



2015 ASAP FOIA/PRIVACY ACT TRAINING WORKSHOP
September 9-11, 2015
Sofitel Chicago Water Tower - Chicago, Illinois
Revised 8/27/2015

Course #1112 approved for 15 ICRM Certification Maintenance Points (CMP) & 15 Illinois MCLE General Credit Hour(s)

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

Tuesday, September 8 – 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 9 – Grand Ballroom

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

8:00-8:15 am Welcoming Remarks & Announcements – Cindy Allard, ASAP Vice President and Workshop Chair

8:15-9:45 am Session 1.1 Freedom of Information Procedural Overview

This session is 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 the significance of these memoranda on your daily operations.

- Scott Hodes, Scott A. Hodes, Attorney at Law

9:45-10:00 am Coffee Break - Foyer - Visit with ASAP Sponsors!

10:00-11:30 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.

- Fred Sadler, Consultant

11:30-12:45 pm Lunch –Enjoy Lunch with Colleagues and Visit with Sponsors!

12:45-2:00 pm Session 1.3 Fee Categories 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

2:00-2:15 pm Coffee Break - Foyer - Visit with ASAP Sponsors!

2:15-4:30 pm Session 1.4 Privacy Act Overview and Conditions of Disclosure

(10 minute Stretch break 3:15 pm) This session will review the basic concepts of the Act, administrative considerations, and responsibilities under the Act. The second portion will focus on the twelve exceptions to the presumption of no disclosure without consent.

- Cindy Allard, Department of Defense

- Ramona Oliver, Department of Labor

4:30 pm Daily Evaluations and Program Recesses

Thursday, September 10

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

7:55-8:00 am Announcements - Cindy Allard, ASAP Vice President and Workshop Chair

8:00-9:30 am Session 2.1 –**Grand Ballroom**

Interface: Privacy & FOIA

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

- *Ramona Oliver, Department of Labor*

9:30-9:45 am Coffee Break– Foyer - Visit with Sponsors! (Hotel Staff pulls air walls to separate the room)

9:45-11:00 am BREAK OUT SESSIONS (Choose One)

Session 2.2 –Grand Ballroom

Exemption 5: Privileged Information

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*

Session 2.3 –Cannes Room

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, Department of Defense*

11:00-11:15 am Stretch Break– Foyer - Visit with Sponsors!

11:15-12:30 pm BREAK OUT SESSIONS (Choose One)

Session 2.4 –Grand Ballroom

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, Consultant*

Session 2.5 –Cannes Room

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, Department of Labor*

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

1:45-3:00 pm BREAK OUT SESSIONS (Choose One)

Session 2.6 –Cannes Room

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 2.7 –Grand Ballroom

NEW! PRIVACY – Where the Rubber Meets the Road

This session explains how you can help your privacy program work including considerations in balancing competing needs, dealing with scarce resources, and educating others about the importance of Privacy.

- *Cindy Allard, Department of Defense*

3:00-3:15 pm Coffee Break - Foyer - Visit with ASAP Sponsors!

3:15-4:30 pm BREAK OUT SESSIONS (Choose One)

Session 2.8 –Grand Ballroom

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, Consultant*

Session 2.9 –Cannes Room

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*

4:30 pm Daily Evaluations and Program Recesses

Friday, September 11 – Grand Ballroom

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

7:55-8:00 am Announcements - Cindy Allard, ASAP Vice President and Workshop Chair

8:00-11:00 am 3.1 FOIA Exemptions Redaction Workshop

Best practices in redaction process: the physical process, and the “do's & don'ts” of the redaction process, including making sure that the redactions cannot be reversed.

(9:30-9:45 am Coffee Break) - *Fred Sadler, Consultant*

- *Scott Hodes, Scott A. Hodes, Attorney At Law*

- *Brent Evitt, Defense Intelligence Agency*

11:00-11:30 am FINAL Question and Answer – All instructors: Allard, Evitt, Hodes, Oliver, Sadler

11:30 am Closing Remarks - Daily Evaluations, Program Ends, Certificates of Attendance are Available

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