

MARGARET HU

Washington & Lee University School of Law · Lexington, VA 24450 · hum@wlu.edu

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

JUDICIAL CLERKSHIP

U.S. COURT OF APPEALS, ELEVENTH CIRCUIT, Miami, FL (10/00-9/01)

Law Clerk

Chambers of Judge Rosemary Barkett

RESEARCH & TEACHING INTERESTS

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

COURSES

Big Data, Privacy, and Cybersurveillance Seminar (cross-listed with Political Science Department) (co-taught with Professor Mark Rush) (Fall 2016)
Cyber and Privacy Law Seminar (co-taught with Professor Jules Polonetsky) (Summer 2016)
Constitutional Law (Required Second-Year) (Fall 2014-16)
American Public Law Process (Required First-Year Constitutional Law/Administrative Law) (Spring 2014-16)
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)

ACADEMIC EXPERIENCE

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

Assistant Professor of Law (7/2013-present)

ACADEMIC EXPERIENCE (CONTINUED)

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

Assistant Professor of Law (7/2013-present)

- Committee Assignments and Advising Continued
 - Co-Director, Future of Privacy Forum Partnership (with Professor Joshua Fairfield)
 - Self-Study and Strategic Planning Committee, 2015-16 ABA Site Visit for Law School Accreditation (2014-present)
 - University Sustainability Committee, Office of the Provost (2014-present)
 - Judicial Clerkship Committee (2014-15)
 - Ad Hoc Committee on e-Commerce, Cybersecurity, and Data Protection; Co-Chair, Collaborative Partnership Subcommittee (2014-15)
 - Independent Study Committee (2013- present)
 - Search Committee, Assistant Dean of Career Strategy and Development (2013-2014)
 - Faculty Advisor, *Journal of Civil Rights and Social Justice* (2014-present)
 - Faculty Co-Advisor, *Washington and Lee Law Review* Lara D. Gass Symposium (2014-present)
 - Faculty Co-Advisor, American Constitution Society Chapter (2013-present)
- Faculty Workshop Host, *Lewis Law Center Faculty Colloquy Series*
 - *Fall Faculty Workshop Series*, Faculty Workshop Host: Neil Siegel, Duke Law School: *Revisiting the Court-Packing Debate: Historical Gloss, Constitutional Conventions, and the Law/Politics Distinction* (Oct. 2015)
 - *Fall Faculty Workshop Series*, Faculty Workshop Host: Mark Graber, Francis King Carey School of Law University of Maryland: *Constructing Constitutional Politics: Thaddeus Stevens, John Bingham, and the Forgotten Fourteenth Amendment* (Oct. 2014)
 - *Spring Faculty Workshop Series*, Faculty Workshop Host: Mitu Gulati, Duke Law School: *The Greek Guarantee Arbitrage* (co-authored with Stephen J. Choi) (March 2014)
 - *Fall Faculty Workshop Series*, Faculty Workshop Host: Corinna Lain, University of Richmond School of Law: *God, Civic Virtue, and the American Way: Reconstructing Engel* (Sept. 2013)
- Symposia & Event Planning
 - Co-Organizer, 2016 *Journal of Civil Rights and Social Justice* Annual 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*, Washington and Lee University
 - Constitution Day Lecture: Professor Jeff Powell, Duke Law School, "Constitution as Experiment: An Interim Report"
 - Co-Organizer, 2015 *Washington and 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* Annual Symposium: *50th Anniversary of the Civil Rights Act of 1964 and Voting Rights Act of 1965: An Interdisciplinary Dialogue*; Co-Hosted by the Mudd Center for Ethics (Feb. 19-20, 2015)

ACADEMIC EXPERIENCE (CONTINUED)

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

Assistant Professor of Law (7/2013-present)

- Symposia & Event Planning (Continued)
 - Co-Organizer, 2014 Symposium: *Transatlantic Dialogue on Surveillance Methods*, Max Planck Institute, Freiburg, Germany (Dec. 18-19, 2014)
 - Co-Organizer, 2014 *Constitution Day Celebration*, Washington and Lee University Constitution Day Lecture: Danielle Citron, Francis King Carey University of Maryland School of Law, *Hate Crimes in Cyberspace* (Harvard University Press 2014)
- Association of American Law Schools (AALS)
 - AALS House of Delegates; Institutional Representative (2014-present)
 - Executive Committee, AALS Minority Section (2015-present)
 - Executive Committee, National Security Section (2016-present)
- Southeastern Association of Law Schools (SEALS)
 - Chair, Inclusiveness Committee

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

Visiting Assistant Professor (7/2011-6/2013)

Senior Lecturing Fellow (1/2010-6/2011)

- Co-Chair, Duke-UNC Law School Junior Faculty Workshop (2011- 2012)
- Co-Organizer, 2013 Duke Law Symposium on Immigration Law & Policy: *Perspectives on Migration, Governance, and Citizenship*; Hosted by *Duke Journal of Constitutional Law & Public Policy*; Co-sponsored by Duke's Program in Public Law, Duke's Kenan Institute for Ethics, and American Constitution Society (National Office)
- Co-Organizer, 2012 "*Moralities in Migration: A Global Perspective*"; Series of events co-sponsored by Duke's Program in Public Law and Duke's Kenan Institute for Ethics

PUBLICATIONS

Articles

- ***Crimmigration-Counterterrorism and Mass Biometric Dataveillance***, EMORY LAW JOURNAL (invited as part the *Emory Law Journal's* Thrower Symposium: "Redefined National Security Threats: Tensions and Legal Implications") (forthcoming 2016-17).

Federal and state immigration reform initiatives have recently adopted biometric data collection and biometric database screening into citizenship status screening protocols. Specifically, many of these laws mandate biometric data surveillance, or dataveillance, to further crime, immigration control, and counterterrorism efforts, simultaneously. This Article examines how we have rejected a National ID program historically. Next, it illustrates why a biometric-based ID system is viewed as the silver bullet to solve multiple national security and migration concerns. The Article concludes that a biometric-based ID program is likely to serve as a "data backbone" for bureaucratized cybersurveillance.

PUBLICATIONS (CONTINUED)

Articles (Continued)

- **Biometric Cyberintelligence**, MARYLAND LAW REVIEW (invited as part of Cyber Law Volume) (forthcoming May 2016)

An increasing reliance on biometric databases—digitalized storage of scanned fingerprints and irises, digital photographs for facial recognition technology, and DNA, for example—and big data integrative systems to inform tactical and other decisionmaking reflects the rapid growth of what the military and intelligence community has termed “biometric-enabled intelligence.” This Article refers to “biometric cyberintelligence” as a product of big data cybersurveillance technologies. Specifically, biometric cyberintelligence refers to the process of converting biometric-enabled intelligence—digitalized biometric data and big data mass integration analytics—and other big data cybersurveillance programs, into actionable intelligence. Maintaining strict separation of data sharing between military and intelligence operations, on the one hand, and civilian, homeland security, and domestic law enforcement agencies, on the other hand, is increasingly difficult and may be impracticable. This Article concludes that the biometric cybersurveillance and biometric cyberintelligence technologies currently deployed abroad by the military and intelligence community are likely to migrate back to the homeland and, once migrated, will likely be deployed domestically for federal and state security objectives in a matter of time.

- **Big Data Blacklisting**, 67 FLORIDA LAW REVIEW 1735 (Sept. 2015)

Substantive due process rights safeguard fundamental liberty interests. Procedural due process rights prevent arbitrary deprivations by the government of constitutionally protected interests. In a big data world, however, due process protections, both substantive and procedural, may be threatened in new and nearly invisible ways as the government is increasingly using database screening systems to determine who can work, vote, fly, etc. This Article frames this growing phenomenon as a problem of big data blacklisting. The term big data blacklisting is used to describe the governmental process of categorizing individuals as administratively “guilty until proven innocent” by virtue of suspicious digital data and metadata, and suspicious database screening results.

- **Small Data Surveillance v. Big Data Cybersurveillance**, 42 PEPPERDINE LAW REVIEW 773 (May 2015)(invited as part of Pepperdine Law Review’s 2014 Symposium, “The Future of National Security Law”)

This Article highlights some of the critical distinctions between small data surveillance and big data cybersurveillance as methods of intelligence gathering. Specifically, in the intelligence context, it appears that “collect-it-all” tools in a big data world can now potentially facilitate the construction, by the intelligence community, of other individuals’ digital avatars. Consequently, the is Article contends that an inquiry into the scientific validity of the data science that informs big data cybersurveillance and mass dataveillance is appropriate. Thus, this Article argues in favor of a science-driven approach to the interrogation of rapidly evolving bulk metadata and mass data surveillance methods that increasingly rely upon data science and big data’s algorithmic, analytic, and integrative tools. For example, in Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579 (1993), the Supreme Court required scientific validity determinations prior to the introduction of scientific expert testimony or evidence at trial. To the extent that covert intelligence gathering relies upon data science, a Daubert-type inquiry is helpful in conceptualizing the proper analytical structure necessary for the assessment and oversight of these emerging mass surveillance methods.

PUBLICATIONS CONTINUED

Articles Continued

- ***Biometric ID Cybersurveillance***, 88 INDIANA LAW JOURNAL 1475 (June 2013)

This Article contends that digitalized biometric ID cards and other government-led biometric database screening systems risk normalizing and integrating mass cybersurveillance into the daily lives of ordinary citizens. Identity documents such as driver's licenses in some states and all U.S. passports are now implanted with radio frequency identification technology (RFID). Such cards, once merged with GPS tracking technology, would facilitate exponentially a convergence of cybersurveillance-body tracking and data surveillance, or dataveillance-biographical tracking.

- ***Reverse-Commandeering***, 46 U.C. DAVIS LAW REVIEW 535 (Dec. 2012)

Although the anti-commandeering doctrine was developed by the Supreme Court to protect state sovereignty from federal overreach, nothing prohibits flipping the doctrine in the opposite direction to protect federal sovereignty from state overreach. Federalism preserves a balance of power between two sovereigns. Thus, the reversibility of the anticommandeering doctrine appears inherent in the reasoning offered by the Court for the doctrine's creation and application. In this Article, I contend that reversing the anti-commandeering doctrine is appropriate in the context of contemporary immigration federalism laws. Thus, the constitutionality of state immigration laws, currently evaluated under the preemption doctrine, should be interpreted within an anti-commandeering framework. This doctrinal shift, from the preemption doctrine to the anti-commandeering doctrine, allows federal courts to examine the constitutionality of state immigration laws through a more explicit federalist lens.

Essays

- ***From the National Surveillance State to the Cybersurveillance State***, ANNUAL REVIEW OF LAW AND SOCIAL SCIENCE (invited as part of Volume 13 of the *Annual Review of Law and Social Science*: Volume dedicated to topic of "Cybersurveillance") (forthcoming 2017).

This Essay aims to anchor the current academic literature on cybersurveillance around the theory of the National Surveillance State. To better understand the political and technological structure that supports the emerging Cybersurveillance State, it is important to start with the political theory of the National Surveillance State. The political theory of the National Surveillance State is attributed to two prominent constitutional law scholars: Professor Jack Balkin, Knight Professor of Constitutional Law and the First Amendment at Yale Law School, and Professor Sanford Levinson, W. St. John Garwood and W. St. John Garwood, Jr. Centennial Chair in Law, University of Texas School of Law. The theory of the National Surveillance State anchors why the rise of the Cybersurveillance State is difficult to see and interrogate, and why it is increasingly difficult to challenge constitutionally. This Essay concludes that the Cybersurveillance State will execute surveillance in ways that are largely invisible and that appear routinized when surveillance is technologically embedded within the Administrative State. The normalization of day-to-day cybersurveillance will be largely achieved through governing functions that appear purely administrative (e.g., identity assessments for the granting of welfare, rights, privileges and governing incentives). Pursuant to the theory of the National Surveillance State, because of the routinized and administrative nature of the government-led big data program or data surveillance (dataveillance) program, contemporary cybersurveillance is likely to be viewed as benign and justified under crime, immigration control, and counterterrorism policy rationales.

PUBLICATIONS CONTINUED

Essays Continued

- **Contextualizing Snowden's Theory of Turnkey Tyranny**, YALE JOURNAL OF LAW AND TECHNOLOGY (invited as part of 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") (forthcoming 2016).

This Essay contends that Edward Snowden's theory of turnkey tyranny deserves further academic attention. Snowden, national security whistleblower and former National Security Agency (NSA) contractor, shared his theory of turnkey tyranny when his identity was first revealed in June 2013 and was presented as part of his motivation to come forward with the NSA disclosures. Under this theory, Snowden warns of the potential for 'turnkey tyranny' that could result from future abuse of the NSA surveillance architecture. This Essay attempts to contextualize the value of Snowden's theory of turnkey tyranny by grounding it in a brief overview of misuses and abuses of databases during WWII and in times of national domestic crises, such as in the immediate aftermath of the terrorist attacks of 9/11. Although Snowden's theory of turnkey tyranny might be dismissed as hyperbolic, this Essay concludes that its worth can be located in recent historical memory and through uncomfortable parallels in data abuse.

- **USA FREEDOM Act as a Misnomer**, ROGER WILLIAMS UNIVERSITY LAW REVIEW (invited as part the *Roger Williams University Law Review's* Symposium: "Cybersecurity + Law Enforcement")(forthcoming 2016).

The USA FREEDOM Act of 2015 was intended to bring the practice of bulk telephony metadata collection conducted by the National Security Agency (NSA) under tighter regulation. In the wake of the Snowden disclosures in June 2013, members of Congress called for statutory reform to eliminate or significantly curtail indiscriminate metadata surveillance of U.S. citizens. This Essay contends that the USA FREEDOM Act is a misnomer. The USA FREEDOM Act, although a legislative achievement that embodies an impressive bipartisan effort, cannot be understood to be a freedom-enhancing statute. Specifically, the USA FREEDOM Act is an achievement in that forced the U.S. House of Representatives and the U.S. Senate to meaningfully confront the role of proper legislative oversight in regulating the metadata surveillance activities of the NSA at the dawn of the big data revolution. Yet, this Essay argues that, rather than more tightly regulating metadata surveillance, the Act allows for metadata surveillance to proceed under differing justifications and in more delegated contexts.

- **Taxonomy of the Snowden Disclosures**, 72 WASHINGTON AND LEE LAW REVIEW 1679 (Dec. 2015)(invited as part of 2015 "Cybersurveillance in the Post-Snowden Age" *Washington and Lee Law Review's* Lara D. Gass Symposium).

This Essay offers a proposed taxonomy of the Snowden Disclosures. An informed discussion on the legality and constitutionality of the emerging cybersurveillance and mass dataveillance programs revealed by former NSA contractor Edward Snowden necessitates the furtherance of cybersurveillance aptitude. This Essay contends, therefore, that a detailed examination of the Snowden disclosures requires not just a careful inquiry into the legal and constitutional framework that guides the oversight of these programs. A close interrogation also requires a careful inquiry into the big data architecture that guides them. This inquiry includes examining the underlying theories of data science and the rationales of big data-driven policymaking that may drive the expansion of big data cybersurveillance. Better understanding the manner in which intelligence gathering may be shifting away from small data surveillance methods and toward the adoption of big data cybersurveillance methods—and assessing the efficacy of this shift—can factually ground future debates on how best to constrain comprehensive and ubiquitous surveillance technologies at the dawn of the National Surveillance State.

PUBLICATIONS CONTINUED

Book Chapters

- ***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 (forthcoming 2016)

The disclosures by former National Security Agency (NSA) contractor Edward Snowden appear to reveal the extent to which the Intelligence Community relies upon bulk metadata surveillance technologies. As General Michael Hayden, former Director of the Central Intelligence Agency (CIA) and the NSA, confirmed after the Snowden disclosures, “We kill people based on metadata.” This implies that metadata surveillance is now used to help inform drone strikes and targeted killing practices. However, the Snowden disclosures pose this question as well: Are we killing people based on big data products and not intelligence? In a small data world, human analysts were capable of converting data into intelligence. The Snowden disclosures and other reports have revealed that in a big data world, it appears that we now resort to algorithms and supercomputing tools, and other forms of artificial intelligence, because we do not have the human capacity to analyze all of the data collected. Some within the NSA have concluded that “data is not intelligence” in a big data world. In fact, some experts have explained that big data projects an algorithmic hologram rather than reflects reality. Historically, surveillance tools served human decisionmaking processes. The big data world has inverted multiple collection and decisionmaking processes. From the Snowden disclosures, now it appears that humans serve big data cybersurveillance processes. This Essay contends that the data science underpinning the cybersurveillance tools that inform targeted killing should be made more transparent. Further, even where the surveillance is covert, transparency can take the form of a more public interrogation of the principles of logic and scientific validity of the big data tools engaged by the Intelligence Community. Thus, understanding the logic and limits of bulk metadata surveillance is necessary, especially where it might be the basis for the death of a target.

- ***Biometric Surveillance*** in *CAMBRIDGE HANDBOOK ON SURVEILLANCE LAW* (David Gray and Stephen Henderson, eds.), Cambridge University Press (forthcoming 2016-17)

Biometrics is generally understood to be, “[t]he science of automatic identification or identity verification of individuals using physiological or behavioral characteristics.” Biometric-based identification or identity verification systems can involve the data collection and analysis of “hard biometrics,” which may include: fingerprints; facial recognition technology (digital photos); iris scans; DNA; skeletal bone scans; gait; eye brow shape and ear shape. Biometric-based identification or identity verification systems can involve the data collection and analysis of “soft biometrics,” which may include digital analysis or automated determination of age; height; weight; race or ethnicity; color of skin and color of hair; scars and birthmarks; and tattoos. Biometric ID Cards and biometric database screening systems are increasingly presented as a prescription to immigration and counterterrorism concerns. Policy rationales explain that such systems can work to keep dangerous immigrants and potential terrorists out of the country. In other words, proponents of biometric surveillance and tracking systems argue that mass biometric data collection and analysis is needed in order to track down the terrorists and to monitor the identities of potential terrorists—and that the government needs to move toward universal biometric databases (DNA, scanned fingerprints, iris scans, facial recognition technology, etc.). This Essay questions the assumption that it is sound immigration policy, border security, national security practice to rely upon biometric database screening.

WORKS-IN-PROGRESS

- **Big Data Constitution** (Spring 2016 submission cycle).

Our existing constitutional protections and rights were forged in a small data world. Small data limitations on power were presupposed. Constitutional restraints on power were structured with small data governing ambitions in mind. Constitutional jurisprudence as conceived, thus, protects against small data constitutional harms. As the government increasingly capitalizes upon big data technologies, however, the small data constitution problem has become more apparent. Recent big data surveillance disclosures, in particular, have emphasized the need for new doctrinal frameworks to impose limiting principles on big data governance ambitions, and to protect against big data harms that are indiscriminate in scope and digitally derived in nature. To help examine multiple constitutional challenges associated with the rapid proliferation of big data governance tools, this Article examines why the small data constitution must now evolve to encompass the unique threats of big data governance methods. Specifically, this Article focuses on the limitations of a small data constitution through examining the failures of a small data procedural due process doctrine. Next, it prescribes the need for a big data constitution by advancing the concept of “big data due process.” The Article concludes that constitutional jurisprudence and theory must be reconceived to strive for the maintenance of power-balancing principles to protect the small data citizen against the big data state, and to preserve fundamental constitutional rights and due process principles.

- **Orwell’s 1984 and the Fourth Amendment Nonintrusion Test** (Spring 2016 submission cycle).

Recent cases and disclosures have revealed that expansive post-9/11 surveillance architectures are rapidly proliferating. The Supreme Court has indicated that the Fourth Amendment privacy doctrine must now evolve to impose meaningful limitations on government intrusiveness. This evolution involves incorporating a customary law-type analysis into a Fourth Amendment analysis. To illustrate the role of social customary norms in shaping Fourth Amendment jurisprudence, this Article examines the recurrence of judicial resort to dystopian rhetoric, most prominently referencing George Orwell’s novel, 1984, in analyzing the scope of contemporary government surveillance methods. Courts at all levels have encountered Fourth Amendment challenges to new surveillance technologies and have balked at ratifying such surveillance even though preexisting Fourth Amendment jurisprudence appears to mandate a different result.

The nonintrusion test implicitly suggested by the Court first shifts the vantage point of the Fourth Amendment analysis from an individual-based tangible harm inquiry to an inquiry of a society-wide intangible harm. Under the current privacy test, an individual must first establish a subjective reasonable expectation of privacy. The nonintrusion test instead requires the government to justify the intrusion of the surveillance on society. Specifically, in light of the government’s 1984-type capacity to conduct the search and seizure of digitally constructed identities, federal courts have suggested that an inquiry pivoting around a concept of nonintrusion rather than privacy may be needed. This Article describes how a Fourth Amendment nonintrusion test could be grounded in evolving customary law to replace the Fourth Amendment reasonable expectation of privacy test, and a Fourth Amendment that is currently grounded in property and tort law. It concludes that a dramatic revision of the Fourth Amendment doctrine such as the adoption of a nonintrusion test and the abandonment of the current Fourth Amendment privacy test is not only now required but is already underway in practice by the federal courts.

PRACTICE & POLICY EXPERIENCE

U.S. DEPARTMENT OF JUSTICE (DOJ), CIVIL RIGHTS DIVISION, Washington, D.C. (9/01 to 9/10)

- Nine years of full-time practice and policy experience in Civil Rights Division
- Co-Chair of [Identity & Citizenship] 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)

Senior Policy Advisor & Liaison to President's Advisory Commission (4/10 to 9/10)

White House Initiative on Asian Americans & Pacific Islanders

Appointment by detail from U.S. Department of Justice to White House Initiative on Asian Americans & Pacific Islanders (AAPI). Coordinated policy efforts to improve AAPI community participation in and access to federal programs and services. Served as official liaison to 20-member Presidential Commission appointed to advise White House on AAPI issues.

Special Policy Counsel (12/06 to 9/10)

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

Served as civil service, deputy-level manager. Identified potential civil rights issues and jurisdictional impact of proposed policies and legislation in communications within DOJ and externally. Assisted in coordinating policy efforts with multiple federal agencies and offices, including the Department of Homeland Security and White House Homeland Security Council. Supervised team of attorneys and investigators in the enforcement of anti-discrimination provisions of the Immigration and Nationality Act, 8 U.S.C. § 1324b.

Trial Attorney (3/03-12/06)

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

Directly assisted in the protection of over 200 workers. Helped to secure reinstatement and over \$100,000 for workers and charging parties alleging discrimination under the anti-discrimination provisions of the Immigration and Nationality Act, 8 U.S.C. § 1324b.

Trial Attorney (9/01-3/03)

Educational Opportunities Section

Monitored desegregation orders and investigated allegations of discrimination in educational opportunities on the basis of race, color, national origin, religion, gender, and disability.

HAWAII LAWYERS CARE, Honolulu, HI (5/96-5/97)

Court Advocate (5/96-5/97)

Domestic Violence Legal Clinic

Served as AmeriCorps volunteer. Assisted domestic violence victims in obtaining restraining orders; provided coordination of social and legal services.

U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, Washington, D.C. (6/94 to 5/96)

Program Analyst (6/94-5/96)

Community Capacity Development Office

Assisted in policy oversight of neighborhood-focused community development grant program intended to prevent crime and juvenile violence. Authored congressional report on status of program.

SELECTED SPEAKING ENGAGEMENTS

PRESENTATIONS IN 2016

- **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”*
- **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 Constitution* (paper)
 - Publication: *Contextualizing Snowden’s Theory of Turnkey Tyranny* (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”*
- **2016 Journal of Civil Rights and Social Justice Symposium: Policing in America: Powers and Accountability**, Washington and Lee University, Lexington, VA (Jan. 2016)
 - Introduction of Dinner Keynote: Mark Kappelhoff, Former Deputy Assistant Attorney General and Section Chief, Criminal Section, Civil Rights Division, U.S. Department of Justice
- **2016 Reflections Dinner Speaker, Martin Luther King, Jr., Day Celebration**; Washington and Lee University, Lexington, VA (Jan. 2016)

SELECTED SPEAKING ENGAGEMENTS CONTINUED**PRESENTATIONS IN 2016 CONTINUED**

- **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 and 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)
- **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)

SELECTED SPEAKING ENGAGEMENTS CONTINUED

PRESENTATIONS IN 2015 CONTINUED

- **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 and 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 and 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 Hot Topics 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 *Law & Literature Weekend, Washington and Lee University Alumni College*,** Lexington, VA (Nov. 2014)
Faculty Presenter: *1984* by George Orwell (*Search and Seizure of Identity and The Fourth Amendment in 1984* 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 (*American Cybersurveillance Exceptionalism* paper)
- **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*” (discussed *Biometric Cyberintelligence* paper)

SELECTED SPEAKING ENGAGEMENTS CONTINUED

PRESENTATIONS IN 2014 CONTINUED

- **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*”
- **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 and Lee University School of Law and Washington and 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 and Lee University Alumni College**, Lexington, VA
 Faculty Presenter: *Snow Falling on Cedars* by David Guterson (*Korematsu’s Long Arm* paper)
- **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*” (*Mirror Image Theory and Judicial Advicegiving in Immigration Policy* paper)

SELECTED SPEAKING ENGAGEMENTS CONTINUED

PRESENTATIONS IN 2013 CONTINUED

- **2013 Duke Law Faculty Workshop**, Durham, NC
Faculty Workshop Presenter in July 2012 (*Search and Seizure of Identity* 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* (*National Security Federalism + Immigration Federalism = Biometric National ID* paper)
- **2013 Privacy Law Scholars Conference**, Berkeley, CA
Commenter/Paper Discussant: “*Discrimination in Online Ad Delivery*” by Latanya Sweeney
- **2013 International Conference on Law & Society**, Boston, MA
Panel: “*The Power of Seeing: The Intersection of Surveillance and Legal Power*” (*National Security Federalism + Immigration Federalism = Biometric National ID* paper)
Roundtable Discussion Panel: “*Arizona SB 1070 and Alabama HB 56: Sealing the Gap Between Criminal Procedure and Immigration Law*”
- **2013 Law, Ethics, and National Security Center, Duke Law**, Durham, NC
National Conference: “*Battlefields, Boardrooms, and Backyards: The New Face of National Security Law*”;
Panel Moderator: “*Technology, Privacy, and Security*”
- **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 Law School, 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*” (discussed *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*” (excerpt of *Reverse-Commandeering*)
- **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)

SELECTED SPEAKING ENGAGEMENTS CONTINUED

PRESENTATIONS IN 2012 CONTINUED

- **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;
Panel: “*The Supreme Court and Arizona’s ‘Racial Profiling’ Law: Constitutionality of SB 1070*” (*Reverse-Commandeering* paper)
- **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’s Program in Public Law and Black Law Students Association***, Durham, NC
Panel: “*Trayvon Martin & the Legal Questions Surrounding His Death*”
- **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)

SELECTED SPEAKING ENGAGEMENTS CONTINUED**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*”

MEDIA

MEDIA ON *SMALL DATA SURVEILLANCE V. BIG DATA CYBERSURVEILLANCE* ARTICLE, 42 PEPPERDINE LAW REVIEW (May 2015) AND *BIG DATA BLACKLISTING*, 67 FLORIDA LAW REVIEW (September 2015)

- ***Computerworld*** [Digital magazine for Information Technology] (Feb. 4, 2016): Press Inquiry for “*Rise of the Cybersurveillance State*” Distinguished Lecture as part of Madison Vision Series, James Madison University, Harrisonburg, VA
- ***Center for American Progress***, Washington, D.C. (Nov. 16, 2015): Press Inquiry from *ThinkProgress*
- **“W&L Law’s Margaret Hu Wins Young Scholar’s Award at Privacy Conference”**
Press Release (July 7, 2015): *Washington and Lee law professor Margaret Hu received the Young Scholar’s Award for her paper, “Big Data Blacklisting,” at the 8th Annual Privacy Law Scholars Conference, June 2015, in Berkeley, CA.*
- ***Bloomberg Newsroom***, NYC (May 6, 2015) Request for Information on Cybersurveillance
- ***BuzzFeed News***, NYC (Aug. 5, 2015) Request for Information on Big Data Blacklisting
- ***Program Director at Free Press***, Durham, NC, (Apr. 27, 2015) Request for Information on Big Data Blacklisting
- ***WSET – TV (ABC 13) Television Interview***, Roanoke, VA (Nov. 21, 2014)
- ***New America Foundation: Countering Homegrown Extremism Online Discussion***, Washington, D.C. (Oct. 27, 2014) (with Shane Harris, Correspondent, *The Daily Beast*)
- ***WBUR-NPR Radio Interview***, Boston, MA (Aug. 11, 2014) on Cybersurveillance Revelations
- ***The Guardian***, NYC-London (March 24, 2014) Request for Cybersurveillance Research
- ***New York Times***, NYC (Jan. 6, 2014) Request for Metadata Surveillance Research

MEDIA ON *BIOMETRIC ID CYBERSURVEILLANCE* ARTICLE, 88 INDIANA LAW JOURNAL (June 2013)

- **“Prof. Margaret Hu’s Cybersurveillance Article Top Download at Duke Repository”**
Blog on over 2,000 downloads of *Biometric ID Cybersurveillance* Article from Duke Law Scholarship Repository in *Washington and Lee Law Faculty Blog* by Peter Jetton (Dec. 30, 2013).
- ***Biometric ID Cybersurveillance Listed on SSRN’s Top Ten Most Downloaded Article on “Journal of Innovation and Social Change”***
SSRN (Social Science Research Network) notice published that *Biometric ID Cybersurveillance* Article is in Top Ten List for SSRN’s *Journal of Innovation and Social Change* (January 22, 2014).
- **“Brave New World of Biometric Identification”**
Review of *Biometric ID Cybersurveillance* in *Concurring Opinions* by Danielle Citron (Aug. 2, 2013)
- **“US Immigration Deal Envisages Use of Military Surveillance at Southern Border”**
Interview in *The Guardian* (UK) and link to *Biometric ID Cybersurveillance* in article by Ed Pilkington (June 25, 2013)
- **“The Brave New World of Identification”**
Review of *Biometric ID Cybersurveillance* in *Jotwell* by Mary Fan (May 17, 2013)
- **“Boston Bombing and Immigration Reform: The Risks of Expanding Biometric Cybersurveillance”**
Institute for Public Accuracy Press Advisory on *Biometric ID Cybersurveillance* (April 25, 2013)

MEDIA CONTINUED

MEDIA ON *REVERSE-COMMANDEERING* ARTICLE, 46 U.C. DAVIS LAW REVIEW (*February 2013*)

- *Arizona Immigration Law is Tip of Immigration Federalism Iceberg*
Duke Media Release on *Reverse-Commandeering* (April 25, 2012)
- *Arizona Immigration Case and “Reverse-Commandeering”*
Institute for Public Accuracy Press Advisory (April 25, 2012)
- *“Could New Argument Against SB 1070 Prove Law is Unconstitutional?”*
Article in *Truth-Out* by Yana Kunichoff (April 26, 2012)

INTERVIEWS DISCUSSING *BIOMETRIC ID CYBERSURVEILLANCE*

- *Pacifica Radio NYC* (Felipe Luciano’s *WakeUp Call* Show, NYC) (April 26, 2013)
- *WZBC Radio News* (WZBC-FM Radio News, John Grebe, Boston) (April 27, 2013)
- *KPOO 89.5 FM* (*Wake Up Everybody* with Donald Lacy, San Francisco) (April 27, 2013)
- *KPFT 90.1 FM* (*The Monitor* with Mark Bebawi, Houston) (April 29, 2013)
- *Pacifica Radio*, Southern California Public Radio (*GoHarrison* Show, L.A.) (April 29, 2013)
- *America’s Radio News Network* (April 29, 2013)
- *Lizz Brown Show* (St. Louis) (April 30, 2013)
- *WBAI Pacifica Radio NYC* (Hugh Hamilton, New York) (April 30, 2013)
- *XM-Sirius Radio* (*Make it Plain* with Mark Thompson) (May 2, 2013)
- *Radio Free Georgia* (*Unwrapped* Radio Show with Chris Askew, Atlanta) (May 6, 2013)

INTERVIEWS DISCUSSING *ARIZONA V. UNITED STATES & REVERSE-COMMANDEERING*

- *NPR Los Angeles* (Ian Masters’ *Background Briefing* Radio Show, Los Angeles) (April 25, 2012)
- *XM-Sirius Radio* (George Wilson’s *GW on the Hill* National Radio Show) (April 25, 2012)
- *Local News Television 14* (*Capital Tonight* Anchor Tim Boyum, Raleigh, NC) (April 26, 2012)
- *NPR Berkeley* (*Living Room* News Radio Show with Kris Welch, Berkeley) (April 26, 2012)
- *Voice of Russia* (*Capitol Correspondent* Radio News Show with Carmen Russell-Sluchansky Washington, D.C.) (April 26, 2012)
- *Radio Free Georgia* (*Unwrapped* Radio Show with Chris Askew, Atlanta) (April 29, 2012)
- *Radio Islam* (*Talk Radio with Abdul Malik Mujahid*, Chicago) (June 26, 2012; April 25, 2012)
- *Pacifica Radio NYC* (Felipe Luciano’s *WakeUp Call* Show, NYC) (July 6, 2012; April 27, 2012)
- *CBS Radio Baltimore* (*Mark Viviano & the Bulldog*, Baltimore) (July 11, 2012)

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. (6/13 – 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. (8/03 – 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. (9/02 – 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 (5/93–5/94)

Board of Directors

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

HARRY S. TRUMAN LIBRARY AND MUSEUM, Independence, MO (3/93–5/95)

Board of Directors

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

POLITICAL APPOINTMENTS

KANSAS COMMISSION ON NATIONAL & COMMUNITY SERVICE, Topeka, KS (3/93-6/94)

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 (12/91-12/93)

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).

SELECTED TRAINING

U.S. DEPARTMENT OF JUSTICE, Washington, D.C.

- 2008-09 Attorney General's Honors Program Hiring Committee (Washington, D.C.)
- 2006 Civil Rights Division, Management and Strategic Planning Retreat (Charlottesville, VA)
- 2001-02 National Advocacy Center, Trial Practice and Pre-Trial Litigation (Columbia, SC)
- 2001 National Institute for Trial Advocacy, Deposition Training (Washington, D.C.)
- 1995-96 Harvard Negotiation Project (Washington, D.C. and Boston, MA)

SELECTED TRAINING CONTINUED

TRUMAN SCHOLARSHIP FOUNDATION SUMMER INSTITUTE (1994), Washington, D.C.

- 1994 Princeton Center for Leadership Training and Center for Creative Leadership
- 1994 Media Relations Training by the late Jody Powell (Carter White House Press Secretary)

SELECTED ACADEMIC PRIZES

- 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 Constitution* paper)
- 2015 Mid-Atlantic People of Color Banks-Haddon Junior Faculty Award (Award for Outstanding Scholarly Achievement and Commitment to Teaching and Service Excellence)

BAR ADMISSION

- State of California