



Foreign Influence on Americans' Data Through the CLOUD Act

Before the Subcommittee on Crime and Federal Government Surveillance
of the Committee on the Judiciary

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Biography of
Caroline Wilson Palow, Legal Director and General Counsel,
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Caroline Wilson Palow is Privacy International's Legal Director and General Counsel. In those roles, she leads PI's legal advocacy and advises PI's programs on legal strategy and risk. Caroline also leads PI's program of work on Defending Democracy and Dissent, which investigates the role technology plays in shaping participation in civic society.

Caroline has worked for two decades at the intersection of law and technology. When she joined Privacy International in 2013, she almost immediately began interrogating the lawfulness of the United Kingdom's surveillance regime. She led prominent litigation that, among other things, resulted in increased safeguards for bulk surveillance in [Big Brother Watch and others v. the United Kingdom](#), and more robust judicial oversight for the U.K. intelligence agencies, in [R \(on the application of Privacy International\) v. Investigatory Powers Tribunal and others](#).

Regarding Technical Capability Notices (TCNs), Caroline has been critiquing the regime since the introduction of the draft Investigatory Powers Bill in 2015. She spearheaded [PI's submissions on that Bill](#) and testified before Parliament on the same, then later led PI's response to the [Investigatory Powers \(Amendment\) Act](#), including pre-Act consultations [on the TCN regime](#). Caroline also drafted PI's [primer on E2EE](#).

Regarding the CLOUD Act, Caroline engaged with stakeholders in the U.S. and U.K. when the Act was proposed, helping to shed light on the similarities and differences between U.S. and U.K. law. At the same time, Caroline led the development of an amicus curiae brief filed in [U.S. v. Microsoft Corporation](#), Microsoft's challenge to

requests to hand over data stored in Ireland, which was mooted by the passage of the CLOUD Act. Caroline also took part in [discussions about the European Union's e-Evidence proposals](#) and their relevance to a potential CLOUD Act Executive Agreement.

Most recently, Caroline is directing [PI's legal challenge](#) to the purported TCN served on Apple and the TCN regime more broadly, which is before the U.K. Investigatory Powers Tribunal.

Caroline is a qualified lawyer who, from 2006 to 2012, specialized in privacy and intellectual property litigation at law firm Wilson, Sonsini, Goodrich & Rosati. Caroline received her law degree from Yale Law School in 2005 and her undergraduate degree in Anthropology from the University of California, Berkeley in 2002. After law school, Caroline clerked for Judge Warren J. Ferguson of the U.S. Court of Appeals for the Ninth Circuit. Caroline is admitted to the bar in California.