

**FY2008 Annual Report of the  
U.S. Public Policy Committee of ACM  
(USACM)  
For the Period July 1, 2007 – June 30, 2008**

## USACM OVERVIEW

USACM is the U.S. Public Policy Committee of the Association for Computing Machinery (ACM). USACM members include leading computer scientists, engineers, and other professionals from industry, academia, and government.

## USACM OPERATIONS AND GOVERNANCE

USACM operates through a transparent and open process to reach consensus on policy activities. Draft policy statements, position papers, and letters are usually posted to one of its subcommittees or to USACM at-large for review, comment and approval. In some cases positions are forwarded to the Executive Committee of USACM (USACM-EC) for final review and approval. The USACM-EC conducts regular calls with the ACM Policy Office staff to update and coordinate activities. The calls are also an opportunity to bring issues and events to the attention of USACM staff as well as other USACM-EC members. Through items discussed on these calls USACM staff can conduct policy research on issues identified by USACM-EC and initiate contacts and meetings with relevant policymakers on a timely basis. Finally, the USACM-EC meets in person at least once a year to review policy activities and determine priorities. ACM's Office of Public Policy in Washington, D.C., and ACM headquarters staff in New York support the work of USACM and are responsible for raising issues within the committee.

USACM has four established subcommittees – Voting, Digital Rights Management, Privacy, and Accessibility – to provide specialized focus on particular issues. During FY08, Alec Yasinsac joined Barbara Simons as the co-chair of the voting subcommittee. The Chairs of the other subcommittees are USACM-EC members Ed Felten – Digital Rights Management, Annie Antón – Privacy, and Harry Hochheiser – Accessibility. (The composition and nature of subcommittees may change in FY09.)

At the close of FY2008, the USACM-EC consisted of the following members: Eugene Spafford (USACM Chair), Annie Antón (NCSU), Charles Brownstein (Homeland Security Institute), Dave Farber (CMU), Edward Felten (Princeton), Andrew Grosso (Andrew Grosso & Associates), Jim Horning (SPARTA, Inc.), Harry Hochheiser (Towson University), Jeanna Matthews (Clarkson Univ., SIG Representative), Stu Feldman (Google, ACM President, ex-officio), Barbara Simons (retired from IBM research, former ACM President), Ollie Smoot (retired), Emil Volcheck (National Security Agency, SIG Representative), and John White (ACM CEO, ex-officio).

USACM continues to grow. It added four new members this fiscal year (Julie Earp, Virginia Rezmierski, David Robinson, Alec Yasinsac), with one leaving (Lisa Covi).

Complete information about current USACM members is available at <http://www.acm.org/usacm/members.html>.

## **FY2008 OVERVIEW AND HIGHLIGHTS**

This past fiscal year saw USACM contribute to policy discussions in a number of different areas. Several members of the committee met with policymaking groups, included Congress, the Federal Trade Commission, and the Election Assistance Commission. The committee's expertise continues to be recognized, with members asked to participate in advisory panels for government and non-governmental organizations, and ACM Policy Office staff asked to discuss critical issues with policymakers and the media.

ACM's Policy Office and USACM work closely with the Computing Research Association (CRA) on issues that impact the computing field. This relationship continues to strengthen as CRA and ACM have joined in letters to Congress on various issues. CRA's leadership and USACM also share close connections – four members serve(d) on both CRA's board and USACM, including two of the USACM-EC (Antón and Spafford).

USACM's policy agenda is primarily organized around four themes: 1) Advancing the computing discipline, 2) balancing innovation and intellectual property protection, 3) protecting privacy in a technology-intensive society, and 4) advocating for secure and reliable computing systems. USACM's agenda is not limited to these four areas, however. The sections that follow have more detail on USACM's FY2008 activities, achievements, and events:

### **Advancing the Computing Discipline**

#### *ACM Groups Release Statement on Web Accessibility*

Several ACM groups, led by USACM, released a statement on measures that should be taken to increase web accessibility. The statement is a joint statement of USACM; the ACM Special Interest Groups on Accessibility (SIGACCESS), Hypertext, Hypermedia and the Web (SIGWEB), and Computer-Human Interaction (SIGCHI); and the Computer Science Teachers Association (CSTA). The online statement also has links to resources on web accessibility, and recommends the Federal government take steps to increase awareness of web accessibility issues, that the information technology community do more to develop tools to facility web accessibility and that accessibility standards should be extended to the extent possible with minimal regulation.

#### *USACM Joins With Task Force Seeking Resolution to Budget Brinksmanship*

USACM signed a letter calling for the President and Congress to spare critical research funding as they worked toward a final resolution of the FY '08 budget. The letter was from the Task Force for the Future of American Innovation and pointed out the bipartisan consensus on increased funding for basic research in the physical sciences and called for Congress and the President to work together to preserve proposed increases.

## **Balancing Innovation and Intellectual Property Protection**

### *USACM Cautions Against Filtering*

USACM released a letter to Congressional education leaders cautioning against legislation that would promote or require universities to use filters to deal with copyright infringement on their networks. The letter stated that filtering technologies are ineffective and costly in the long run because they can be foiled by technology, create new security vulnerabilities, and undermine fair use rights and research on new technologies. This was in response to proposed provisions in the Higher Education Act, the centerpiece of Federal higher education policy, that would encourage universities to use “technology-based deterrents” to curb intellectual property infringement on their networks.

## **Protecting Privacy in a Technology-Intensive Society**

### *USACM Issues Press Release on Final REAL ID Rules*

USACM released a statement pointing to flaws in the final standards issued by the U.S. Department of Homeland Security (DHS) restricting how state driver’s licenses and ID cards are provided. The standards were issued with the intention to make it more difficult to fraudulently obtain a driver’s license. USACM said the standards for state-issued driver’s licenses and personal identification cards will not meet their stated purpose of providing a “gold standard” for identification. In addition, the new standards will require expanded collection of personal information and documents, and necessitate storage of this material in a form that makes this sensitive information easier to copy and falsify for fraudulent purposes.

## **Advocating for Secure and Reliable Computing Systems**

### *USACM Provides Comments on Electronic Voting Standards; Meets with Policymakers to Promote Them*

In the most involved public comment process that USACM has held, it submitted extensive comments on the proposed Voluntary Voting System Guidelines (VVSG) under consideration at the Election Assistance Commission (EAC). USACM’s comments focused on technical issues that, if accepted, would help ensure that electronic voting systems are more reliable, accessible, auditable, secure, and verifiable. USACM members also met with Congressional and EAC staff to discuss those recommendations and the implications of alternative standards.

### *USACM Chair Testifies on Electronic Employment Eligibility*

USACM Chair Eugene H. Spafford testified before the Social Security Subcommittee of the House Ways and Means Committee, and before the DHS Privacy Integrity Advisory Committee (DPIAC) on electronic employment verification systems (EEVS). Citing several potential problems, some already evident, in a pilot system (E-Verify) operated by the U.S. Department of Homeland Security’s (DHS) to electronically check on employee work eligibility, Dr. Spafford urged Congress to include sufficient safeguards to ensure that both employers and employees are adequately protected from technical failures and abuses of the system.

## DETAILED ACTIVITIES

The following is a more comprehensive and chronological listing of USACM activities for the year.

### July 2007

#### *USACM Comments on Senate E-Voting Legislation*

USACM sent Senator Dianne Feinstein (D-CA) the first of two letters regarding electronic voting legislation (S 1487, the Ballot Integrity Act) sponsored by the Senator. The legislation was largely similar to what Representative Rush Holt (D-NJ) proposed in the House, requiring voter-verified paper records that are secret, durable, and accessible. Her proposed legislation also makes the paper record the official record for the election, and it reforms the testing and certification processes. Finally, it requires software review by outside experts, with some differences in the details that are significant. One of the biggest departures from the House bill is with the deadlines for reform. The Senate legislation bans the purchase of machines that do not produce voter-verified paper records upon enactment of the bill and requires the usage of paper ballots by the 2010 election. USACM noted its existing policy statement on e-voting, which calls for a physical medium for voters to verify their ballots. The committee also commented on the legislation in more detail at a later date.

### August 2007

#### *USACM Looks Back at FY 2007*

Each July ACM's Policy Office staff and USACM's leadership compile USACM's annual report for the past fiscal year (which ended June 30). In the 2007 report you will find descriptions of our work on electronic voting, privacy, and security; the testimony provided by our members; and discussions of our activities to educate Congress about different technology policy issues.

You can read the FY 2007 USACM Annual Report online at <http://www.acm.org/usacm/annualreports/USACM%202007%20report.pdf>.

#### *Policy Office Director Briefs ACM's SIGs*

ACM's Special Interest Groups hold a biannual orientation about ACM and its operations for new SIG leaders. Cameron Wilson, ACM's Director of Public Policy, briefed the group on USACM's structure, activities and priorities. This outreach better informs SIGs and opens communication channels on key issues between the technically focused SIGs and the policy-focused USACM.

## **September 2007**

### *Policy Office Director Speaks to Congressional Staff on Employment Verification*

Highlighting the recommendations that USACM made last year to Congress, Cameron Wilson participated in a panel on electronic employment verification proposals. The panel explored the issues related to proposed expansion of the E-Verify system, also known as the “basic pilot.” The system allows employers, on a voluntary basis, to electronically verify potential or existing employees’ work eligibility. Congressional proposals range from continuing the existing program as is, to expanding to by making it mandatory for all employers in the United States. Mr. Wilson’s remarks focused on the safeguards around security, accuracy and scalability issues that need to be built into any proposed expansion.

## **October 2007**

### *USACM Details Recommendations on Senate E-Voting Legislation*

Following its July letter, USACM provided detailed recommendations on S.1487, the Ballot Integrity Act. Specifically, USACM recommended that the legislation:

- Require the audits be random, mandatory, and manual or software independent (not reliant on the machine that produced the vote for the audit)
- Ensure that best practices for auditing elections are followed by state and local officials
- Expand the scope of the software review provisions to include all elements of the system and clarify reviewers’ responsibilities
- Add more transparency to the emergency certification provisions
- Charge the National Science Foundation with e-voting research
- Provide further voter privacy protections

### *USACM Joins With Task Force Seeking Resolution to Budget Brinksmanship*

USACM signed a letter calling for the President and Congress to spare critical research funding as they worked toward a final resolution of the FY ‘08 budget. The letter was from the Task Force for the Future of American Innovation, which is a diverse group of industry, university and scientific society partners seeking to boost basic research funding. The President and Congress were far apart on budget priorities with Congress trying to pass substantial increases in overall funding and the President threatening to veto any legislation to exceeded certain spending limits. The Task Force letter pointed out the bipartisan consensus on increased funding for basic research in the physical sciences and called for Congress and the President to work together to preserve proposed increases.

### *USACM Member Meets With Member of Congress and Staff Regarding E-Voting*

Representing USACM, Ed Felten went to Washington to educate members and staff regarding e-voting issues. Professor Felten met with Congressman Vernon Ehlers (R-MI), Ranking Member of the Committee on House Administration, which has jurisdiction over voting matters, to describe the current state of voting technologies and the recommendations the computing community has made on voting policies. Dr. Felten also met with staff from the Senate Rules Committee and Senator Dodd's (D-CT) office regarding the same issues.

### *USACM's Chair Does Outreach in DC*

Eugene Spafford, USACM's Chair, traveled to Washington DC to educate various parties on web accessibility, electronic employment verification proposals, and e-voting. Dr. Spafford discussed existing USACM positions and recommendations with Senate Rules staff, Senate Finance staff, and EDUCAUSE, a nonprofit association whose mission is to advance higher education by promoting the intelligent use of information technology. Dr. Spafford's meeting with EDUCAUSE led to another USACM member (Harry Hochheiser) participating on a panel on web accessibility and USACM's collaboration with EDUCAUSE on legislation proposing that universities install technology-based deterrents to copyright infringement.

## **November 2007**

### *USACM Begins Review of Voting Standards*

Under the leadership of Alec Yasinsac and Barbara Simons, the USACM voting subcommittee began an extensive review of the newest iteration of the Voluntary Voting System Guidelines (VVSG). The Election Assistance Commission opened the VVSG for a 120 day comment period (later extended to May 5, 2008). This is the most detailed version of the VVSG ever developed. Using a wiki and extensive e-mail conversations, the voting subcommittee was instrumental in starting and maintaining an in-depth comment process.

### *USACM Nominates Member to Government Advisory Group on Health Information Technology*

The Department of Health and Human Services, through its Office of the National Coordinator for Health Information Technology, set up several groups to help develop standards and practices for health information technology. USACM member Jean Camp was nominated to participate in two working groups responsible for setting definitions for both health information technology records and health information technology

networks. Dr. Camp's technical expertise in informatics made her an excellent nominee for the working groups. Unfortunately, she was not chosen for those committees.

## **December 2007**

### *USACM-EC Member Participates in FTC Identity Theft Workshop*

The Federal Trade Commission hosted a workshop on the use of Social Security Numbers (SSNs) in the private sector and the use of SSNs in identity theft. Professor Antón testified about the use of SSNs in USACM testimony in June 2007, and similar issues raised in that testimony were addressed during the workshop. The panel that Dr. Antón participated in dealt with private sector uses of the SSN, including the linkage of separate accounts through the common SSN.

## **January 2008**

### *ACM Groups Release Statement on Web Accessibility*

Several ACM groups, including USACM, released a statement on measures that should be taken to increase web accessibility. You can read the press release and statement online at <http://www.acm.org/press-room/news-releases/accessibility-statement/> (press release). <http://www.acm.org/public-policy/accessibility> (statement)

The statement is a joint statement of USACM; the ACM Special Interest Groups on Accessibility, Hypertext, Hypermedia and the Web, and Computer-Human Interaction; and the Computer Science Teachers Association. USACM, as the official public policy body of ACM, led the effort to revise and publish the statement; work had begun on an earlier version in late 2006.

The online statement also has links to resources on web accessibility, and recommends the Federal government take steps to increase awareness of web accessibility issues, that the information technology community do more to develop tools to facility web accessibility and that accessibility standards should be extended to the extent possible with minimal regulation.

### *USACM Issues Press Release on Final REAL ID Rules*

USACM released a statement pointing to flaws in the final standards issued by the U.S. Department of Homeland Security (DHS) restricting how state driver's licenses and ID cards are provided. The standards, announced on January 11, were issued as part of the requirements of the 2005 REAL ID Act with the intention to make it more difficult to fraudulently obtain a driver's license. USACM said the REAL ID standards for state-issued driver's licenses and personal identification cards will not meet their stated

purpose of providing a “gold standard” for identification. In addition, the new standards will require expanded collection of personal information and documents, and necessitate storage of this material in a form that makes this sensitive information easier to copy and falsify for fraudulent purposes. The statement is available at: <http://www.acm.org/press-room/news-releases/real-id/view>

## **February 2008**

### *USACM Submits Letter Commenting on New Holt Legislation*

USACM sent a letter to Representative Rush Holt commenting on his latest piece of electronic voting legislation, HR 5036. The bill, the Emergency Assistance for Secure Elections Act of 2008, provides money to jurisdictions that rely on DRE voting machines to purchase paper trail systems in time for the general election. At the same time, USACM indicated a need for further electronic voting reform, such as the reforms discussed in Rep. Holt’s other e-voting legislation, HR 811, currently stalled in the House.

The full text of the letter is available online at:

[http://www.acm.org/usacm/PDF/USACM\\_EASEA\\_final.pdf](http://www.acm.org/usacm/PDF/USACM_EASEA_final.pdf)

### *USACM Executive Committee Meets*

Members of USACM’s Executive Committee (EC) met in Washington, D.C., the weekend of February 24 for their 2008 policy summit. The group meets annually in D.C. to set goals for the coming year, review USACM accomplishments during the past year, and discuss the current (and future) technology policy climate. A change this year was opening the meeting to all interested USACM members; in previous years the meeting was limited to members of the USACM-EC and ACM officers. After a review of the past year’s activities, the focus of the meeting shifted to new and continuing projects for the coming year, many of which are spelled out in the Policy Agenda document mentioned later in this report.

## **March 2008**

### *USACM Chair Interviewed about Electronic Voting*

March 6, on the Chicago Fox affiliate, USACM Chair Eugene Spafford was interviewed as part of a story on the State of Illinois’ progress - or lack thereof - in complying with the Help America Vote Act (HAVA). You can watch the story online. Dr. Spafford appears near the end of the piece.

<http://www.myfoxchicago.com/myfox/pages/News/Detail?contentId=5960793&version=1&locale=EN-US&layoutCode=VSTY&pageId=3.1.1>

### *Voting Subcommittee Discusses EAC Roundtables*

USACM's voting subcommittee held a conference call to discuss comments, issues and possible directions stemming from a series of roundtable discussions the Election Assistance Commission (EAC) held on proposed Voluntary Voting System Guidelines. The conference call focused on what issues USACM should try to clarify as the committee drafted its comments on the VVSG. There was consensus that USACM comments should highlight and clarify the relationship between Software Independence, Innovation Class and Independent Voter-Verified Record.

### *Comments on REAL-ID and E-Verify*

USACM Chair Eugene Spafford provided testimony in El Paso, Texas before the Department of Homeland Security's Privacy Integrity Advisory Committee (DPIAC) on REAL-ID and E-Verify limitations and concerns. This testimony expanded on earlier concerns presented in letters issued by USACM over the last few years, as well as the USACM privacy principles statement, and previous Congressional testimony in 2007 by Professor Annie Antón and Dr. Peter Neumann.

USACM members Lance Hoffman and Annie Antón are members of the DPIAC.

**April 2008**

### *USACM Cautions Against Filtering*

USACM released a letter to Senate and House of Representatives education leaders cautioning against legislation that would promote or require universities to use filters to deal with copyright infringement on their networks. The letter stated that filtering technologies are ineffective and costly in the long run because they can be foiled by technology, create new security vulnerabilities, and undermine fair use rights and research on new technologies.

Proposed provisions in the Higher Education Act, which is the centerpiece of Federal higher education policy, prompted the letter. Language had been introduced that would have required universities to install "technology-based deterrents" to curb infringement over their networks – i.e. filters.

While copyright infringement is a serious issue, USACM believes that universities are in the best position to determine how to deal with infringement of copyrighted works on their networks, and filters are ineffective solution. The full letter can be downloaded at: [http://www.acm.org/usacm/weblog/wp-content/USACM\\_Filtering\\_Final.pdf](http://www.acm.org/usacm/weblog/wp-content/USACM_Filtering_Final.pdf)

*USACM Submits Paper on Technology Policy to Computers, Freedom and Privacy Conference*

Responding to a call for papers, USACM submitted a paper outlining proposed technology policy priorities for the next President of the United States. The paper provided recommendations, based on existing USACM positions, in the following areas: voting technologies, fostering innovation and competitiveness, electronic privacy and security, universal internet accessibility, intellectual property controls, open government with respect to technology development.

The paper is available at: [http://usacm.acm.org/usacm/PDF/USACM\\_Policy\\_Agenda.pdf](http://usacm.acm.org/usacm/PDF/USACM_Policy_Agenda.pdf)

*USACM Member Speaks to Education Group Regarding Web Accessibility*

In collaboration with Tracy Mitrano of Cornell University, USACM member Harry Hochheiser gave an EDUCAUSE LIVE! Seminar entitled “The why and how of web accessibility” to an online audience of more than 190 participants. Dr. Hochheiser followed Tracy Mitrano's discussion of legal and regulatory requirements with an introduction to web accessibility standards, evaluation tools, and best practices.

**May 2008**

*USACM Applauds New Voting System Standards*

USACM filed detailed its comments with the Election Assistance Commission (EAC) on the draft 2007 Federal Voluntary Voting System Guidelines. Calling the standards a welcome step forward, USACM supported several important concepts in the draft – including Software Independence – and noted the improved accessibility and usability provisions. Software Independence would require that no fault in the election software could cause an undetected fault in the election results.

The Technical Guidelines Development Committee submitted the standards to the EAC last year. The EAC has the power to modify, reject and/or adopt the standards. Monday was the end of the public comment period on the standards, and USACM commented on numerous parts of the draft.

In its filing to the EAC, USACM lauded the inclusion of several principles that are critical to assuring technical accuracy, feasibility, and best practices, and to promote voter confidence in election results. USACM also submitted comments to these principles to help strengthen the guidelines.

USACM also urged the EAC to resist weakening the critical concepts in the draft that provide for the development of more robust voting systems and that the EAC adopt the

recommended guidelines with some modifications and clarifications provided by USACM.

USACM's full comments to the EAC can be found at [http://usacm.acm.org/PDF/USACM\\_VVSG\\_Comments\\_Final.pdf](http://usacm.acm.org/PDF/USACM_VVSG_Comments_Final.pdf).

### *USACM Issue Briefs Available*

USACM has prepared Issue Briefs on policy issues, a new written product for the committee. The Issue Briefs are intended as short distillations of established USACM policy on various issues. More detailed explanations of USACM positions on these issues can be found in the relevant issue area of our website.

The two new Issue Briefs are on Electronic Employment Verification Systems and REAL ID. We will make additional Issue Briefs available online as they are developed.

[http://www.acm.org/usacm/PDF/EEVS\\_Issue\\_Brief.pdf](http://www.acm.org/usacm/PDF/EEVS_Issue_Brief.pdf)

[http://www.acm.org/usacm/PDF/REAL\\_ID\\_Issue\\_Brief.pdf](http://www.acm.org/usacm/PDF/REAL_ID_Issue_Brief.pdf)

### *USACM Chair Testifies on Electronic Employment Eligibility*

On May 6, Eugene H. Spafford, chair of USACM, testified before the Social Security Subcommittee of the House Ways and Means Committee on electronic employment verification systems (EEVS). USACM has testified before on this issue, with Dr. Peter Neumann speaking to the same subcommittee on the same topic last June. Citing several potential problems, some already evident, in a pilot system (E-Verify) operated by the U.S. Department of Homeland Security's (DHS) to electronically check on employee work eligibility. Dr. Spafford urged Congress to include sufficient safeguards to ensure that both employers and employees are adequately protected from technical failures and abuses of the system.

Dr. Spafford identified three major concerns regarding E-Verify: the accuracy and timeliness of system results; the security and privacy protection afforded to information kept in the system; and the technical feasibility of multiple approaches to creating such a system. He added that these concerns are also applicable to related programs such as the REAL ID Act, which established standards for state-issued driver's licenses, and US-VISIT, a U.S. immigration and border management system. The complete testimony from the hearing is available online, as well as the full USACM press release on the testimony.

Testimony:

[http://www.acm.org/usacm/PDF/EEVS\\_Testimony\\_Eugene\\_Spafford\\_USACM.pdf](http://www.acm.org/usacm/PDF/EEVS_Testimony_Eugene_Spafford_USACM.pdf)

Press Release:

<http://www.acm.org/press-room/news-releases/usacm-urges-congress-to-build-in-safeguards-for-automated-employment-checks/>

*Policy Office Director Speaks Technology Policy and '08 Campaign To EDUCAUSE*

Cameron Wilson represented USACM's views during EDUCAUSE's annual policy conference in Washington, D.C. The panel focused on the key technology policy issues of the 2008 Presidential Campaign and priorities for the next Administration. Mr. Wilson discussed the recently passed America "Competes" Act, the need for more Federal funding of basic research and attention to Science, Technology, Engineering and Mathematics education, particularly computer science education. Other panelists included Richard Bissell, the National Academy of Sciences; Joanne Carney, Director, Center for Science, Technology & Congress, American Association for the Advancement of Science; Michael Nelson, Visiting Professor of Internet Studies, Georgetown University.

**June 2008**

*USACM Voting Subcommittee Members Meet with Policymakers*

Following the release of the USACM comments on the Voluntary Voting System Guidelines (VVSG), members of the USACM voting subcommittee visited policymakers in Washington, D.C. to explain the nature of USACM's comments and the important concepts of the VVSG. Over two days Alec Yasinsac, Barbara Simons and Harry Hochheiser, along with ACM Policy Office staff, met with congressional staff from the two committees responsible for voting legislation, as well as one of the Commissioners of the Election Assistance Commission. During these meetings USACM members discussed software independence, independent voter-verifiable records, innovation class, and open-ended vulnerability testing.