

[Next](#) >



12 PVL R 826

Government Operations

Privacy Professionals Applaud Possible White House Privacy Adviser Position



By [Joyce E. Cutler](#) with additional reporting by [Cheryl Bolen](#)

SAN FRANCISCO—Privacy advocates are applauding the news that the Obama administration is considering adding a chief privacy officer position as privacy increasingly becomes a global issue for U.S. companies.

Although the administration would not confirm May 7 if it will appoint a privacy adviser, that the White House would view privacy at a high level is appreciated by those who have sought increased government attention.

“I think that having somebody with privacy expertise in the White House would be great,” said Paul Schwartz, professor of law at the University of California Berkeley School of Law and co-director of the Berkeley Center for Law & Technology. “There’s so much that the president does, there’s so much stuff that the White House does, that cuts across so many areas where privacy expertise would be a plus,” he told BNA May 8.

Peter Swire, the C. William O’Neill Professor in Law and Judicial Administration at the Ohio State University’s Moritz College of Law, told BNA May 8 that it would be “constructive for the White House to have a visible lead person on privacy.” Swire was the chief counselor for privacy at the U.S. Office of Management and Budget.

University of San Francisco Law Professor Susan Freiwald told BNA May 8 that she “applaud[s] any investment the White House makes in getting good privacy advice.”

“The White House needs to keep privacy concerns front and center as it considers reform of the computer security and electronic surveillance laws,” Freiwald said. “Conflicts over privacy arise regularly in relations with other countries as well, so a White House privacy advisor would be useful in that area.”

Possible Candidate?

Published reports suggested the administration is considering Nicole Wong, Twitter Inc. legal director for products and former Google Inc. deputy general counsel and vice president, as the adviser who would report to Chief Technology Officer Todd Park.

Park declined May 8 to comment on any position or duty an adviser would have, telling a White House briefing that it is “an ongoing personnel situation.” Obama spokesman Jay Carney likewise would not provide information about any such appointment.

Wong and representatives for Twitter and Google did not immediately respond to BNA's requests for comment.

Wong Active in Privacy Issues

Wong, a graduate of the University of California Berkeley School of Law and Georgetown University, has been active in privacy issues and has advocated for industry self-regulation ([9 PVL 700, 5/17/10](#)).

The Electronic Frontier Foundation (EFF) April 30 [gave](#) Twitter top honors for satisfying all six of the EFF's criteria for privacy protection and transparency ([12 PVL 778, 5/6/13](#)).

Kurt Opsahl, an EFF senior staff attorney, told BNA May 7 it was “interesting that the Obama administration was reaching out to someone who has real world experience, facing a decision, and having to make decisions.”

Wong was part of the Google team that fought a Department of Justice subpoena seeking search records in DOJ's defense of the Children's Online Privacy Protection Act ([5 PVL 437, 3/27/06](#)).

Opsahl, who worked with Wong at Perkins Coie LLP before he joined EFF and she joined Google, said Google “pushed back, and Nicole was definitely part of that. That's a real world experience in understanding that identity's extremely sensitive data. I hope she brings that experience to the government.”

Swire told BNA he has “worked with Nicole Wong in the past” and has “the highest regard for her.”

Freiwald said, “both Google and Twitter have recognized that many government demands for user information overreach in that they ask for too much data and involve too little judicial oversight. So Nicole Wong's experience with those companies could make her a good fit for the job.”