



ASAP TRAINING SERIES – SUMMER SCHOOL
Walter E. Washington Convention Center – Washington, D.C.
PROGRAM – WEDNESDAY, AUGUST 1, 2012

**NEW FEATURE! A table of experts will be available at specific times during the day
for one-on-one questions and answers (for registrants only)**

8:00 – 8:25 am Program Check-In/Morning Refreshments – Foyer - **Room 151 - Visit with ASAP Sponsors!**

8:25 – 8:30 am Welcome and Announcements in Respective Meeting Rooms

8:30 – 10:00 am BREAK OUT SESSION CHOICES

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|--|--------------------------------|
| FOUNDATIONS: FOIA, PRIVACY ACT & RECORDS MANAGEMENT | SPECIFIC INTEREST AREAS |
|--|--------------------------------|

Session 1.1 - Room

The 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.

Scott Hodes, Scott A. Hodes, Attorney-At-Law
Carmen Mallon, Office of Information Policy, Justice

Session 1.2 – Room

Defense, Foreign Relations & Classified Information: Exemption 1 - You will cover everything you ever wanted to know about handling FOIA requests for documents containing classified national security information and the application of Ex. 1. Speakers will also discuss the interplay of FOIA's emphasis on disclosure with protecting classified national security information.

Jim Hogan, Department of Defense
Nick Delaney, Federal Bureau of Investigation, Justice

10:00 - 10:15 am Coffee Break -- **Room 151 Visit with ASAP Sponsors!**

10:15 – 11:45 am

Session 1.3 – Room

Privacy Act Overview - A great basic or refresher overview 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.

Timothy Graham, Department of Veterans Affairs
Cindy Allard, OSD/ICS Privacy Office, Department of Defense

Session 1.4 – Room

Exemption 2 - In 2011, the US Supreme Court ruled that agencies could not use "High 2" to protect sensitive information. What are the alternatives for agencies that have relied on High 2?

Sean O'Neill, Office of Information Policy, Justice
Catrina Pavlik-Keenan, Department of Homeland Security

11:45 – 12:45 pm Group Luncheon – **Room 151 Visit with ASAP Sponsors!**

12:45 – 2:15 pm

Session 1.5 – Room

Records Management - What it means to YOU! - The practical aspects of records management and how to coordinate the efforts of the FOIA, Privacy (and privacy with a small "p") and records managers. Everyone has a stake in records management.

Ramona Oliver, Department of Labor
Rob Martin, Department of Agriculture

Session 1.6 – Room

NEW! FOIA vs. Mandatory Declassification Review - Hear the experts discuss the differences between how agencies conduct a declassification review in the context of a FOIA request and pursuant to a request for mandatory declassification review (MDR). You will learn about the procedural details associated with both processes, the advantages of one process versus the other as well as the limitations and appeal rights.

Brent Evitt, Defense Intelligence Agency
Bill Carpenter, Information Security Oversight Office, NARA

2:15 – 2:30 pm Coffee Break -- **Room 151 Visit with ASAP Sponsors!**

2:30 – 4:00 pm

Session 1.7 – Room

FOIA: The Nine Exemptions - This session is in lecture style format that discusses in general the nine exemptions, their applications, and sets the stage for additional sessions on individual exemptions.

Will Kammer, Department of Defense
Joel D. Miller, Federal Bureau of Investigation, Justice

Session 1.8 - Room

Back by Demand! Mandatory Declassification Review - This session focuses on understanding the standards as well as prohibitions and limitations that agencies must take into account when classifying information as well as the requester's appeal rights.

Bill Carpenter, Information Security Oversight Office, NARA

4:00 pm Evaluations/Daily Program Concludes

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ASAP TRAINING SERIES – SUMMER SCHOOL
Walter E. Washington Convention Center – Washington, D.C.
PROGRAM – THURSDAY, AUGUST 2, 2012

NEW FEATURE! A table of experts will be available at specific times during the day for one-on-one questions and answers (for registrants only)

8:00 – 8:25 am Program Check-In and Continental Breakfast – Foyer - **Room 151 - Visit with ASAP Sponsors!**
8:25 – 8:30 am Welcome and Announcements – ASAP President Anne Weismann - Room 152

8:30 – 10:00 am Session 2.1 – Room 152 (Plenary Session)

NEW! The Presidential Memorandum on Managing Government Records & The Records Management Directive

On November 28, 2011, President Obama issued a Presidential Memorandum on managing government records. The Memorandum began an executive branch wide effort to modernize records management policies and practices and sent a clear message to Federal agencies about the importance of managing electronic records. The President called for agencies to make a commitment to the successful implementation of records management. The Memorandum also set a time line for gathering agency input and directed the Archivist of the United States to work with the Director of the Office of Management and Budget and the Associate Attorney General to develop a Records Management Directive to agency heads to take specific steps to reform and improve records management policies and practices within their agencies. In this session, [Paul M. Wester, Jr., Chief Records Officer at the National Archives and Records Administration](#) will provide details about the Records Management Directive. This session is a must for all records managers as well as for FOIA and privacy professionals who regularly handle records management issues.

10:00 – 10:15 am Coffee Break -- Room 151 - Visit with ASAP Sponsors!

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

Session 2.2 – Room TBD

NEW! Ask the NARA Experts - This informal session is the perfect opportunity to talk one-on-one with legal and policy experts at the National Archives and Records Administration.

Paul Wester and additional NARA experts

Session 2.3 – Room TBD

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.

Fred Sadler, Food and Drug Administration, HHS
April Christensen, Department of the Navy

11:45 – 12:45 pm Group Luncheon -- Room 151 Visit with ASAP Sponsors!

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

Session 2.4 – Room TBD

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, HHS
Timothy Graham, Department of Veterans Affairs

Session 2.5 – Room TBD

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.

Karen Finnegan, Office of Government Information Services, NARA
Catrina Pavlik-Keenan, Department of Homeland Security

2:15 – 2:30 pm Coffee Break — Room 151 AB - Visit with ASAP Sponsors!

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

Session 2.6 – Room TBD

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, OSD/ICS Privacy Office, Department of Defense
Ramona Oliver, Department of Labor

Session 2.7 – Room TBD

NEW! The Plain Writing Act and FOIA - It's the law! President Obama signed the Plain Writing Act of 2010 on October 13, 2010. The law requires that federal agencies use "clear Government communication that the public can understand and use." But this is not new. In 1998, President Clinton issued an executive memo requiring agencies to write in plain language, and in 2004, an interagency task force called for federal websites to be written in plain language. In workshop fashion, this session will compare and contrast examples of actual letters to show how to employ plain writing techniques to communicate more effectively with the public.

Carrie McGuire, Office of Government Information Services, NARA
Karen Finnegan, Office of Government Information Services, NARA

4:00 pm Evaluation/Daily Program Concludes

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ASAP TRAINING SERIES – SUMMER SCHOOL
Walter E. Washington Convention Center – Washington, D.C.
PROGRAM – FRIDAY, AUGUST 3, 2012

NEW FEATURE! A table of experts will be available at specific times during the day for one-on-one questions and answers (for registrants only)

8:00 – 8:25 am Program Check-In and Morning Refreshments – **Room 151 – Visit with ASAP Sponsors!**

8:25 – 8:30 am Welcome and Announcements

8:30-9:45 am Breakout Sessions (Please Choose One)

Session 3.1 – Room TBD

NEW! Best Practices for Processing Database Requests - Some agencies are reporting an uptick in requests for databases. Requesters are not really interested in the personally identifiable information, but more so in the raw data itself and supporting information such as data field descriptions. For an agency, these types of requests can be overwhelming. In this session you will hear the perspectives of a FOIA professional and a requester with regard to database requests. The discussion will also include Best Practices for processing database requests.

Kirsten Mitchell, Office of Government Information Services, NARA

To Be Confirmed

Jennifer LaFleur, ProPublica.org

Session 3.2 – Room TBD

Exemption 5: Internal & Deliberative Information - This session will discuss the elements and privileges incorporated in Exemption 5, to include the threshold requirements, the elements of the deliberative process, the attorney-client, and the attorney work product privileges.

Dione Stearns, Federal Trade Commission

Joel D. Miller, Federal Bureau of Investigation, Justice

9:45-10:00 am Coffee Break - **Room 151 -- Visit with ASAP Sponsors!**

10:00 – 11:15 am

Session 3.3 – Room TBD

FOIA and the Privacy Act Interface - This session will explore the complex relationship between the Privacy Act and the Freedom of Information Act: when to apply the statutes, where they dovetail, and where they diverge. Includes a discussion of the issues affected by both Acts.

Ramona Oliver, Department of Labor

Session 3.4 – Room TBD

NEW! What Privacy Professionals Need to Know About The Paperwork Reduction Act - This session is a great basic or refresher overview featuring the scope of the Act. Presentation will include agency obligations and implications of non-compliance as well as how to coordinate Privacy Act and Paperwork Reduction Act requirements.

Patricia Toppings, Department of Defense

11:15 – 12:30 pm Group Luncheon – **Room 151 -- Visit with ASAP Sponsors!**

12:30– 1:30 pm Session 3.5 – Room 152 (Plenary Session)

NEW! Best Practices: Administrative Appeals - What does FOIA say about administrative appeals? Why is the appeal process important? Does an agency really need a second chance to review its action in response to a request before litigation? This panel of experts will answer all of these questions, plus provide best practices in handling FOIA appeals from lessons that they have learned in adjudicating FOIA appeals for their agencies.

Moderator: Karen Finnegan, Office of Government Information Services, NARA

Carol Maloney, Department of Health & Human Services

Sean O'Neill, Office of Information Policy, Justice

Shari Suzuki, Customs and Border Protection, Homeland Security

1:30 – 1:45 pm Coffee Break – **Room 151 - Visit with ASAP Sponsors!**

1:45-3:00 pm Session 3.6 – Room 152 (Plenary Session)

Fees and Fee Waivers - Fee issues are always a difficult part of the FOIA officer's life. This session will help you understand the FOIA fee structure including such difficult issues as requester fee categories, who should pay fees and under what circumstances, the basis for granting fee waivers, and reductions in fees. Included are the new restrictions placed on assessing fees under the Open Government Act.

Nikki Gramian, Office of Inspector General, Department of Homeland Security

Carmen Mallon, Office of Information Policy, Justice

3:00 pm Evaluations/Daily Program Concludes

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