported CISA's cybersecurity and risk management efforts in critical infrastructure sectors including the financial, energy, and election sectors, and provided daily legal support to the National Cybersecurity and Communications Integration Center (NCCIC). Upon her departure from DHS, her energy was spent as the primary cybersecurity legal advisor to the Elections Task Force (now known as the Elections Security Initiative).

CAREER ACCOMPLISHMENTS

Cybersecurity and Elections Security

- Provide legal advice on defending the networks of political campaigns at little or no additional cost, including compliance with the Federal Elections Commission Act.
- Prepared written Microsoft testimony for Microsoft leadership before the [Senate Judiciary Committee Subcommittee on Crime and Terrorism](#); the [House Judiciary Committee](#) to discuss emerging technologies

and the security of US elections; the [Subcommittee on Homeland Security](#); and for a hearing on The Road to 2020: Defending Against Election Interference; and the Subcommittee on Investigations & Oversight and the Subcommittee on Research & Technology of the [House Committee on Science, Space, & Technology](#) to review Election Security: Voting Technology Vulnerabilities.

- Draft Microsoft testimony to the Subcommittee on Investigations & Oversight and the Subcommittee on Research & Technology of the House Committee on Science, Space & Technology to review Election Security: Voting Technology Vulnerabilities.
- Draft Agreements that facilitate collaboration on developing technology that supports campaign security, election integrity, and disinformation defense.
- Advise Microsoft on trends in national cybersecurity policy and proposed or pending cybersecurity laws.

Cybersecurity & Federal Operations

- Trained colleagues within DHS's Office of the General Counsel, other federal agencies, and the private sector on CISA's (formerly NPPD's) cybersecurity authorities.
- Developed, organized, and maintained the only central repository of the sources for NPPD's cybersecurity authorities which has been made available to the Acting General Counsel, the Deputy General Counsel, the Associate General Counsel for NPPD, the Deputy Associate General Counsel for NPPD, the Assistant General Counsel for Cybersecurity, and fellow Attorney-Advisors (Cybersecurity). Others within the Department and outside of the Department have requested access to this collection of source documents.
- Drafted legal memoranda to the General Counsel, the Deputy General Counsel, Assistant Secretary for Cybersecurity and Communications (CS&C) and other National Protection & Programs Directorate (NPPD) officials that summarizes the Department's cybersecurity authorities and organizes them in a fashion that is easy to conceptualize and explain.
- Advised the Undersecretary, the Assistant Secretary of Cybersecurity and Communications, and other senior officials on NPPD's cyber security legal authorities.
- Drafted briefing materials on DHS's cybersecurity authorities including, a one-page overview of the Cybersecurity Information Sharing Act (CISA), a three-page list of NPPD's cybersecurity authorities, a two-page narrative overview of NPPD's cybersecurity authorities, and a one-page overview of Subchapter II, of Chapter 35, of Title 44.
- Advised the Assistant Secretary for Cybersecurity and Communications and the Director of the national cybersecurity and communications integration center (NCCIC) on legal authorities to share cybersecurity information and provide technical assistance, cyber incident response, and guidance to federal and non-federal entities.
- Advised the Deputy Assistant Secretary for CS&C, and other leadership within CS&C and the Office of the Chief Security Officer on DHS's legal authorities for sharing classified cybersecurity information with the private sector.
- Advised the Director of the Stakeholder Engagement and Cyber Infrastructure Resilience (SECIR) office on DHS's cyber legal authorities related to critical infrastructure, including the financial sector and election infrastructures.
- Advised Departmental leadership on DHS's legal authorities for executing the Loaned Executive Program and the Exemplar Program to exchange cybersecurity professionals between the Department and private sector critical infrastructure owners and operators.
- Negotiated multiple complex agreements between the private sector and the Department to facilitate cybersecurity information sharing and collaboration, including participation in the Cybersecurity Information Sharing and Collaboration Program (CISCP)
- Advised the CISCP managers within SECIR and NCCIC on NPPD's cyber security information sharing authorities and information handling protocols associated with quarterly and monthly technical exchanges.

- Drafted a standard agreement between non-federal entities and the Department to facilitate cybersecurity information sharing and collaboration that maximizes the ability to broadly share information while protecting data.
- Presented the legal authorities underpinning NPPD's cyber incident response activities, technical assistance, and the CISCP program to private sector stakeholders, upon invitation.
- Prepared the cybersecurity legal justifications for several Requests for Information consistent with the Paperwork Reduction Act (PRA).
- Drafted legal memoranda on issues related to cybersecurity and surveillance.
- Advised the DHS Principal Deputy Assistant Secretary for Cyber Policy on the feasibility of certain technical and policy options to facilitate law enforcement access to encrypted information.
- Advised the Deputy Assistant Secretary for Law Enforcement Policy on the use of IMSI catcher devices (also known as Stingrays).
- Advised the Office of Policy on mitigating cyber risks resulting from foreign acquisitions of U.S. businesses.
- Led the effort to develop a unified legal position among Customs and Border Protection (CBP), Immigration and Customs Enforcement (ICE), and the United States Secret Service (USSS) to analyze Constitutional issues in connection with lawful searches of personal electronic devices in the context of domestic and border searches.

National Security, Infrastructure Protection, and International Trade

- Directly advised the DHS Secretary, the Deputy Secretary, the General Counsel, and the Assistant Secretary for Policy on legal and policy issues related to the Committee on Foreign Investment in the United States (CFIUS), an interagency committee that reviews foreign acquisitions of U.S. business.
- Engaged with senior executives and their counsel to discuss complex transactions involving cybersecurity and critical infrastructure and mitigate known national security concerns.
- Represented the Department on Team Telecom, an interagency process to evaluate the national security, law enforcement, and public safety issues in connection with foreign ownership or control of FCC licenses with special attention on submarine cable landing licenses.
- Drafted, negotiated, and interpreted agreements between DHS and global companies to mitigate national security concerns arising from transactions reviewed by CFIUS or Team Telecom involving critical infrastructure.
- Engaged with the General Counsel offices of the Department of Treasury, the Department of Defense and the National Security Division of DOJ on legal and policy issues concerning cybersecurity, foreign investment, national security, and critical infrastructure.
- Advised clients that manufactured or exported sensitive technology on the application of the Export Administration Regulations (EAR), the International Traffic in Arms Regulations (ITAR) and the Foreign Corrupt Practices Act (FCPA).
- Advised the U.S. Department of Commerce Assistant Secretary and Deputy Assistant Secretary for Import Administration of the relevant statutory and regulatory framework in support of their antidumping duty decisions.

Transportation and Cargo Security

- Spearheaded the Air Cargo Security Working group, a mechanism for providing input to the Secretary from private and public stakeholders on an ongoing and frequent basis.
- Led the President's Global Supply Chain Security Initiative on behalf of DHS and in consultation with the National Security Council.
- Led the development of DHS's wind farms policy, signed by the Secretary in August 2012, to effectively manage homeland security risks posed by the increasing footprint of domestic wind farms, mitigate the potential interference to radar systems, and ensure safe, secure, offshore marine transportation.

- Advised the Assistant Secretary for Policy on issues related to Air Domain Awareness (ADA) and the Next Generation Air Transportation System Joint Program Development Office (NextGen JPDO).
- Significantly contributed to the Sub-Interagency Policy Committee (IPC) meetings on Air Domain Surveillance and Obstruction Evaluation hosted by the Transborder Directorate of the National Security Staff.

DHS Management Activities

- Served as the Deputy Managing Counsel July 2015 – October 2015.
- Developed training opportunities for DHS's Office of General Counsel for FY2016.
- Drafted the Management Directive and corresponding Instruction on DHS's implementation of the Law Enforcement Officer Safety Act (LEOSA).
- Assisted in the drafting of the Management Directive and corresponding Instruction on the Department's participation in CFIUS and successfully shepherded the documents through the Departmental process for signature and publication in July 2014.
- Drafted the Standard Operating Procedures on DHS's processing of legal correspondence.
- Managed an expedited Schedule A hiring action.

EDUCATION

Juris Doctor - Georgetown University Law Center - June 2002, Appellate Litigation Clinic, Selected to teach first year Legal Research and Writing workshop

Master in Public Affairs -- Princeton University, School of Public and International Affairs – June 1996
(International Development)

Bachelor of Arts -- Hampton University – May 1994 (Political Science), *summa cum laude*