

## **HCI & Public Policy: Making Usable Law and Technology**

Human-Computer Interface (HCI) research is of increasing importance to policy makers. As technology use has become more prevalent, many issues that previously concerned only sophisticated technical users are now issues affecting the public at large. Issues surrounding digital privacy, copyright, electronic voting, notice & consent, and location-based systems are being pushed into the public policy arena because of advances in technology. Public policy advocates have traditionally looked to research as one means of understanding a problem, and HCI research provides a deeper understanding of the many technological issues discussed today. Indeed, many of the recent issues with new technologies have roots in problems that HCI has dealt with for years. For example, usability issues have caused concern in electronic voting machines, as well as in the sharing of private personal information over P2P networks. Further, the readability and design of End User License Agreements (EULAs) are a disaster from an HCI perspective, yet they currently represent the legal state of the art of informing users and obtaining user consent. The issues surrounding EULAs are not confined to easily objectionable variants of software, such as SpyWare and AdWare, but rather permeate the software industry. Consumers' inability to understand these complex agreements, make informed choices or determine what is being installed is related to poor UI design decisions. The emergence of location-based systems, camera phones, RFID & sensor networks demand further research on how to better notify consumers about their privacy rights. In an increasingly networked society, new technologies and methods of distributing media raise issues regarding how content providers and consumers view ownership of digital content. Efforts to understand these complexities and inform policy makers could benefit directly from participation of HCI practitioners as well as from prior research in this area.

The Samuelson Law, Technology and Public Policy Clinic at Boalt Hall is uniquely positioned to assist this effort. The Clinic was the first in the country to provide law and technology students the opportunity to represent the public interest in cases and matters on the cutting-edge of high technology law, and focuses on areas such as intellectual property, communications regulation and privacy issues. The Clinic uses an interdisciplinary approach to public policy issues, combining legal, technical and social means to analyze complex issues. Through the Clinic, students file friend-of-the-court briefs, comment on proposed legislation and regulations, and provide legal assistance in matters that raise important issues relating to law and technology. For example, students at the Clinic have done work on best practices for safeguarding privacy when integrating RFID in libraries, establishing transparency and analyzing security in electronic voting systems, and analyzing privacy and policy issues in electronic passports. Regarding HCI, students in the Clinic have published work at CHI on UI design and file sharing, and published work at SOUPS on the effects of EULA design and consensually acquired spyware. In addition to publishing in academic journals, the students have testified on their work before Congress and the FTC.

Our current project on designing effective EULA notices is directly related to HCI. We are using HCI design methodologies to research new ways to create usable notices that consumers will find helpful and informative. More specifically, we are creating software tools to help consumers understand the terms in software EULAs. Our research efforts are directed towards educating consumers as well providing empirical data useful in public relations or draft legislation work. In addition, we have been researching voting technologies to ensure that users can understand the voting interface as well as guaranteeing transparency in the voting process. Other areas of interest include HCI issues around DRM technologies, emerging technologies such as location based systems, and ubicomp and medical technologies. Our goal is to create usable law based on usable technologies. We would be privileged to work closely with the HCI community in our efforts and to help find a place for HCI in public policy.