



ASAP TRAINING SERIES – SUMMER SCHOOL
Walter E. Washington Convention Center – Washington, D.C.

PROGRAM – MONDAY, JUNE 21, 2010

7:30 – 8:25 am Program Check-In/Morning Refreshments – Foyer - **Visit with ASAP Sponsors!**

8:25 – 8:30 am Welcome and Introduction – ASAP President Steve McConnell

Registrants for the June 21 program need to select either the Basic FOIA/Privacy Act/Records session OR the Dispute Resolution Session. These tracks are dedicated, day-long programs.

BASIC FOIA, PRIVACY ACT & RECORDS
Track One – ROOM 146B

8:30 – 10:00 am Session 1.1 - **FOIA Overview** - This session is the perfect starting point for FOIA newcomers and for those seeking to refresh their grasp of the Act's requirements. It will include a discussion of the key procedural elements of the statute and a summary of its exemptions. There is a new focus on FOIA from the highest levels in our government. This session ensures that you have a basic working knowledge of the FOIA and will provide a strong foundation for growth.
Amy McNulty, Department of Health & Human Services
Tom Hitter, Office of Information Policy, Department of Justice

10:00 - 10:15 am Coffee Break -- **Visit with ASAP Sponsors!**

10:15 – 11:45 am Session 1.2 – **Privacy Act Overview** - A great basic or refresher course featuring the scope of the Act; policy objectives; what has changed since its inception; its impact on how we conduct business; systems of records notices; exemptions and administrative considerations.
Ramona Oliver, National Archives and Records Administration

11:45 – 12:45 pm Group Luncheon – **Visit with ASAP Sponsors!**
Room 146C

12:45 – 2:30 pm Session 1.3 – **NEW! Records Management Overview** - This session will provide a broad overview of records management, what you need to be doing.
Paul Wester, National Archives and Records Administration

2:30 – 2:45 pm Coffee Break -- **Visit with ASAP Sponsors!**

2:45 – 4:00 pm Session 1.4 – **NEW! Proactive Disclosures & Postings: We're not in Kansas Anymore!** - The FOIA requires that all federal agencies affirmatively and continuously disclose records proactively. President Obama and Attorney General Holder placed this requirement in the direct spotlight in their respective issuances on the FOIA. This session will discuss how proactive disclosures are an efficient means to make records publicly available and reduce the number of FOIA requests.
Vanessa Brinkmann, Office of Information Policy, Department of Justice
Corinna Zarek, Office of Government Information Services, NARA
Patrice McDermott, OpenTheGovernment.org

4:00 pm Evaluations/Daily Program Concludes

THIS SESSION IS NOW CLOSED.

NEW! DISPUTE RESOLUTION
Track Two – ROOM 146 A

8:30am – 4:00 pm - This Special Session is limited to 30 registrants – first come, first-served.

The Dispute Resolution Program is new offering by ASAP. The pilot program (developed and sponsored by OGIS, FERC and OIP) was first held in March and met with a huge demand. Recognizing this demand, ASAP is also reaching out to provide this educational offering. The ASAP program is open to all.

This all-day session is being presented by Dispute Resolution Specialists from the Federal Energy Regulatory Commission (FERC), Dispute Resolution Service in collaboration with OGIS and OIP.

As FOIA professionals you deal everyday with potentially contentious issues that arise in processing Freedom of Information Act (FOIA) requests and appeals, which may lead to disagreements and disputes. FOIA professionals are often put in situations where they must negotiate with members of the requester community as well as with colleagues in their own agencies. In addition, the OPEN Government Act of 2007 formalized the role of the FOIA Public Liaison, charging them with helping to resolve FOIA disputes. This dispute resolution training, which includes communication and facilitation skills, is intended to aid FOIA professionals from all backgrounds and skill levels. The trainers will talk about mediation and there will be a simulated FOIA-related mediation. While you may not become a mediator, dispute resolution skills are incredibly helpful in working with different parties in a dispute. The Directors of the Office of Government Information Services (OGIS) and the Office of Information Policy (OIP) will provide an introduction to this session.

Miriam Nisbet, Office of Government Information Services, NARA
Melanie Pustay, Office of Information Policy, Department of Justice
Jerrilynn Purdy, Federal Energy Regulatory Commission
Paul Felt, Federal Energy Regulatory Commission
Deirdre Gallagher, Federal Energy Regulatory Commission

ASAP thanks OGIS, FERC and OIP for their support.

The break times and lunch will coincide with Track One.

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ASAP TRAINING SERIES – SUMMER SCHOOL
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PROGRAM – TUESDAY, JUNE 22, 2010

7:30 – 8:25 am Program Check-In and Continental Breakfast – Foyer - **Visit with ASAP Sponsors!**

8:25 – 8:30 am Welcome and Announcements – Room 146 B ASAP President Steve McConnell

8:30 – 10:00 am Session 2.1 – Update from OIP – **New Information!**

The Attorney General stressed in his FOIA Guidelines that "[i]mproving FOIA performance requires the active participation of agency Chief FOIA Officers" and he directed Chief FOIA Officers to review all aspects of their agencies' administration of FOIA and to report to the Department of Justice each year on the steps taken to improve transparency. In March 2010 the first agency Chief FOIA Officer Reports were published. Ms. Pustay will provide a snapshot of some of the success stories and how to overcome difficulties and challenges in your organization. She will also discuss OIP's new initiatives for the upcoming year.
Melanie Pustay, Director, Office of Information Policy, Department of Justice

10:00 – 10:15 am Coffee Break -- **Visit with ASAP Sponsors!**

10:15 – 11:45 am Breakout Sessions (Please Choose One)

Session 2.2 –

NEW! Executive Order 13526: Classified National Security Information - On December 29, 2009, President Obama signed the new Executive Order on Classified National Security Information. What's new and different in the E. O., what are the implementation plans, and who has the authority?

Jay Bosanko, Information Security Oversight Office, NARA

Session 2.3 –

Business Information: Exemption 4 - Agency considerations and obligations in handling data submitted by business and government contractors are examined. Learn how to recognize trade secret and confidential, commercial information. This session also focuses on Submitter Notice under E.O. 12,600 and contracts.

Allan Blutstein, Department of the Treasury

Carol Maloney, Department of Health & Human Services

11:45 – 12:45 pm Group Luncheon -- Room 146C - **Visit with ASAP Sponsors!**

12:45 – 2:15 pm Breakout Sessions (Please Choose One)

Session 2.4 –

NEW! Best Practices: Records Management - Panelists will discuss the broad goals of records management and detail the practical day-to-day operations of an effective and manageable system.

Susan Sullivan, National Archives and Records Administration

Luz Ortiz, Department of Defense

Session 2.5 –

NEW! Privacy Act Exemptions - The Privacy Act has two specific provisions permitting individuals to gain access to their records and to correct any inaccuracies, as well as other provisions setting out certain other rights. However, the Act also permits agencies to exempt themselves from some of these provisions for certain systems of records. This session will explain how these exemptions (which are similar to but not the same as FOIA exemptions) apply to the rights individuals are otherwise granted by the Act in this important area.

Sam Jenkins, Defense Privacy Office, Department of Defense

2:15 – 2:30 pm Coffee Break — **Visit with ASAP Sponsors!**

2:30 – 4:00 pm Breakout Sessions (Please Choose One)

Session 2.6 - Privacy and the FOIA: Exemptions 6 and 7(C) - An examination of the protections provided by FOIA Exemptions 6 and 7(C) for personal information in general government and investigative files. This session will help you understand what is considered private information in your records, and how it is balanced against the public interest.

Joel D. Miller, Federal Bureau of Investigation

Caroline Smith, Office of Information Policy, Department of Justice

Session 2.7 – Privacy and Web 2.0 - Web 2.0 supports many applications, such as wikis, social networking, and blogs. These can be great collaboration and communications tools. But what about the privacy and records issues? Hear what tools are in use and the associated policies.

Charlene Wright Thomas, Department of State

Deborah Kendall, United States Postal Service

4:00 pm Evaluation/Daily Program Concludes

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PROGRAM – WEDNESDAY, JUNE 23, 2010

- 7:30 – 8:25 am** Program Check-In and Morning Refreshments – Foyer – **Visit with ASAP Sponsors!**
- 8:25 – 8:30 am** Welcome and Announcements – Room 146B - ASAP President Steve McConnell
- 8:30 – 9:25 am** **Session 3.1 – NEW! An Update from the Office of Government Information Services** – Director Miriam Nisbet will update you on the Office of Government Information Services (OGIS) activities and initiatives. She will also seek your feedback, so come prepared with questions and ideas.
- 9:25 – 9:30 am** Stretch Break
- 9:30 – 10:30 am** **Session 3.2 - User's Panel** - There's a lot of time and resources in processing FOIA requests, and the fruits of the labor are often unrecognized. But when the researcher or the reporter publishes the study or article derived from the information provided under the FOIA, an amazing amount of good can come from it.
Moderator: Harry Hammitt, Access Reports, Inc.
Scott Hodes, Scott A. Hodes, Attorney-at-law
Tegan Millspaw, Judicial Watch
Sean Reilly, Mobile Press-Register
- 10:30 - 10:45am** Coffee Break – **Visit with ASAP Sponsors!**
- 10:45 – 12:00 noon** Breakout Sessions (Please Choose One)
- Session 3.3 –**
Exemption 5: Internal & Deliberative Information - Discussion of the elements and privileges incorporated in Exemption 5, to include the predecisional and deliberative process thresholds, attorney-client communications and attorney work product.
Brent Evitt, Defense Intelligence Agency
Michael Sherman, Office of Information Policy, Department of Justice
- Session 3.4 –**
Privacy Act Exceptions: Disclosure without Consent – In-depth discussion of subsection (b), focusing on when an agency can disclose records from a Privacy Act system of records without the prior written consent of the individual to whom the record pertains. All 12 exceptions will be covered.
Cindy Allard, Department of Defense
Dick Huff, Consultant
- 12:00 – 1:00 pm** Group Luncheon – Room 146C – **Visit with ASAP Sponsors!**
- 1:00 – 2:15 pm** Breakout Sessions (Please Choose One)
- Session 3.5 –**
Recent Significant FOIA Case Law – New Information! - A discussion focusing on some of the most recent FOIA litigation, the courts' rulings, and the possible impact that these decisions could have on your very own FOIA program.
Dick Huff, Consultant
Anne Weismann, Citizens for Responsibility and Ethics in Washington
- Session 3.6 –**
Privacy Foundations: PIA's & SORNS - The E-Gov Act has made Privacy Impact Assessments a part of everyone's life. Just what is a PIA and how does it fit into the government's responsibilities and activities? Systems of Records Notices - What's involved in writing a SORN, when should you prepare a SORN, how should SORNs be updated, and how can Program Managers help in drafting a SORN? This session is sure to provide you comprehensive knowledge and implementation know-how for the two key privacy law requirements.
Fred Sadler, Food and Drug Administration
Niels Quist, Privacy and Civil Liberties Office, Department of Justice
- 2:15 - 2:30 pm** Coffee Break – **Visit with the ASAP Sponsors!**
- 2:30 – 4:00 pm** Breakout Sessions (Please Choose One)
- Session 3.7 –**
NEW! Your Privacy Program is Good, but how about your Customer's? - Your program is good, but how do you verify that your customer, who wants PII data from you, is good too? What is their need-to-know, authority and are they only asking for the minimum amount of data required to do the project? What about their SORN's, ATO's, records management? What do you need from the customer to verify that you should release?
Bill Boggess, DMDC CIO
Pat Venza, Privacy Act and FOIA Administrator, DMDC
- Session 3.8 –**
FOIA and Privacy Act Interface - Is it FOIA or Privacy? The complex relationship between the Privacy and Freedom of Information Acts is explored: when to apply the statutes, where they dovetail, where they diverge, and the issues affected by both Acts.
Ramona Oliver, National Archives and Records Administration
Charlene Wright Thomas, Department of State
- 4:00 pm** Evaluations/Daily Program Concludes

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