



American Society of Access Professionals, Inc.  
**13<sup>th</sup> Annual National Training Conference**  
**May 18-20, 2020**

**Renaissance Capital View Hotel - Arlington, Virginia**

Sessions, instructors and room assignments are subject to change  
Some speakers appear in their personal capacities

**Sunday, May 17**

7:00 pm-9:00 pm ASAP Program Registration/Help Desk – 2<sup>nd</sup> Floor, Salon Ballroom Area  
- An opportunity for our hotel guests to avoid the morning rush.

**Monday, May 18**

7:30 am-4:30 pm ASAP Program Registration/Help Desk – 2<sup>nd</sup> Floor, Salon Ballroom Area  
- Check in with ASAP Registrars (Only check in one time for all days in attendance)

7:30 am-9:30 am Morning Refreshments – Salon Foyer – Visit with Sponsors

7:55 am-9:00 am **Welcome and Introductions for Bonus Class – ASAP President Kirsten Mitchell – Salon 4**

**BONUS CLASS - Session 1.01 – Salon 4**

**State and Local Freedom of Information**

*It's back! This session received very high reviews in 2019. Attendees were very interested in the similarities and the differences between the states and the federal government.*

State and local governments process requests for public records under statutes that are often modeled on, but not exact matches to, the federal FOIA. Our panel of experts will discuss how their laws are similar to and different from federal FOIA, and share their insights into trends that are emerging in access laws at the state and local level.

**7:55 am – 9:00 am Special Breakout – Department of Veterans Affairs – Salon 1-3**

9:20 am-9:30 am **NTC Welcome & Announcements – ASAP President Kirsten Mitchell - Salon 4**

9:30 am-10:45 am **Session 1.02 – Salon 4**

**Session in Development**

**10:45 am-11:00 am** Refreshment/Stretch Break – Salon Foyer – Visit with Sponsors

11:00 am-12:15 pm

**CONCURRENT SESSIONS – PLEASE CHOOSE ONE**

**Session 1.03 – Salon 4**

**Basic/Refresher Track - FOIA**

**FOIA Processing: Key Procedural Elements**

Instructors will discuss the key procedural elements of the statute including those under the FOIA Improvement Act of 2016. This session will provide a strong foundation for growth and is perfect for newcomers, those seeking a refresher, and those needing an overview of the changes provided in the FOIA Improvement Act of 2016.

**Session 1.04 – Salon 1-3**

**Basic/Refresher Track – Privacy**

**The Privacy Act of 1974: Scope, Disclosure and Requirements**

Allegations of governmental abuse led Congress to pass the Privacy Act of 1974. (Think Watergate.) The Act's purpose is to balance the Government's need to maintain information about individuals with protecting the rights of those individuals from unwarranted invasion of privacy. This session will cover the basic policy objectives of the Act; compliance; an overview of disclosure of records with and without consent; and agency requirements including civil remedies and criminal penalties. This session is a great basic foundation course and can also be used as the perfect refresher.

**Session 1.05 – Salon 5-7**

**Other/Specialty/Niche Track**

**What to Expect in FOIA Litigation**

What happens once a FOIA lawsuit is filed? How do you even learn that your agency has been sued and what your duties and obligations are? The instructors will detail what needs to be done, how to do it and when to do it. You will come away with an understanding of administrative remedies, discovery, Vaughn indices, declarations, duty to segregate, waiver of exemptions in litigation, attorney fees, and much, much more.

12:15 pm-1:45 pm

Lunch – On Your Own (Have extra time? – Visit with Sponsors)

1:45 pm-3:00 pm

**CONCURRENT SESSIONS – PLEASE CHOOSE ONE**

**Session 1.06 – Salon 5-7**

**Basic/Refresher Track - FOIA**

**FOIA Exemptions: One to Nine**

What do the FOIA's nine exemptions cover and how are they applied? This session provides an overview understanding of each exemption and whether you can use discretion in its application. It is a perfect foundation course that is complemented by other sessions that delve into the specific exemptions.

**Session 1.07 – Salon 1-3**

**Basic/Refresher Track – Privacy**

**Privacy Act Conditions of Disclosure**

Now that you have a Privacy Act request, what can you release? This session will help you understand Systems of Records Notice and exemption rules as well as the 12 reasons a record may be released without an individual's authorization. SORNS will be added to this session.

**Session 1.08 – Salon 4**

**Other/Specialty/Niche Track-FOIA**

**FOIA Updates from the Courts**

This session will provide an "up to the minute" review of recent rulings in FOIA cases. Cases will be correlated to the specific FOIA requirement, and review the decisions with tips on their impact for FOIA processing.

*-Dick Huff*

3:00 pm-3:15 pm

Refreshment/Stretch Break – Salon Foyer – Visit with Sponsors

3:15 pm-4:30 pm

**CONCURRENT SESSIONS – PLEASE CHOOSE ONE**

**Session 1.09 – Salon 5-7**

**Basic/Refresher Track – FOIA**

**Exemption 1: Protecting National Security Information**

Public interest continues to grow, and that translates into complex FOIA requests. In this session you will gain an understanding of how a disclosure statute—FOIA—also protects classified national security information. An overview of the Mandatory Declassification Review process, which differs from the FOIA de-class process, also will be covered.

**Session 1.10 – Salon 4**

**Basic/Refresher Track – FOIA/Privacy  
Sister Statutes: FOIA and the Privacy Act**

While there are many similarities between the two Acts, the differences are distinct. This session compares the two Acts including processing time limits, appeal rights, fees, exemptions, litigation and more. Instructors will also present various scenarios that will help you think through the processing of each Act.

**Session 1.11 – Salon 1-3**

**Other/Specialty/Niche Track-FOIA  
Records Management**

Session in Development

4:30 pm

**Daily Program Ends - Return daily evaluations, Certificates issued for May 18 only attendees**

**Tuesday, May 19**

7:30 am-4:30 pm

ASAP Program Registration/Help Desk – 2<sup>nd</sup> Floor, Salon Ballroom Area  
- Check in with ASAP Registrars (Only check in one time for all days in attendance)

7:30 am-9:30 am

Morning Refreshments – Salon Foyer – Visit with Sponsors

7:55 am-8:00 am

**Welcome and Introductions for Bonus Class – ASAP President Kirsten Mitchell**

8:00 am-8:45 am

**BONUS CLASS – Session 2.01 – Salon 4  
FOIA Fees and Other Administrative Matters**

You will learn the criteria for determining fee categories, i.e., where do bloggers fit, and the factors to consider in deciding fee waiver requests. You will also learn administrative tips on how you can keep the process moving and what to do as you wait for other agencies' offices to respond.

8:45 am-8:55 am

Stretch Break – Please be back in five minutes

8:55 am-9:00 am

**Welcome, Announcements and Introductions – ASAP President Kirsten Mitchell**

9:00 am-9:40 am **Session 2.02 – Salon 4**

**KEYNOTE ADDRESS**

9:40 am – 10:00 am

**Stretch Break**

10:00 am-11:00 am

**Session 2.03 – Salon 4  
The Requesters – Moderated by Kirsten Mitchell**

Always a popular session, requesters share their stories on how FOIA makes a difference. There's time for audience questions as well.

11:00 am-11:15 am

Refreshment/Stretch Break – Salon Foyer – Visit with Sponsors

11:15 am-12:30 pm **CONCURRENT SESSIONS – PLEASE CHOOSE ONE**

**Session 2.04 – Salon 4**  
**Intermediate/Advanced Track – FOIA**  
**Foreseeable Harm: Guidance and Case**  
**Law**

**Session is in Development**

**Session 2.05 – Salon 1-3**  
**Intermediate/Advanced Track– Privacy**

**Session is in Development**

**Session 2.06 – Salon 5-7**  
**Other/Specialty/Niche Track –**

**Session is in Development**

12:30 pm-1:45 pm Lunch – On Your Own and Opportunity to Visit with Sponsors

1:45 pm-3:00 pm **CONCURRENT SESSIONS – PLEASE CHOOSE ONE**

**Session 2.07 – Salon 4**  
**Intermediate/Advanced Track – FOIA**  
**Exemption 4: It's Proprietary**

Exemption 4 is one of the most burdensome and complicated of all of the FOIA Exemptions. There are many moving parts to processing these requests with a lot at stake for the businesses involved. Agency considerations and obligations in handling data submitted by business and government contractors will be covered in great detail. Learn how to recognize trade secret and confidential, commercial information. This session will also focus on submitter notice under Executive Order 12600 and contracts.

**Session 2.08 – Salon 1-3**  
**Intermediate/Advanced Track– Privacy**  
**Privacy Scenarios**

Put your privacy knowledge to use in this interactive session where instructors walk you through various scenarios and help you determine what the correct course of action should be. This session gains in popularity each year!

**Session 2.09 – Salon 5-7**  
**Specialty/Niche Track -**  
**How Agencies are Leveraging**  
**Technologies**

**Session in Development**

3:00 pm-3:15 pm Refreshment Break – Salon Foyer – Visit with Sponsors

3:15 pm-4:30 pm **CONCURRENT SESSIONS – PLEASE CHOOSE ONE**

**Session 2.10 – Salon 5-7**  
**Intermediate/Advanced Track – FOIA**  
**Exemptions 6 and 7(C): The Privacy**  
**Interest**

Exemptions 6 and 7(C) are the FOIA's key privacy exemptions, and the most used exemptions government-wide. In this session, you will learn about the protections provided for personal information in general government and investigative files. It will help you understand what is considered private information in your agency's records, and the factors for balancing it with the public interest. You will also learn about categorical withholding and segregation.

-Alina Semo, OGIS, NARA

-Shari Suzuki, Customs and Border Protection

**Session 2.11 – Salon 4**  
**Intermediate/Advanced Track – FOIA**  
**Exemption 5: It's a Privilege**

Instructors will help you understand the Exemption's complexities, particularly the need to articulate the potential harm of release. They also will discuss the elements and privileges incorporated in Exemption 5, including threshold requirements, deliberative process, and the attorney-client and work product privileges.

**Session 2.12 – Salon 1-3**  
**Other/Specialty/Niche Track-Privacy**  
**How to Do a PIA**

This session is in development but is intended to be a DEEP DIVE!

4:30 pm **Daily Program Ends - Return daily evaluations, Certificates issued for May 18-19 attendees**

## **Wednesday, May 20**

7:30 am-4:30 pm	ASAP Program Registration/Help Desk – 2 <sup>nd</sup> Floor, Salon Ballroom Area - Check in with ASAP Registrars (Only check in one time for all days in attendance)		
7:30 am-9:30 am	Morning Refreshments – Salon Foyer – Visit with Sponsors		
7:55 am-8:00 am	<b>Welcome and Introductions for Bonus Class - ASAP President Kirsten Mitchell– Salon 4</b>		
8:00 am-9:00 am	<b>BONUS CLASS - Session 3.01 – Salon 4</b> <b>What’s Happening up on the Hill</b> Congressional staffers will discuss any proposed or introduced legislation and what the ramifications could be for agencies and requesters.		
<b>9:00 am – 9:10 am</b>	<b>Stretch Break</b>		
9:10 am – 9:15 am	<b>Welcome and Announcements – ASAP President Kirsten Mitchell</b>		
9:15 am-10:30 am	<b>Plenary Session 3.02 – Salon 4</b>  <b>Session in Development</b>		
10:30 am-10:45 am	Refreshment Break – Salon Foyer -Visit our Sponsors!		
10:45 am-12:00 pm	<b>CONCURRENT SESSIONS – PLEASE CHOOSE ONE</b>		
<b>Session 3.03 – Salon 5-7</b> <b>Intermediate/Advanced Track – FOIA Redaction Workshop – Part I</b> This session is the culmination of the previous sessions on how exemptions are used during FOIA processing. Instructors will review the necessary knowledge, skills, abilities, best practices, and applicable statutes to applying redaction. Then they will launch into various scenarios requiring audience participation to determine the correct redactions and exemption cites. <i>-Kellie Robinson</i> <i>-Ramona Branch Oliver, Dept. of Labor</i>	<b>Session 3.04 – Salon 1-3</b> <b>Intermediate/Advanced Track–Records Management</b>  <b>Session in Development</b>	<b>Session 3.05 – Salon 4</b> <b>Other/Specialty/Niche Track Reasonable Searches</b>  <b>Session in Development</b>	
12:00 pm-1:30 pm	Lunch – On Your Own – Visit with Sponsors		

1:30pm-2:45 pm

**CONCURRENT SESSIONS – PLEASE CHOOSE ONE**

**Session 3.03 - Part II – Salon 5-7  
Intermediate/Advanced Track – FOIA  
Redaction Workshop – Part II**

[Continuation of session from 10:45 am](#)

-Kellie Robinson

-Ramona Branch Oliver, Dept. of Labor

**Session 3.06 – Salon 1-3  
Intermediate/Advanced Track –**

**Session in Development**

**Session 3.07 – Salon 4  
Intermediate/Advanced Track– FOIA  
Decoding FOIA Exemption 7 (A), (B),  
(D), (E), and (F)**

Exemption 7 is a law enforcement tool dealing with records or information compiled for law enforcement purposes – literally a matter of life or death in some cases. Instructors will delve into the “how-to” of processing for this exemption.

-Shari Suzuki, Customs and Border Protection

-Joel D. Miller, Ret., FBI

2:45 pm-3:00 pm

Refreshment Break – Salon Foyer – Visit with Sponsors

3:00 pm-4:30 pm

**Session 3.08 Agency Breakouts**

Perhaps the most popular feature of the NTC, breakout sessions by agency will be organized based on the program attendance. All attendees are expected to attend their specific agency session. There will also be a session for “non-specific” so that all can attend a session.

4:30 pm

**Daily Program Ends - Return Daily Evaluations – Certificates available for attendees.**