

2014 ASAP FOIA/PRIVACY ACT TRAINING WORKSHOP

September 3-4, 2014

Sofitel Chicago Water Tower - Chicago, Illinois

SPECIAL FEATURE! A table of experts will be available throughout the Workshop for one-on-one questions and answers for the registrants

Tuesday, September 2 – Grand Ballroom Foyer

7:30 pm – 9:00 pm Registration – Avoid the morning rush: check-in with ASAP registrars and pick up your meeting materials

Wednesday, September 3

7:15-8:00 am Registration & Morning Coffee – Visit with the ASAP Sponsors!

8:00-8:15 am Welcoming Remarks & Announcements – Scott Hodes, ASAP President

8:15-9:30 am Session 1.1 Freedom of Information Procedural Overview

A thorough introduction to the requirements of the FOIA statute, to include the definition of an agency record, public reading rooms, and basic procedures, and how the administration of the Act has been affected by recent statutory amendments. There is a new focus on FOIA from the highest levels in our government with President Obama issuing a memorandum on FOIA on his first full day as president and Attorney General Eric Holder also issuing a memorandum on March 19, 2009. Learn what the significance of these memoranda has on your daily operations.

- Scott Hodes, Scott A. Hodes, Attorney at Law
- Brent Evitt, Defense Intelligence Agency

9:30-9:45 am Coffee Break - Foyer - Visit with ASAP Sponsors!

9:45-11:00 am Session 1.2 FOIA Exemptions Overview

This session will provide an overview of the FOIA's nine exemptions, which is intended to provide you with the basic elements of each exemption.

- Cindy Allard, Dept. of Defense
- Fred Sadler, Food and Drug Administration

11:00-11:10 am Stretch Break

11:10-12:30 pm Session 1.3 Fees, Fee Waivers 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.

- Scott Hodes, Scott A. Hodes, Attorney at Law
- Brent Evitt, Defense Intelligence Agency

12:30-1:45 pm Lunch –Enjoy Lunch with Colleagues and Visit with Sponsors!

1:45-3:15 pm Session 1.4 Privacy Act Overview

This session will review the basic concepts of the Act, administrative considerations and responsibilities under the Act. There is talk of legislative action regarding the Privacy Act, so this session will briefly address the possible changes.

- Cindy Allard, Dept. of Defense

3:15-3:30 pm Break – Foyer - Visit with Sponsors!

3:30-4:30 pm Session 1.5 Interface: FOIA & Privacy Act

Learn about the complex relationship between the statutes and the issues affected by both Acts.

- Ramona Oliver, Dept. of Labor

4:30 pm Daily Evaluations and Program Recesses

Thursday, September 4

7:15-7:55 am Morning Coffee – Foyer - Visit with Sponsors!

7:55-8:00 am Announcements – Scott Hodes, ASAP President

8:00-9:15 am BREAK OUT SESSIONS (Choose One)

Session 2.1

Exemption 5: Privileged Information Session

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

- Scott Hodes, Scott A. Hodes, Attorney at Law
- Brent Evitt, Defense Intelligence Agency

- Brent Evitt

Session 2.2

Exemption 4: A Very Comprehensive Look

The 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 will focus on Submitter Notice under E.O. 12,600 and processing contracts.

- Fred Sadler, Food and Drug Administration

9:15-9:30 am Coffee Break– Foyer - Visit with Sponsors!

9:30-10:45 am BREAK OUT SESSIONS (Choose One)

Session 2.3

FOIA – 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.

- Brent Evitt, Defense Intelligence Agency

Session 2.4

Privacy Act: Processing and Conditions of Disclosure

Now that you have a request, what can you release? This session will help you understand systems of records notice and exemption rules; and the 12 reasons a record may be released without an individual's authorization.

- Cindy Allard, Dept. of Defense

10:45-11:00 am Stretch Break – Foyer - Visit with Sponsors!

11:00-12:15 pm BREAK OUT SESSIONS (Choose One)

Session 2.5

FOIA – The Personal Privacy Exemptions: 6 & 7 (C)

This session includes an in-depth examination of the issues surrounding the balancing of personal privacy interests and the public interest as well as Exemption 7's threshold requirements.

- Fred Sadler, Food and Drug Administration

Session 2.6

Breaches and Remediation

OMB Memo (M) 07-16, Safeguarding Against and Responding to the Breach of Personally Identifiable Information (PII) established core policy definitions and privacy incident reporting requirements for federal agencies. Learn how to identify incidents, initiate appropriate response efforts, and implement corrective actions, when there has been a breach and privacy data have been lost or otherwise made public.

- Ramona Oliver, Office of the Solicitor, Department of Labor

12:15-1:30 pm Group Lunch – Foyer - Enjoy Lunch with Colleagues and Visit with Sponsors!

1:30-2:45 pm PLENARY SESSION 2.7 FOIA Exemption Redaction Workshop

This session will provide you with hands-on practice in applying the FOIA exemptions to different types of documents.

- Fred Sadler, Food & Drug Administration
- Scott Hodes, Scott A. Hodes, Attorney At Law

2:45-3:00 pm STRETCH BREAK – CLOSING OF AIRWALL

3:00-4:15 pm BREAK OUT SESSIONS (Choose One)

Session 2.8

Records Management Overview

This session will provide a broad overview of records management: what you need to be doing. What is the definition of a federal record? Is your agency in compliance with NARA records management standards? Are there new ways of approaching records management? What is E-Discovery and will it impact how your agency maintains records? Learn the answers to these questions and more!

- Ramona Oliver, Department of Labor

Session 2.9

Systems of Records Notices (SORNs)

Now that you have a broad overview of the Privacy Act, it's time to delve into the how's and why's of a SORN. This session provides a practical explanation and exercise of how a System of Records Notice (OPM/GOV'T-1) is constructed, how to read and interpret it, and how all of the pieces must fit together.

- Cindy Allard, Dept. of Defense

4:15-4:30 pm Session 3.4 Questions & Answers, Closing Remarks

- Your last chance to get the answers to your burning questions!

4:30 pm Daily Evaluations, Program Ends, Certificates of Attendance are Available

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