

Organization Information

1. Name of organization

UCLA Institute for Technology, Law & Policy.

2. Discuss the founding and history of the organization

The Institute for Technology, Law & Policy (ITLP) is a partnership between the UCLA School of Law and UCLA Samueli School of Engineering which undertakes cross-disciplinary research and analysis to ensure that new technologies are developed, implemented, and regulated in ways that are socially beneficial, equitable, and accountable. ITLP was launched in January 2020 with a \$10.25 million gift agreement. ITLP has pursued a diverse programming agenda, including direct engagement with government, civil society, and private sector stakeholders working across the public policy ecosystem. ITLP also prioritizes robust engagement with students, through a range of curricular offerings for law and engineering students as well as collaborative interdisciplinary research projects aimed at developing policy and technological solutions to emerging law and technology challenges.

3. Describe the organization's current goals

ITLP leverages its interdisciplinary nature, as well as its location on the doorstep of both innovation and technology regulatory policy, to serve as a hub for creative problem solving and engagement. ITLP works to address the next generation of accountability and human rights challenges flowing from the disruptive impact of new technologies through three distinct areas of programmatic focus:

1. Elevate policy development and multidisciplinary research in works interconnecting technology and law;
2. Foster the next generation of inventors, scholars and policy-makers through student enrichment and support;
3. Support faculty, civil society, and government collaborators to develop pathbreaking research targeting policy, ethics, and human rights challenges at the intersection of technology and law.

4. Provide a brief description of the organization's current programs

ITLP's current programs which are relevant to the current award can be summarized in three broad categories: a) privacy research, b) education and curricular development, and c) governance and policymaking.

a. Privacy Research

ITLP has a strong and growing presence in privacy-related scholarship and research and has invested significant resources into this space. In June 2023, ITLP was awarded \$750,000 in funding from the National Science Foundation, shared between two researchers at UCLA and one from the Johns Hopkins School of Engineering, for a collaborative law-engineering project to assess the impact of privacy legislation on small and medium-sized online applications. ITLP is also piloting a project to develop new security and features for privacy-friendly communications apps, including private location sharing, lockdown and remote wipe features, and physical and geo-triggered "panic button" features.

Since its founding in 2020, ITLP has emerged as a significant hub for privacy scholarship and engagement, including our 2022 “Big Ideas in Privacy” workshop, which presented four books that had been published by prominent members of the privacy law community, namely Danielle Citron, Woodrow Hartzog, Neil Richards and Ari Waldman. In June 2024, ITLP is organizing a transatlantic workshop in Ireland bringing together leading privacy scholars with privacy regulators from the European Union and the U.S. UCLA Law has also applied to host the 2025 Privacy Law Scholars’ Conference, through an application developed by ITLP.

b. Education and curricular development

ITLP organizes a number of curricular offerings for both law and engineering students, which are broadly clustered around regulatory, ethics, and policy challenges related to technological disruption. At the School of Law, ITLP’s Information Policy Lab is an innovative experiential course which introduces students to the practical challenges of careers in the technology policy space, including through a government, non-profit, or industry lens.

At the Samueli School of Engineering, ITLP offers a range of classes aimed at exposing engineering and computer science students to policy and ethics questions related to the technologies they are likely to be working on, including “Technology and the Law”, “Technology and Society”, and “Ethics and Responsibility in Technology”. In 2023, the engineering and computer science departments asked ITLP to build on these offerings to revamp their mandatory ethics curriculum. The first new class, “Ethics for Computer Scientists”, was recently approved by the Faculty Council and will be offered for the first time in Fall 2024, taught by one of ITLP’s resident fellows. The course, which draws on an innovative practicum merging app development with evolving ethical considerations, equips students with a deep understanding of ethical challenges in contemporary technology, applying foundational ethical theories to ongoing technological advancements. It will focus on responsible innovation, societal impact, and sustainable practices in computer science. Students will understand the ramifications of technology on core ethical principles, encompassing agency, responsibility, and privacy, and be prepared to address these harmful impacts before they arise in their own work.

c. Governance and policymaking

ITLP maintains strong links to ongoing public policy debates, and regularly hosts leading government, industry, and civil society stakeholders. Over the Fall 2023 term, ITLP hosted a special hearing of the California Senate Judiciary Committee on the proposed *California Journalism Preservation Act*, as well as a visit from United States Congressman Ted Lieu, to discuss his proposed *National AI Commission Act*. We also hosted government delegations from Singapore and South Korea, as well as industry representatives from Amazon and Apple.

ITLP has also weighed in on important public policy questions, with ITLP scholars participating in multiple amicus briefs in Supreme Court cases, including about the First Amendment and copyright, regulation of social media companies, and the intersection between trademark and the First Amendment. In addition, ITLP scholars recently filed a formal comment in the Copyright Office’s Notice of Inquiry about artificial intelligence. ITLP scholars have also testified before Congress and write regularly for broader interest publications in order to further the public dialog on technology policy questions.

5. Has your organization ever received a prior cy pres award? If yes, please cite the applicable case(s), identify the amount(s) awarded, and describe the nature and scope of the project(s) funded

As a relatively young research institute launched in 2020, UCLA ITLP has never previously applied for a cy pres award.

6. Has your organization been reviewed or rated by Charity Navigator or similar entity? If yes, what are the organization's ratings?

Charity Navigator's most recent assessment rated the UCLA Foundation at 4 stars out of 4, with a score of 92%.

7. Identify the organization's principal investigator or project director.

Michael Karanicolas, the Executive Director of ITLP, will serve as the project director. Michael has been the inaugural Executive Director of ITLP since 2021, and is an affiliated fellow with the Yale Information Society Project. Michael has ten years of experience working with governmental and non-governmental stakeholders on efforts to advance digital rights across a range of global contexts, and extensive experience in legislative design and reform processes. He has authored over a dozen academic articles, and has been quoted widely in the media on issues of technology regulation, including ABC News, NBC News, and the Wall Street Journal.

ITLP works with an outstanding roster of faculty collaborators at UCLA, including faculty co-directors John Villasenor and Mark McKenna, and affiliated faculty across the law and engineering schools, including Yuan Tian, Andrew Selbst, Jerry Kang, Achuta Kadambi, Prineha Narang, all of whom will play a role in the development and execution of programming described here.

8. Provide a summary of the plan for the program or project request. Include the issue and/or opportunity addressed, goals and objectives, activities, and timeline.

ITLP requests \$2,982,000 in funding to support two inter-related projects, each of which has transformative potential on the global privacy landscape: 1) Developing new proactive enforcement models for privacy regulators; and 2) Establishing and scaling a new model of ethics and social responsibility for electrical and computer engineering and computer science education.

1. Proactive Privacy Enforcement

ITLP is currently in the second year of a three-year National Science Foundation-funded project to assess the operational impact of privacy legislation on small and medium-sized enterprises. Traditional paradigms of privacy enforcement are fundamentally reactive, and are typically triggered in response to well-publicized security or operational breaches. Enforcement actions generally target major offenders with heavy fines, under the assumption that such high-profile enforcement actions will serve to chill misconduct across the industry. However, the resource-intensive nature of these enforcement actions means that they typically only target the largest and most serious offenders. As a result, it is unclear what impact, if any, privacy legislation has on small and medium-sized enterprises, who are both too small to access dedicated legal support on privacy compliance and who are not likely to be targets of an enforcement action.

In the privacy realm, an ounce of prevention is worth a pound of cure. Measures to promote the widespread adoption of privacy and data protection best practices are far more effective, from a systemic perspective, than sporadic and targeted enforcement in the aftermath of a breach.

However, such proactive enforcement is challenging because regulators lack the resources to engage with companies at that scale, nor the ability to assess where problematic practices may be found in advance of a breach.

ITLP's current project focuses on the development of a machine learning-powered tool capable of carrying out rapid and automated assessments of web applications' compliance with privacy best-practices. Within the parameters of our existing funding, the tool will be used to conduct a longitudinal analysis of patching data to assess the impact of privacy regulation in the European Union and in California on operational approaches to privacy among online applications.

However, ITLP's research has significant transformative potential beyond the scope of the current project as a way of facilitating a new proactive model of privacy enforcement. Because the tool that is being developed allows for automated assessments of privacy compliance at scale, it has the potential to birth an entirely new model of enforcement, where regulators issue automated notifications of potential non-compliance in advance of an enforcement action. Such a notification could inform targets of specific aspects of their privacy or security posture which fell below industry best-practices, and offer instructions for the problems that need to be remedied in order to avoid a potential future enforcement action. By issuing these notifications proactively, and at scale, regulators could effectively "nudge" companies, especially smaller companies, towards compliance with privacy best practices in advance of either a breach or an enforcement action.

While this application grows intuitively from our current project, it is beyond the scope of our existing funding, and would require additional resources to develop our existing tool to suit this specific application, as well as to promote engagement with regulators in leading jurisdictions to support its adoption.

As part of this application for additional funds, we would propose an additional three years of research and salary support for key ITLP operations related to this project, running from January 2025 – December 2028. The project would commence in Year 1 with an expansion of the current research project to include specific and targeted engagement with leading privacy regulators in the European Union, Canada and the United States, to carry out a comprehensive scoping of the strengths and weaknesses of existing enforcement paradigms, and perspectives on the potential, as well as any technical or legislative obstacles that might stand in the way of a new structure of proactive enforcement. Starting in Year 2, we will build on the initial research to support an expansion of our machine learning-powered tool with a suite of new capabilities specifically targeted to suit the needs of regulators. In Year 3, we will promote the resulting product to global regulators, as well as fine tune based on the results of early feedback from regulators on how to maximize practical utility. We will also disseminate the results through the development of educational curricula, including a new course on Privacy Law and Techniques, which will be taught by Professor Yuan Tian at the UCLA Samueli School of Engineering, as well as the new ethics classes described below. We also intend to submit our research results to top tier security and law conferences and journals, as well as leading civil society fora such as RightsCon and the Internet Governance Forum.

2. Re-imagining Ethics for Computer Scientists

The past two decades have been a time of unprecedented technology transformation. These changes have been driven by an ethos of creative disruption, captured most famously, or infamously, by Facebook's early unofficial slogan of "Move Fast and Break Things". While there have been enormous benefits flowing from new digital communications technologies, society is

still also coming to grips with a range of harms, including an erosion of privacy as a result of the data-hungry models which underlie the modern surveillance economy.

We believe that one of the key drivers underlying the steady erosion of privacy protection by recurring generations of new technologies is a lack of sufficient engagement, by creators and innovators, with the social and ethical cost of their products. The result has been an era of technological creation which focused entirely on technical and economic opportunities, while paying insufficient attention to moral or ethical concerns. In response, we propose investing in early-stage intervention through a robust training in ethics and social responsibility for engineering and computer science students. Our aim is to foster a new generation of creators and innovators who enter the market with an ability to think critically about the impact of their products on the world around them.

UCLA, like most universities, has an ethics curriculum in place for its engineering students. However, this curriculum contains little relevance to the specific ethical challenges underlying the modern information society. In part, this is because of a lack of research on the intersection between emerging technological challenges and the practical professional responsibility questions that computer science and electrical and computer engineering graduates are likely to face.

As a research institution which straddles the fields of law and engineering, including a specific focus on the human rights impacts of new technologies, ITLP is uniquely well-situated to make substantial contributions to this space. Over the past two years, ITLP has piloted a class for first-year engineering students on the social impact of new technologies. The class has been fully subscribed in both of the years that it was offered, and it received strongly positive student reviews. Building on this interest, ITLP developed a proposal for a new ethics class which can be delivered as part of the mandatory engineering and computer science curriculum. There is strong buy-in from both faculties to this program, but a dearth of instructors which have the requisite experience, and commitment to the ethics and social responsibility space, as well as a need for more original research to fill out the curriculum.

Starting in Spring 2025, ITLP aims to use funding from this award to launch the Initiative for Responsible Innovation, which will be dedicated to advancing research and understanding of ethics for computer science and engineering students, as well as offering comprehensive ethics education to the next generation of creators and innovators. The Initiative will host two resident fellows between Fall 2025 – Spring 2027, with an additional two fellows from Fall 2027 – Spring 2029. There will also be a rotating cohort of research assistants, drawn from the engineering, law, and computer science schools, as well as a diverse cross-section of affiliated faculty, participating under the auspices of ITLP. The core purpose of the initiative will be to provide an ethics framework for engineering and computer science students, through course offerings, guest speakers, and other direct engagement. It will also develop original research, host conferences, symposia, and workshops, and engage with relevant professional standard-setting bodies, private sector partners, and regulators to support the incorporation of strong ethics standards in official policy. Although our initial focus will be aimed at supporting educational offerings at UCLA, once an appropriate research baseline has been established we will aim to scale this programming externally, first across the UC-system, and then to other leading engineering and computer science schools across the United States.

Ultimately, the goal of this program is to develop actionable ideas for managing risks that manifest through the development of new engineering and computer science projects, and train the next

generation of engineers and computer scientists to think critically about the societal impacts of what they are applying their talents to. By developing a solid baseline of professional ethics, and focusing on responsible innovation, we see this as a long-term project to encourage better protections for privacy and human rights online.

9. Explain why the organization is approaching the issue and/or opportunity in this way.

For both of the components of the project, ITLP will leverage its existing expertise and momentum to scale out proven programming areas to significantly enhance their impact on privacy and responsible innovation. For the engineering ethics component, ITLP will leverage its experience in developing innovative and effective curricula, as well as significant administrative buy-in from the engineering and computer science departments, to ensure that the program is comprehensive and maximally applicable for students. On the proactive privacy research, ITLP will use the additional funds to springboard our original NSF-funded project to move beyond theoretical research applications to tools which lend themselves to direct use by regulators around the world, and which ultimately support the adoption of more responsible privacy practices across the tech sector.

10. Identify and explain the range of funds required to effectuate the program or project request, on an aggregate and annual basis (if applicable), including how the money will be used.

We request \$2,982,000 over 4 years, with a breakdown as follows:

1. Re-imagining Ethics for Computer Scientists
 - Resident Fellow Salaries: \$950,000
 - Salaries for ITLP Staff and Researchers: \$800,000
 - Support for Conferences, Convenings, and other promotional activities: \$250,000.
2. Proactive Privacy Enforcement
 - Support for ITLP Researchers: \$300,000
 - Support for Researchers from Yuan Tian's Lab: \$300,000
 - Support for Conferences, Convenings, and other promotional activities: \$200,000.

+ UCLA Foundation fee (6.5%) = \$182,000

11. Will the money be used to continue an existing project or create a new project?

As described above in Question 8, the funds will be used to significantly expand two projects where the early conceptual work has been done, but which require additional resources in order to scale them out to their full potential.

12. What target population will your organization's project benefit?

The engineering ethics curriculum component will most immediately benefit students, who will learn from the curriculum, and we also anticipate benefits across the technology sector, as employers are able to recruit more thoughtful employees. Ultimately, however, our goal for this program is to drive broader shifts in attitudes towards privacy, surveillance and innovation across the relevant industries, with the benefits accruing to the consumers of digital technology products and the public as a whole.

The updating privacy enforcement paradigm component will most immediately benefit privacy enforcement agencies, who will have a faster and more effective way to monitor privacy at scale, and small- and medium-sized organizations, who will have assistance in knowing they satisfy privacy regulations. But again, this component will ultimately benefit the public, by creating a world where more of the organizations that deal with data have appropriate privacy safeguards in place.

Evaluation

13. Will your organization agree to provide a report to the Court and the parties every six months informing the Court and the parties of how any portion of the Settlement Fund allocated to it has been used and how remaining funds will be used?

Yes.

14. Describe how your organization will evaluate the success of the grant on enhancing or promoting the protection of internet privacy.

For the engineering ethics curriculum, early success will be measured by the reach of the curriculum and the degree of student engagement, as assessed through student evaluations. However, over the medium term, we intend to apply a comprehensive methodology to track and survey graduates, and asking them to report back on the relevance of our educational offerings to their workplace experiences, providing for progressive improvements to the curriculum over the course of the project.

For the proactive privacy enforcement component of the project, success will be measured by engagement and uptake among regulatory agencies of our tools. Here, too, we will employ a methodology of progressive improvement throughout the life of the project, as negative feedback or a lack of engagement among regulators will be interpreted as a need to shift our outreach tactics or the substance of our tool's functionality.

15. Does your organization intend to use the results of the project in any publications, conference papers, and presentations?

Yes. ITLP will share the engineering ethics research and our new curricula broadly, including through publications, conference papers, and presentations, to make it available for other universities to replicate, and to encourage other institutions to consider revising their own approach to ethics for engineering and computer science students. ITLP will also create publications, conference papers, and presentations about the updating privacy enforcement paradigm component, to better socialize this project with privacy regulators and the scholarly community.