



ACM US Public
Policy Council

Fiscal Year 2012 Annual Report of the US Public Policy Council of the ACM

For the Period July 1, 2011 – June 30, 2012

Submitted by
Eugene H. Spafford, USACM Chair
with input from USACM Council members & DC office staff

ANNUAL REPORT OF THE U.S. PUBLIC POLICY COUNCIL OF THE ASSOCIATION FOR COMPUTING MACHINERY

FOR THE PERIOD: JULY 1, 2011-JUNE 30, 2012

1. BASIC INFORMATION

1.1 MEMBERS

USACM COUNCIL

- Eugene H. Spafford (USACM Chair);
- Annie Antón (USACM Vice-Chair);
- Charles Brownstein (Former USACM Chair);
- Travis Breaux (At Large), term expires 12/31/13;
- Jean Camp (At Large), term expires 12/31/13;
- Lillie Coney (Digital Government Committee Chair);
- Jeremy Epstein (Voting Committee Chair);
- Stuart Feldman (ACM Past President/President's Designee), *ex officio*;
- Andrew Grosso (Law Committee Chair);
- Harry Hochheiser (Accessibility Committee Chair);
- Jim Horning (At Large), term expires 12/31/12
- Paul Hyland (Intellectual Property Committee Chair);
- Jonathan Lazar (At Large), term expires 12/31/12
- Jeanna Matthews (SIG Representative);
- Alan Rea (At Large), term expires 12/31/13;
- Bobby Schnabel (Chair, Education Policy Committee), *ex officio*;
- Stuart S. Shapiro (Security and Privacy Committee Chair);
- Barbara Simons (Former USACM Chair);
- Ollie Smoot (At Large), term expires 12/31/12;
- Emil Volcheck (SIG Representative);
- John White (ACM CEO) *ex officio*; and,
- Cameron Wilson (ACM Director of Public Policy), *ex officio*

1.2 STANDING COMMITTEES

- Accessibility
 - Chair, Harry Hochheiser
- Digital Government
 - Chair, Lillie Coney
- Intellectual Property
 - Chair, Paul Hyland
- Law
 - Chair, Andrew Grosso



- Security and Privacy
 - Chair, Stuart Shapiro
- Voting
 - Chair, Jeremy Epstein

2. PROJECT SUMMARY

Unless otherwise noted, projects listed here were completed within the fiscal year. Additional information is available in the body of the Annual Report.

NSTIC Governance Comments - USACM submitted comments on how the National Strategy for Trusted Identities in Cyberspace should be organized and managed.

Social Security Administration Comments - USACM commented on a proposed online verification system by the Social Security Administration.

Commerce Department Green Paper Comments - The Council submitted comments on the Department's report on cybersecurity and innovation.

Conference Call with Homeland Security Staff - Following up on previous discussions, several USACM volunteers discussed distributed cybersecurity research with staff from the Department of Homeland Security.

Human Subjects Research - USACM joined with SIGCHI and IEEE-USA to comment on computing research in the context of proposed changes to regulations guiding research involving human subjects.

Deficit Reduction Letter - USACM encouraged the Deficit Reduction Committee to remember the value of federal investments in computing.

COPPA Letter sign-on - USACM signed onto a letter praising the Federal Trade Commission for its new privacy regulations for the Children's Online Privacy Protection Act.

SOPA/PIPA Analysis - USACM met with Senate staffers and issued a statement on the Domain Name System implications for the SOPA and PIPA legislation intended to reduce online piracy.

USACM Council Annual Meeting - The USACM Council met in Washington to discuss strategy, plan for future activities, meet with policymakers, and discuss operating procedures.

Menlo Report Comments - USACM responded to the Department of Homeland Security report that sought to apply human subject research ethics to computing and information technology research.



Accessibility Regulation Revisions - The U.S. Access Board revised the federal regulations concerning electronic accessibility and USACM submitted comments along with SIGCHI.

Data Privacy Codes of Conduct - The National Telecommunications and Information Administration sought comments on a proposed multistakeholder process to develop a data privacy code of conduct.

Cybersecurity Statement - USACM issued a statement offering recommendations for the various cybersecurity bills under consideration in Congress in the spring of 2012.

New Electronic Health Records Regulations - USACM provided comments on new Medicare regulations for the certification of electronic health records.

CISPA Statement - USACM issued a statement commenting on the Cyber Intelligence Sharing and Protection Act (CISPA). USACM argued that the bill failed to effectively address privacy concerns.

Testimony advice - The Chair, with input from members, produced a guide to providing testimony to Congress and Federal panels. That document is online and available via the USACM website. At least two people have reported that it was very useful to them in their situations in the last year.

3. PLANS

3.1 Projects for the coming year

We currently are following several areas of potential legislation and will comment or respond as these move forward. This include possible bills on federal cybersecurity. We also are monitoring issues in health care, digital government, and privacy in on-line commerce. The outcome of the 2012 Presidential and Congressional elections will likely influence future legislative activity, but it is not currently possible to determine in advance what influence those might be.

We are seeking to participate in a meaningful way in the Steering Group for the National Strategy for Trusted Identities in Cyberspace (NSTIC) and the Department of Commerce facilitated processes for developing consumer data privacy codes of conduct.

We will carefully monitor the election and aftermath to determine if there are are possible avenues for comment or action by our Voting Committee.

We anticipate future efforts involving intellectual property protection and possibly Internet governance to be active topics in the coming year, and we intend to track both.

Other items will likely arise, including opportunities to provide informal expert advice, expert testimony, and connect ACM members with relevant agencies and personnel. We will pursue any appropriate opportunities that arise.

We will continue to develop our presence on the WWW, Twitter, Facebook, and other on-line outlets as appropriate.

3.2 Important milestones

None as such -- committee efforts are ongoing without any particular milestones that can be noted in advance.

3.3 New projects or programs

We are exploring the relaunch of the ACM Washington Update newsletter. We intend to explore other mechanisms and media over the coming months. Participation in the NSTIC Steering Group is a new kind of effort for USACM, one where the Council could have significant impact in determining new directions in online identity verification.

3.4 Plans on Diversity and Members

USACM already exhibits good diversity of membership across academia, industry, and government, and across many ages and area of the country (USACM membership is, by nature, US-centric). We believe that general membership on the USACM Council is reasonably representative of US-based ACM membership.

We have added several new members to USACM, and will continue to seek out and add more.

4. COMMENTS

The activity of USACM continues to increase, both with our traditional methods of communicating to Washington policymakers, and in exploring new (to USACM) means of contributing our expertise to the development of policy connected to computing.

A major concern in recent years was the development of potential future leadership of USACM from within. However, the last year has been the busiest for USACM in its history. As can be seen by the list of activities, there have been many items requiring participation by many members. At least a half-dozen of these members have stepped forward, led efforts, and continue to act in leadership roles. The majority of these individuals are relatively new to USACM this year (as compared to the Chair, Vice Chair, Past Chair, and some other senior members), and therefore help to bring new ideas to the fore while gaining experience in policy discussions. Thus, in the future, there should be a strong cadre of leadership present to lead USACM. A new Vice Chair was appointed for the FY13-14 term, and some new Council members have been added.

Ed Felten, former USACM Vice Chair, has been serving as the FTC's first Chief Technologist. His term will end on 1 September 2012, and we anticipate that he will rejoin USACM. On that date, Steve Bellovin, a longtime USACM member, will assume the Chief Technologist role at the FTC.



USACM Chair, Gene Spafford, was elected as a member-at-large of ACM Council.

Early in 2012, *Broken Ballots: Will Your Vote Count?*, a scholarly book on voting technologies, was published. It was written by longtime USACM member Douglas W. Jones, and by former USACM Chair Barbara Simons. The book has received excellent reviews, and is directed to (and perhaps informed by) the activities of the USACM Voting Committee.

We will have an in-person meeting of USACM Council sometime around the beginning of 2013. We will use that meeting to discuss new initiatives, structure and other issues related to USACM operation. We may have other, smaller-group meetings later in 2012-2013.

Renee Dopplick joined the ACM Washington Office staff as a senior public policy analyst in January 2012. Renee and David Bruggeman now split support duties for USACM committees and council. This has resulted in significantly more time on task and (presumably) less load on Washington Office staff. There has been a noticeable increase in overall response by USACM, with some increased strategic vision.

USACM volunteers continue to be appreciative of the expertise, effort, and professionalism of ACM staff supporting our efforts. The Washington Office staff (Wilson, Bruggeman, and Dopplick) have continued to provide responsive, expert advice and guidance, sometimes even before the need for it is recognized by the volunteers. Headquarters staff, and especially Gini Gold, also continue to be responsive and contribute to USACM's mission.



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DETAILED REPORT

USACM OVERVIEW

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

USACM MISSION, OPERATIONS AND GOVERNANCE

USACM operates through a transparent and democratic process to reach consensus on policy activities. Its members and ACM Policy Office staff follow a number of relevant public policy issues and keeps its members informed on events and opportunities for engagement. Draft policy statements, position papers, and letters are usually posted to one of its committees or to USACM Council for review and comment approval. In some cases positions are forwarded to the Executive Committee of the USACM Council (USACM-EC) for quick review and approval. The USACM Council 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 Council members. USACM staff can conduct policy research on issues identified by USACM Council during these calls and initiate contacts and meetings with relevant policymakers on a timely basis. Finally, the USACM Council typically meets in person 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.

USACM has six established committees – Voting, Security and Privacy, Computing and the Law, Intellectual Property, Accessibility, and Digital Government – to focus on what USACM considers its core issues.

At the close of FY2012, the USACM-EC consisted of the following members:

- Eugene H. Spafford (USACM Chair, Purdue);
- Annie Antón (USACM Vice-Chair, North Carolina State University);
- Harry Hochheiser (Accessibility Committee Chair, University of Pittsburgh);
- Jim Horning (Consultant);
- Barbara Simons (retired, former USACM Chair);
- Ollie Smoot (retired);
- Emil Volcheck (SIG Representative, National Security Agency);
- Stuart Feldman (ACM Past President/President's Designee, Google), *ex officio*;
- John White (ACM CEO), *ex officio*; and,
- Cameron Wilson (ACM Director of Public Policy), *ex officio*

The USACM Council consisted of the following members:

- Eugene H. Spafford (USACM Chair);

- Annie Antón (USACM Vice-Chair);
- Charles Brownstein (Former USACM Chair);
- Travis Breaux (At Large), term expires 12/31/13;
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- Cameron Wilson (ACM Director of Public Policy), *ex officio*

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

Note that all Council members are also members of all committees of USACM.

FY2012 OVERVIEW AND HIGHLIGHTS

The past fiscal year continued the trend of increased policy activity by USACM staff and volunteers. January and February of 2011 marked one of the busiest periods for USACM in recent history. Most USACM activity during the fiscal year focused on issues covered by the Security and Privacy Committee, including a privacy framework proposal from the Department of Commerce, and an identity system proposed by the Executive Branch. Besides our continued interaction with Congressional staff, USACM has commented to and/or reached out to more executive branch agencies, including the Securities and Exchange Commission, the Department of Homeland Security, the Department of Justice and the Federal Trade Commission.

USACM has also worked with other components of ACM to leverage their expertise and connect other parts of the organization with policymakers that USACM might not otherwise work with.



In the spring there were several events that demonstrated USACM's growing reputation within Washington as a source of reliable, technically-oriented policy advice.

Thanks to the hard work and dedication of our volunteers and staff, FY 2012 was a very productive year.

DETAILED ACTIVITIES

The following is a more comprehensive and chronological listing of USACM activities for the year. USACM Committees originate many of the Council's projects, and our most active committees have submitted reports, which are included following this listing.

July 2011

USACM Submits Comments on Implementation of National Strategy for Trusted Identities in Cyberspace

The National Strategy for Trusted Identities in Cyberspace (NSTIC) is intended to be a public-private initiative to develop standards and policies to support new solutions to identity verification online. The National Institutes of Standards and Technology (NIST) issued a notice of inquiry on NSTIC governance in early June, and USACM responded to questions on how this strategy should be guided moving forward. Our comments focused on the need for good governance to ensure trust in NSTIC – something critical to its effective function. Besides recommending that relevant technical and international experience be included on any NSTIC governance structure, our comments argued for ensuring that vacancies be filled promptly, and that NSTIC staff should review several existing technical bodies for insights on how to develop a governance structure. USACM comments were cited in the final NIST recommendations on NSTIC governance, and USACM is exploring how to participate in the NSTIC Steering Group during Fiscal Year 2013 and beyond.

USACM comments can be read at: <http://usacm.acm.org/images/documents/USACM%20NSTIC%20Governance%20Comments.pdf>

The final NSTIC governance recommendations are available here: <http://www.nist.gov/nstic/2012-nstic-governance-recs.pdf>

August 2011

USACM Communicates Concerns Over Social Security Online Authentication Process

The Social Security Administration (SSA) was exploring the development of an online authentication system to help provide services by way of the Internet. The system would use certain pieces of personal information to confirm that the person interacting with the agency online is the person connected to that information. USACM's response outlined our concerns with the system, mainly that much of the information the SSA proposed to collect is publicly available, making it relatively easy to spoof the system.

USACM's comments are available here: <http://usacm.acm.org/images/documents/USACM%20Social%20Security%20Authentication.pdf>

USACM Comments on Commerce Department Cybersecurity Paper

The Internet Policy Task Force of the Department of Commerce issued a green paper on cybersecurity and innovation in June of 2011. This paper, the second of a series, examined how to encourage continued innovation through the Internet while supporting better cybersecurity. USACM's comments on the paper made recommendations that would help maintain or grow consumer trust in online commerce, to wit:

- Increase software developer accountability for the products they produce and market, thus saving businesses from ever having to make the difficult decision between innovation and market share and security.
- Create comprehensive web security and web application standards, as well as reasonably constrained data retention policies and practices, which will be vital as more businesses place data within cloud computing environments to quickly implement innovative business processes and minimize infrastructure and security costs.
- Increase research in web application and services security that seeks, among other things, new approaches to accommodate increased wireless access by way of mobile devices.
- Widespread security education for both businesses and customers to strengthen cybersecurity within the I3S. This can be achieved with the use of practical resources and processes to secure businesses' web applications and services and by providing usable guidance to consumers to help them become more security conscious.

The full text of USACM's comments is available at: http://usacm.acm.org/images/documents/USACM_DOC_Cybersecurity_Comments1.pdf

September 2011

USACM Volunteers Meet With DHS Staff on Cybersecurity

Following up on a previous meeting with Department of Homeland Security staff, members of USACM participated in a conference call to discuss a white paper issued by the Department. The paper concerns an approach to distributed cybersecurity. USACM volunteers (Chair Eugene Spafford, Stu Shapiro, Travis Breaux and Alan Rea) noted other prior work in the area that DHS staff should review, as well as other important questions and concerns.

October 2011

USACM, SIGCHI and IEEE-USA Provides Computing Input on Proposed Revisions to Human Subjects Research Regulations

The Department of Health and Human Services sought comments on proposed revisions to the Common Rule - the regulations controlling procedures for research involving human subjects. Besides computing-specific research involving human subjects, the proposed changes included updating data security requirements to account for the two decades since the last revision of the Common Rule. USACM's comments included the following guidance:

- Require data security and information protection standards.
- Make sure regulations do not unintentionally restrict research on anonymity, security and privacy.
- Insist on uniform application of data security and information protection rules.
- Allow for means of updating regulations to reflect research results and changes in best practices.

While USACM has collaborated with SIGCHI and other USACM SIGs before, the collaboration with IEEE-USA is new.

USACM's full set of comments are available here: <http://usacm.acm.org/images/documents/HumanSubjectsFinal.pdf>

November 2011

USACM Reminds Deficit Reduction Committee About the Value of Computing

As the Deficit Reduction Committee (also called the super-committee) debated how to address deficit reduction targets obligated by law, USACM sent the committee a letter outlining the importance of



maintaining investments in science, technology and innovation. Emphasizing the increasing investments by other countries in science and technology research and education, the letter encouraged the committee not to target those investments for cuts.

The letter can be read here: <http://usacm.acm.org/images/documents/USACMDeficitReduction.pdf>

December 2011

USACM Joins Organizations in Recognizing FTC Increase of Privacy Standards

USACM joined several privacy and consumer organizations in signing a letter to the Federal Trade Commission commending it on new privacy standards in the Children's Online Privacy Protection Act. The letter expands the definition of personal information (including geo-location information) and encourages a data minimization standard.

The full text of the letter is available here: http://www.aclu.org/files/assets/ftc_coppa_rules_letter.pdf

January 2012

USACM Comments on DNS Affects of Congressional Legislation

Two pieces of Congressional legislation, the Stop Online Piracy Act and the PROTECT IP Act, attracted considerable public attention for the significant steps the bills would take to change online conduct. With a particular eye to the proposed changes to the Domain Name System, and acknowledging that many ACM members have intellectual property they wish to see protected, USACM issued letters to the Senate and House Judiciary Committees expressing its concerns. We expressed our view that solutions in the bills for disrupting rogue sites would be ineffective and cause more harm than they might stop.

Shortly before issuing the letters and technical analysis, USACM Chair Gene Spafford, USACM members Steve Bellovin and Geoff Cohen, and ACM Policy Office staff met with staff from the Senate Judiciary Committee to outline the technical concerns USACM had with the bill.

The letters, and the associated technical analysis, can be found at:

<http://usacm.acm.org/images/documents/DNSDNSSEC-Senate2.pdf> (PIPA Analysis)

<http://usacm.acm.org/images/documents/DNSDNSSEC2.pdf> (SOPA Analysis)

<http://usacm.acm.org/images/documents/SOPAletter.pdf> (SOPA/House letter)

<http://usacm.acm.org/images/documents/PIPAletter.pdf> (PIPA/Senate letter)

February 2012

Meetings with Policymakers Cap USACM Council Meeting

USACM held an in-person meeting of its Council in Washington, D.C. A significant majority of Council members were able to attend, contributing to strategic planning discussions, as well as matters of process and tactics to help guide USACM activities for the following 12-18 months. We also hosted guest speakers: Ed Felten, Chief Technologist of the Federal Trade Commission (and former USACM vice-chair) and Henning Schulzrinne, Chief Technologist of the Federal Communications Commission spoke. They described how technical advice can best be communicated to the group.

As is customary after USACM Council meetings, several volunteers stayed to meet with policymakers at the Department of Commerce, the Senate Commerce Committee, the Senate Judiciary Committee and the Motion Picture Association of America.

March 2012

USACM Comments on DHS Menlo Report

The Department of Homeland Security issued the Menlo Report in September 2011. The stated goal of the report was to extend ethical guidelines for human subjects research to computer and information security research. USACM, informed in part by its comments in late 2011 to the Health and Human Services Department on the Common Rule, submitted comments on the Menlo Report. Considering the report a good start, USACM's comments emphasized that broader and deeper consideration of human subjects research issue will be necessary to move forward. These considerations should include:

- Collect and analyze data on current practices before taking action.
- Evaluate the advantages and disadvantages of a variety of research ethics board models, including national and regional review bodies as well as IRBs.
- Systematically consider related work and guidance from around the globe.
- Include specialists in research ethics as part of the process.

USACM's comments are available here: <http://usacm.acm.org/images/documents/USACMMenloReport.pdf>

SIGCHI and USACM Comment on Updates to Accessibility Regulations

The U.S. Access Board is revising the accessibility standards for electronic content and electronic equipment available to employees and members of the public with disabilities. Last updated in 2000, the changes primarily address changes in technology over the past decade. The USACM comments emphasized the following points:

- Whenever possible, harmonize U.S. regulations with international standards.
- Functional performance requirements are at least as important as technical performance standards in assuring accessibility.
- The Access Board should be ready to serve as a technical resources for agencies and other parties working to comply with the new standards.

April 2012

USACM Makes Suggestions for Data Privacy Codes of Conduct

As part of the online privacy initiative announced by the Obama Administration, the Department of Commerce was asked to encourage the development of consumer data privacy codes of conduct. The National Telecommunications and Information Administration (part of the Department of Commerce) sought comments on the process for developing a code of conduct. USACM submitted comments in response, encouraging the Department to not focus only on technologies and applications, but to consider privacy risks and assessments of those risks. USACM also encouraged that the meetings be as publicly available as possible, including publishing it in formats that are easily accessible and can be reused with little difficulty.

The full set of USACM comments are at: <http://usacm.acm.org/images/documents/USACMConsumerPrivacyProcess0412.pdf>

USACM Comments on Cybersecurity Legislation

Congress has struggled with comprehensive cybersecurity legislation for many years. To try to address the many bills being considered by both chambers of Congress, USACM issued a statement outlining its top concerns for any cybersecurity legislation in Congress. They include:

- Any information sharing must include protections for personally identifiable information;
- Unnecessary restriction of cybersecurity risk management options;

- There are no broad certification requirements for cybersecurity professionals;
- Cybersecurity education should include systems analysis and design;
- There is continued federal support for cybersecurity research and development; and
- There are targeted sets of cybersecurity standards.

The complete statement is available here: <http://usacm.acm.org/images/documents/2012CybersecurityStatement.pdf>

May 2012

New Electronic Health Records Regulations Prompt USACM Comments

The Department of Health and Human Services recently proposed new and revised certification standards for electronic health records. USACM responded to the Department's request for comment with particular focus on the accessibility of those records. The adoption of the international Web Content Accessibility Guidelines is a great sign that accessibility will be an important part of the future of electronic health records in the U.S. It also makes it easier to ensure that all patients will have equal opportunity to access their health information in electronic form.

The full set of comments can be read at: http://usacm.acm.org/images/documents/ElectronicHealthRecords_2012.pdf

June 2012

USACM Comments on House Information Sharing Legislation

One of the many cybersecurity bills in Congress this year is the Cyber Intelligence Sharing and Protection Act (CISPA). It passed the House in late April, and USACM was concerned that the bill fails to strike an effective balance between the need for effective information sharing and preserving the privacy of individuals connected to collected information. In the statement USACM released, it emphasized the following concerns with CISPA:

- The use and retention of personally identifiable information (PII) should be limited to the stated purpose of the legislation.
- The bill needs additional guidance on when PII could reasonably be cyber threat information.
- Restrictions on the use of PII in the current bill are relatively narrow.
- Shared information that is later determined not to be cyber threat information should be deleted.
- There are insufficient standards in the bill for oversight and/or control of shared information.



ACM US Public
Policy Council

USACM COMMITTEE REPORTS

As USACM policy activities typically originate with a specific committee, most of the activities described below can be found in the above narrative.

Accessibility

Submitted by Harry Hochheiser, Committee Chair

- 1.2 State the purpose to the committee -- its current charter. If an ad hoc committee, state the termination date.

The purpose of this committee is to work within the larger USACM framework to encourage greater accessibility of computing technology to as broad a population as possible, regardless of physical, cognitive, and other disabilities that may limit an individual's ability to use a computer. USACM's accessibility committee works to increase awareness of accessibility issues, to promote the development of appropriate tools, and to support the development of standards that will promote accessibility.

- 1.3 Indicate the organization of the committee into subcommittees or other subunits; give a one-sentence description of each subunit's charter. Name the individual responsible for each subunit.

None

- 1.4 List dates of committee meetings.

None – all business conducted via listerv

2. PROJECT SUMMARY

Comments on Advance Notice of Proposed Rule making on the Telecommunications Act Accessibility Guidelines: Electronic and Information Technology Accessibility Standards: In response to proposed revisions to the Section 508 regulations governing accessibility requirements for government websites, the Accessibility committee submitted

detailed comments in support of the emphasis on functional rather than technical requirements, simplification of regulations, and harmonization with comparable efforts such as the W3C's web content accessibility guidelines (WCAG)

Responsible Person: H. Hochheiser

Starting Date: January 2012

Finishing Date: March 2, 2012

Funds Budgeted and Spent: \$0

Comments on Health Information Technology; Implementation Specifications, and Certification Criteria: Electronic Health Record Technology, 2014 Edition Revisions to the Permanent Certification Program for Health Information Technology: USACM Submitted a letter to Farzad Mostashari, National Coordinator for Health Information Technology at the Office of the National Coordinator urging support for accessibility and compliance with web content accessibility guidelines for electronic medical records.

Responsible Person: R. Dopplick

Starting Date: April 7, 2012

Finishing Date: May 7, 2012

Funds Budgeted and Spent: \$0

3. PLANS

- 3.1 List projects that will be completed or terminated in the coming year.
- 3.2 List important changes or milestones in active projects during the coming year.
- 3.3 List new projects or programs which are proposed or contemplated.

We are considering several possible projects directed at increasing awareness of accessibility concerns, including:

- Engaging the education board, SIGCHI, SIGACCESS, and other relevant ACM activity areas to promote both accessibility and accessibility education.
- Developing a broader report on the state of accessibility, particularly with respect to evolving technologies and usage patterns such as greater adoption of HTML 5 and trends towards use of mobile devices.

- Working with the ACM office to improve the accessibility of ACM web sites and conferences.
- Meeting with or presentation by U.S. Access Board Commissioner for USACM Accessibility Committee members

3.4 List details of plan to increase the diversity of the committee membership, with respect to younger members, a wider geographic representation, and a better balance with respect to industry/academia, gender, and other underrepresented groups.

Committee Members

Harry Hochheiser, Chair

Ben Bederson

Jim Cohoon

Dave Farber

Juan Gilbert

Don Gotterbarn

Juan Pablo Hourcade

Chuck House

Paul Hyland

Douglas Jones

Lorraine Kisselburgh

Jonathan Lazar

Clayton Lewis

Erika Poole

Stu Shapiro

Ben Shneiderman

Alec Yasinsac

plus all members of USACM Council

Digital Government

Submitted by Lillie Coney, Committee Chair

This is a transition year for the Digital Government Committee of USACM, with a new chair. Goals for the committee for the year include: increasing committee visibility and engagement with USACM members; increasing membership of the committee through proactive Digital Government policy work; raising federal government awareness of USACM Digital Government policy recommendations; and



better engagement of committee members with subject matter expertise to improve USACM Digital Government guidance for areas under the committee's purview.

PLANS

The committee chair position was filled in Spring 2012. The Committee immediately began work on a Continuity of e-Government policy initiative to complement work already underway within the Federal Executive Branch. The chair is coordinating efforts with the ACM Public Policy Office staff, and the Chair of the USACM as the committee identifies possible projects to undertake. The chair is conducting outreach to all committee members for comments and ideas about project development. If an initiative has sufficient support among Committee members and the larger group of USACM members then it will be pursued.

As the US government becomes increasingly reliant on technology for data storage, information dissemination, collaboration, productivity, security, and constituent engagement, the USACM will focus its efforts on monitoring and assisting in the goals of transparency, accuracy and protection of the information and services placed online.

Committee Members

Chris Bronk
Geoff Cohen
Lillie Coney
Dave Farber
Sarah Granger
Don Gotterbarn
Jim Hendler
Douglas Jones
Aaron Massey
Andy Oram
David Robinson
Ben Shneiderman
Alec Yasinsac
plus all members of the USACM Council

Intellectual Property

Submitted by Paul Hyland, Committee Chair

1.2 State the purpose to the committee -- its current charter. If an ad hoc committee,

state the termination date.

This committee is concerned with the different interests that need to be balanced concerning intellectual property. Interested in preserving the intellectual property rights of those producing new computing technology and services, the committee also wants to preserve fair use and other legitimate uses of things that might be protected under intellectual property rights.

USACM is committed to ensuring that intellectual property rights are protected. USACM encourages policymakers to adopt policies that address specific user behaviors, rather than broadly prohibiting technologies that may be used for both desirable and undesirable purposes. Additionally, policymakers need to make sure that fair uses of intellectual property are preserved. Without fair use rights, researchers, students and others cannot effectively exchange knowledge and information.

2. PROJECT SUMMARY

USACM Letters Opposing SOPA and PIPA

In late 2011 two bills in Congress intended to fight intellectual property theft from overseas were introduced in Congress. The Preventing Real Online Threats to Economic Creativity and Theft of Intellectual Property Act of 2011 (S. 968, the PROTECT IP Act, or PIPA) and the Stop Online Privacy Act (H.R. 3261 or SOPA) were notable in that the bills further developed the concept of enforcing IP rules by requiring various service providers to block service to infringing web sites, from DNS and search engine indexing to advertising and e-commerce.

In January 2012, USACM submitted letters to the House and Senate Judiciary Committees expressing our concerns with the technological mandates included in the SOPA and PIPA bills. A statement announcing our positions and these letters links to these documents. [<http://techpolicy.acm.org/blog/?p=1877>] The Intellectual Property Committee worked closely with the Security & Privacy and Law Committees in drafting these documents, which drew from and expanded upon the white paper released last year by a group of distinguished Internet pioneers and network security experts (referenced in last year's report).

Other Developments

Committee member **Pam Samuelson** wrote an article for **CACM** entitled "Can Online Piracy Be Stopped by Laws?" <http://cacm.acm.org/magazines/2012/7>

Enforcement: The USACM Intellectual Property Committee – along with the Accessibility Committee - considered providing comments to the U.S. Copyright Office’s triennial Section 1201 Exemption Hearings that consider proposals for exemptions to the anti-circumvention provisions of the Digital Millennium Copyright Act. The USACM IP Committee also considered providing comments and recommendations to the White House Joint Strategic Plan on Intellectual Property Enforcement. In both cases we declined due to lack of experience and time to adequately respond; we should continue to develop expertise and capacity to enable us to participate in such processes in the future.

International Trade Agreements: The Anti-Counterfeit Trade Agreement (ACTA) was dealt a setback when serious opposition developed in several European countries, and it was defeated in the EU Parliament. The Trans-Pacific Partnership Agreement (TPP) held several secret negotiating sessions, with opposition building among a small group of activists, and some details have leaked out about limitations and exceptions. While the IP Committee should monitor these agreements, it is unclear what kind of response if any would be appropriate for USACM.

3. PLANS

3.1 List projects that will be completed or terminated in the coming year.

None.

3.2 List important changes or milestones in active projects during the coming year.

None.

3.3 List new projects or programs which are proposed or contemplated.

SOPA and similar legislation to apply technological measures to copyright enforcement could reemerge in an altered form; some portions have found their way into other bills such as proposed cybersecurity legislation. The IP Committee should track these developments and consider responding if warranted. Similarly, possible legislation on the issue of patent trolls in computer hardware and software is worth committee attention.

3.4 List details of plan to increase the diversity of the committee membership, with respect to younger members, a wider geographic representation, and a better balance with respect to industry/academia, gender, and other under-represented groups.

- The Intellectual Property Committee added three new members in the past year: Andy Oram from O'Reilly Media, Thomas Gideon of the New America Foundation (and recent At-Large USACM Council member), and Eric Burger of Georgetown University. Representing industry, academia, and public interest gives us professional balance, but two from Washington and one from Boston is unlikely to improve geographic diversity.
- The Intellectual Property Committee will actively participate in USACM outreach activities that will likely include regional meetings/presentations and recruiting sessions at major computing-related conferences. Individual members of the Committee will be encouraged to actively recruit members with an eye toward broadening the backgrounds and reach of the committee.
- Specifically, the Committee may be able to identify potential new members at Public Knowledge's IP3 Awards event this Fall, and at next year's Computers Freedom and Privacy conference.

Committee Members

Paul Hyland, Chair

Eric Burger

Geoff Cohen

Bob Ellis

Dave Farber

Thomas Gideon

Barbara Helfer

Lee Hollaar

Chuck House

Paul Jacobs

Douglas Jones

Cem Kaner

Andy Oram

David Padgham

Garry Paxinos

David Robinson

Pam Samuelson

Bhavani Thuraisingham

David S. Wise

plus all members of the USACM Council

Law

Submitted by Andy Grosso, Committee Chair

- 1.2 State the purpose to the committee -- its current charter. If an ad hoc committee, state the termination date.

The committee works within the broader USACM framework. The committee is dedicated to monitoring the federal legal landscape that affects computing policy issues and ensuring that such laws provide an environment conducive to innovation.

- 1.3 Indicate the organization of the committee into subcommittees or other subunits; give a one-sentence description of each subunit's charter. Name the individual responsible for each subunit.

None

- 1.4 List dates of committee meetings.

None – all business conducted via listerv

2. PROJECT SUMMARY

Draft Amicus Brief: The Committee drafted an amicus brief to be filed with the U.S. Supreme Court in the *United States v. Jones* case, which involved the government's warrantless use of a GPS unit on a motor vehicle for surveillance. As a result of time constraints, the draft brief was not approved in time for submission. It, however, provides a foundation for future USACM efforts related to the technological issues involved in Fourth Amendment searches and an individual's right to privacy. It is also in the process of being converted to a report and/or position paper for prospective publication by the Committee or by USACM in total.

Responsible Person: A. Grosso

Starting Date: September 11, 2011

Finishing Date: September 29, 2011



Funds Budgeted and Spent: \$0

SOPA/PIPA Statement: Committee members provided input on the differences between SOPA and PIPA in support of the USACM Statement on SOPA and PROTECT IP Act (PIPA).

Responsible Person: A. Grosso

Starting Date: November 9, 2011

Finishing Date: January 18, 2012

Funds Budgeted and Spent: \$0

3. PLANS

3.1 List projects that will be completed or terminated in the coming year. (1) Completion of report and/or position paper on Fourth Amendment Issues. (2) Providing experts in computing fields for seminars and training programs held (separately) by the (a) federal judiciary; and (b) federal prosecutors.

3.3 List new projects or programs which are proposed or contemplated.

Provide training and training support materials on technology issues to judges, attorneys, staff, and other legal professionals so that they can better understand cutting edge issues of technology and apply that understanding to legal questions in dispute.

Meet with legal professional associations, such as the American Bar Association and the American Intellectual Property Law Association, to explore ways that USACM and/or the Law Committee might work with these associations to advance USACM's strategic goals and objectives.

Develop a brief background, with related talking points, on the current and emergent legal aspects of mobile and cloud technologies.

Explore holding an internal teleconference presentation on the legal framework and proposed reforms for spectrum allocation to educate USACM members on the implications for the evolving computing and technological landscape.

Provide input to the Congressional Internet Caucus Advisory Committee on the "Debate of the Net," a public event to be held at the Newseum in September 2012. The event will explore the Presidential candidates' agendas for Internet policies. The Law Committee will provide potential moderator

questions that address the legislative and regulatory frameworks related to USACM's strategic policy areas.

Provide input to the Congressional Internet Caucus Advisory Committee on a two-part series to commemorate the 15th Anniversary of the enactment of the Digital Millennium Copyright Act (DMCA). The first event, to be held at the Santa Clara Law School in March 2013, will focus largely on the judicial cases interpreting and applying the DMCA. The second event, to be held on Capitol Hill in April 2013, will focus largely on the legislative history.

Explore organizing, or collaborating with another partner, to host an event or to provide resources for the general public focused on tech law to celebrate Law Day on May 1, 2013. The purpose would be to educate, raise awareness of USACM as a technical resource, and promote appreciation, and understanding of the role of technology as it affects important legal matters and decisions in our courts. The event and supporting materials could be promoted through the American Bar Association, which gives awards for outstanding events and materials.

3.4 List details of plan to increase the diversity of the committee membership, with respect to younger members, a wider geographic representation, and a better balance with respect to industry/academia, gender, and other under-represented groups.

To be addressed by USACM as a whole.

Committee Members:

Andy Grosso, Chair

Geoff Cohen

Dave Farber

Lance Hoffman

Lee Hollaar

Ron Jarvis

Douglas Jones

Cem Kaner

Vince Lipsio

Aaron Massey

James Moody

Paul Otto

Garry Paxinos



Erika Poole
Mark Rasch
David Robinson
Anthony Ruocco
Pam Samuelson
David Wise
Jessica Young
plus all members of the USACM Council

Security and Privacy

Submitted by Stuart S. Shapiro, Committee Chair

PROJECT SUMMARY

During the last fiscal year, the USACM Security and Privacy Committee engaged in the following principal activities:

Meetings

- Department of Homeland Security staff on the DHS white paper “Enabling Distributed Security in Cyberspace: Building a Healthy and Resilient Cyber Ecosystem with Automated Collective Action,” September 6 and January 30
- Senate Judiciary Committee staff on the Protect IP Act (PIPA), January 12
- Department of Commerce staff on multiple topics, February 10
- Senate Commerce Committee staff on multiple topics, February 10
- Senate Judiciary Committee staff on electronic communication intercepts, February 10
- Motion Picture Association of America on technical approaches to combatting piracy, February 10

Comments

- Responded to the National Institute of Standards and Technology Notice of Inquiry on Models for a Governance Structure for the National Strategy for Trusted Identities in Cyberspace (NSTIC), July 22
- Commented on the Department of Commerce Internet Policy Task Force Green Paper “Cybersecurity, Innovation, and the Internet Economy,” August 1
- Commented on the National Institute of Standards and Technology Draft Strategic Plan of the National Initiative for Cybersecurity Education (NICE), October 3
- Responded, together with IEEE USA and SIGCHI, to the Department of Health and Human Services Advance Notice of Proposed Rule Making on Human Subjects Research Protections: Enhancing Protections for Research Subjects and Reducing Burden, Delay, and Ambiguity for Investigators, October 26
- Commented on the Stop Online Piracy Act (SOPA), January 17
- Commented on the PROTECT IP Act (PIPA), January 17
- Commented on the Department of Homeland Security “Menlo Report: Ethical Principles Guiding Information and Communication Technology Research,” February 27
- Responded to a Request for Public Comment by the National Telecommunications and Information Administration (NTIA) on the Multistakeholder Process to Develop Consumer Data Privacy Codes of Conduct, April 2
- Commented on the Cyber Intelligence Sharing and Protection Act (CISPA), June 6

Policy Statements

- Cybersecurity Legislation, April 24

Sign-ons

- Signed on to a Privacy Coalition response to a Federal Trade Commission request for comment on proposed changes to the Children’s Online Privacy Protection Act Rule, November 28

3. PLANS

- 3.1 List projects that will be completed or terminated in the coming year.

The Committee is developing a response to the security and privacy issues of “Big Data.” It is also in the process of updating the USACM Policy Statement on Law Enforcement Access to Information Infrastructure.

- 3.2 List important changes or milestones in active projects during the coming year.

None

- 3.3 List new projects or programs which are proposed or contemplated.

Some members of the Committee have expressed interest in exploring possible responses to the issue of surveillance technology exports to authoritarian governments.

- 3.4 List details of plan to increase the diversity on the Board with respect to younger members, a wider geographic representation, and a better balance with respect to industry/academia, gender, and other under-represented groups.

The Security and Privacy Committee will actively participate in USACM outreach activities that will likely include regional meetings/presentations and recruiting sessions at major computing-related conferences. Individual members of the Committee will be encouraged to actively recruit diverse members.

4. COMMENTS

None

Committee Members

Stuart Shapiro, Chair
Annie Anton
Steve Bellovin



Travis Breaux
Chris Bronk
Chuck Brownstein
Eric Burger
Jean Camp
Jim Cohoon
Lillie Coney
Lorrie Cranor
Brian Dean
Julie Earp
Bob Ellis
Jeremy Epstein
Dave Farber
Stu Feldman
Thomas Gideon
Seymour Goodman
David Gordon
Sarah Granger
Andy Grosso
Rebecca Herold
Harry Hochheiser
Lance Hoffman
Jim Horning
Paul Hyland
Maritza Johnson
Douglas Jones
Patrick Kelly
Lorraine Kisselburgh
Kim Lawson-Jenkins
Jonathan Lazar
Aaron Massey
Jeanna Matthews
Peter Neumann
Paul Otto
David Padgham
Garry Paxinos
Mark Rasch
Alan Rea
Chris Roberts



David Robinson
Arnon Rosenthal
George Roussos
Anthony Ruocco
Pam Samuelson
Fred Schneider
Stuart Shapiro
Barbara Simons
Jonathan Smith
Ollie Smoot
Eugene Spafford
Bhavani Thuraisingham
Lorenzo Valeri
Emil Volcheck
David Wagner
Alec Yasinsac
Jessica Young
plus all members of the USACM Council

Voting

Submitted by Jeremy Epstein, Committee Chair

PROJECT SUMMARY

During the last fiscal year, the USACM Voting Committee engaged in the following principal activities:

Publicity

Committee activity has, surprisingly, been light over the last fiscal year. This may reflect the decline in attention paid to electronic and internet voting in general.

Discussions

See above.

3. PLANS

3.1 List projects that will be completed or terminated in the coming year.

None

3.2 List important changes or milestones in active projects during the coming year.

Unknown

3.3 List new projects or programs which are proposed or contemplated.

The committee sees the current election season and its outcomes as a possible opportunity to comment on voting technology issues connected to computing. A review of the state of the art in voting technology may be a useful project to pursue. Such a review might be linked to a survey of ACM membership on electronic voting, updating the survey that accompanied the ACM voting statement back in 2004. As noted last year, we will likely see pushes towards Internet voting for all citizens on the basis of reducing costs (despite the lack of evidence for such a claim). USACM will need to monitor and be responsive to electronic and internet voting legislation, and should seek to proactively engage with appropriate committees and departments to educate them on the technical issues involved in such a move.

3.4 List details of plan to increase the diversity on the Board with respect to younger members, a wider geographic representation, and a better balance with respect to industry/academia, gender, and other under-represented groups.

We will solicit members at the EVT/WOTE workshop affiliated with USENIX Security in August 2012, which is the primary gathering place for people interested in voting technology.

Committee Members

Lillie Coney
David Dill
William Edelstein
Dave Farber
Juan Gilbert
Don Gotterbarn
Douglas W. Jones
Cem Kaner
Kim Lawson-Jenkins
Vince Lipsio
Peter Neumann
Curtis Sawyer
David Wagner
David S. Wise
Alec Yasinsac

plus all members of the USACM Council

APPENDIX

LIST OF USACM MEMBERS OF ALL COMMITTEES COMBINED

Annie Antón
Marty Apple
Ben Bederson
Steven Bellovin
David Brandin
Travis Breaux
Chris Bronk
Charles Brownstein
Eric Burger
Jean Camp
Steve Cherry
Sunny Choi
James Cohoon
Lillie Coney
Lorrie Cranor
Brian Dean
David Dill
Julie Earp
William Edelstein
Bob Ellis
Jeremy Epstein
Dave Farber
Stuart Feldman
Edward Felten
Mark Ferneau
Thomas Gideon
Juan Gilbert
Seymour Goodman
Dave Gordon
Don Gotterbarn
Sarah Granger
Andrew Grosso
Jeff Grove
Kat Hanna
Barb Helfer



Jim Hendler
Rebecca Herold
Harry Hochheiser
Lance Hoffman
Lee Hollaar
Jim Horning
Chuck House
Paul Hyland
Ron Jarvis
Paul Jacobs
Maritza Johnson
Amy Joines
Douglas W. Jones
Laurie Jones
Cem Kaner
Lorraine Kisselburgh
Kathryn Kleiman
Kim Lawson-Jenkins
Jonathan Lazar
Ed Lazowska
Clayton Lewis
Vincent Lipsio
Aaron Massey
Jeanna Matthews
Jonathan S. Miller
Peter Neumann
Paul Otto
Garry Paxinos
Jon Peha
Mark Rasch
Alan Rea
Jennifer Rexford
Chris Roberts
David Robinson
Arnon Rosenthal
Marc Rotenberg
George Roussos
Anthony S. Ruocco
Pam Samuelson



Fred Schneider
Stuart S. Shapiro
Erika Shehan
Ben Shneiderman
Barbara Simons
Jonathan M. Smith
Ollie Smoot
Eugene Spafford
Bhavani Thurasingham
Lorenzo Valeri
Emil Volcheck
David Wagner
Willis Ware
John White
David Wise
Alec Yasinsac
Jessica Young
Stu Zweben