



American Society of Access Professionals, Inc.

12th Annual National Training Conference

FEATURING PRIVACY, FOIA, RECORDS MANAGEMENT AND AGENCY-SPECIFIC TRAINING SESSIONS

July 22-24, 2019

Renaissance Capital View Hotel - Arlington, Virginia

Three day training qualifies for IAPP credit for IAPP certification holders, CMP for Institute of Certified Records Managers = pending Virginia CLE = pending; (May be submitted to your State(s) Bar for CLE, retroactively.)

Sessions, Instructors and Room assignments are subject to change

Sunday, July 21

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

Monday, July 22

7:30 am-4:30 pm ASAP Program Registration/Help Desk – 2nd 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 – Salon 4**

8:00 am-9:00am **BONUS CLASS - Session 1.01 – Salon 4**

Session is in Development

9:20 am-9:30 am **2019 NTC Welcome & Announcements – ASAP President - Salon 4**

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

Session is 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 –
Basic/Refresher Track - FOIA
FOIA Processing: Key Procedural
Elements**

We've been refining the FOIA process for over 50 years, and just when we thought we had it figured out, the FOIA Improvement Act of 2016 mandates some new procedures. Instructors will discuss the key procedural elements of the statute including those under the new law. 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 –
Basic/Refresher Track – Privacy
The Privacy Act of 1974: Scope,
Disclosure and Requirements**

Allegations of governmental abuse led Congress to pass the Privacy Act in 1974 (remember 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 and 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 –
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 –
Basic/Refresher Track - FOIA
FOIA Exemptions: One to Nine**

Classified information. Business or proprietary information. Attorney-Client privilege. Attorney work product. . Investigatory records. Pre-decisional information. Agency regulations and procedures. Discretionary exemptions. 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 –
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.

**Session 1.08
Other/Specialty/Niche Track-FOIA
Hear Ye: 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.

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

Basic/Refresher Track – FOIA

Exemption 1: Protecting National Security Information

Protecting classified national security information has been a newsmaker in recent months. Public interest continues to increase, 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

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

Other/Specialty/Niche Track-FOIA Defining a Federal Record

What is a federal record and what is “records management?” Explore the life cycle of a record and gain an understanding of how to treat drafts, emails, and other matters including disposition schedules and understanding the definition of a record in the Federal Records Act versus the FOIA.

4:30 pm

Daily Program Ends - Return daily evaluations, Certificates issued for July 22 only attendees

Tuesday, July 23

7:30 am-4:30 pm

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

7:30 am-9:15 am

Morning Refreshments – Salon Foyer– Visit with Sponsors

7:55 am-8:00 am

Welcome and Introductions for Bonus Class – ASAP President

8:00 am-8:45 am

BONUS CLASS – Session 2.01 – Salon 4

Session is in Development

8:55 am-9:00 am

Welcome, Announcements and Introductions – ASAP President

9:00 am-9:30 am

Session 2.02 – Salon 4
KEYNOTE ADDRESS

9:35 am – 9:55 am

Special Announcements

10:00 am-11:00 am **Session 2.03 – Salon 4**
Panel featuring Requesters

Session is in Development

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 –
Intermediate/Advanced Track – FOIA

Session is in Development

Session 2.05 –
Intermediate/Advanced Track– Privacy

Session is in Development

Session 2.06 –
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 –
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 –
Intermediate/Advanced Track– Privacy

Session is in Development

Session 2.09 –
Specialty/Niche Track -

Session is 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 -

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.

Session 2.11 –

Intermediate/Advanced Track – FOIA Exemption 5: It’s a Privilege

New requirements in the FOIA Improvement Act of 2016 directly affect Exemption 5. In addition to the new requirement, instructors will help you understand the Exemption’s complexities, particularly when you need to articulate the potential harm of release. They also will discuss the elements and privileges incorporated in Exemption 5, including threshold requirements, and the elements of the deliberative process, the attorney-client, and the attorney work product privileges.

Session 2.12 –

Other/Specialty/Niche Track-Privacy Privacy Roots: SORNs and PIAs

This session will provide an understanding of where privacy is rooted by describing the fundamentals of the Privacy Act and E-Government compliance through SORNs (Systems of Records Notices) and PIAs (Privacy Impact Assessments). The instructor will detail what a SORN is and how to merge or rescind SORNs. PIA requirements as defined in the E-Government Act of 2002 will be discussed as well as the PIA process, legal and policy distinctions, and SORNs v. PIAs.

4:30 pm

Daily Program Ends - Return daily evaluations, Certificates issued for July 22-23 attendees

Wednesday, July 24

7:30 am-4:30 pm

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

7:30 am-9:15 am

Morning Refreshments Available – Salon Ballroom Foyer – Visit with Sponsors

7:55 am-8:00 am

Welcome and Introductions for Bonus Class - ASAP President – Salon 4

8:00 am-9:00 am

BONUS CLASS - Session 3.01 – Salon 4

Session is in Development

9:10 am – 9:15 am

Welcome and Announcements – ASAP President

9:15 am-10:30 am

Plenary Session 3.02 – Salon 4

Session is in Development

10:30 am-10:45 am

Refreshment Break – Salon Foyer -Visit our Sponsors!

10:45 am-12:00 pm **CONCURRENT SESSIONS – PLEASE CHOOSE ONE**

Session 3.03 –

Intermediate/Advanced Track – FOIA Redaction Workshop – Part I

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.

Session 3.04 –

Intermediate/Advanced Track–Records Management

Session is in Development

Session 3.05 –

Other/Specialty/Niche Track

Session is in Development

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

Intermediate/Advanced Track – FOIA Redaction Workshop – Part II

Continuation of session from 10:45 am

Session 3.06 –

Intermediate/Advanced Track – PRIVACY

Session is in Development

Session 3.07 –

Intermediate/Advanced Track– FOIA Decoding FOIA Exemption 7 (A), (B), (D), (E), and (F)

Exemption 7 is FOIA’s 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 these exemptions.

2:45 pm-3:00 pm Refreshment Break – Salon Foyer – Visit with Sponsors

3:00 pm-4:30 pm

Session 3.08 Agency Breakouts (Agencies scheduled are tentative, unless otherwise noted)

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 of Completion Issued

Disclaimers & Copyright

1) Programs are subject to change. While ASAP endeavors to ensure that all its program materials are in accordance with the law and established U.S. Government policies, none of the procedures or policies presented in any ASAP training session or set forth in any ASAP publication should be considered official U.S. Government or U.S. Government Agency policy. Official policy is set forth in the appropriate directives and regulations governing each agency's activities. ASAP, its Board of Directors, Officers, employees or volunteers are not liable for any and all claims or actions that may be brought against them arising out of or relating to speaker presentations.

2) Speakers/Instructors appear in their individual capacities.

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5) ASAP does not endorse any products or services.