



**USACM**

**FY2004 Annual Report of the  
U.S. Public Policy Committee of the ACM (USACM)**

*For the Period July 1, 2003 – June 30, 2004*

**USACM OVERVIEW**

USACM is the U.S. Public Policy Committee of ACM. It is composed of about fifty ACM members from industry, academia, and government with interests and expertise in computing and information technology policy. USACM works in partnership with ACM staff and leaders to serve as the focal point for ACM's interaction with governmental organizations and the public in matters of public policy. Its activities include educating and informing government leadership on strategic issues in information technology and improving ACM's position, visibility, and participation in government strategic policy formulation. By producing Congressional testimony, reports, legal briefs, and statements, USACM lends its technology expertise to a variety of government policy initiatives. USACM comments are intended to be technical in nature and consistent with the mission and interests of ACM.

**USACM OPERATIONS AND GOVERNANCE**

The work of ACM is supported, in part, by staff at ACM headquarters in New York, NY; primary support for USACM activities is provided by professional staff in the Washington, DC, ACM Office of Public Policy. The ACM policy office staff shares space and works in close collaboration with staff of the Computing Research Association (CRA), leading to great synergy for both organizations. The USACM and ACM continue to see significant benefit of having a Washington office, as it has enabled us to respond more quickly to breaking events, to support speakers at hearings and official visits, and to raise the profile of ACM in various fora. The dedication and professionalism of the ACM policy staff and especially the director, Jeff Grove, play a significant part in this success, and we would be remiss in not explicitly acknowledging their contributions.

USACM operates through a transparent and democratic process to reach consensus on an action item or policy activity. Draft policy statements and new action items are circulated to USACM members for comment and discussion when time and circumstances permit. When there is limited time for discussion, or when an issue is being revisited from an earlier discussion, the executive committee of the USACM (USACM-EC) will usually make the final edits and decisions. The USACM-EC conducts a monthly conference call

with ACM staff to update and coordinate activities. Finally, the USACM-EC meets in person at least once a year to review policy activities and determine priorities.

During the FY2004 period, the USACM-EC consisted of the following members: Barbara Simons (ACM Past-President, USACM Co-Chair), Eugene Spafford (USACM Co-Chair), Peter Neumann (SIG representative), Bruce Klein (SIG representative), Andrew Grosso (Chair of the ACM Law Committee), Maria Klawe (ACM President), Charles Brownstein, David Farber, Marc Rotenberg, and Ollie Smoot (members at large).

### **FY2004 USACM ACHIEVEMENTS**

During FY2004, USACM's actions had a demonstrated impact by generating policy discussions and favorable actions on several fronts. Key achievements included the following:

- ***Raising a greater public awareness of the risks and vulnerabilities of computer-based electronic voting (e-voting) systems.*** By convening a workshop for election officials and technologists, writing numerous letters to national and state lawmakers, and appearing before public forums, USACM has played a leading role in educating the public and policymakers regarding the technical and policy issues associated with the use of e-voting systems. USACM also worked with ACM leadership and engaged the membership to gauge support for an ACM association-level statement that reflects the need for a voter verifiable audit trail in the deployment of electronic or computerized voting systems. Many states and organizations revised their e-voting policies as a result of the efforts of USACM and others in the computing community. For more information regarding USACM's e-voting activities, see <http://www.acm.org/usacm/Issues/EVoting.htm>.
- ***Supporting ACM's commitment to advancing the open interchange of information concerning computing and related disciplines.*** USACM continues its efforts to restore a balance to copyright and intellectual property laws by making courts and policymakers aware of laws and legislation that may limit the freedom to publish and to engage in analysis and research. Accordingly, USACM sent numerous letters and met with lawmakers to recommend changes to the Digital Millennium Copyright Act (DMCA) to allow individuals to access hardware and software products that enable non-infringing uses of copy-protected works and to permit technologists to conduct research that is crucial to developing copyright protection systems, security software, software engineering tools, or electronic voting systems. For more information regarding USACM's DMCA activities, see <http://www.acm.org/usacm/Issues/DMCA.htm>.
- ***Advancing policies that foster innovation and the development of new experts in computing and related disciplines.*** Working in partnership with the Computing Research Association and other key stakeholders from the computing community, USACM has been a leading voice in highlighting the crucial role federal

investment in IT R&D plays in the advancement of all fields of computing. Activities in this area included a policy luncheon attended by White House and Congressional staffers that recommended the government develop a long-term view of computer security that includes a sustained commitment to the conduct of both basic and applied research. Other activities were aimed at removing barriers to participation of people from diverse backgrounds and experiences in computing and related disciplines. For more information, see <http://www.acm.org/usacm/funding/>.

## **REPORT OF USACM FY2004 ACTIVITIES**

Most of USACM's activities are posted on the recent activities and news section of the USACM web site at <http://www.acm.org/usacm/>. In chronological order, USACM activities from July 2003 through June 2004 included the following actions:

### **July 2003**

#### **USACM Sponsors Evoting Workshop**

On July 28-29, 2003, USACM sponsored a Voter-Verifiable Election Systems workshop in Denver, Colorado. Held at same time and location as the International Association of Clerks, Recorders, Election Officials, and Treasurers (IACREOT) Annual Conference, the USACM workshop provided an opportunity for technologists as well as state and local election officials to review and discuss the vulnerabilities of selected evoting systems. The USACM workshop marked the first time that election officials, computer scientists and technologists, and voting systems vendors gathered to review and debate the vulnerabilities of computerized and electronic voting systems. Because computers are inherently subject to programming error, equipment malfunction, and malicious tampering, USACM continues to recommend that a voter-verified audit trail be one of the essential requirements for deployment of new voting systems.

#### **USACM Participates in Public Policy Activities at SIGGRAPH 2003**

On July 28, 2003, USACM participated in two public policy events at SIGGRAPH 2003 in San Diego, California. Over 100 individuals attended a course on intellectual property and digital rights management presented by law professor Dan Burk and USACM Co-Chair Barbara Simons. A "Birds of a Feather" session was held immediately after the course. Course presenters Burk and Simons participated and fielded even more questions from an engaged audience. Also in attendance was ACM CEO John White, who gave a brief description of the intellectual property and business issues associated with the ACM's Digital Library and publications.

#### **USACM Co-Chair Makes Cyber Security Recommendations to Congress**

On July 24, 2003, USACM Co-Chair Dr. Eugene Spafford offered testimony consistent with past USACM policy recommendations before the House Armed Services Committee's Subcommittee on Terrorism, Unconventional Threats and Capabilities. The hearing focused on the Department of Defense's information assurance policy, an assessment of immediate and potential cyber threats, gathering information on defense

mechanisms currently in place to counter cyber threats, and to learn more about private industry efforts to address cyber security. The question and answer phase that followed the witnesses opening statements focused on a number of areas, including the strengths and weaknesses posed by the homogeneous versus heterogeneous information technology environment and the use of open source and proprietary software.

### **USACM Joins Other Stakeholders in Outlining Consensus Spam Policies**

On July 18, 2003, USACM joined a broad coalition of groups in endorsing a Spam policy letter sent to members of Congress. Coordinated by the Electronic Privacy Information Center, the letter suggests a policy framework focused on six key areas for effectively addressing the problems associated with unsolicited bulk e-mail: a clear definition of Spam, established opt-in rules, explicit legal rights of users, an environment that encourages technical solutions, support of international cooperation, and no preemption of state laws. In addition, the letter expressed a need to address the use of false and deceptive headers and the accuracy of subject lines in communicating e-mail content and purpose. The letter is available at [http://www.acm.org/usacm/Letters/spam\\_letter.htm](http://www.acm.org/usacm/Letters/spam_letter.htm).

### **USACM Releases White Paper on Internet Governance Issues**

On July 17, 2003, USACM and the ACM Internet Governance Committee (IGC) released a white paper entitled "Internet Governance: A View from the Trenches, Participation Needed for Successful Advocacy in the ICANN Arena." Funding for the report was provided by a grant from the Ford Foundation's Media, Arts and Culture unit. Although the report was prepared earlier in 2003 by IGC project director Kathryn Kleiman (in consultation with USACM and others), permission to make the report available to the public online was not received until July. The white paper discusses the history, structure, and scope of the Internet Corporation for Assigning Names and Numbers (ICANN). Of particular concern to the international computing community, the paper focuses on the ability of ICANN to create private rules and regulations that impact free speech and robust use of the Internet by noncommercial communities and individuals. Finally, the paper identifies barriers to participation in ICANN and outlines several ways in which the noncommercial community could improve its involvement and influence within the ICANN process. The white paper is available at: [http://www.acm.org/usacm/PDF/ACM-IGP\\_White\\_Paper.pdf](http://www.acm.org/usacm/PDF/ACM-IGP_White_Paper.pdf)

### **USACM Co-Chair Participates in Review of Pentagon's Internet Voting Project**

On July 14, 2003, USACM Co-Chair Barbara Simons other computer scientists participated in a security review of the Department of Defense's (DOD) Secure Electronic Registration and Voting Experiment (SERVE). SERVE was intended to be an Internet voting experiment offering voter registration and voting via the Internet to U.S. military personnel and citizens living abroad who have access to a computer and the Internet. Simons and other experts who reviewed the system urged the Pentagon to scrap the system as it was vulnerable to penetration by hackers who could change votes or gather information about users. As a result of a January 2004 technical report issued by Simons and other computer experts, the Pentagon terminated the SERVE experiment in February of 2004. The report is available at: <http://servesecurityreport.org/>

## **August 2003**

### **USACM Policy Presentation to University of Konstanz Researchers**

On August 27, 2003, ACM Policy Director Jeff Grove met with researchers from the University of Konstanz's Department of Politics and Management to discuss the role of USACM in the formulation of U.S. legislation and regulations that impact computing and the information society.

### **ACM Advisory Committee on Security & Privacy Dissolved**

In an August 17, 2003, communication with the ACM-EC, it was determined that the ACM Advisory Committee on Security & Privacy (ACSP) should be dissolved. The ACSP was created in late 2001 in expectation for increased demand for expertise in this general field. The ACSP sent several letters to Federal officials in 2001 and 2002, offering the assistance of the ACSP members as needed. No response was ever received by the ACSP members or by the Washington ACM office. Accordingly, the ACSP was dissolved and its activities will be accomplished under the USACM.

## **September 2003**

### **USACM Joins Other Scientific Leaders to Recommend Database Policy**

On September 23, 2003, USACM endorsed the Congressional testimony of ACM Fellow William Wulf regarding proposals to create additional legal protections for data (facts and ideas) contained in a database. Recognizing that access to and use of factual data in the public domain is essential to the creation of knowledge, to the validation of scientific claims, and to the progress of science and our nation's system of innovation, USACM expressed concern that new database protection proposals could threaten the legitimate needs and expectations of the research and higher education communities. Of particular interest to USACM, Dr. Wulf's database statement articulates a number of policy principles to serve as a framework for database protection measures to ensure that a reasonable balance of interests among all stakeholders in the information economy is maintained. Dr. Wulf's database statement was also endorsed by the U.S. National Academy of Sciences, the American Association of Universities, and the American Library Association. The testimony may be viewed at:  
<http://energycommerce.house.gov/108/Hearings/09232003hearing1086/Wulf1714.htm>

### **USACM Policy Presentation to ACM SGB Officers**

On September 20, 2003, ACM Policy Director Jeff Grove presented a general overview of USACM policy operations, activities, and core principles at the SIG Governing Board Meetings held at Newark, NJ.

### **USACM Members Testify Before Congress on Cyber Security and Digital Rights**

On September 17, 2003, two members of USACM appeared as witnesses at Congressional hearings on policy matters of interest to USACM and the computing community. USACM Co-Chair Gene Spafford made recommendations regarding the certification of software and the role it should play in governmental acquisitions before the House Government Reform Committee Subcommittee on Technology, Information

Policy, Intergovernmental Relations, and the Census. Earlier that day, USACM Member Edward Felten appeared before the Senate Commerce Committee to discuss digital rights management (DRM) proposals and whether the government should require the inclusion of DRM anti-copying technology in digital TV equipment. To review Spafford's testimony, see: <http://www.cerias.purdue.edu/homes/spaf/usgov/tipirc.pdf>

### **USACM Participates in Congressionally Sponsored Voting Discussion**

On September 9, 2003, USACM Co-Chair Barbara Simons participated in the Congressional Black Caucus 33rd Annual Legislative Week as a panelist in a discussion of the new Help American Vote Act Law. Dr. Simons offered comment on USACM's recommendation that a voter-verified audit trail be one of the essential requirements for deployment of new voting systems. USACM has been active in working to improve e-voting technology and educating policymakers regarding the importance of requiring a voter verifiable audit trail in electronic or computerized voting systems.

## **October 2003**

### **Exemptions to DMCA Fail to Address USACM Concerns**

On October 28, 2003, the U.S. Copyright Office created four limited exemptions to the anticircumvention provisions of the Digital Millennium Copyright Act (DMCA) of 1998. In June of 2003, USACM testified that the anticircumvention provisions of the DMCA are having substantial negative impacts on the conduct of basic research in the U.S. by preventing scientists and technologists from pursuing legitimate research related to cryptography and other computer security areas. Circumventing access technologies is a legitimate technique for recognizing shortcomings in security systems, defending patents and copyrights, discovering and fixing dangerous bugs in code, and conducting forms of desired educational activities. USACM recommended that exemptions be provided to ensure that technologists are not penalized for conducting research or for making other non-infringing uses of copyright protected materials. While USACM welcomed the new DMCA exemptions, they fail to address our primary concerns. To review the exemptions to the DMCA granted by the U.S. Copyright Office, see: <http://www.copyright.gov/1201/>

### **USACM Outlines Concerns with ICANN's WHOIS Policy**

On October 28, 2003, USACM joined over 50 other organizations from 22 countries around the world to urge the Internet Corporation for Assigned Names and Numbers (ICANN) to limit the use and scope of the WHOIS database. WHOIS is a database that contains information for every registered Internet domain, including contact information, telephone numbers, and other administrative and technical information. As ICANN continues to establish accuracy requirements for domain name registrants, USACM and other the signatories of the letter recommend that it establish corresponding protections for personal information that is provided. Privacy protections should be based on internationally accepted privacy standards. The letter concludes that the use and management of the WHOIS database without adequate data protection safeguards raises privacy and freedom of speech risks for domain name holders because personal information is widely accessible to third parties. To review the letter, see: <http://www.thepublicvoice.org/news/whoisletter.html>

## November 2003

### **USACM Observes Annual Computer Security Day**

On November 30, 2003, USACM observed the fifteenth annual computer security day. The event is designed to inform and encourage users to follow good computer security practices. The first Computer Security Day observed in 1988, came as a direct result of the work of the Washington, D.C., Chapter of the Association for Computing Machinery's Special Interest Group on Security, Audit, and Control (SIGSAC). Currently 53 nations through the participation of over a 1000 organizations support the efforts of Computer Security Day. More information on Computer Security Day can be found at <http://groups.yahoo.com/group/computersecurityday>.

### **ACM and CRA Identify Key Research Challenges To Effective Cyber Security**

On November 19, 2003, ACM and the Computing Research Association (CRA) sponsored a policy event that identified four major research challenges to insuring effective cyber security that fall outside the current research portfolio of most public and private organizations. The challenges were presented to key Congressional staff and agency officials from the White House Office of Science and Technology Policy and the Department of Homeland Security, among others. The ideas presented stem from CRA's "Grand Research Challenges in Information Security and Assurance Conference," held November 16-19, featuring leaders in computing research from across industry, academia, and government labs. The ideas include:

1. Eliminating epidemic-style attacks (viruses, worms, email spam) within 10 years,
2. Developing tools and principles that allow construction of highly trustworthy large-scale systems for important societal applications such as medical records systems,
3. Developing quantitative information-systems risk management that is at least as good as quantitative financial risk management within the next decade, and
4. Giving end-users security controls they can understand and privacy they can control for the dynamic, pervasive computing environments of the future.

For more information about the ACM/CRA event and recommendations, see: <http://www.cra.org/Activities/grand.challenges/security/home.html>

### **USACM Policy Presentation to ACM Publications Board**

On November 7, 2003, ACM Policy Director Jeff Grove presented a general overview of USACM policy operations, activities, and core principles at the ACM Publications Board Meeting at ACM Headquarters in New York, N.Y.

## **December 2003**

### **USACM Policy Presentation to Higher Education Information Technology Alliance**

On December 17, 2003, ACM Policy Director Jeff Grove presented a general overview of USACM policy operations, activities, and core principles at the Higher Education Information Technology Alliance meeting in Washington, D.C.

### **USACM Participates in NIST Evoting Symposium**

On December 10, 2003, three USACM members are participating in the National Institute of Science and Technology's (NIST) Symposium on Voting Technology. The symposium addressed issues associated with evoting technology and implementation of the Help America Vote Act (HAVA). The symposium will contribute to the work of the Technical Guidelines Development Committee created by HAVA. The purpose of the committee is to make recommendations regarding the development and implementation of voluntary standards that could be applied to evoting technology. The Technical Guidelines Development Committee will be chaired by the director of NIST and consist of 14 other individuals.

### **USACM Policy Presentation to ACM ED Board**

On December 6, 2003, ACM Policy Director Jeff Grove presented a general overview of USACM policy operations, activities, and core principles at the ACM Education Board Meeting in Baltimore, Maryland.

## **January 2004**

### **ACM Opposes Expanding U.S. Legal Protections for Scientific Data**

On January 22, 2004, ACM's governing body approved a policy statement that opposes the expansion of U.S. legal protections that govern the access and use of data collections. The action came after the issue was presented to the ACM membership. Nearly 5,000 ACM members participated in an online member opinion poll, and more than ninety percent agreed with ACM's policy statement.

ACM's policy statement is particularly relevant considering the U.S. Congress is considering legislation that expands legal protections for collections of data in a manner that could create perpetual ownership rights in a wide variety of scientific data and factual information. Recognizing that collection, dissemination and use of such data has been fundamental to the advancement of knowledge, technology and culture, the ACM statement cautions that new protections would impose an unwarranted cost on the process of scientific discourse. While ACM is a publisher and maintains an online digital library, the ACM statement concludes that current U.S. laws already provide adequate legal protections for copyrighted information. To review the ACM statement, see: <http://www.acm.org/usacm/Issues/dbasefinal.pdf>

This important policy issue was brought to the attention of ACM leadership by USACM. USACM has been working with other scientific societies, public interest groups, and representatives of information technology companies to educate policymakers and the public regarding the importance of maintaining the longstanding U.S. policy of allowing scientific data and other factual information to remain in the public domain. To review the USACM web page that chronicles activities related to database protection, see <http://www.acm.org/usacm/Issues/Database.html>.

## February 2004

### **USACM Welcomes California Court Ruling in Support of Reverse Engineering**

On February 27, 2004, California's Sixth Circuit Court of Appeals found that an injunction barring the publication on the Internet of a tool that unlocks DVD technical protection measures violated the free speech rights of a computer programmer. In the case, a corporate consortium known as the DVD Copy Control Association (DVDCCA) contended that a programmer named Andrew Bunner violated its trade secrets rights by posting software (DeCSS) that decrypts DVDs on the Internet. The California appeals court disagreed with DVDCCA and ruled in favor of Bunner.

The ruling is welcomed by USACM and others in the computing community as it affirms the right to use widely accepted software engineering techniques to reverse engineer in order to learn about proprietary software products. During earlier consideration of the case by the California Supreme Court, USACM joined the Computer and Communications Industry Association and a group of intellectual property professors in submitting a brief that contended the reverse engineering of mass-marketed products is a lawful way to acquire a trade secret. In its interest statement attached to the brief, USACM argued that reverse engineering is critical for systems interoperability and facilitates the research and testing of information processing systems, and the development of programs that impede the spread of viruses and other kinds of malicious software.

### **USACM Identifies Digital Rights Management Policy Issues**

On February 25, 2004, USACM sent a letter to members of the U.S. Senate cautioning that broad digital rights management (DRM) regulations that mandate specific access control and redistribution control technology to be built into computers, operating software, and other digital devices could interfere with many legal, non-infringing uses of digital computing. USACM has concluded that government imposed DRM regulations could threaten the overall security of our nation's information infrastructure, competitiveness of the U.S. IT industry, and continued innovations in software and digital computing.

In the letter, USACM welcomed certain DRM related provisions of S. 1621, the Consumers, Schools, and Libraries Digital Rights Management Awareness Act of 2003. The provisions of the legislation highlighted by USACM seek to block government imposed DRM regulations, provide public transparency concerning the commercial use

of DRM, and require a comprehensive review of the impact of DRM regulations on legitimate research, education and communication activities. To review the USACM letter to Congress concerning DRM regulations, see <http://www.acm.org/usacm/PDF/drmbrownback.pdf>.

### **USACM Leaders Meet to Discuss Policy Activities**

On February 21, 2004, members of the USACM Executive Committee met in Washington, D.C., with ACM leadership, staff, and other guests to review 2003 activities and discuss policy objectives for 2004 and beyond. USACM achievements for 2003 included testifying before the U.S. Copyright Office regarding the deleterious impact of the anticircumvention provisions of the Digital Millennium Copyright Act (DMCA) on analysis, research and publication. In addition, the 2003 efforts of USACM had a demonstrated impact in helping policymakers and the public to develop a deeper understanding of the technical issues and risks associated with electronic voting systems. Finally, USACM crafted numerous statements and signed legal briefs in 2003 on policy issues of importance to ACM and the computing community.

### **USACM Urges Federal Funding to Ensure Secure Elections**

On February 11, 2004, USACM joined 35 other organizations in sending a letter to Congress urging funding for the initiatives authorized under Help America Vote Act (HAVA) law that are intended to ensure secure electronic voting systems. The HAVA law authorizes the National Institute of Standards and Technology (NIST) to coordinate efforts to develop voting systems guidelines that provide for the security of computers, computer data storage, and networks used in electronic voting systems. However, Congress did not provide funding for NIST to carry out its HAVA-related responsibilities during the fiscal year 2004 appropriations process. To review the letter signed by USACM and others, see [http://www.acm.org/usacm/PDF/LCCR\\_HAVA\\_Funding\\_Letter.pdf](http://www.acm.org/usacm/PDF/LCCR_HAVA_Funding_Letter.pdf).

### **USACM Policy Presentation at CRA Government Affairs Retreat**

On February 8, 2004, ACM Policy Director Jeff Grove presented a general overview of USACM policy operations, activities, and core principles at the Computing Research Association's Government Affairs Retreat in Dallas, Texas.

## **March 2004**

### **USACM and CRA Urge Congress to Support NIST Labs**

On March 31, 2004, USACM and the Computing Research Association (CRA) sent a joint letter to the leadership of the U.S. Congress seeking full funding for the National Institute of Standards and Technology (NIST) Laboratory Program during the FY 2005 appropriations process. The NIST Labs have played an important role in the progress of computing research and the emergence of new scientific disciplines like bioinformatics and nanotechnology. Within NIST's Labs, the Computer Security Division (CSD) has played a historic role in computer security by conducting security research on emerging technologies, promoting security assessment techniques, providing security management guidance, and facilitating a greater awareness of the need for security. In particular,

USACM and CRA cited NIST's efforts to work in partnership with industry and the computing research community in the development of the Advanced Encryption Standard (AES) as an example of the agency's effectiveness at blending science and technology with commerce.

Current work underway at the NIST labs will have an important impact in cybersecurity and voting technologies, semiconductor manufacturing, and nanotechnology research that could drive future advancements in computing in ways of benefit to society. USACM and CRA expressed concern that much of this important work is in jeopardy as a result of funding levels enacted during the FY 2004 appropriations process. The groups concluded that Congress should make NIST funding a priority for FY 2005 to ensure that the agency's labs continue to produce materials trusted by the community, joint collaborations with academic and industrial researchers are maintained, and vital standards-orientated work continues. To review the USACM and CRA letter to Congress, see <http://www.cra.org/govaffairs/blog/CRA-ACMJointNISTLetter.pdf>.

#### **April 2004**

##### **USACM Offers to Assist Federal Commission in Assessing Evoting Systems**

On April 29, 2004, USACM sent a letter to the U.S. Election Assistance Commission offering to provide its technical assistance to the Commission in the technical domains of software program correctness and verification, software engineering, security, and human factors. USACM recommended that additional federal funds be provided for standards development and research activities to improve the quality, reliability, accuracy, accessibility and security of evoting systems. As computer systems are inherently subject to programming error, equipment malfunction, and malicious tampering, USACM also recommended that a voter-verified audit trail be one of the essential requirements for deployment of computerized voting systems. To review USACM's letter to the U.S. Election Commission, see <http://www.acm.org/usacm/Letters/USACMTGDC.pdf>.

##### **USACM Joins Diverse Coalition in Seeking Changes to the DMCA**

On April 26, 2004, USACM joined a diverse coalition of IT companies, library advocates, consumer rights groups, and research organizations known as the Digital Future Coalition (DFC) in calling on Congress to restore balance in copyright law by revising the Digital Millennium Copyright Act of 1998 (DMCA). Among the proposed changes, the DFC is seeking to ensure that scientists can not be sued when engaged in legitimate scientific research, and that consumers are permitted to access hardware and software products that enable noninfringing uses of copy-protected works. To review the DFC letter to Congress, see [http://www.acm.org/usacm/Issues/DFCletter\\_may2004.html](http://www.acm.org/usacm/Issues/DFCletter_may2004.html).

##### **Computers, Freedom and Privacy Conference Sponsored by ACM**

On April 20-23, 2004, the 14th Computers, Freedom & Privacy Conference (CFP2004) was held at the Claremont Resort and Spa, Berkeley, California. Sponsored by ACM, CFP2004 explored the most important policy issues facing the Internet and freedom, including the role of technology in providing national security and preserving individual privacy and freedom in the post-9/11 world; the impact of new legal and technical

developments on the Internet's utility as a medium for disseminating and archiving information, interacting with individuals, and culture; the role of computer and telecommunications technologies in the political process; and other important and timely issues. Speakers included USACM members Barbara Simons and David Dill, as well as other leaders from industry, academia, and public interest organizations. To review the program for CFP2004, see <http://www.cfp2004.org>.

## May 2004

### **USACM Co-Chair Receives CRA Distinguished Service Award**

On May 14, 2004, The Computing Research Association announced that USACM Co-Chair Barbara Simons was to receive the 2004 CRA Distinguished Service Award for her efforts to raise government and business awareness of the need to use technology responsibly, and for developing programs aimed at increasing the participation of women and minorities in the computing profession. She was also cited for her work on behalf of scientific freedom and human rights, and for her vision in founding USACM.

### **David Padgham Joins ACM Policy Office Staff**

On May 11, 2004, David Padgham joined the staff of the Association for Computing Machinery (ACM) Office of Public Policy in Washington, DC. David came from the National Academies' Computer Science and Telecommunications Board (CSTB), where he worked as a research associate and was involved with numerous projects and reports, including the studies which produced *Trust in Cyberspace*; *Funding a Revolution*; *Broadband: Bringing Home the Bits*; *LC21: A Digital Strategy for the Library of Congress*; and *The Internet's Coming of Age*. More recently, David provided research support to CSTB's "Privacy in the Information Age" and "Digital Archiving and the National Archives and Records Administration" projects, as well as helping to organize a workshop looking into radio frequency identification (RFID) technologies and related technical and policy issues. In the ACM Office of Public Policy, David will fill the role of ACM Public Policy Coordinator formerly held by Lillie Coney. As of March, Lillie joined the staff of the Electronic Privacy Information Center as a Senior Policy Analyst.

## June 2004

### **USACM Policy Presentation at USENIX Annual Technical Conference**

On June 30, 2004, ACM Policy Director Jeff Grove presented a general overview of USACM policy operations, activities, and core principles at the USENIX Annual Technical Conference in Boston, Mass. Other participants in a policy panel discussion included USACM Members Edward Felten and Avi Rubin.

### **USACM Creates Privacy Subcommittee**

On June 16, 2004, USACM created a privacy subcommittee to formulate policy statements on privacy that can be used as a guide for USACM positions on future issues.

### **USACM Recommends DMCA Changes to Permit Research And Discussion**

In a June 11, 2004, memo to the Congressional Internet Caucus, USACM raised concerns

about the chilling effect the DMCA is having on cybersecurity research and the ability of technologists to discover and fix dangerous bugs in code, to analyze and stop malicious code and spyware, and to publish and discuss computing research. USACM recommends a more balanced approach that targets copyright infringement while permitting non-infringing uses of copy-protected works. USACM concludes that technologists should not be penalized for conducting research that is crucial to developing, scrutinizing, and testing copyright protection systems, security software, software engineering tools, or electronic voting systems. USACM's submission, along with the submissions of several other organizations, is available at <http://www.netcaucus.org/events/2004/dmca/onepagers/>.

### **USACM Leader Shapes League of Women Voters Position on Evoting**

On June 11, 2004, the League of Women Voters of the U.S. (LWVUS) revised its support for evoting machines. In a vote at its biennial national convention, the league adopted a resolution that amended their previous position; the new resolution reads, "In order to ensure integrity and voter confidence in elections, the LWVUS supports the implementation of voting systems and procedures that are: secure, accurate, recountable, and accessible." USACM co-chair Barbara Simons and other computer scientists were closely involved in the LWVUS policy change. To review the statement by the LWVUS, see: <http://interactive.lwv.org/News/News.cfm?ID=1241&c=1>

### **USACM Leader Receives Award from ACM SIGCAS**

On June 3, 2004, USACM Co-Chair Gene Spafford was awarded the ACM Special Interest Group on Computers and Society (SIGCAS) 2004 "Making a Difference Award." The award is given annually to an individual nationally recognized for work related to the interaction of computers and society. The recipient is a leader in promoting awareness of ethical and social issues in computing. The recipients of this award and the award itself encourage responsible action by computer professionals.

## **USACM CONTACT INFORMATION**

For more information regarding the activities of USACM, please see <http://www.acm.org/usacm/> or contact the ACM Policy Office in Washington, D.C., at 202.659.9711 or [usacm\\_dc@acm.org](mailto:usacm_dc@acm.org). To receive a monthly summary of USACM activities, please subscribe to the ACM Washington Update by sending an e-mail to [listserv@acm.org](mailto:listserv@acm.org) with "subscribe WASHINGTON-UPDATE" (no quotes) in the body of the message.