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Education

YALE UNIVERSITY

Juris Doctor

ABD, Program of Doctor of Civil Laws (Law and Political Theory).

Senior Editor, Yale Law Journal (1983 – 1985)

School of Law

1985

UNIVERSITÉ LIBRE DE BRUXELLES

1980 – 1981 Student, in French, at the Institute of European Studies and in Economics

Belgium

PRINCETON UNIVERSITY Woodrow Wilson School of Public and International Affairs

Bachelor of Arts (Summa Cum Laude, Phi Beta Kappa)

1980

Concentration: Economics

Thesis Title: “The Onslaught of Complexity: Information Technologies and Their Effects on Legal and Economic Thought”

Experience

GEORGIA INSTITUTE OF TECHNOLOGY

Elizabeth and Tommy Holder Chair of Law and Ethics

Scheller College of Business

Atlanta, GA

Aug. 2013 – present

Law and Ethics Program. Appointments by courtesy to the College of Computing and the School of Public Policy. Associate Director for Policy, Georgia Tech Institute for Information Security and Privacy. 2013-2017, Nancy J. & Lawrence P. Huang

Professor of

of Law and Ethics.

ALSTON & BIRD, LLP
Senior Counsel

Atlanta, GA

Jan. 2015 – present Under University rules governing outside consulting, assist clients in global law firm on privacy, cybersecurity, and other matters.

PRESIDENT’S REVIEW GROUP ON INTELLIGENCE AND COMMUNICATIONS TECHNOLOGY

Member

2013-2014 One of five members appointed by President Obama to recommend policy changes for the U.S. intelligence community. Report issued in December, 2013. Along with other recommendations that have been adopted, the major provisions of the USA-FREEDOM Act were based on the Report.

WORLD WIDE WEB CONSORTIUM

Co-Chairman, Tracking Protection Working Group

2012-2013 Led global process to develop a Do Not Track standard for users surfing the Internet. Responsible for leading “compliance specification” for web sites that receive a user’s Do Not Track signal.

OHIO STATE UNIVERSITY

C. William O’Neill Professor in Law and Judicial Administration
1996 – 2013

Moritz College of Law
Columbus, OH

2006 Named C. William O’Neill Professor in Law and Judicial Administration
2002 – 2013 Director, Washington DC Summer Program (except when in government)
1997 Promoted to Full Professor
1996-97 Associate Professor

NATIONAL ECONOMIC COUNCIL

Special Assistant to the President for Economic Policy

The White House
Washington, DC

2009 – 2010 Principal responsibility for administration’s inter-agency coordination on housing and housing finance issues. In addition, extensive work on technology issues, including broadband, spectrum, patents, net neutrality, and privacy/surveillance. Reported to Lawrence Summers.

OBAMA-BIDEN PRESIDENTIAL TRANSITION TEAM

Member

Washington, DC

2008 – 2009 Activities included: Counsel to New Media Team; member of transition team for Federal Communications Commission and Federal Trade Commission.

MORRISON & FOERSTER, LLP

Part-time Consultant

Washington, DC

2001 – 2008 Responsibilities for legal work with global privacy and cybersecurity practice.

GEORGE WASHINGTON UNIVERSITY

2001 – 2002 *Visiting Professor*

2002 – 2009 *Adjunct Professor*

Law School
Washington, DC

EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES **The White House**
Chief Counselor for Privacy, Office of Management & Budget Washington, DC

1999 –2001 Policy official with government-wide responsibility for privacy issues. White House Coordinator for HIPAA medical privacy regulation; Coordinator, White House Working Group on legislative proposal to update wiretap and electronic surveillance laws; substantial work on computer security, encryption, international data flows, financial privacy, and other topics.

UNIVERSITY OF VIRGINIA
1990 –1996 *Associate Professor*

School of Law
Charlottesville, VA

POWELL, GOLDSTEIN, FRAZER & MURPHY

Associate Washington, DC
1986 – 1990 Advocacy practice before Congress and agencies, on banking, environmental, high-technology and other issues.

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

1985 – 1986 *Judicial Clerk to the Honorable Ralph K. Winter, Jr.* New Haven, CT & NY, NY

Honors and Awards

Outstanding Academic Scholarship Award, Future of Privacy Forum 10th Anniversary (2019)
Named Andrew Carnegie Fellow for project on “Protecting Human Rights and National Security in the New Era of Data Nationalism” (one of 31 Fellows chosen in national competition) (2018)
Member, National Academy of Sciences Forum on Cyber-Resiliency (2015-present)
Privacy Leadership Award of the International Association of Privacy Professionals (2015) (annual award of the IAPP, a group with over 50,000 members)
Selected, Notable Paper for “Privacy Papers for Policy Makers 2015” by the Future of Privacy Forum, for “Going Dark: Encryption, Technology, and the Balance Between Public Safety and Privacy (2015)
American Library Association 2014 James Madison Award, to the Review Group on Intelligence and Communications Technology, for “the public’s right to know at the national level” (2014).
Selected, “Privacy Papers for Policy Makers 2012” by the Future of Privacy Forum, for “Going Dark vs. the Golden Age of Surveillance” (2012)
First Runner-Up, Privacy Law Scholars Conference vote on best proposal for USvJones.com (2012)
Distinguished Paper Award, 19th IEEE International Conference on Requirements Engineering (2011)
Senior Fellow, Future of Privacy Forum in Washington DC (2010 – present)
Senior Fellow, Center for American Progress in Washington, DC (2005 – 2014, except for leave)
Policy Fellow, Center for Democracy and Technology in Washington DC (2005 – 2015, except for leave)
Cyber Fellow, New America Foundation in Washington DC (2015-present)
Named John Glenn Scholar in Public Policy Research by the John Glenn Institute for Public Policy & Public Service, for “What Should Still be Secret? Lessons on Anti-terrorism, Cybersecurity, and Privacy” (2003)
Distinguished Privacy Leadership Award, presented by Privacy & American Business, 2000
Named Ameritech Faculty Fellow for 1997-99, in competition within Ohio State University, for project on "The Role of Law in Assuring Financial Privacy."
Rotary International Fellowship (1980 – 1981)
Phi Beta Kappa (1980)
Departmental thesis prize for undergraduate thesis at Princeton University (1980)

Selected Funding

Research on Cross-Border Government Access to Data

Over \$950,000 from the Hewlett Foundation, Carnegie Corporation, companies, and others for project to analyze and reform global system for cooperation in trans-border sharing of electronic evidence for law enforcement. 2015-present.

Computing Community Consortium/Computing Research Association

Catalyst grant for four workshops on “Privacy by Design.” Swire was on organizing committee for developing a research program in the field. 2015-2016.

U.S. Department of Commerce, National Strategy for Trusted Identity in Cyberspace

Swire a member of Georgia Tech Research Institute team awarded \$1.7 million for identity trustmarks project. November 2013-November 2015.

National Science Foundation – Computing and Communication Foundations, Software and Hardware Foundations

“Towards Regulatory Compliance Software Engineering with UCON_{LEGAL}”. PIs: Annie I. Antón (Georgia Tech), John Doyle (NC State University). Swire was Senior Personnel for this grant. Proposal was approved for \$400,000. August 2012 - August 2014.

Future of Privacy Forum, Washington, D.C.

Over \$500,000 from Apple, Google, Intel, Microsoft, Yahoo! and others to fund research on encryption, government access to data, de-identification, and related topics. 2011-2017.

John Glenn Institute for Public Policy & Public Service, Ohio State University

Award for “What Should Still be Secret? Lessons on Anti-terrorism, Cybersecurity, and Privacy.” Research funding \$25,000. 2003.

Publications — Books

Peter Swire & DeBrae Kennedy-Mayo, U.S. Private Sector Privacy: Law and Practice for Information Privacy Professionals, 3d edition (International Association of Privacy Professionals, 2018).

Richard Clarke, Michael Morrell, Geoffrey Stone, Cass Sunstein & Peter Swire, Liberty and Security in a Changing World: Report and Recommendations of the President’s Review Group on Intelligence and Communications Technologies (first published 2013, Princeton University Press 2014).

Peter Swire & Kenesa Ahmad, Foundations of Information Privacy and Data Protection: A Survey of Global Concepts, Laws, and Practices (International Association of Privacy Professionals 2012).

Peter Swire & Kenesa Ahmad, U.S. Private Sector Privacy: Law and Practice for Information Privacy Professionals (International Association of Privacy Professionals 2012).

Peter P. Swire & Sol Bermann, Information Privacy: Official Reference for the Certified Information Privacy Professional (International Association of Privacy Professionals, 2007).

Peter P. Swire & Robert E. Litan, None of Your Business: World Data Flows, Electronic Commerce, and the European Privacy Directive (Brookings Institution Press, 1998).

Publications — Academic

“Defining the Scope of ‘Possession, Custody, or Control’ for Privacy Issues and the Cloud Act,” *Journal of National Security Law and Policy*, forthcoming, Justin Hemmings, Sreenidhi Srinivasan, and Peter Swire.

“When Does GDPR Act as a Blocking Statute: The Relevance of a Lawful Basis for Transfer,” in *Building Common Approaches for Cybersecurity and Privacy in a Globalized World*, NYU Center for Cybersecurity (R. Milch et al. eds) (2019).

“Frequently Asked Questions About the U.S. Cloud Act,” Cross-Border Data Forum (Apr. 16, 2019) (with Jennifer Daskal).

“The Important, Justifiable, and Constrained Role of Nationality in Foreign Intelligence Surveillance,” Hoover Institute (January 2019). Peter Swire, Deven Desai & Jesse Woo.

“India-US Cooperation for Law Enforcement Sharing: Blueprints for Reform,” Georgia Tech Project on Cross-Border Access to Data & Observer Research Foundation (January 2019). Madhulika Srikumar, Sreenidhi Srinivasan, DeBrae Kennedy-Mayo, Peter Swire.

“A Pedagogic Cybersecurity Framework: A Proposal for Teaching the Organizational, Legal, and International Aspects of Cybersecurity,” 61 *Communications of the ACM*, No. 10, October 2018.

“Privacy and Cybersecurity Lessons at the Intersection of the Internet of Things and Police Body-Worn Cameras,” 96 *North Carolina Law Review* 101 (2018). Peter Swire & Jesse Woo.

“Why Both the EU and the US are Stricter than Each Other for the Privacy of Government Requests for Information,” 66 *Emory Law Journal* 101 (2017). Peter Swire & Debrae Kennedy-Mayo.

“A Mutual Legal Assistance Case Study: The United States and France,” 34 *Wisconsin International Law Review* 323 (2017). Peter Swire, Justin Hemmings & Suzanne Vergnolle.

“Mutual Legal Assistance in an Era of Globalized Communications: The Analogy to the Visa Waiver Program,” 71 *NYU Annual Survey of American Law* 687 (2017). Peter Swire & Justin Hemmings.

“Stakeholders in Reform of the Global System of Mutual Legal Assistance,” in “Bulk Collection: Systematic Government Access to Private-Sector Data,” (Fred H. Cate & James X. Dempsey, eds.) (Oxford 2017). Peter Swire & Justin Hemmings.

“New Export Requirements on the Horizon for Cybersecurity Products and Technologies,” *Int. Prop. And Tech. L. J.*, Vol 27, No. 9, Sep., 2015 (with Kim Peretti, Jason Waite, & Jason Wool).

“The Declining Half-Life of Secrets and the Future of Signals Intelligence,” New America Cybersecurity Initiative, Jul. 23, 2015.

“The USA Freedom Act: A Partial Response to European Concerns about NSA Surveillance,” Working Paper, Jean Monnet Centre of Excellence, 2015.

“Lessons from Fair Lending Law for Fair Marketing and Big Data,” Future of Privacy Forum, and presented before Federal Trade Commission Workshop on “Big Data: A Tool for Inclusion or Exclusion?” (2014).

“Identifying and classifying ambiguity for regulatory requirements,” 22nd *IEEE International Requirements Engineering Conference (RE14)*, Aaron K. Massey, Richard L. Rutledge, Annie I. Antón and Peter Swire, pp. 83-92, Karlskrona, Sweden, 25-29 August 2014.

“Peter Hustinx and Three Clichés About E.U.-U.S. Data Privacy,” in *Data Protection Anno 2014: How to Restore Trust?* (Hielke Hijmans & Herke Kranenborg ed.) (Intersentia 2014).

“Why the Right to Data Portability Likely Reduces Consumer Welfare: Antitrust and Privacy Critique,” 72 *Maryland Law Review* 335 (2013).

- “The Second Wave of Global Privacy Protection: Symposium Introduction,” 74 *Ohio St. L. J.* 841 (2013).
- “Automated Text Mining for Requirements Analysis of Policy Documents,” Aaron K. Massey, Jacob Eisenstein, Annie I. Antón and Peter Swire. *21st IEEE International Requirements Engineering Conference (RE'13)*^[1]_[SEP] Rio de Janeiro Brazil, pp. 4-13, 15-19 July 2013.
- “From Real-Time Intercepts to Stored Records: Why Encryption Drives the Government to Seek Access to the Cloud,” *International Data Privacy Law* (2012), doi: 10.1093/idpl/ips025.
- “Managing Changing Compliance Requirements by Predicting Regulatory Evolution: An Adaptability Framework,” Jeremy C. Maxwell, Annie I. Antón, Peter Swire. *20th IEEE International Requirements Engineering Conference* (2012), Chicago, Sept. 2012.
- “Encryption and Globalization,” 13 *Colum. Sci. & Tech. L. Rev.* 416 (2012). Peter Swire & Kenesa Ahmad.
- “A Legal Cross-References Taxonomy for Reasoning about Compliance Requirements,” Jeremy Maxwell, Annie I. Antón, Peter Swire, Maria Riaz & Christopher McCraw, *Requirements Engineering Journal*, Springer-Verlag, 2012.
- “Social Networks, Privacy, and Freedom of Association: Data Protection vs. Data Empowerment,” 90 *North Carolina Law Review* 1371 (2012).
- “A Reasonableness Approach to Searches after the Jones GPS Tracking Case,” 64 *Stanford L. Rev. Online* 57 (2012).
- “Why the U.S. Government Should Have a Privacy Office,” 10 *J. Telecomm. & High Technology L.* 41 (2012).
- “A Legal Cross-References Taxonomy for Identifying Conflicting Software Requirements,” *IEEE International Requirements Engineering Conference*, (2011) (awarded “Distinguished Paper” for the conference), Jeremy Maxwell, Annie I. Antón, & Peter Swire.
- “Peeping,” 24 *Berkeley Journal of Law & Technology* 1164 (2009).
- “The Consumer as Producer: The Personal Mainframe and the Law of Computing,” 42 *Law/Technology*, 1st Quarter 2009, at 5.
- “When Should ‘Consumers-as-Producers’ Have to Comply With Consumer Protection Laws?” 31 *J. Consumer Pol’y* 473 (2009).
- “Book Review: Proportionality for High-Tech Searches,” 6 *Ohio St. J. Crim. L.* 751 (2009) (reviewing Christopher Slobogin, *Privacy at Risk: The New Government Surveillance and the Fourth Amendment*).
- “Introductory Essay for ‘Privacy Law: Year in Review, 2008’” 4 *I/S: A Journal of Law and Policy for the Information Society* (2009).
- “No Cop on the Beat: Underenforcement in E-Commerce and Cybercrime,” 7 *J. Telecomm. & High Technology L.* 107 (2009).
- “The ID Divide: Addressing the Challenges of Identification and Authentication in American Society,” *Center for American Progress* (2008) (with Cassandra Q. Butts).
- “Introductory Essay for ‘Privacy Law: Year in Review, 2007,’” 3 *I/S: A Journal of Law and Policy for the Information Society* 373 (2008).
- “Introductory Essay for ‘Privacy Law: Year in Review, 2005-2006,’” 2 *I/S: A Journal of Law and Policy for the Information Society* 475 (2006).
- “Privacy and Information Sharing in the War on Terrorism,” 51 *Villanova L. Rev.* 260 (2006).
- “A Theory of Disclosure for Security and Competitive Reasons: Open Source, Proprietary Software, and

Government Systems,” 42 *Houston Law Review* 1333 (2006).

“Introductory Essay for ‘Privacy Law: The Year in Review, 2004’,” *I/S: A Journal of Law and Policy for the Information Society* (2005).

“Elephants and Mice Revisited: Law and Choice of Law on the Internet,” 153 *U. Penn. L. Rev.* 1975 (2005).

“Through the Privacy Lens,” 4 *J. Marshall Rev. Intell. Prop. L.*, Issue 2 (with Julie Cohen & David Sorkin) (2005).

“Katz is Dead, Long Live Katz,” 102 *Mich. L. Rev.* 904 (2004).

“The System of Foreign Intelligence Surveillance Law,” 72 *Geo. Wash. L. Rev.* 1306 (2004).

“A Model for When Disclosure Helps Security: What Is Different About Computer and Network Security?” 3 *J. Telecomm. & High Technology L.* 163 (2004); republished in *Knowledge Policy for the 21st Century* (Mark Perry & Brian Fitzgerald, eds.) (2009).

“Efficient Confidentiality for Privacy, Security, and Confidential Business Information,” *Brookings-Wharton Papers on Financial Services* (Brookings, 2003).

“Trustwrap: The Importance of Legal Rules for E-Commerce and Internet Privacy,” 54 *Hastings L.J.* 847 (2003).

“State Wiretaps and Electronic Surveillance After September 11,” 54 *Hastings L.J.* 971 (2003) (with Charles Kennedy).

“The Surprising Virtues of the New Financial Privacy Law,” 86 *Minn. L. Rev.* 1263 (2002).

“Security and Privacy After September 11: The Health Care Example,” 86 *Minn. L. Rev.* 1515 (2002) (with Lauren Steinfeld).

“The Ethical and Legal Implications of *Jaffee v. Redmond* and the HIPAA Medical Privacy Rule for Psychotherapy and General Psychiatry,” 25 *Psychiatric Clinics of North America* 575 (2002). Peter Swire & Paul Mosher.

“Financial Privacy and the Theory of High-Tech Government Surveillance,” 77 *Washington U. L.Q.* 461 (1999) & *Brookings-Wharton Papers on Financial Services* (1999).

“Of Elephants, Mice, and Privacy: International Choice of Law and the Internet,” 32 *The International Lawyer* 991 (1998).

“The Uses and Limits of Financial Cryptography: A Law Professor's Perspective,” chapter in the *proceedings of Financial Cryptography '97* (Springer-Verlag, 1997).

“Markets, Self-Regulation, and Legal Enforcement in the Protection of Personal Information,” U.S. Department of Commerce, *Privacy and Self-Regulation in the Information Age* (1997).

“The Race to Laxity and the Race to Undesirability: Explaining Failures in Competition Among Jurisdictions in Environmental Law,” *Yale Law & Policy Rev./Yale J. on Regulation*, Symposium: Constructing a New Federalism 67 (1996).

“Equality of Opportunity and Investment in Creditworthiness,” 143 *U. Pa. L. Rev.* 1533 (1995).

“The Persistent Problem of Lending Discrimination: A Law and Economics Analysis,” 73 *Tex. L. Rev.* 787 (1995).

“Safe Harbors and a Proposal to Improve the Community Reinvestment Act,” 79 *Va. L. Rev.* 349 (1993).

“Bank Insolvency Law Now That It Matters Again,” 42 *Duke L.J.* 469 (1992).

“The U.S. Liability System: Background and Trends,” in *Liability: Perspectives and Policies* (Brookings, 1988).

Robert Litan, Peter Swire & Cliff Winston.

Note, The Incorporation of Independent Agencies Into the Executive Branch, 94 *Yale L.J.* 1766 (1985).

Book Review, 1 *Yale J. L. & Pol'y* 417 (1983) (reviewing Jerry L. Mashaw, *Bureaucratic Justice: Managing Social Security Disability Claims*).

Testimony and Other Public Comments

White paper on The Lower Health Care Costs Act, S. 1895, Senate Committee on Health, Education, Labor & Pensions, “Possible Privacy, Cybersecurity, and Data Breach Issues in the Proposed National Medical Claims Database Under Section 303 of S. 1895,” (Sept. 27, 2019).

Testimony before the European Political Strategy Centre of the European Commission, on “Building a European Data Economy,” March, 2017.

Testimony before the Irish High Court, as independent expert witness selected by Facebook for the “Schrems 2” case, March, 2017.

Testimony before the Senate Commerce Committee on “How Will the FCC’s Proposed Privacy Regulations Affect Consumers and Competition?” July 2016.

Comments submitted to the Federal Communications Commission on “Supplementing the Record About Limits on ISP Comprehensive and Unique Visibility,” June, 2016 (with Justin Hemmings).

Comments submitted to the Federal Communications Commission on “Online Privacy and ISPs,” May, 2016 (with Justin Hemmings and Alana Kirkland).

Testimony submitted to the Belgian Privacy Authority on “US Surveillance Law, Safe Harbor, and Reforms Since 2013,” December, 2015.

Testimony before the Senate Judiciary Committee on “Going Dark: Encryption, Technology, and the Balance Between Public Safety and Privacy,” July, 2015.

“Comments to the FCC on Broadband Consumer Privacy,” presented before the Federal Communications Commission Workshop on Broadband Consumer Privacy, April, 2015.

“Lessons from Fair Lending Law for Fair Marketing and Big Data,” presented before Federal Trade Commission Workshop on “Big Data: A Tool for Inclusion or Exclusion?” September, 2014.

Testimony before the House Judiciary Committee, “Examining Recommendations to Reform FISA Authorities,” February, 2014.

Testimony before the Senate Judiciary Committee, “Hearing on the Report of the President’s Review Group on Intelligence and Communications Technologies,” January, 2014.

Testimony before the Senate Intelligence Committee on the Report of the President’s Review Group on Intelligence and Communications Technology, (closed session) January, 2014.

Testimony before the Senate Commerce Committee on “A Status Update on the Development of Voluntary Do-Not-Track Standards,” April, 2013.

Testimony before the Senate Homeland Security Committee on “State of Federal Privacy and Data Security Law: Lagging Behind the Times?” July, 2012.

Testimony before the Senate Commerce Committee on “The Need for Privacy Protections: Is Industry Self-Regulation Adequate?” June, 2012.

“De-Identification and the Privacy Multistakeholder Process.” Comments submitted to the U.S. Department of Commerce, April, 2012.

Testimony before the House Energy & Commerce Committee on “Internet Privacy: The Impact and Burden of EU Regulation,” September, 2011.

Testimony before the Senate Banking Committee on “National Mortgage Servicing Standards,” August, 2011.

“Delivering ERISA Disclosure for Defined Contribution Plans: Why the Time Has Come to Prefer Electronic Delivery.” Comments submitted to the U.S. Department of Labor, June, 2011.

“Social Networks, Privacy, and Freedom of Association.” Comments submitted to the Federal Trade Commission, January, 2011.

“Why the Federal Government Should Have a Privacy Policy Office.” Comments submitted to the U.S. Department of Commerce, January 28, 2011.

Comments submitted to the U.S. Department of Health and Human Services on Health Data Breach Guidelines, May 22, 2009.

“The FTC @ 100 and the Future of Consumer Protection,” Testimony submitted to the Federal Trade Commission for the FTC at 100 Project, October 30, 2008.

Testimony before the Senate Judiciary Committee on “Laptop Searches and Other Violations of Privacy Faced by Americans Returning from Overseas Travel,” June 25, 2008.

Testimony before the Senate Homeland Security and Governmental Affairs Committee, on “Protecting Personal Information: Is the Federal Government Doing Enough?” June 18, 2008.

Comments submitted to the Federal Trade Commission on Proposed Principles for Online Behavioral Advertising, April 10, 2008 (with Annie I. Antón).

“Protecting Consumers: Privacy Matters in Antitrust Analysis,” Testimony submitted to the Federal Trade Commission on Privacy and Antitrust, October 19, 2007.

Testimony before the House Oversight and Government Reform Subcommittee on Information Policy, Census, and National Archives, on electronic medical records and privacy, June 19, 2007.

Testimony before the Senate Judiciary Committee, on National Security Letters, April 11, 2007.

Testimony before the House Energy and Commerce Committee, on “Privacy in the Commercial World II,” June 20, 2006.

Testimony before the House Judiciary Committee, on “Personal Information Acquired From Information Resellers: Is There Need for Improvement?” April, 2006.

Testimony before the White House Privacy and Civil Liberties Board, Dec. 5, 2006.

Testimony before the House Judiciary Committee, on Section 218 of the Patriot Act, April, 2005.

Testimony before the House Judiciary Committee, on Sections 209 & 217 of the Patriot Act, April, 2005.

Comments submitted to federal financial regulatory agencies on short privacy notices, Mar. 29, 2004.

Testimony before the House Financial Services Committee on “Reauthorization of the Fair Credit Reporting Act,” May, 2003.

Testimony before the House Judiciary Committee on “Privacy and the Homeland Security Department,” July, 2002.

Comments submitted to the U.S. Department of Health and Human Services on medical privacy regulation, March, 2002.

Comments submitted to the U.S. Department of Health and Human Services on medical privacy regulation, April, 2001.

Comments submitted to the U.S. Department of Commerce on the proposed safe harbor for transborder data flows, December, 1998.

Testimony before the U.S. Senate Banking Committee, concerning proposed reform of bank insolvency laws, June, 1995.

Other Writings

“Foreign Intelligence and Other Issues in the Initial Opinion in Schrems II,” *Lawfare*, Dec. 23, 2019.

“The U.K.-U.S. CLOUD Act Agreement is Finally Here, Containing New Safeguards,” *Lawfare*, Oct. 8, 2019 (with Jennifer Daskal).

“The US, China, and Case 311/18 on Standard Contractual Clauses,” *European Law Blog*, July 15, 2019.

“Interdire le transfert de données seulement vers les Etats-Unis serait une aberration,” *Le Monde*, July 11, 2019.

“Two Ways that Smaller Countries Could Participate in Emerging Global Systems of Transfer of Electronic Evidence,” *Cross-Border Data Forum*, May 30, 2019 (with DeBrae Kennedy-Mayo).

“EU and U.S. Negotiations on Cross-Border Data, Within and Outside of the Cloud Act Framework,” *Cross-Border Data Forum* (Apr. 13, 2019).

“The Important, Justifiable, and Constrained Role of Nationality in Foreign Intelligence Surveillance,” *Lawfare*, Jan. 11, 2019 (with Jesse Woo, Deven Desai).

“U.S. Federal Privacy Preemption Part 1: History of Federal Preemption of Stricter State Laws,” *IAPP Privacy Tracker*, Jan. 9, 2019.

“U.S. Federal Privacy Preemption Part 2: Examining Preemption Proposals,” *IAPP Privacy Tracker*, Jan. 10, 2019.

“How Stricter Procedures in Existing Law May Provide a Useful Path for Cloud Act Executive Agreements,” *Cross-Border Data Forum*, Nov. 16, 2018 (with Justin Hemmings, Sreenidhi Srinivasan).

“The Globalization of Criminal Evidence,” *IAPP*, Oct. 18, 2018. (with Théodore Christakis, Jennifer Daskal).

“Announcing the New Cross-Border Data Forum,” *IAPP*, Oct. 18, 2018. (with Théodore Christakis, Jennifer Daskal).

“Recommendations for the Potential U.S.-U.K. Executive Agreement Under the Cloud Act,” *Lawfare*, Sept. 14, 2018. (with Justin Hemmings).

“Insight: A Canary in the Ad Tech Coal Mine? German DPAs Announce Opt-In Regime for Online Advertising,” *Bloomberg Law: Privacy & Data Security*, June 29, 2018 (with Dan Felz).

“A Possible EU-US Agreement on Law Enforcement Access to Data?,” *Lawfare*, May 21, 2018 (with Jennifer Daskal).

“The Importance of Accurate Retrieval of Data Subjects’ Personal Data in Complying with GDPR Individual Rights Requirements,” *Alston & Bird, Privacy and Data Security Blog*, May 16, 2018 (with Jan Dhont and DeBrae Kennedy-Mayo).

“2018 Update to Delivering ERISA Disclosure for Defined Contribution Plans: Why the Time Has Come to Prefer Electronic Delivery,” May, 2018 (with DeBrae Kennedy-Mayo).

“Suggestions for Implementing the Cloud Act,” *Lawfare*, Apr. 30, 2018, (with Jennifer Daskal).

“What the CLOUD Act Means for Privacy Pros,” International Association of Privacy Professionals, *Privacy Tracker*, Mar. 26, 2018 (with Jennifer Daskal).

“The Cloud Act and its Impact on Cross-border Access to the Contents of Communications,” Alston & Bird, *Privacy & Data Security Blog*, Mar. 25, 2018 (with Justin Hemmings).

“Privacy and Civil Liberties Under the CLOUD Act: A Response,” *Lawfare*, Mar. 21, 2018 (with Jennifer Daskal).

“Why the CLOUD Act is Good for Privacy and Human Rights,” *Lawfare*, Mar. 14, 2018 (with Jennifer Daskal).

“The CLOUD Act: A Welcome Legislative Fix for Cross-Border Data Problems,” *Lawfare*, Feb. 6, 2018 (with Andrew Keane Woods).

“Reform Section 702 to Maintain Fourth Amendment Principles,” *Lawfare*, Oct. 19, 2017 (with Richard Clarke).

“EU Judges US Surveillance Law,” *Lawfare*, Sep. 11, 2017.

“Should the Leading Online Tech Companies Be Regulated as Public Utilities?” *Lawfare*, Aug. 2, 2017.

“WannaCry About Backdoors,” *Future of Privacy Forum*, June 2, 2017.

“Why Cross-Border Government Requests for Data Will Keep Becoming More Important,” *Lawfare*, May 23, 2017.

“Why CISOs Should Care About Developments in the EU,” *National Technology Security Coalition Blog*, Apr. 18, 2017.

“A Qualified SPOC Approach for India and Mutual Legal Assistance,” *Lawfare* (with Deven Desai), Mar. 2, 2017.

“Reforming Mutual Legal Assistance Needs Engagement Beyond the U.S.,” *Lawfare* (with Ian Brown and Vivek Krishnamurthy), Mar. 2, 2016.

“Explaining U.S. Surveillance Law Protections for an EU Audience,” *Lawfare*, Dec. 22, 2015.

“Why U.S. Surveillance Law Protections Are Better Than Europe Thinks,” *IAPP Privacy Perspectives*, Dec. 18, 2015.

“Solving the Unsolvable on Safe Harbor—The Role of Independent DPAs,” *IAPP Privacy Perspectives*, Oct. 13, 2015.

“Don’t Strike Down the Safe Harbor Based on Inaccurate Views About U.S. Intelligence Law,” *IAPP Privacy Perspectives*, Oct. 5, 2015.

“What the FBI Director Could Learn from the Rolling Stones,” *Huffington Post*, Sep. 30, 2015 (with Richard A. Clarke).

“The Declining Half-Life of Secrets,” *Just Security*, Jul. 23, 2015. (One of 15 most-read JS articles of the year.)

“The Golden Age of Surveillance,” *Slate*, Jul. 15, 2015.

“The USA Freedom Act, the President’s Review Group, and the Biggest Intelligence Reform in 40 Years,” *IAPP Privacy Tracker*, Jun. 3, 2015.

“A Historical Primer for This Week’s Judicial and Congressional Actions on Section 215 Bulk Collection,” *IAPP Privacy Tracker*, May 14, 2015.

“Preparing to Debate NSA Surveillance and Online Commercial Tracking,” *IAPP Privacy Perspectives*, Feb. 18, 2015.

“Protecting Health Data Critical,” *Atlanta Journal Constitution*, Jan. 23, 2015 (with Annie Antón).

“The FBI Doesn’t Need More Access: We’re Already in the Golden Age of Surveillance,” *Just Security*, Nov. 17, 2014.

“Amend the Privacy Act to Provide Further Privacy Protections to European and Other Non-U.S. Persons,” *Future of Privacy Forum Blog*, Nov. 12, 2014.

“The Chinese Hacking Indictments and Why Economic Espionage is Different,” *IAPP Privacy Perspectives*, May 21, 2014.

“The NSA Shouldn’t Stockpile Web Glitches,” *The Daily Beast*, Apr. 18, 2014 (with Richard Clarke).

“Why Tech Companies and the NSA Diverge on Snowden,” *Washington Post*, Jan. 31, 2014.

“Engineers and Lawyers in Privacy Protection: Can We All Just Get Along,” *IAPP Privacy Perspectives*, Jan. 13, 2014 (with Annie Antón).

“Protecting Citizens, and Their Privacy,” *New York Times*, Dec. 10, 2013 (with other members of the Review Group).

“Why the New Senator Markey May Be the Most Influential Privacy Congressman in History,” *IAPP Privacy Perspectives*, June 26, 2013.

“Telephone Records and PRISM – the First Job for the Privacy and Civil Liberties Oversight Board,” *IAPP Privacy Perspectives*, June 7, 2013.

“Going Dark vs. Going Secure – New CDT Experts Report on CALEA II,” *IAPP Privacy Perspectives*, May 16, 2013.

“How to Prevent the ‘Do Not Track’ Arms Race,” *Wired*, Apr. 24, 2013.

“Alan Westin’s Legacy of Privacy and Freedom,” *IAPP Privacy Perspectives*, March 7, 2013.

“Moving Too Fast on Cybersecurity,” *thehill.com*, Apr. 20, 2012.

“‘Going Dark’ vs. ‘A Golden Age for Surveillance,’” *Center for Democracy and Technology*, Nov. 28, 2011 (with Kenesa Ahmad).

“The Need for Consumer Protection Laws for Homeowners,” *Center for American Progress*, Aug. 8, 2011.

“Avoiding Voicemail Hacking in the U.S.,” *thehill.com*, Jul. 26, 2011 (with Christopher Soghoian).

“Why Privacy Legislation is Hot Now,” *thehill.com*, Jun. 23, 2011.

“What the Fair Credit Reporting Act Should Teach Us About Mortgage Servicing,” *Center for American Progress*, Feb. 28, 2011.

“Getting Online Privacy Policy Right,” *Center for American Progress*, Jan. 28, 2011.

“Homeowners are Consumers, Too,” *Center for American Progress*, Dec. 23, 2010.

“Stopping Foreclosures Amid Mortgage Modifications,” *Center for American Progress*, Nov. 19, 2010.

“Bankers Should Take Personal Responsibility for the Mortgage Mess,” *Center for American Progress*, Oct. 11, 2010.

“Smart Grid, Smart Broadband, Smart Infrastructure,” *Center for American Progress*, Apr. 8, 2009.

“It’s Not the Campaign Any More: How the White House is Using Web 2.0 Technology So Far,” *Center for American Progress*, June, 2009.

“How to Buy Free Software: Procuring Web 2.0 Technology for the Federal Government,” *Center for American*

Progress, June, 2009.

“Six New Media Challenges: Legal and Policy Considerations for Federal Use of Web 2.0 Technology,” *Center for American Progress*, June, 2009.

“Transparency Can Alleviate Systemic Risk,” *American Banker*, Apr. 17, 2009.

“Phone Tracking Should Require a Warrant,” *American Constitution Society*, Apr. 17, 2009.

“Smart Grid, Smart Broadband, Smart Infrastructure,” *Center for American Progress*, April, 2009.

“Tech Policy and the Financial Crisis,” Talking Points Memo, Oct. 21, 2008.

“The ID Divide: Addressing the Issues of Authentication and Identification in American Society,” in American Constitution Society, “A Fresh Start for a New Administration: Reforming Law and Justice Policies,” October, 2008.

“Bush’s Budget Repeats Cybersecurity Mistakes,” *Center for American Progress*, Feb. 4, 2008.

“Privacy Key to Yahoo Merger; Microsoft Bid Must Ensure Safeguards,” *Center for American Progress*, Feb. 1, 2008.

“Google and Privacy: Merger with DoubleClick Prompts New Privacy Guidelines,” *Center for American Progress*, Dec. 20, 2007.

“We Are the Web,” *Center for American Progress*, Dec. 18, 2007.

“Transparency in Jeopardy,” (Review of Alisdair McIntyre, *Blacked Out: Government Secrecy in the Information Age*), *Issues in Science & Technology*, Winter, 2007.

“Funding the FTC,” *Center for American Progress*, Feb. 26, 2007.

“Why There Are No Privacy Problems Raised by the Ohio Fair Minimum Wage Amendment,” Oct., 2006.

“A Question of Impartiality,” *Detroit Free Press*, Aug. 31, 2006.

“The Internet and the Future of Consumer Protection,” *Center for American Progress*, July 24, 2006.

“Is Data Retention Secure?,” *Federal Computer Week*, June 12, 2006.

“Disclosing Records Clearly Illegal,” *Cincinnati Enquirer*, May 21, 2006.

“Research Report: Application of IBM Anonymous Resolution to the Health Care Sector,” Apr., 2006.

“Auditing Access to and Use of a Health Information Exchange,” *Markle Connecting for Health Common Framework*, April, 2006.

“A Call for Action: Report from the National Consumers League Anti-Phishing Retreat” (served as “reporter” for this project), March, 2006.

“Legal FAQs on NSA Wiretaps,” *Center for American Progress*, Jan. 30, 2006.

“Making Privacy a Priority,” *Federal Computer Week*, Jan. 23, 2006.

“Creating a Trusted Information Sharing Environment: Using Immutable Audit Logs to Increase Security, Accountability, and Transparency” (with Jeff Jonas), *Markle Foundation Task Force on National Security in the Information Age*, January 2006.

“Councilman Reversal Protects Email Privacy,” *Privacy & Information L. Rept.*, Oct. 2005, at 1.

“Justice Department Opinion Undermines Protection of Medical Privacy,” Center for American Progress, June, 2005.

“Section 215 of the Patriot Act,” *www.patriotdebates.com*, Apr., 2005.

“The New Federal Privacy Officials,” *Privacy & Information L. Rept.*, Mar. 2005, at 8.

“The Wrong Civil Liberties Board,” *Center for American Progress guest editorial*, Sept. 2004.

“Has Technology Outstripped Telephone Legal Protections?,” *Privacy Journal*, June, 2004, at 3.

“Don’t Delete Internet Privacy,” *Detroit Free Press*, Aug. 26, 2003.

“Protecting Privacy from the ‘New Spam’,” *Boston Globe*, July 27, 2003, at E11.

“Enforcement of the HIPAA Privacy Rule: The Past Is Our Guide,” *Privacy & Information Law Reporter*, June, 2003, at 1 (with Brian Busey).

“The Online/Offline Question”, in “Considering Consumer Privacy: A Resource for Policymakers and Practitioners” (Center for Democracy and Technology 2003).

Eisenach & Swire, “Ensuring Privacy’s Post-Attack Survival,” *www.zdnet.com*, Sept.11, 2002.

“New Procedures Under HIPAA for Disclosure of Protected Health Information in Judicial and Administrative Proceedings,” *Privacy & Information Law Reporter*, Sept., 2002, at 1 (with Brian Busey and Sean Ruff).

“Speaking Out About Wiretaps,” *Wash. Post*, Aug. 30, 2002, at A23 (with John Podesta).

"Privacy and the Future of Justice Statistics," Proceedings of a National Conference on Privacy, Technology, and Criminal Justice Information , *SEARCH -- The National Consortium for Justice Information and Statistics* (2001).

“If Surveillance Expands, Safeguard Civil Liberties,” *Atlanta Journal Constitution*, Oct. 21, 2001.

“Administration Wiretap Proposal Hits the Right Issues But Goes Too Far,” *Brookings Terrorism Project Website*, Oct. 3, 2001.

“Cato Privacy Paper Not Persuasive,” available at Swire web site, Aug. 10, 2001 (critiquing Tom Bell, "Internet Privacy and Self-Regulation: Lessons from the Porn Wars").

“New Study Substantially Overstates Costs of Internet Privacy Protections,” available at Swire web site, May 9, 2001 (critiquing Robert Hahn, "As Assessment of the Costs of Online Privacy Protection").

“Peter Swire on Privacy, Pay Phones, and Strong Crypto,” *Electronic Banking Law and Commerce Report*, Apr., 2001, p. 1 (interview on financial privacy).

“Privacy is Peter Swire's Domain: Behind the Scenes He's President's Go-to Guy,” by Elizabeth Weise, *USA Today*, June 7, 2000, Life Section, p. 1 (press profile).

“The Great Firewall of Europe,” *CIO Magazine*, Feb. 15, 1998, at 26.

“Invasion of the Space Alien Movies,” *Ohio State Hearsay*, Sept. 1997.

“The Consumer Credit Reporting Reform Act and the Future of Electronic Commerce Law,” *Electronic Banking Law & Commerce Rep.*, Nov./Dec. 1996.

“Bank on Streamlined Regulation,” *Wall St. J.*, Nov. 21, 1994, at A16.

“Jonah, the Bible, and Environmental Values,” *Va. L. Weekly*, Sept. 23, 1994, at 1.

“Lifting CRA's Threat to Mergers,” *American Banker*, Jan. 5, 1993, at 4.

“Good Old Days Disappear in Banking Regulation,” *Va. L. Rept.*, Summer, 1991, at 21.

Eizenstat & Swire, “Try Efforts That Are Neutral of Race, Too,” *Los Angeles Times*, Feb. 14, 1989.

“Tropical Chic”, *The New Republic*, Jan. 30, 1989.

Lazarus & Swire, "Reactionary Activism", *The New Republic*, Feb. 22, 1988.

Selected Professional Activities

Research Director, Cross-Border Data Forum (2018-present).

Adviser, American Law Institute/European Law Institute, Project on Principles for a Data Economy (2018 – present).

Member, Forum on Cyber Resilience, The National Academies of Sciences-Engineering-Medicine (2015 – present).

Senior Fellow and Member of the Advisory Committee, Future of Privacy Forum (2010-present). *The Future of Privacy Forum* “is a Washington, DC based think tank that seeks to advance responsible data practices.”

Policy Fellow and pro bono advisor, Center for Democracy and Technology (2005-2014), except when in government). *The Center for Democracy and Technology* “is a non-profit public interest organization working to keep the Internet open, innovative, and free.” *Projects on topics including Internet privacy, authentication, surveillance practices, and spyware.*

Cyber Fellow, New American Foundation/Open Technology Institute (2015-present). *New America* “is dedicated to the renewal of American politics, prosperity, and purpose in the digital age.”

Senior Fellow, Center for American Progress (2005-2014, except when in government). *The Center for American Progress* is a think tank in Washington, D.C., whose mission is as a “nonpartisan research and educational institute dedicated to promoting a strong, just, and free America that ensures opportunity for all.”

“Volunteer Group” to update the Organization for Economic Cooperation and Development Privacy Guidelines (2011 to 2013). *The OECD Privacy Guidelines on the Protection of Privacy and Transborder Flows are the most widely-cited international consensus guidelines for privacy protection. In late 2011 I was named as the sole U.S. academic for the working group considering revision of these Guidelines, with workshops in Brussels, Paris, and elsewhere.*

Guest blogger, Lawfare (2015-present), **International Association of Privacy Professionals** (2013-present); **ConcurringOpinions.com** (2012-2013).

Markle Foundation. “Markle works to realize the full potential of information and information technology to address critical public needs, particularly in the areas of health and national security.” *In 2005-2006, I served as an Associate to the Task Force on National Security in the Information Age. In 2004-2006, I served on the Connecting for Health Task Force.*

Reporter, Committee on Technology and Privacy, The Constitution Project: The Liberty and Security Initiative, 2002-2004. *This project focused on privacy and security in the wake of the attacks of September 11, 2001.*

Consulting Expert, Organization for Economic Cooperation and Development, on project for assessing fair information practices for genetic information, 2001-2002.

Consulting expert, U.S. Department of Commerce, to lead federal inter-agency delegation to six European countries

for research concerning the safe harbor principles for transfers of data between the European Union and the United States, 1998-1999

Consulting expert, Center for Legal and Social Research (headed by Dr. Alan Westin), on Model Contracts Project for Transborder Data Flows, 1998-1999.

Associate Director of Studies, The American Agenda (assisted on domestic and economic policy issues in preparation of bipartisan report to President-elect), June-November 1988.

Professional Service – Editorial Boards

Editor, Cyberspace Law Abstracts of the Social Science Research Network. *One of two editors, originally with Larry Lessig and now with Jonathan Zittrain.* (1998 – present) (on leave while in government).

Faculty Editor, *I/S: A Journal of Law and Society for the Information Age* (2004 – 2013) (on leave while in government).

Editorial Board, *Journal of National Security Law and Policy* (2004 – present) (on leave while in government).

Advisory Board, *BNA Electronic Commerce Report* (2003 – present).

Advisory Board, *Privacy & Information Law Reporter* (2002 – 2008).

Editorial Advisory Board, *Electronic Banking Law & Commerce Report* (1997-1999).

Selected Program Committees: Requirements Engineering Law '13, '14, '15; Telerise '15.

Professional Service – Selected Industry Advisory Boards

Member, Intel Privacy and Security Advisory Board, 2005-2015 (on leave while in government).

Member, Trustworthy Computing Academic Advisory Board, Microsoft, 2003-08, 2012-2014.

Advisory Board, Sensity, 2013-2016.

Advisory Board, Strevus, 2013-2015.

Advisory Board, Enlocked, 2013-2015.

Advisory Board, Sentrigo, 2006-2009.

Academic advisor, Google Health Care Board, 2006-07.

Member, IBM Privacy and Security Advisory Board, 2001-02.

University Service

Georgia Institute of Technology, Scheller College of Business, 2013-present. *Associate Director for Policy, Institute for Information Security and Privacy; Scheller College Representative, Institute for Data Engineering and Science; Scheller College Promotion & Tenure Review Committee; Scheller College Strategic Planning Committee; Member, Institute-wide Data Science Faculty Council.*

Director, Washington, D.C. Summer Law Program of the Moritz College of Law, 2002-2013. *Each summer approximately 20 Moritz law students worked in internships, approximately half in federal agencies and half in non-profits. I worked closely with each student to secure a good internship, and taught two courses to them in the summer.*

Faculty Editor, “Privacy Year in Review,” for I/S: A Journal of Law and Policy for the Information Society, 2004-2013. *This issue for several years was distributed to all members of the International Association of Privacy Professionals, and I at that time supervised 10-14 student note publications for this issue.*

Committee memberships: *I served on a range of committees at Ohio State, including appointments, long-range planning, promotion & tenure, and as an advisor to the Dean on press relations.*

Teaching

Georgia Institute of Technology, Scheller College of Business, Professor (2013-present).

- Privacy, Technology, Policy, and Law
- Privacy for Professionals (online course)
- Information Security Strategies and Policy
- Introduction to Business Law
- Executive education programs on cybersecurity and privacy

Ohio State University, Moritz College of Law, Associate Professor (1996-1998), Professor (1998 – 2013) (except for leave):

- Antitrust
- Business Associations
- Environmental Law
- Environmental Law Topics (seminar)
- Ethics of Washington Lawyering
- Financial Crisis (seminar)
- Introduction to U.S. Law
- Law of Cybersecurity
- Law of Cyberspace
- Privacy and Cyberspace (seminar)
- Privacy Law
- Torts
- Washington, D.C. summer program externship seminar

George Washington University Law School, Visiting Professor (2001 – 2002), Adjunct Professor (2002 – 09):

- Business Associations
- Ethics of Washington Lawyering (cross-listed in summers with Ohio State)
- Law of Cyberspace
- Torts

University of Virginia School of Law, Associate Professor (1990 – 1996):

- Banking Regulation
- Environmental Law

- Legislation
- Regulation in the Information Age (seminar)
- Regulation of Toxics
- Torts

Georgetown University Law School, Adjunct Professor (1990)

- Alternative Dispute Resolution

Presentations (2013 to September, 2019)

Full list of presentations, with links to materials, available at www.peterswire.net

“The Affected State: A Useful Concept for Cross Border Access to E-Evidence,” Octopus Conference: Cooperation Against Cybercrime, Strasbourg, November 2019 (with Théodore Christakis).

“E-Evidence and the Globalisation of Criminal Evidence,” IAPP Brussels Privacy Symposium, Brussels, November 2019).

“Origins of Analysis of Intersection of Privacy and Competition Law,” Future of Privacy Forum Conference on Exploring the Intersection of Data Protection and Competition Law, Brussels, November 2019.

Commenter, “Snowden’s Long Shadow: Recasting Domestic and Global Privacy Debates,” Berkeley Center for Law and Technology, Berkeley, November 2019.

Panelist, “The Globalization of Criminal Evidence,” Privacy + Security Forum, Washington, D.C., October 2019.

“The Federal Trade Commission, Privacy, and Historic New Challenges,” Georgetown: Tech Foundations for Congressional Staff, Washington, DC, August 2019.

Keynote, “The Pedagogic Cybersecurity Framework and the Non-Code Aspects of Cybersecurity,” Workshop on the Economics of Cybersecurity, Cambridge MA, June, 2019.

“Expanding the OSI Stack to Describe Categories of Privacy Tasks: The Privacy Institutions Risk Management Framework,” Drafting the NIST Privacy Framework, Workshop #2, Atlanta, May, 2019.

“Is Privacy Dead? Reports of Its Death (May) Have Been Greatly Exaggerated,” Princeton Mini-Reunion, Atlanta, March, 2019.

Report release, “India-US Data Sharing for Law Enforcement: Blueprints for Reform,” Observer Research Foundation, New Delhi, January, 2019.

Panelist, “Walls or Bridges: The Future of the Networked World,” Asian Forum on Global Governance, New Delhi, January, 2019.

Panelist, “Substantive Issues in Privacy and Defamation Law in the Internet Age: Possibilities of Civil Recovery?” American Associate of Law Schools Conference, Section of Privacy and Defamation Law, New Orleans, January, 2019.

Panelist, “Policy Issues,” Georgia Tech Blockchain Roundtable, Atlanta, December, 2018.

“The European Union as Global Information Regulator,” Engage CISO Roundtable with the Georgia Tech Institute

of Information Security and Privacy, Atlanta, December, 2018.

Panelist, “Developments in 2017-2018 on oversight and exchange mechanism in the world,” United Nations Conference on “Latest Challenges to Intelligence Oversight in a Democracy,” Malta, November, 2018.

Panelist, “Training of Oversight Bodies from Inspection to Judicial Review: the UK experience,” United Nations Conference on “Latest Challenges to Intelligence Oversight in a Democracy,” Malta, November, 2018.

Moderator, “The Future of Data in Europe,” Alston & Bird, Brussels, November, 2018.

Webinar, “Binding Corporate Rules: The Process and the Potential Benefits,” Alston & Bird, October, 2018.

Guest Speaker, “Key Legal and Policy Issues in EU/US Data Flows,” Vrije Universiteit Brussel, Brussels, October, 2018.

“Roundtable on US/EU Data Privacy Issues,” Beltug Privacy Council, Brussels, October, 2018.

“Roundtable on US/EU Data Privacy Issues,” German Marshall Fund, Brussels, October, 2018.

Panelist, “Intellectual Property Rights, States and Digital Borders Around Data,” Global Congress on Intellectual Property and Public Interest, American University Washington College of Law, D.C., October, 2018.

Conference Chair Introduction and Overview, Georgia Tech Cybersecurity Summit featuring the Sam Nunn Bank of American Policy Forum, Atlanta, October, 2018.

Webinar, “Navigating the California Consumer Privacy Act of 2018,” Alston & Bird, September, 2018.

Panelist, “The Legislative Evolution of Cross-Border Evidence Gathering,” Fair Trials Conference on Judicial Cooperation in Criminal Matters and Electronic IT Data in the EU,” Brussels, Belgium, July 2018.

“The Important, Justifiable, and Restrained Role of Nationality in Foreign Intelligence Surveillance,” Privacy Law Scholars 2018, Washington, D.C., June 2018.

Moderator, “Privacy and Competition – Big Issues for Big Data,” IAPP Privacy Summit, Washington, D.C., April 2018.

Panelist, “Clashing Visions for Control over the Internet,” Yale Law School Information Society Conference on Extraterritorial Enforcement: Developing Norms for the Information Society, New Haven, March 2018.

“Modern Surveillance and Privacy,” Arena Forum: Civil Dialogues, Arena Stage, Washington, D.C., March 2018.

“The Clash of the EU and U.S. on Privacy & National Security,” Atlanta Council on International Relations, Atlanta, March 2018.

“The Economics of Cybersecurity: Breach & Liability Rules,” March Atlanta Economics Club Luncheon, Federal Reserve Bank of Atlanta, March 2018.

“The Big Picture on GDPR and the Rising Importance of Privacy Compliance,” ISACA GDPR Summit, Atlanta March 2018.

“Lectio Magistralis: Should the EU Decide to Separate from the US Based on Data Protection Law?” European Data Protection Supervisor, Brussels, Belgium, January 2018.

“Regulating Big Tech in a Post-Truth World,” Asian Forum on Global Governance conference on Managing Disruptive Transitions, New Delhi, January 2018.

“The Non-Code Layers of the Cyberstack – Lessons for Cybersecurity,” Scheller College of Business Faculty Workshop, Georgia Tech, Atlanta, December 2017.

“Privacy, Cybersecurity and Data Analytics,” Bowles Symposium 2017 on “Predictive Analytics and Risk Analytics,” Georgia State University, Atlanta , November, 2017.

“Privacy and Cybersecurity Lessons at the Intersection of the Internet of Things and Policy Body Worn Cameras,” at University of North Carolina Law Review Symposium on “Badge Cams as Data and Deterrent: law Enforcement, the Public, and the Press in the Age of the Digital Video,” Chapel Hill NC, November, 2017.

Keynote: “The Big Picture on Privacy and Cybersecurity for Technology Lawyers,” Georgia Bar Association, Atlanta, October, 2017.

Workshop, “The Ethical Reuse of Data in a Machine Learning Age,” Georgetown University Law School, Washington, D.C., October, 2017.

Workshop, “Cyber Policy and Security in Higher Education,” Stanford University, Palo Alto, October, 2017.

“The Non-Code Layers of the Cyber Stack & the Globalization of Criminal Evidence,” Institute for Information Security and Privacy, Georgia Tech, Atlanta, October, 2017.

Panelist, “GDPR—DPOs, PIAs & Data Mapping,” National CISO Policy Conference, National Technology Security Coalition, Atlanta, October, 2017.

Moderator: “Education and Cybersecurity,” National CISO Policy Conference, National Technology Security Coalition, Atlanta, October, 2017.

“Understanding Why Citizenship Matters for Surveillance Rules,” Center for Applied Cybersecurity Research, Indiana Law School, Bloomington, September, 2017.

“The Non-Code Lawyers of the Cyber Stack,” Program on Cybersecurity & Internet Governance, Indiana University, Bloomington, September, 2017.

“The Globalization of Criminal Evidence and the Importance of Attribution,” Cyber Security Summit, Georgia Tech Institute for Information Security and Privacy, Atlanta, September, 2017.

“Surveillance Oversight, Intelligence Sharing, and the Rule of Law,” @lantic Series Policy Conference, University of Maastricht, September, 2017.

“Layers of the Cyberstack: Lessons for Cybersecurity,” Academy of Legal Studies of Business, Savannah, August, 2017.

“Service Providers as Adjudicators of Nationality: When Should Citizenship Matter to Surveillance Rules?” Conference on Technology Giants, Sovereign Power, And Surveillance, Hoover Institute, Washington, D.C., July, 2017.

Commenter, “Reconciling Trade and Privacy Concerns in the EU-US Context,” 2017 Privacy Law Scholars Conference, Berkeley, June, 2017.

Panelist, “Cyber MayDay: A Bipartisan Approach to Cyber,” (with U.S. Reps. Tom Graves and Krysten Sinema) Georgia Tech, Atlanta, May, 2017.

Keynote, “Key Policy and Legal Issues for CISOs,” Information Systems Security Association CISO Executive Forum on Information Security, Privacy and Legal Collaboration, Washington, D.C., April, 2017.

Panelist, “Schrems, the Sequel,” International Association of Privacy Professionals Global Summit, Washington, D.C., April, 2017.

“Introduction to Surveillance, Privacy, & Data Across Borders: Transatlantic Perspectives,” Georgia Tech Conference on Surveillance, Privacy, & Data Across Borders, Atlanta, April, 2017.

Keynote, “Cybersecurity: View from the Boardroom, the White House, and the Hacker,” Adhesives and Sealant Council Spring Convention, Atlanta, April, 2017.

Panelist, “European Union and Other Key Policy Issues,” National Technology Security Council Regional CISO Roundtable, Dallas, April, 2017.

Panelist, “Data Protection: Global Convergence or Roads Diverged?” ABA Spring Antitrust Meeting, Washington D.C., March, 2017.

Panelist, “Developments in the European Union and Data Breach Policy” National Technology Security Council Regional CISO Roundtable, Atlanta, February, 2017.

Plenary Panel, “The Caspar Bowden Panel on Privacy Shield and Mass Surveillance,” Computers, Privacy, and Data Protection ’17, Brussels, January, 2017.

Moderator, “Privacy and Cross-Border Requests for Data,” Computers, Privacy, and Data Protection ’17, Brussels, January, 2017.

Moderator, Workstream on Data and Jurisdiction, Global Internet and Jurisdiction Conference, Paris, November, 2016.

Panelist, “Three Years Post-Snowden: Surveillance and the State of Transatlantic Data Flows,” International Association of Privacy Professionals Europe Data Protection Congress, Brussels, November, 2016.

“Privacy, Cybersecurity, the Internet, and the Stakes in This Year’s Election,” University of Michigan Dissonance Series, Ann Arbor, October 2016.

Panelist, “Privacy and Big Data,” University of Michigan Center on Finance, Law, and Policy Conference on Finance and Big Data, Ann Arbor, October 2016.

Keynote, “Current Issues in Privacy and Cybersecurity,” Net Diligence Cyber-Liability Conference, Los Angeles, October 2016

Panelist, “A Chain-Link Fence for Intelligence Surveillance,” Constitution Project, Washington, D.C., October, 2016.

“EU Data Flows to US: Are Protections against NSA Surveillance ‘Adequate’?” France/Atlanta Conference on Cybersecurity: TransAtlantic Innovation & Strategies, Atlanta, October, 2016.

Panelist, “The Cybersecurity Landscape at Home and Abroad,” Georgia Tech Cybersecurity Summit, Atlanta, September, 2016.

Testimony before the Senate Commerce Committee on “How Will the FCC’s Proposed Privacy Regulations Affect Consumers and Competition?” July, 2016.

Panelist, “Cybersecurity and Privacy,” Atlanta Chief Financial Officers Roundtable, Atlanta, June, 2016.

“Why Cross-Context Tracking is Often More Important than Cross-Device Tracking,” 2016 Privacy Law Scholars

Conference, Washington, DC, June, 2016.

Panelist, “Governance Looking Out: Trade, Finance, and Territorialization,” Georgia Tech School of Public Policy Conference on Political Space/Cyberspace, Atlanta, May, 2016.

“Privacy Déjà Vu: Crypto, Government Surveillance and Safe Harbor, 2000 and 2016,” IAPP Global Privacy Summit, Washington, D.C., April, 2016.

Panelist, “The Smartest Cities are Smart on Privacy,” IAPP Global Privacy Summit, Washington, D.C., April, 2016.

Panelist, “Privacy: Law Firm Ethical and Legal Obligations,” ABA Antitrust Section’s 2016 Spring Meeting, Washington, D.C., April, 2016.

Webinar for the National Governors Association on Encryption and Privacy, March, 2016.

Keynote, “Encryption, Apple, and the FBI,” Sayers Technology Summit, Atlanta, March, 2016.

“Debate on Encryption,” Cybersecurity for a New America Conference, New America Foundation, Washington, D.C., March, 2016.

“How Technology is Prompting US/EU Tension on Mutual Legal Assistance,” Emory Law Journal Throwing Symposium, Atlanta, February, 2016.

“Mutual Legal Assistance,” Computers, Privacy, and Data Protection ’16, Brussels, January, 2016.

“Making Sense of the Right to Data Portability,” Computers, Privacy, and Data Protection ’16, Brussels January, 2016.

“Debate with Max Schrems on US/EU Data Protection,” Belgian Permanent Representative to the European Union, Brussels, January, 2016.

Keynote, “Online Advertising and Privacy,” State of the Net ’16, Washington, D.C., January, 2016.

“Going Dark: Encryption, Technology, and the Balance Between Public Safety and Privacy,” Future of Privacy Forum, “Privacy Papers for Policy Makers,” Washington, D.C., January, 2016.

“Regulatory Design and Privacy by Design,” Computing Community Consortium/Computing Research Association Workshop on Privacy by Design, Washington, D.C., January, 2016.

Panelist, “Law in the EU and the US: Impossible Coexistence?” in “Forum on the Consequences of the Judgment in the Schrems Case,” Belgian Privacy Authority (presented remotely), December, 2015.

“Privacy and Cybersecurity: What Does Georgia Tech Think” (with Annie Antón), Georgia Tech Foundation Board of Trustees, Atlanta, December, 2015.

Panelist, “National Security, Digital Trade Policy, and Market Access: International Developments,” BSA General Counsel Forum, Napa, November, 2015.

Panelist, “Current Issues in Cybersecurity,” Georgia Tech Cyber Security Summit 2015, Atlanta, October, 2015.

“Interviewer for Data and Goliath: A Conversation with Bruce Schneier on Surveillance,” Privacy & Security Forum, Washington, D.C., October, 2015.

“Lawyers and Engineers in Privacy Protection,” Privacy & Security Forum, Washington, D.C., October, 2015.

“The Storm Over Safe Harbor: The E.U. Strikes Down Its Privacy Agreement with the U.S.” Georgia Tech Center for

European and Trans-Atlantic Studies, Atlanta, October, 2015.

Keynote, “The Second Wave of Global Privacy Protection,” PrivacyXChange, Phoenix, October, 2015.

Debate with Ben Wittes on “Going Dark and the Intersection of Law Enforcement and Privacy Interests,” Federalist Society Teleforum, October, 2015.

“Where Did HIPAA Come From?” Panel on Medical Privacy for IAPP Privacy Academy, Las Vegas, September, 2015.

Keynote, “Identity and the ID Divide,” Global Identity Summit, Tampa, September, 2015.

“Re-Engineering the Mutual Legal Assistance Treaty Process,” Harvard Berkman Center Conference on Mutual Legal Assistance, Cambridge, July, 2015.

Panelist, “The Essential Role of Organizational Controls,” Future of Privacy Forum/Ernst & Young Conference on Practical De-Identification, Washington, D.C., July, 2015.

“The Declining Half-Life of Secrets and the Future of Signals Intelligence,” New America Foundation, Washington, D.C., June, 2015.

“General Session Presentation: Security and Privacy After Snowden: Lesson’s from the President’s NSA Review Group,” Gartner Security & Risk Management Summit, National Harbor, MD, June, 2015.

“Re-Engineering the Mutual Legal Assistance Treaty Process,” Security & Human Behavior ’15, Washington, D.C., June, 2015.

“Re-Engineering the Mutual Legal Assistance Treaty Process,” Privacy Law Scholars Conference ’15, Berkeley, June, 2015.

Keynote, “The Second Wave of Global Privacy Protection,” Facebook Privacy@Scale Conference, Menlo Park, June, 2015.

“Why Economists Often Under-Value Privacy,” Federal Trade Commission Staff Brown Bag, Washington, D.C., May, 2015.

Panelist, “Extraterritorial Application of U.S. Law to the Cloud,” NYU School of Law Symposium on Government Access to Data in the Cloud,” New York, May, 2015.

Conference Co-Chair and moderator, Computing Community Consortium/Computing Research Association Workshop on Privacy by Design, Atlanta, May, 2015.

Panelist, “Thinking Outside the Cookie Jar: New Tools, Opportunities and Risks of Mobile Behavioral Tracking and Text Messaging Campaigns,” IAPP KnowledgeNet Conference, Los Angeles, April, 2015.

Panelist, “The Application of Section 222 of the Communications Act to Broadband Internet Access Services,” Federal Communications Commission Workshop on Broadband Consumer Privacy, Washington, D.C., April, 2015.

“A Law Professor’s Comments on the Role of Computer Scientists in Public Policy,” Computing Research Association 2015 Leadership in Science Policy Workshop, Washington, D.C., April, 2015.

“Why Economists Often Under-Value Privacy,” University of Pennsylvania Law School Conference on Taking Responsibility for One’s Own Data Privacy and Security, Philadelphia, April 2015.

“MLATs 2.0,” Future of Privacy Forum Annual Retreat, Middleburgh, VA, April 2015.

“Some Thoughts on Cyber-Resiliency, Time, and Surveillance,” National Academy of Sciences/National Research Council Forum on Cyber-Resiliency, Washington, D.C., April 2015.

Moderator, “Privacy and Security Issues in Big Data,” Scheller 2015 Business Analytics and Big Data Conference, Atlanta, March, 2015.

“The Second Wave of Global Privacy Protection: Why This Year is Different,” CLE Seminar on “Unto the Breach: Privacy and Data Security Today,” Atlanta, March, 2015.

Moderator, “Can US Warrants Reach Cloud Email Stored Abroad?” Webinar of the American Bar Association Section of Antitrust and Consumer Protection Law, March, 2015.

“Debate on NSA Surveillance and Online Commercial Tracking” (with Jonathan Mayer of Stanford), International Association of Privacy Professionals Summit, Washington, D.C., March, 2015.

“The Increasing and Essential Role of Computer Scientists in Policy Debates,” Yale University Department of Computer Science, New Haven, February, 2015.

“Privacy by Design: More than Compliance with the Law,” Computing Community Consortium/Computing Research Association Workshop on Privacy by Design, Berkeley, February, 2015.

Panelist, “Health Privacy in a Fully Connected World,” Data Privacy Day Atlanta: Health Privacy in a Fully Connected World, Atlanta, January, 2015. (Conference Co-Chair)

“Location Information in Government Data Acquisition and Surveillance,” NYU Law School Roundtable on Government Access to Cloud Data, New York, December, 2014.

“The Case of Surveillance,” Syracuse University Workshop on Sovereignty, National Security and Internet Governance, New York, December, 2014.

Moderator, “Plenary Session on Exploring Surveillance, Privacy, and Big Data,” Global Cyberspace Cooperation Summit V, (and also Co-Chair, Breakthrough Group on Surveillance, Privacy, and Big Data), Berlin, December, 2014.

“Debate on Law Enforcement vs. Smartphone Encryption” (with Andrew Weissman, former FBI General Counsel), New America Foundation, Washington, D.C., November, 2014.

“Panel: Looking Ahead,” The Privacy Act @ 40 Conference of the Center on Privacy & Technology of the Georgetown Law Center, Washington, D.C., October, 2014.

“Plenary Panel on Cybersecurity,” Georgia Tech Cyber Security Summit, Atlanta, October, 2014.

“Surveillance and the Future of the Internet,” MIT Information Policy Project, Cambridge, October, 2014.

“Plenary Panel on Cybersecurity,” Venture Atlanta ’14 Conference, Atlanta, October, 2014.

Conway-Walker Lecture, “Information Technology Implications of the President’s NSA Review Group,” Cornell Department of Computer Science, Ithaca, October, 2014.

“Protecting Privacy and Civil Liberties in a Digital Age,” French-American Foundation & Interpol: International Working Group on Cyber Security and the Law, Washington, D.C., October, 2014.

“The President’s NSA Review Group: The Technology Issues,” Gvu Brown Bag Presentation, Georgia Tech, Atlanta, September, 2014.

“Cyber-security and Banking,” Briefing to the Board of Directors of State Bank and Trust Company, Stone Mountain

GA, September, 2014.

Panelist, "Surveying the Legal Landscape," Federal Trade Commission Workshop on "Big Data: A Tool for Inclusion or Exclusion," Washington, D.C., September, 2014.

Keynote Presentation, "A Policy Wonk's Plea for Better Policy Research and Engagement from Computer Scientists," Computing Research Association Snowbird Conference, Snowbird Utah, July 2014.

Plenary Panel, "Shedding Light on the PRISM of Government," American Constitution Society Annual Convention, Washington D.C., June 2014.

"The Declining Half Life of Secrets and the Future of Signals Intelligence," Security and Human Behavior Conference, Cambridge England, June 2014.

"The Declining Half Life of Secrets," Privacy Law Scholars Conference, Washington D.C., June 2014. (Selected for encore presentation.)

"Defining the Internet of Devices: Privacy and Security Implications," Privacy Law Scholars Conference, Washington D.C., June 2014. (Selected for encore presentation.)

"Privacy, Cybersecurity, and Meeting Business Goals in a Post-Snowden World," British American Business Conference, Atlanta, May 2014.

Keynote, "Privacy and Cybersecurity Compliance in the Post-Snowden World," Compliance Week 2014 Annual Conference, Washington D.C., May 2014.

"Information Technology Implications of the President's Review Group," Georgia Tech Research Institute, Atlanta, May 2014.

"Public Policy Implications of the President's Review Group," Georgia Tech School of Public Policy, Atlanta, April 2014.

2014 Thomas E. Noonan Distinguished Lecture, "The Information Technology Implications of the President's Intelligence Review Panel," Georgia Tech College of Computing, Atlanta, April 2014.

"The Ethical and Legal Implications of the President's Review Group on Intelligence and Communications Technology," Scheller Cecil B. Day Program in Business Ethics, Atlanta, March 2014.

"Cybersecurity and Law Enforcement Data Gathering," Conference on Strategies for Addressing Risks in Data and Technology Transactions, Atlanta, March 2014.

"Business Analytics Keynote Panel," Scheller Big Data Industry Forum, Atlanta, March 2014.

"Privacy, Innovation and Big Data: What Does the Future Hold?" American Constitution Society/Technology Law Section of the Georgia State Bar, Atlanta, March 2014.

"Business Implications of the President's Review Group Report on Intelligence and Communications Technology," Faculty Workshop Scheller College of Business, Atlanta, March 2014.

"A Talk with Peter Swire," IAPP Privacy Summit, Washington, D.C., March 2014.

Panelist, "The Future of NSA Surveillance," National Constitution Center, Philadelphia, February 2014.

Webinar, "Dissecting the NSA Review Group Report: Liberty and Security in a Changing World," American Constitution Society, January 2014.

Panelist, “Democracy, Surveillance, and Intelligence Agencies,” Computers, Privacy, and Data Protection ’14, Brussels, January 2014.

Panelist, “Privacy Developments,” Georgia Association of Corporate Counsel CLE Jamboree, Atlanta, September 2013.

Panelist, “Bridging the Atlantic – the U.S./E.U. Privacy Divide,” Privacy Law Salon, Washington, D.C., September 2013.

Moderator, “The Next Leap Forward: Modernizing America’s Infrastructure through the IP Transition,” Center for American Progress, Washington, D.C., July 2013.

Panelist, “Do Not Track,” Consumer Action Conference at National Press Club, Washington, D.C., June 2013.

Panelist, “New Media and Privacy,” DARPA Expert Workshop on Cybersecurity and Privacy, Arlington, June 2013.

Panelist, “The Search for Privacy and Security in the Internet’s Modern Age,” American Constitution Society National Convention, Washington, D.C., June 2013.

Panelist, “Is Data Mining Political Speech?,” Conference on Data-Crunched Democracy sponsored by the University of Pennsylvania and University of North Carolina, Philadelphia, May 2013.

Panelist, “A Big Discussion about Big Data,” Early Warning Summit, Phoenix, April 2013.

“Observations, Considerations, and Concerns,” Conference on “Government/Information/Networks/Technology” of the Albany Law Journal of Science and Technology, Albany NY, April 2013.

“Pretty Good De-Identification,” Internet Law Works in Progress Conference, Santa Clara Law School, Santa Clara CA, April 2013.

“Engineers and Lawyers in Privacy Protection,” IAPP Summit, Panel: “Re-engineering Privacy Law”, March 8, 2013.

Panelist, “US and TransAtlantic Debates: A New Direction for US Online Consumer Rights,” Computers, Privacy, and Data Protection ’13, Brussels, January 2013.

“Concluding Remarks,” The Technology of Privacy Conference of the Silicon Flatirons of the University of Colorado, Boulder, January 2013.

Panelist, “The Globalization of European Privacy Law,” American Association of Law Schools Conference, New Orleans, January 2013.

Panelist, “Politics and Media: New and Old,” American Association of Law Schools Conference, New Orleans, January 2013.

Panelist, “How Can Legal Scholarship Be More Policy Relevant?,” American Association of Law Schools Conference, New Orleans, January 2013.

Other

Press:

Very extensive interviews for the press, including in all major U.S. papers, on national television, and in the international media. For details, see www.peterswire.net/pspress.htm.

Languages:

French (excellent), Spanish (fair to good).

Personal:

Lifelong science fiction fan; improving at golf (from a low base); two adult sons, Nathan and Jesse. Married 2013 to Annie Antón, Professor in the School of Interactive Computing at Georgia Tech.