

MARGARET HU

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EDUCATION

DUKE LAW SCHOOL, Durham, NC; J.D., 2000

- Duke Law School Merit Scholarship
- Distinguished Speakers Series, Chair
- Dean's Advisory Council

UNIVERSITY OF KANSAS, Lawrence, KS; B.A. in East Asian Languages & Cultures, 1994

- University of Kansas Merit Scholarship
- Truman Scholar, Harry S. Truman Scholarship Foundation
- Foreign Language Area Studies Scholar, U.S. Department of Education (Mandarin Chinese)

JUDICIAL CLERKSHIP

U.S. COURT OF APPEALS, ELEVENTH CIRCUIT, Miami, FL (10/2000-9/2001)

Law Clerk, Chambers of Judge Rosemary Barkett

RESEARCH & TEACHING INTERESTS

Constitutional Law, Administrative Law, Big Data Law & Policy, Cybersecurity & Privacy Law, National Security, Cybersurveillance, Immigration Law & Policy, Federal Civil Rights, Race Theory

ACADEMIC EXPERIENCE

PENN STATE LAW—UNIVERSITY PARK AND SCHOOL OF INTERNATIONAL AFFAIRS,
PENN STATE UNIVERSITY, State College, PA (7/2020-present)

Professor of Law and Professor of International Affairs
Affiliate Faculty, Institute for Computational and Data Sciences

DUKE UNIVERSITY, KENAN INSTITUTE FOR ETHICS, Durham, NC (1/2019-6/2020)

Kenan Visiting Professor (Spring 2019-Spring 2020)

WASHINGTON UNIVERSITY SCHOOL OF LAW, St. Louis, MO (8/2018-12/2018)

Visiting Professor of Law (Fall 2018)

WASHINGTON & LEE UNIVERSITY SCHOOL OF LAW, Lexington, VA (7/2013-6/2020)

Associate Professor of Law (7/2016-6/2020)
Assistant Professor of Law (7/2013-6/2016)

DUKE LAW SCHOOL, Durham, NC (1/2010-6/2013)

Visiting Assistant Professor (7/2011-6/2013)
Senior Lecturing Fellow (1/2010-6/2011)

COURSES

Data & Democracy: Foreign Interference in US Elections and Cyber Ethics Seminar (Spring-Fall 2019)
Constitutional Law (Fall 2014-present)
Administrative Law (Spring 2014-Spring 2018)
Immigration Law (Fall 2017-present)
Big Data, Privacy, and Cybersurveillance Seminar (cross-listed with Political Science Department) (co-taught with Professor Mark Rush) (Fall 2016)
Cybersecurity and Privacy Law Seminar (co-taught with Professor Jules Polonetsky) (Summer 2016)
Federal Civil Rights Law Practicum (Fall 2013)
Cybersurveillance Policy & Privacy Law Seminar (Spring 2013-14, Fall 2014)
National Security Cybersurveillance Policy (Wintersession 2012, 2013)
Intersection of Immigration Policy & Civil Rights Law Seminar (Spring 2011)
International Human Rights Case Study (Wintersession 2011)
Examining Federal Civil Rights Law & Policy (Spring 2010) (co-taught with Professor Jeff Powell)

PUBLICATIONS

Book Project

- THE BIG DATA CONSTITUTION: CONSTITUTIONAL REFORM IN THE CYBERSURVEILLANCE STATE, Cambridge University Press (forthcoming 2020)

Articles

- *The Ironic Privacy Act*, 96 WASHINGTON UNIVERSITY LAW REVIEW 1267 (2019) (2019 Symposium: “Privacy and Trust in the Digital Age”)
- *Bulk Biometric Metadata Collection*, 96 NORTH CAROLINA LAW REVIEW 1425 (2018) (2018 Symposium: “Badge Cams as Data & Deterrent: Law Enforcement, the Public & the Press in the Age of Digital Video”)
- *Orwell’s 1984 and a Fourth Amendment Cybersurveillance Nonintrusion Test*, 92 WASHINGTON LAW REVIEW 1819 (2018)
- *Algorithmic Jim Crow*, 86 FORDHAM LAW REVIEW 633 (2017)
- *Crimmigration-Counterterrorism*, 2017 WISCONSIN LAW REVIEW 955 (2017)
- *Biometric Cyberintelligence and the Posse Comitatus Act*, 66 EMORY LAW JOURNAL 697 (2017) (2016 Thrower Symposium: “Redefined National Security Threats: Tensions and Legal Implications”)
- *The Regulation of Commercial Profiling—A Comparative Analysis*, 2 EUROPEAN DATA PROTECTION LAW REVIEW 535 (2016) (edited by Indra Spiecker and Olivia Tambou, co-authored with Paul Bernal, Laura Schertel Mendes, Ingo Wolfgang Sarlet, Normann Witzleb, and Florian Yger)
- *Big Data Blacklisting*, 67 FLORIDA LAW REVIEW 1735 (2015)
- *Small Data Surveillance v. Big Data Cybersurveillance*, 42 PEPPERDINE LAW REVIEW 773 (2015) (2014 Symposium, “The Future of National Security Law”)
- *Biometric ID Cybersurveillance*, 88 INDIANA LAW JOURNAL 1475 (2013)
- *Reverse-Commandeering*, 46 U.C. DAVIS LAW REVIEW 535 (2012)

Essays

- *Cambridge Analytica’s Black Box*, BIG DATA & SOCIETY (2020) (peer-reviewed interdisciplinary journal) (forthcoming 2020)
- *Digital Internment*, TEXAS LAW REVIEW ONLINE (2020)
- *Horizontal Cybersurveillance through Sentiment Analysis*, 26 WILLIAM & MARY BILL OF RIGHTS JOURNAL 361 (2017) (Symposium, “Big Data, National Security, and the Fourth Amendment”)

PUBLICATIONS CONTINUED

Essays Continued

- ***Cybersurveillance Intrusions and an Evolving Katz Privacy Test***, 55 AMERICAN CRIMINAL LAW REVIEW 127 (2018) (Georgetown Law Center Symposium, “Katz @ 50”)]
- ***Taxonomy of the Snowden Disclosures***, 72 WASHINGTON & LEE LAW REVIEW 1679 (2015) (2015 Lara D. Gass Symposium, “Cybersurveillance in the Post-Snowden Age”).

Book Chapters

- ***Covid-19 Surveillance and the LGPD, Brazil’s Data Protection Law*** III International Conference on Fundamental Rights and Criminal Procedural Law in the Digital Age, InternetLab, University of São Paulo School of Law (forthcoming 2020)
- ***Digitized Election Administration: Promise and Peril***, AMERICA VOTES! CHALLENGES TO MODERN ELECTION LAW AND VOTING RIGHTS (ABA 4th ed. 2019) (co-authored with Rebecca Green, Co-Director, Election Law Program, William & Mary School of Law)
- ***Metadeath: How Does Metadata Surveillance Inform Lethal Consequences?*** in PRIVACY AND POWER: A TRANSATLANTIC DIALOGUE IN THE SHADOW OF THE NSA-AFFAIR (Russell Miller, ed.), Cambridge University Press (2017)
- ***Biometric Surveillance and Big Data Governance*** in CAMBRIDGE HANDBOOK ON SURVEILLANCE LAW (David Gray and Stephen Henderson, eds.), Cambridge University Press (2017) (Abridged version in ***From the National Surveillance State to the Cybersurveillance State***, 13 ANNUAL REVIEW OF LAW AND SOCIAL SCIENCE 161 (2017))

PRACTICE & POLICY EXPERIENCE

U.S. DEPARTMENT OF JUSTICE (DOJ), CIVIL RIGHTS DIVISION, Washington, D.C. (9/2001-9/2010)

- Nine years of full-time practice and policy experience in Civil Rights Division
- Co-Chair of Identity Verification Discrimination Working Group (2009-10)
- Attorney General’s Honors Program, Hiring Committee (2009, 2008)
- Outstanding Performance Awards (2009, 2008, 2007, 2006, 2005, 2004)
- Attorney General’s Honors Program (2000, Attorney General Janet Reno)

White House Initiative on Asian Americans & Pacific Islanders (Detailed from DOJ to WH)

Senior Policy Advisor & Liaison to President’s Advisory Commission (4/2010-9/2010)

Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC)

Special Policy Counsel (12/2006-9/2010)

Trial Attorney (3/2003-12/2006)

Educational Opportunities Section

Trial Attorney (9/2001-3/2003)

HAWAII LAWYERS CARE, Honolulu, HI (5/1996-5/1997)

Domestic Violence Legal Clinic

Court Advocate (5/1996-5/1997)

PRACTICE & POLICY EXPERIENCE CONTINUED

U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, Washington, D.C. (6/1994-5/1996)

Community Capacity Development Office
Program Analyst (6/1994-5/1996)

SELECTED SPEAKING ENGAGEMENTS**PRESENTATIONS IN 2019**

- **2019 *International Law Weekend***, Fordham Law School, New York, NY (Oct. 2019)
 Panel Discussion: “Mass Surveillance and International Human Rights”
- **2019 *InternetLab University of Sao Paulo School of Law International Conference***, São Paulo, Brazil (August 2019)
 Keynote Speaker: “Biometric Cybersurveillance”
- **2019 *DEF CON*** (International Information Security/Cybersecurity Conference), Las Vegas, NV (August 2019)
 Ethics Village: Round Robin Discussion on Privacy + Security
- **2019 *Southeastern Association of Law Schools, Annual Conference***, Boca Raton, FL (July 2016)
 Group Discussion: “Privacy Workshop: Privacy in a Social Media Era”
 Panel Discussion: “Advocating for Immigration Rights”
- **2019 *Wolters Kluwer Leading Edge Conference***, Chicago, IL (July 2019)
- **2019 *Privacy Law Scholars Conference***, Berkeley, CA (May 2019)
 Paper Workshop: Commenter, Shazeda Ahmed and Xin Dai, “*Big Government, Big Tech,*” and *Other Public-Private Partnerships for Implementing China’s Social Credit System Project* paper
- **2019 *Critical Race & Digital Studies Conference: Race, Technology & the Future***, Hosted by NYU-DC, Washington, DC (May 2019)
 Panelist: “Legal & Policy Frameworks for Understanding the Impact of Racialized Digital Technologies”
- **2019 *6th Annual Law & Ethics of Big Data Research Colloquium***, Lexington, VA (April 2019)
- **2019 *Tech Ethics and Governance: Conference on Ethics of Emerging Tech***, Duke University, Kenan Institute for Ethics, Durham, NC (April 2019)
- **2019 *Wake Forest School of Law Faculty Workshop Series***, Winston-Salem, NC (April 2019)
- **2019 *Data, Technology, & Criminal Law***, Conference Co-Hosted by Duke Law and University of Würzburg Law Faculty, Durham, NC (April 2019)
- **2019 *Constitutional Law Schmooze***, University of Maryland School of Law, Baltimore, MD (March 2019)
- **2019 *Cybersecurity as National Security***, Notre Dame School of Law, *Journal of Comparative and International Law* Symposium (February 2019)
- **2019 *William & Mary School of Law Faculty Workshop Series***, Williamsburg, VA (January 2019)
- **2019 *University of Virginia School of Law, University of Virginia Law Review Online Symposium: “Digital Democracy: The Threat and Promise of Technology for Our Democratic Institutions”***, Charlottesville, VA (January 2019)
 Panelist: “Does Big Brother See in Color?”

PRESENTATIONS IN 2018

- **2018 National Asian Pacific American Bar Association**, Chicago, IL (November 2018)
- **2018 International Law Weekend, Fordham Law School**, New York, NY (October 2018)
- **2018 Washington University Law Review Symposium**, “Trust and Privacy in the Digital Age”, St. Louis, MO (September 2018)
- **2018 11th Annual Privacy Law Scholars Conference**, Co-hosted by Berkeley Center for Law & Technology and George Washington Law; Washington, D.C. (May 2018)
Paper Workshop: Commenter, Lauren Scholtz, *Privacy Remedies* paper
- **2018 Microsoft Privacy Conference**, “Artificial Intelligence: Is the Future Now”, Washington, DC (May 2018)
Panelist: “Algorithmic Jim Crow”
- **2018 Journal of Law & Public Policy**, “Technology, Media, & Privacy Law,” University of Florida Levin College of Law, Gainesville, FL (April 2018)
Panel: “Harnessing Big Data for the Big Story: Strategies and Privacy Pitfalls”
- **2018 Law and Information Society Faculty Workshop**, Fordham Center, Law & Information Policy (CLIP), Fordham Law School, New York, NY (March 2018)
Book Workshop: THE BIG DATA CONSTITUTION: CONSTITUTIONAL REFORM IN THE CYBERSURVEILLANCE STATE (forthcoming Cambridge University Press)
- **2018 National Security Crisis Law Invitational**, Georgetown Law Center (March 2018)
- **2018 Privacy Papers for Policymakers Workshop + Award Ceremony**, Future of Privacy Forum; Washington, D.C. (Feb. 2018)
Paper: “Algorithmic Jim Crow”
- **2018 Symposium on Big Data, Algorithms, Surveillance, and Race**, Holtz Center for Science & Technology, University of Wisconsin, Madison, WI (Feb. 2018)
Panel: “Extreme Vetting, Big Data, and Online Surveillance”
- **2018 Michigan Journal of Race & Law Symposium**, “A More Human Dwelling Place: Reimagining the Racialized Architecture of America,” University of Michigan School of Law, Ann Arbor, MI (Feb. 2018)
Panel: “Borders: Surveillance at the Border”
- **2018 Journal of Science and Technology Symposium**, “Governing the Internet: Public Access, Private Regulation,” Boston University School of Law, Boston, MA (Feb. 2018)
Panel: “Big Data: Information in Online Commerce”
- **2018 Privacy Law Salon**, Four Seasons Hotel, Miami, FL (Feb. 2018)
Google Privacy Law Fellow/Discussion Moderator: “Hot Topics [in Data Privacy and Cybersecurity]”
- **2018 APALSA Conference**, “Brave New World”, University of Pennsylvania Law School, Philadelphia, PA (Jan. 2018)
Panel: “Data Privacy, Cybersecurity, and Legal Remedies”
- **2018 Theoretical Inquiries in Law Conference**, “The Problem of Theorizing Privacy”, The Cegla Center for Interdisciplinary Research of the Law, Tel Aviv University, Tel Aviv, Israel (Jan. 2018)
Paper Workshop: “Post-Snowdengate, Post-Fascism” paper

PRESENTATIONS IN 2017

- **2017 *Cato Surveillance Conference***, Cato Institute, Washington, DC (Dec. 2017)
Panel: Predictive Policing: Big Data and Law Enforcement
- **2017 *North Carolina Law Review Symposium, “Badge Cams as Data and Deterrent: Law Enforcement, the Public and the Press in the Age of Digital Video”***, UNC School of Law, Chapel Hill, NC (Nov. 2017)
Panel Discussion: “Collection and Use”: “Bulk Biometric Metadata Collection” paper
- **2017 *Internet Law and Policy***, Virginia Tech, Blacksburg, VA (Nov. 2017)
Paper Presentation: “Algorithmic Jim Crow” (via Skype)
- **2017 *International Law Weekend***, Fordham Law School, New York, NY (Nov. 2017)
Panel Discussion: “Mass Surveillance and International Human Rights”
- **2017 *Rise of the Automotons Colloquium***, Savannah Law Review, Savannah Law School, Savannah, GA (Sept. 2017)
Panel Discussion: “Emerging Cybersecurity Threats” (via video/audio)
- **2017 *Feminist Responses to Surveillance Speaker Series***, Center for Professional and Applied Ethics, UNC Charlotte, Charlotte, NC (Sept. 2017)
Chancellor’s Diversity Lecture: “Algorithmic Jim Crow”
- **2017 *Southeastern Association of Law Schools, Annual Conference***, Boca Raton, FL (Aug. 2017)
Moderator, Discussion Group: “Trump’s Executive Actions on Immigration: Travel Ban, Extreme Vetting, Border Surveillance, Mass Deportation”
- **2017 *10th Annual Privacy Law Scholars Conference***, Co-hosted by Berkeley Center for Law & Technology and George Washington Law; Washington, D.C. (June 2017)
Paper Workshop: *Algorithmic Jim Crow and Extreme Vetting* paper (selected from Call for Papers)
- **2017 *Wharton School of Business, University of Pennsylvania, Big Data, Law and Ethics Research Colloquium***, Philadelphia, PA (Apr. 2017)
Paper Workshop: *Algorithmic Jim Crow* (selected from Call for Papers)
- **2017 *Washington University School of Law, St. Louis, Faculty Workshop Series*** (Apr. 2017)
Paper Workshop: *Critical Data Theory*
- **2017 *Texas A&M University School of Law Faculty Workshop Series***, Ft. Worth, TX (Apr. 2017)
Paper Workshop: *Algorithmic Jim Crow*
- **2017 “Katz at 50,” *American Criminal Law Review Symposium, Georgetown University Law Center***, Washington D.C. (Mar. 2017)
Panel: “Public Surveillance and the Fourth Amendment”: *Replacing the Katz Privacy Test with a Jones Nonintrusion Test* (paper)
- **2017 “*Fourth Amendment and Big Data/National Security*,” *William and Mary University School of Law Bill of Rights Journal Symposium***, Williamsburg, VA (Mar. 2017)
Panel: “Cyber Policing”: *Militarized Cyberpolicing and Extreme Vetting*”
- **2017 *Goethe Institute, PRIVACY AND POWER: A TRANSATLANTIC DIALOGUE IN THE SHADOW OF THE NSA-AFFAIR***, Book Launch, Washington D.C. (Jan. 2017)

PRESENTATIONS IN 2016

- **2016 Data & Society Research Institute, Eclectic Paper Workshop**, New York, NY (Dec. 2016)
Paper Workshop: *Critical Data Theory*
- **2016 Ohio State University Moritz College of Law**, Columbus, OH (Nov. 2016)
Paper Presenter for Symposium: “NSA Bulk Metadata Collection: Evaluating Privacy Through the Lens of Contextual Integrity”
- **2016 International Law Weekend, New York, Fordham University School of Law**, New York, NY (Oct. 2016)
Panel: “Mass Surveillance and Human Rights”
- **2016 Wake Forest School of Law, Faculty Workshop** (Sept. 2016)
Paper Workshop: *Critical Data Theory* (paper)
- **2016 Southeastern Association of Law Schools, Annual Conference**, Amelia Island, FL (Aug. 2016)
Moderator of Discussion Group: “Big Data and Privacy”
Moderator of Panel Discussion: “Big Data: Big Opportunities for Business and Big Challenges for Government and Ethics”
Panelist: “Cybersurveillance: Snowden, the NSA and Beyond”
- **2016 European Union International Data Privacy Research Workshop**, Université Paris-Dauphine, Paris, France (June 2016)
Invited Workshop Participant: *Comparative Research Collaboration on Commercial Data Profiling*
- **2016 Cybersurveillance Discussion Forum**, Université Paris-Dauphine, Paris, France (June 2016)
Paper Workshop: *Orwell’s 1984 and the Fourth Amendment Nonintrusion Test*
- **2016 9th Annual Privacy Law Scholars Conference**, Co-hosted by Berkeley Center for Law & Technology and George Washington Law; Washington, D.C. (June 2016)
Paper Workshop: *Critical Data Theory* paper (selected from Call for Papers)
- **2016 Culp Colloquium**, Duke Law School (May 2016)
Paper Workshop: *Critical Data Theory* (paper)
- **2016 Annual Meeting of the Baronial Order of the Magna Charta**; Washington, D.C. (April 2016)
Keynote Speaker: “Big Data Due Process”
- **2016 Symposium hosted by Yale Law’s Information Society Project and the Yale Journal of Law and Technology: “Unlocking the Black Box: The Promise and Limits of Algorithmic Accountability”**; New Haven, CT (April 2016)
Paper Workshop: *Big Data Due Process/Big Data Constitution* (paper)
- **2016 Third Annual Big Data Research Colloquium: “Law and Ethics of Big Data,”** University of Indiana, Bloomington, IN (April 2016)
Panel: *Big Data Constitution* paper (selected from Call for Papers)
- **2016 Virginia Military Institute Center for Leadership and Ethics’ Symposium: Ethical Dilemmas in the Digital Age**, VMI, Lexington, VA (March 2016)
Panel Discussion: “Is Big Brother Alive and Well?”
- **2016 Emory Law Journal’s Randolph W. Thrower Symposium: “Redefined National Security Threats: Tensions and Legal Implications”**, Atlanta, GA (Feb. 2016)
Panel Discussion: “Transnational Tensions and National Security: Immigration, Domestic Terrorism, and Cross-Border Security”
- **2016 Madison Vision Series [Distinguished Lecture Series, Office of the President]**, James Madison University, Harrisonburg, VA (Feb. 2016)
Vision Series Distinguished Lecture: “The Rise of the Cybersurveillance State”

PRESENTATIONS IN 2016 CONTINUED

- **2016 *Journal of Civil Rights and Social Justice Symposium: Policing in America: Powers and Accountability***, Washington & Lee University, Lexington, VA (Jan. 2016)
Introduction of Keynote: Mark Kappelhoff, Former Deputy Assistant Attorney General, Civil Rights Division, U.S. Department of Justice
- **2016 *Reflections Dinner Speaker, Martin Luther King, Jr., Day Celebration***; Washington & Lee University, Lexington, VA (Jan. 2016)
- **2016 *Association of American Law Schools Annual Meeting***, New York, New York (Jan. 2016)
Moderator of Panel Discussion: “*From Selma to Ferguson: Reflections on Police, Policing, and Protests*” (Panel Papers Published in *Yale Law Journal Forum*)

PRESENTATIONS IN 2015

- **2015 *Future of Privacy Forum: National Science Foundation Data Privacy Research Workshop***, Washington, D.C. (Dec. 2015)
Plenary Panel Moderator/Co-Rappateur: “*Beyond IRBs [Independent Review Boards]: Designing Ethical Review Processes for Big Data Research*”
- **2015 *Future of Privacy Forum: Cybersecurity and the Future of Section 5 of the FTC [Federal Trade Commission] Act Enforcement***, Washington, D.C. (Nov. 2015)
Panel Co-Moderator: “*Panel Discussion on [FTC] Section 5 Authority*”
- **2015 *Ethics of Immigration Conference***, Mudd Center for Ethics, Washington & Lee University, Lexington, VA (November 2015)
Panel Discussion: “*Current U.S. Immigration Reform and Policy*”
- **2015 *Southeastern Association of Law Schools, Annual Conference***, Boca Raton, FL (Aug. 2015)
Discussion Group: “*Same Tactics, Different Contexts? Examining the Subordinating Effects in the War on Drugs and Terror*”
- **2015 *8th Annual Privacy Law Scholars Conference***, Co-hosted by Berkeley Center for Law & Technology and George Washington Law; Berkeley, CA (June 2015)
Paper Workshop: *Big Data Blacklisting* paper (selected from Call for Papers)
- **2015 *International Symposium: “Privacy Forum,” University of Paris 1 Panthéon-Sorbonne***, Paris, France (June 2015)
Panel: *Big Data Blacklisting* (paper)
- **2015 *Second Annual Big Data Research Colloquium: “Law and Ethics of Big Data”***, University of Indiana, Bloomington, IN (April 2015)
Panel: *Big Data Blacklisting* paper (selected from Call for Papers)
- **2015 *International Symposium: “Freedom of Information and Governmental Transparency in the Open Government Era,” University of Paris 1 Panthéon-Sorbonne***, Paris, France (March 2015)
Panel: *Big Data Blacklisting* (paper)
- **2015 *Culp Colloquium***, Duke Law School (May 2015)
Paper Workshop: *Big Data Blacklisting* (paper)
- **2015 “*Potential Discriminatory Effects of Big Data and Algorithms*” Panel Discussion**, University of North Carolina, Chapel Hill, NC (Feb. 2015)
Panel: *Big Data Blacklisting* (paper)
- **2015 *Constitutional Law Schmooze: “The Public/Private Divide in the Constitution”***, Hosted by Francis King Carey School of Law University of Maryland, Baltimore, MD (Feb. 2015)
Paper Workshop: *Big Data Blacklisting* (paper)

PRESENTATIONS IN 2015 CONTINUED

- **2015 Journal of Law Reform Symposium: “Immigration Reform at 50” [50th Anniversary of the Immigration and Nationality Act of 1965]**, University of Michigan School of Law, Ann Arbor, MI (Feb. 2015)
Panel: “*States, Localities, and Immigration Non(enforcement)*” (discussed early draft of *Crimmigration-Counterterrorism* paper)
- **2015 Journal of Civil Rights and Social Justice: “50th Anniversary of the Civil Rights Act of 1964 and Voting Rights Act of 1965: An Interdisciplinary Dialogue”**, Washington & Lee University School of Law, Lexington, VA (Feb. 2015)
Panel: “*Immigration Rights and Citizenship Rights as Civil Rights*” (discussed early draft of *Crimmigration-Counterterrorism* paper)
- **2015 Washington & Lee Law Review Symposium: “Cybersurveillance in the Post-Snowden Age”**, Lexington, VA (Jan. 2015)
Panel: “*The Snowden Disclosures and Framing the Cybersurveillance Debate*” (discussed *Small Data Surveillance v. Big Data Cybersurveillance; Orwell’s 1984 and the Fourth Amendment Nonintrusion Test* paper)
- **2015 Association of American Law Schools (AALS) Annual Meeting**, Washington, DC (Jan. 2015)
AALS Section on National Security Law Panel: “*National Security Surveillance and the Rule of Law*” (discussed *Small Data Surveillance v. Big Data Cybersurveillance; Orwell’s 1984 and the Fourth Amendment Nonintrusion Test* paper selected from Call for Papers)
AALS Panel: “*Beyond the No Fly List: Terrorist Watchlists, the Terrorist Screening Center, and the Information Revolution*” (invited to discuss *Big Data Blacklisting* paper)

PRESENTATIONS IN 2014

- **2014 Max Planck Institute Symposium: “Transatlantic Dialogue on Surveillance Methods,” Max Planck Institute**, Freiburg, Germany (Dec. 2014)
Panel: (*Small Data Surveillance v. Big Data Cybersurveillance* paper)
Panel: (*Big Data Blacklisting* paper)
- **2014 Texas A&M Law Review Symposium, “Old Law, New Technologies,”** Texas A&M School of Law, Dallas, TX (Oct. 2014)
Panel Discussion: Mass Surveillance Panel
- **2014 Crane Distinguished Lecture Series**, Roland Park Country School, Baltimore, MD (Oct. 2014)
Crane Distinguished Lecture: *Big Data Blacklisting* paper
- **2014-15 Emroch Faculty Colloquy Series**, Richmond School of Law, Richmond, VA (Sept. 2014)
Faculty Workshop: *Big Data Blacklisting* paper
- **2014 German-American Security Law Symposium: “Privacy & Power: A Transatlantic Dialogue in the Shadow of the NSA,”** University of Freiburg, Freiburg, Germany (July 2014)
Panel: “*American Voices on the NSA Affair*”
- **2014 Southeastern Association of Law Schools, Annual Conference**, Amelia Island, FL (Aug. 2014)
Panel Moderator: “*Originalism & Constitutional Structure in the Post-Snowden National Surveillance State*”
Discussion Group: “*PATRIOT Games & Whistleblowers? NSA Cybersurveillance, WikiLeaks, & the National Security State*”

PRESENTATIONS IN 2014 CONTINUED

- **2014 *International Conference on Law & Society***, Minneapolis, MN (May 2014)
Panel: “*From Mass Detention to Mass Supervision? The Impact of Risk Assessments in Immigration Enforcement*” (*Big Data Blacklisting* paper)
- **2014 *Immigration Law Professors Workshop, U.C. Irvine Law***, Irvine, CA (May 2014)
Works-in-Progress: *Big Data Blacklisting* paper
- **2014 *Symposium: “The Future of National Security Law,” Pepperdine University School of Law***, Malibu, CA (April 2014)
Symposium Panel: “*Surveillance and the Future of American Homeland Security*” (*Big Data Cybersurveillance v. Small Data Surveillance* paper)
- **2014 *Technology & the Criminal Justice System, Charleston School of Law***, Charleston, SC (March 2014)
Symposium Panel: “*NSA Surveillance: Security v. Privacy*” (*Small Data Surveillance v. Big Data Cybersurveillance and Big Data Blacklisting* paper)
- **2014 *Law & Economics Center Research Roundtable, George Mason University School of Law***, Arlington, VA (May 2014)
Invited Roundtable Participant: “*Future of Privacy & Data Security Regulation*”
- **2014 *Washington College of Law, American University Faculty Workshop***, Washington, D.C. (Jan. 2014)
Faculty Workshop Presenter (*Big Data Blacklisting* paper)
- **2014 *Martin Luther King, Jr. Day Event Series***, Washington & Lee University School of Law and Washington & Lee University, Lexington, VA (Jan. 2014)
Invited Faculty Lecturer: *Future of Civil Rights* (*Big Data Blacklisting* paper)
- **2014 *Association of American Law Schools (AALS) Annual Meeting***, New York, NY (Jan. 2014)
Junior Faculty Presenter: *AALS Section on Administrative Law, “New Voices in Administrative Law”* (Junior-Senior Faculty Workshop, paired with Mark Seidenfeld as Senior Faculty Commenter (*Big Data Blacklisting* paper))

PRESENTATIONS IN 2013

- **2013 *Drexel University, Earle Mack School of Law Faculty Workshop***, Philadelphia, PA
Faculty Workshop Presenter (*Big Data Blacklisting* paper)
- **2013 *Law & Literature Weekend, Washington & Lee University Alumni College***, Lexington, VA
Faculty Presenter: *Snow Falling on Cedars* by David Guterson
- **2013 *LatCrit (Latina and Latino Critical Legal Theory) Conference***, Chicago, IL
Panel: “*Racial Profiling and the New Security State*” (*Big Data Blacklisting* paper)
- **2013 *Southeastern Association of Law Schools, Annual Conference***, Palm Beach, FL
Panel: “*The Presidential Election, Congress, and the Courts: the Future of Immigration Law*”
- **2013 *Duke Law Faculty Workshop***, Durham, NC
Faculty Workshop Presenter in July 2012 (*Orwell’s 1984 and the Fourth Amendment Nonintrusion Test* (early draft of paper))
- **2013 *Duke Law Junior Faculty Summer Scholarship Retreat***, Durham, NC
Faculty Workshop Presenter in July 2012 (*Big Data Blacklisting* paper)
- **2013 *Emerging Immigration Law Scholars & Teachers Conference***, Irvine, CA
Workshop: *Works-in-Progress Panel (Crimmigration-Counterterrorism)*
- **2013 *Privacy Law Scholars Conference***, Berkeley, CA
Paper Discussant: “*Discrimination in Online Ad Delivery*” by Latanya Sweeney

PRESENTATIONS IN 2013 CONTINUED

- **2013 *International Conference on Law & Society***, Boston, MA
Panel: “*The Power of Seeing: The Intersection of Surveillance and Legal Power*”
(*Crimmigration-Counterterrorism* (early draft of paper))
- **2013 *Law, Ethics, and National Security Center’s Annual Conference: “Battlefields, Boardrooms, and Backyards: The New Face of National Security Law”***, **Duke Law**, Durham, NC
Panel Moderator: “*Technology, Privacy, and Security*” (*Crimmigration-Counterterrorism* (early draft of paper))
- **2013 *University of Oregon, Morse Center for Law & Politics***, Eugene, OR
Symposium: “*The Borders Within: Immigrants, Race, and the Politics of Surveillance and Enforcement in the United States*” (*Biometric ID Cybersurveillance* paper)
- **2013 *Duke Journal of Constitutional Law and Public Policy***, Durham, NC
Symposium on Immigration Law & Policy (co-sponsored by Duke’s Program in Public Law; Duke’s Kenan Institute for Ethics; and American Constitution Society)

PRESENTATIONS IN 2012

- **2012 *Duke Law Faculty Workshop***, Durham, NC
Faculty Workshop Presenter in August 2012 (*Reverse-Commandeering* paper)
- **2012 *Southeastern Association of Law Schools, Annual Conference***, Amelia Island, FL
Panel: “*The Far-Reaching Effects of Crimmigration*” (*Reverse-Commandeering* paper);
Discussion Group: “*Educating Social Justice Lawyers*”
- **2012 “*Constitutional Law Schmooze*”**, Washington, D.C.
“*Scholars and the Public, with a Focus on Immigration*” (*Reverse-Commandeering* paper)
- **2012 *International Conference on Law & Society***, Honolulu, HI
Panel: “*The Social Life of Security Discourses*” (*Biometric ID Cybersurveillance* paper)
- **2012 *Immigration Law Workshop, Hofstra Law***, Long Island, NY
Works-in-Progress Presenter (*Reverse-Commandeering* paper)
- **2012 *Fifth Annual National Security Law Faculty Workshop***, Houston, TX
Faculty Workshop Presenter (*Biometric ID Cybersurveillance* paper)
- **2012 *Duke Law Faculty Workshop***, Durham, NC
Faculty Workshop Presenter in May 2012 (*Biometric ID Cybersurveillance* paper)
- **2012 *Law, Ethics, and National Security Center, Duke Law***, Durham, NC
National Conference: “*After Afghanistan: Where to from Here?*”;
Panel: “*Countering Violent Homegrown Extremism: Lessons Learned & Challenges for the Future*” (*Biometric ID Cybersurveillance* paper)
- **2012 *Duke Law and Kenan Institute for Ethics, Duke University***, Durham, NC
Spring Program Series: “*Moralities in Migration: A Global Perspective*”;
Book Workshop Discussant: *Immigration Outside the Law* by Hiroshi Motomura;
- **2012 *Sanford School of Public Policy, Duke University***, Durham, NC
Panel Discussion on Refugee Policy Issues & Opening Art Exhibit Reception:
“*Fragments from Another Life*” Photo Exhibit of Refugees by Photographer Rhonda Klevansky
- **2012 *Duke Law’s Center for International and Comparative Law***, Durham, NC
“*Duke Law Journal Symposium: The Relationship Between Law and Custom*”
Paper Discussant: *Customary Deviations from the Statute in the Administration of the Federal Income Tax* by Lawrence Zelenak

PRESENTATIONS IN 2011

- **2011 Yale Law School, Information Society Project's Ideas Lunch**, New Haven, CT
Lunch Speaker: "*Precrime: Biometric ID Cards & Virtual Equality in Cybersurveillance*" (early drafts of *Reverse-Commandeering* and *Biometric ID Cybersurveillance* papers)
- **2011-2012 Duke-University of North Carolina Junior Faculty Workshop Series**, Durham, NC
Faculty Workshop Presenter (early draft of *Reverse-Commandeering* paper)
- **2011 ACLU Northwest Regional Conference**, Portland, OR
Panel: "*Immigration Law & Civil Liberties*" (early drafts of *Reverse-Commandeering* and *Biometric ID Cybersurveillance* papers)
- **2011 Lewis & Clark Law School, Faculty Workshop**, Portland, OR
Faculty Workshop: "*New Landscapes in Legalization: An Interdisciplinary Exploration*"; Book Workshop Discussant: *Immigration Outside the Law* by Hiroshi Motomura
- **2011 LatCrit (Latina and Latino Critical Legal Theory) Conference**, San Diego, CA
Panel: "*Razing Arizona*" (early draft of *Reverse-Commandeering* paper)
- **2011 Truman Scholars Association National Conference**, Washington, D.C.
Panel: "*Immigration Reform: The Future of Federal & State Enforcement*"
- **2011 North Carolina Political Science Association Annual Conference**, Charlotte, NC
Panel: "*Constitutionalism & Judicial Systems*" (early draft of *Biometric ID Cybersurveillance*)
- **2011 Emerging Immigration Law Scholars & Teachers Conference**, Washington, D.C.
Panel: "*Screening & Exclusion*" (early draft of *Biometric ID Cybersurveillance* paper)

PRESENTATIONS IN 2010

- **2010 Young Leaders Conference, Council for U.S. and Italy**, Genoa, Italy
Conference Co-Chair: "*Changing Interconnections: How Technological Innovation Is Transforming Industrial Structures, Reshaping Social and Economic Systems, and Impacting Telecommunications*" (early draft of *Biometric ID Cybersurveillance* paper)
- **2010 Equal Employment Opportunity Commission**, Chapel Hill, NC
Technical Assistance Program Seminar: "*Immigration-Related National Origin Discrimination*"
- **2010 American Immigration Lawyers Association Annual Conference**, National Harbor, MD
Panel: "*I-9 Audits in the Dragnet: Will Other Government Agencies Take Notice*"
- **2010 University of Connecticut Law School, Immigration Law Symposium**, Hartford, CT
Panel: "*Reforming the Undocumented Workforce*"

PRESENTATIONS IN 2009

- **2009 National Advocacy Center**, Columbia, SC
Faculty Presenter: “*The Other Side of the Coin: Avoiding Discrimination*”:
Immigration-Related Employment Crimes Training Seminar for U.S. Attorneys’ Offices
- **2009 National Immigration Law Center Immigrant Rights Conference**, Arlington, VA
Panel: “*Immigrant Workers’ Rights 101*”
- **2009 American Immigration Lawyers Association NY Chapter Conference**, New York, NY
Panel: “*Something Was Missing: Employer Compliance*”
- **2009 National Asian Pacific American Bar Association National Convention**, Boston, MA
Panel: “*Emerging Verification Requirements and the Impact on Immigrant Communities*”
- **2009 Duke Law School, American Constitution Society Chapter**, Durham, NC
Lunch Speaker: “*Immigration-Related Employment Discrimination and Immigration Reform*”
- **2009 American Immigration Lawyers Association Annual Conference**, Las Vegas, NV
Panel: “*Dealing with E-Verify*”

PRESENTATIONS IN 2008

- **2008 National Asian Pacific American Bar Association National Convention**, Seattle, WA
Panel: “*Ensuring Human Rights and Civil Rights in the American Foreign Labor System*”
- **2008 American Immigration Lawyers Association Annual Conference**, Vancouver, Canada
Panel: “*Interagency Panel on No-Match Regulation*”;
Panel: “*The Rights and Liabilities of the Non-Citizen Worker*”

SELECTED ACADEMIC PRIZES & RECOGNITION

- 2018-19 Social Science Research Network (SSRN) Top 10% Most Downloaded Authors by All-Time Total Downloads (top 30,000 authors worldwide as of January 2018 - present)
- 2018 Lewis Law Center Prize for Excellence in Legal Scholarship (Lexington, VA) (Award for *Cybersecurity Federalism and Voter Data Privacy* paper)
- 2017 Privacy Papers for Policymakers, Honorable Mention (Washington, DC) (Award for *Algorithmic Jim Crow* paper)
- 2017 Ethan Allen Faculty Fellowship for Scholarship (Lexington, VA) (Award for scholarly achievement, including: *Algorithmic Jim Crow* and *Crimmigration-Counterterrorism* papers)
- 2017 SSRN Top 10% Most Downloaded Authors by Total Downloads in the Past 12 Months (May-December 2017)
- 2016 Privacy Papers for Policymakers, Honorable Mention (Washington, DC) (Award for *Biometric Cyberintelligence and the Posse Comitatus Act* paper)
- 2015 Young Scholar’s Award, 8th Annual Privacy Law Scholars Conference (Berkeley, CA) (Award for *Big Data Blacklisting* paper)
- 2015 Lewis Law Center Prize for Excellence in Legal Scholarship (Lexington, VA) (Award for *Big Data Blacklisting* paper)
- 2015 Mid-Atlantic People of Color Banks-Haddon Junior Faculty Award (Award for Outstanding Scholarly Achievement and Commitment to Teaching and Service Excellence)

SELECTED LEADERSHIP EXPERIENCE

FUTURE OF PRIVACY FORUM, Washington, D.C. (10/2015 – present)

Advisory Board

Member of Advisory Board of data privacy think tank with over 120 corporate partners. Future of Privacy Forum works to promote responsible data privacy practices and government policies.

AMERICAN BAR ASSOCIATION, STANDING COMMITTEE ON NATIONAL SECURITY

Washington, D.C. (6/2013 – present)

Foreign Intelligence Surveillance Act Reform Project

Member of task force studying potential statutory reforms for Foreign Intelligence Surveillance Act.

AMERICAN CONSTITUTION SOCIETY, Washington, D.C. (8/2003 – present)

Convention Host Committee (2011, 2012 Conventions)

Active member of society committed to shaping debate on legal and constitutional issues through development and promotion of high-impact progressive ideas to policymakers and the media.

ASIAN PACIFIC AMERICAN BAR ASSOCIATION OF D.C., Washington, D.C. (9/2002 – present)

Vice President (9/08 – 9/09)

Elected Vice President of Asian Pacific American Bar Association (Greater Washington, D.C. Area).

UNIVERSITY OF KANSAS MEMORIAL CORPORATION, Lawrence, KS (5/1993–5/1994)

Board of Directors

Served on board overseeing university student unions' operating budgets and student programs.

HARRY S. TRUMAN LIBRARY AND MUSEUM, Independence, MO (3/1993–5/1995)

Board of Directors

Appointed Truman Scholar Representative to Board of Directors overseeing presidential library.

POLITICAL APPOINTMENTS

KANSAS COMMISSION ON NATIONAL & COMMUNITY SERVICE, Topeka, KS (3/1993-6/1994)

Vice Chair

Gubernatorial appointment to commission reviewing distribution of federal AmeriCorps funding. Oversaw grant review process and program evaluation. Appointed by Governor Joan Finney (D).

GOVERNOR'S STUDENT ADVISORY COUNCIL, Topeka, KS (12/1991-12/1993)

Chair

Gubernatorial appointment to chair council of students selected to advise Kansas Governor on education-related concerns in the public university system. Appointed by Governor Joan Finney (D).

ACADEMIC SERVICE

- Association of American Law Schools (AALS)
 - Executive Committee, National Security Section (2016-19)
 - Executive Committee, AALS Minority Section (2015-18)
 - AALS House of Representatives; Institutional Representative (2014-16; 2019)
- Southeastern Association of Law Schools (SEALS)
 - SEALS Board of Trustees (2017-present)
 - Chair, SEALS Inclusiveness Committee (2015-2018)

ACADEMIC SERVICE CONTINUED

- The Governance Research in Artificial Intelligence Leadership (GRAIL) Network
 - Artificial Intelligence Research Network Steering Committee (2018-present) (Center for Democracy and Technology & R Street Institute)
- *Journal of National Security Law & Policy* (Georgetown Law Center)
 - Board Member (2018-present)
- Conference for Asian Pacific American Law Faculty (CAPALF)
 - National CAPALF Board of Directors (2017-present)
- Stanford Law School, Stanford Center for Internet and Society (CIS)
 - CIS Affiliate Scholar (2016-present)
- National Science Foundation (NSF)
 - NSF Research Coordination Network: Privacy Research and Data Responsibility (2016-present)
- Committee Assignments and Advising, Washington & Lee University School of Law
 - Appointments Committee (2017-18)
 - Judicial Clerkship Committee (2014-15, 2017-18)
 - Southern Association of Colleges and Schools Accreditation Committee (2017-18)
 - Co-Coordinator, Washington & Lee University School of Law-Future of Privacy Forum (W&L-FPF) Partnership (with Professor Joshua Fairfield) (2015-present)
 - Rhodes-Marshall-Truman Scholarship Finalist Preparation (2014-present)
 - Diversity and Inclusion Committee (2016-17)
 - University MLK Day Planning Committee, Office of the President, Office of the Provost, and University Division of Student Affairs (2016-17)
 - University Sustainability Committee, Office of the Provost (2014-17)
 - Faculty Advisor, *Journal of Civil Rights and Social Justice* (2014-17)
 - Faculty Co-Advisor, American Constitution Society Chapter (2013-present)
 - Independent Study Committee (2013-18)
- Committee Assignments and Advising, Washington & Lee University School of Law
 - Website Content Ad Hoc Committee (2017-present)
 - Public Fellowship Committee (2017-18)
 - Self-Study and Strategic Planning Committee, ABA Site Visit (2014-16)
 - Faculty Co-Advisor, *Washington & Lee Law Review* Lara D. Gass Symposium (2014-15; 2016-17)
 - Search Committee, Assistant Dean of Career Strategy and Development (2013-14)
- Symposia & Event Planning
 - Co-Organizer, 2019 *Law and Ethics of Big Data Research Colloquium*, Washington & Lee University School of Law (April 24-25, 2019)
 - Co-Organizer, 2019 *Tech Ethics and Governance: Conference on Ethics of Emerging Tech*, Kenan Institute for Ethics, Duke University (April 18-19, 2019)
 - Co-Organizer, 2018 Lastowka Academic Roundtable/Research Workshop, Washington & Lee University School of Law (April 12-13, 2018)
 - Co-Organizer, 2017 *Journal of Civil Rights and Social Justice* Annual Symposium: *Understanding Algorithmic Discrimination and Big Data Bias*, Co-sponsored by the Future of Privacy Forum; Data & Society; Lewis Law Center; Office of the Provost; and Mudd Center for Ethics (Mar. 29-30, 2017)

ACADEMIC SERVICE CONTINUED

- Symposia & Event Planning
 - Co-Organizer, 2016 *Journal of Civil Rights and Social Justice* Symposium: *Policing in America: Powers and Accountability*, Co-sponsored by the Lewis Law Center; Office of the Provost; and Mudd Center for Ethics (Jan. 28-29, 2016)
 - Co-Organizer, 2014 *Constitution Day Celebration*, Professor Jeff Powell, Duke Law School, “Constitution as Experiment: An Interim Report”
 - Co-Organizer, 2015 *Washington & Lee Law Review* Lara D. Gass Symposium: *Cybersurveillance in the Post-Snowden Age*; Co-sponsored by Office of the Dean and Lewis Law Center; Office of the Provost; Mudd Center for Ethics; John S. and James L. Knight Program in Media Ethics, Department of Journalism & Mass Communications; Department of Politics, The Williams School of Commerce, Economics, and Politics (Jan. 23-24, 2015)
 - Co-Organizer, 2015 *Journal of Civil Rights and Social Justice* Symposium: *50th Anniversary of the Civil Rights Act of 1964 and Voting Rights Act of 1965*; Co-Hosted by the Mudd Center for Ethics (Feb. 19-20, 2015)
 - Co-Organizer, 2014 Symposium: *Transatlantic Dialogue on Surveillance Methods*, Max Planck Institute, Freiburg, Germany (Dec. 18-19, 2014)
 - Co-Organizer, 2014 *Constitution Day Celebration*, Danielle Citron, Francis King Carey University of Maryland School of Law, *Hate Crimes in Cyberspace* (2014)

BAR MEMBERSHIP

STATE BAR OF CALIFORNIA

Active Member (2000-present)