



ASAP Training Series

December 4-5, 2012

National Archives and Records Administration – Washington D.C.

Presenter Bios

Keynote Address – Paul M. Wester, Chief Records Officer, National Archives and Records Administration

Paul M. Wester, Jr. is the first Chief Records Officer for the U.S. Government. David Ferriero, the Archivist of the United States, named Mr. Wester to this position effective March 13, 2011. As the Chief Records Officer, Mr. Wester leads records management throughout the Federal Government, with an emphasis on electronic records. He is responsible for issuing Federal records management policy and guidance; liaising with Office of Management and Budget (OMB), the U.S. Congress, the U.S. Government CIO Council, and other stakeholders on records management issues; and serving as an ombudsman between agencies and the Archivist to ensure that NARA and the agencies it serves meet their statutory mandates and records management requirements. Prior to his current appointment, Mr. Wester served as the Director of Modern Records Programs in the National Archives and Records Administration's Office of Records Services - Washington, DC. In this position, Mr. Wester was responsible for the overall management and performance of NARA's agency-facing activities in the Washington, DC area. Mr. Wester also directed NARA's National Records Management Program, coordinating the activities of headquarters and regional records management staff in support of NARA's overall strategic plan. Mr. Wester holds an undergraduate degree in history and Master of Arts and Master of Library Science degrees from the University of Maryland.

Tough Conversations

Moderator: Nate Jones is the FOIA Coordinator for the Archive. He oversees the thousands of FOIA and MDR requests and hundreds of FOIA and MDR appeals that the Archive submits each year. He acts as liaison between Archive analysts and government FOIA officers, and serves as the Archive's FOIA counselor to the public. He is also the editor of the Archive's blog and manages its social media. He authored the Archive's 2010 and 2011 FOIA Audits, *Sunshine and Shadows: The Clear Obama Message for Freedom of Information Meets Mixed Results* and *Glass Half Full: But Many Federal Agencies Lag in Fulfilling Obama's Openness Pledge*. He earned his MA in Cold War History from The George Washington University, where he wrote his thesis on--and submitted FOIA requests about--the 1983 "Able Archer" nuclear war scare.

David Bahr has been litigating in the public interest for over twenty-two years. He litigates public record and environmental cases throughout the United States. His clients currently range from the largest environmental groups in the country to journalists covering the Columbia River salmon wars to a small non-profit Ohio water district locked in litigation with the DuPont chemical corporation. Before establishing his current practice in 2009, he was a senior staff counsel at the Western Environmental Law Center for six years and an instructor with the University of Oregon Law School's Environmental Law Clinic. Prior to that, Dave's firms focused on representing clients in federal and state environmental, public records, land use, special education and civil rights litigation throughout the country. Dave is a principal in FOIAdvocates.com, a twelve-year old internet project intended to foster greater public access to information possessed by state and federal governments. He received the Sunshine Award in 2001 from Society of Professional Journalists. The Award is presented to individuals and organizations which the Society determines have made a significant contribution to public understanding and education about laws governing open records and meetings and to "recognize outstanding efforts in advocacy under the Freedom of Information Act (FOIA) and state public records laws and personal courage in working to keep public information publicly available." He was also honored to have been awarded the Kerry L. Rydberg Award for accomplishment in public interest environmental litigation by the 1999 Public Interest Law Conference at the University of Oregon Law School.

Kathy Ray has served as the Department of Transportation's FOIA Officer since 2003. As Departmental FOIA Officer, Kathy provides leadership and direction to the Department's 12 components, develops formal and informal FOIA guidance, conducts monthly meetings with DOT-wide administrative and legal FOIA contacts, and oversees preparation of the FOIA annual report and the Chief FOIA Officer's report. She conducts reviews of the components' FOIA programs, makes recommendations for improvement, and monitors implementation activity. Along with the Chief FOIA Officer, she meets annually with the heads of the components to discuss strengths and weaknesses of their respective FOIA programs. Kathy also serves as the FOIA Officer for the Office of the Secretary for Transportation. In this capacity, she oversees the work of a FOIA team and personally handles some of the more complex, controversial, and sensitive requests. Prior to her current position, Kathy served as the FOIA Officer in two components within the Department of Transportation -- the Federal Motor Carrier Safety Administration (2001–2003) and the Federal Highway Administration (1999-2001).

Corinna Zarek is the attorney-advisor for the Office of Government Information Services. This office assists Freedom of Information Act requesters and agencies in resolving disputes, reviews agencies' FOIA compliance and serves as a general FOIA ombudsman. Previously, Corinna was the Freedom of Information Director at The Reporters Committee for Freedom of the Press where she assisted journalists with open records and open meetings issues at the federal and state levels, participated in litigation on open records and open meetings disputes and wrote about these issues for the organization's publications. She also practiced for a law firm in Washington specializing in administrative law and previously was a reporter for The Des Moines Register. Corinna sits on the board of directors for the D.C. Open Government Coalition and teaches a media law class at American University and the University of Maryland.

Applying the Foreseeable Harm Standard

Moderator: Carmen L. Mallon became the Chief of Staff of the Office of Information Policy of the United States Department of Justice in 2007. The Office of Information Policy (OIP) is responsible for developing guidance for Executive Branch agencies on the Freedom of Information Act (FOIA), for ensuring that the President's FOIA Memorandum and the Attorney General's FOIA Guidelines are fully implemented across the government and for overseeing agency compliance with the law. OIP is also responsible for processing initial FOIA requests for the Senior Leadership Offices of the Department of Justice and for adjudicating all administrative FOIA appeals from denials for all forty components of the Department. Before becoming Chief of Staff, Ms. Mallon served for eight years as the Chief of the Initial Request Staff of OIP, where she was responsible for managing the processing of initial requests made to the Department's Senior Leadership Offices, including the Offices of the Attorney General, Deputy Attorney General, Associate Attorney General, Legal Policy, Public Affairs, Legislative Affairs and Intergovernmental and Public Liaison. As Chief of Staff of OIP, Ms. Mallon oversees the day-to-day operations of the Office and holds primary responsibility for the work performed by the IR Staff which includes serving as the denial authority for all IR Staff actions. Ms. Mallon has over twenty years of experience working with the Freedom of Information Act. She joined the Department of Justice's Civil Division in 1987 working in its FOIA office and then joined OIP in 1989 where she has held various positions. Ms. Mallon has taught courses on the FOIA for numerous federal agencies and the American Society of Access Professionals.

James Holzer is currently the Senior Director, FOIA Operations with the Department of Homeland Security in the Privacy Office, specializing in the Freedom of Information Act (FOIA) and Privacy Act. He serves as an expert point of contact for the Department of Homeland Security (DHS) Headquarters and DHS subcomponents. In addition, he oversees the collection, organization, and analysis of qualitative and quantitative data needed for annual reporting, the development of policies, procedures, and rules to ensure continuing compliance with existing Department guidance. Prior to joining the Department of Homeland Security, James served in the U.S. Air Force, separating after 13 years on active duty. He deployed to Iraq during Operation Iraqi Freedom in 2003 and to Afghanistan in 2007 participating in ground convoys for intel/fact-finding to remote villages, researching and writing analytical assessments related to improving DoD understanding of terrorist activities, motivations, and organizational associations. James recently completed the requirements for his Doctorate of Management at University of Maryland, University College. His dissertation examined strategy formulation in three U.S. Federal agencies providing preliminary insight into range of behavioral strategies in the Federal sector. His previous degrees include a Master of Human Relations degree from the University of Oklahoma, and a B.S. in Business from Embry-Riddle Aeronautical University.

Anne Weismann serves as Citizens for Responsibility and Ethics in Washington's Chief Counsel. Prior to joining CREW, Ms. Weismann served as Deputy Chief of the Enforcement Bureau at the Federal Communications Commission, where she had responsibility for all of the Bureau's telecommunications matters. Before that, she worked in the Civil Division of the Department of Justice, where she served as an Assistant Branch Director with supervisory responsibility over banking litigation, housing litigation and, from 1995 until 2002, all government information litigation. This included litigation under the Freedom of Information Act, the Privacy Act, the Federal Advisory Committee Act and statutes governing federal and presidential records. Prior to that, she worked in the Solicitor's Office at the Department of Labor. Ms. Weismann currently serves as a president on the ASAP Board.

FOIA Career Update

Moderator/Panelist: William Kammer is the Chief, FOIA Division, Department of Defense. Mr. Kammer has been working with the Freedom of Information Act (FOIA) and Declassification fields since 1991. He has served with the Department of Defense Directorate for Freedom of Information and Security Review (DFOISR) since October 1998, and was named Chief, FOIA Division in February 2000. While at DFOISR, he has developed and implemented FOIA policy, and managed the OSD/JCS FOIA program. Prior to joining DFOISR, Mr. Kammer served as a FOIA action officer in the Joint Staff from 1991-1995, and was responsible for developing and implementing the Joint Staff Automatic Declassification plan in 1996. He was the principal declassifying official for the Joint Staff Automatic Declassification program from 1996-1998. Mr. Kammer has been with the Department of Defense since 1984, serving as an Ammunition Surveillance Specialist with the Department of the Army, and as an Investigator with the Defense Investigative Service prior to joining the Joint Staff in 1991. Mr. Kammer served for two years as Director for the American Society of Access Professionals from 2003-04. He currently serves as vice president. He also serves as an Instructor for ASAP, Department of Defense, Department of Justice and other federal agencies. He is the recipient of the 2006 DOJ FOIA Officer of the Year Award.

Delores Barber is the Deputy Chief FOIA Officer at the U.S. Department of Homeland Security. Ms. Barber has served as the Deputy Chief FOIA Officer since March 2011. She advises the Chief Privacy Officer and other senior leaders on the effective administration of the Freedom of Information Act. Ms. Barber has over 20 years of leadership and IT experience in the federal government. She spent nearly half of her government service on Capitol Hill and the rest with the Departments of Commerce and Education. Ms. Barber was an IT specialist and the former Deputy Chief of Communications at the Bureau of Economic Analysis and was responsible for managing the overall operations of that agency's web sites, publications, FOIA operations, and public affairs. At the Department of Education, she was the Director of the FOIA Service Center and Acting Director of the \$1 billion Impact Aid Program Office. Ms. Barber is a noted turn-around agent and holds a B.S. in business administration.

Amy Bennett is the assistant director at OpenTheGovernment.org, where she works extensively on the organization's policy issues, including improving access to government information, reducing national security secrecy, preserving records, and increasing openness and accountability of the federal government. She joined the organization in 2008. Amy holds a Master's in Public Policy from the Georgetown Public Policy Institute (GPPI) and a BA from Tufts University. Amy has previous experience working for a small start-up nonprofit, as a lobbyist for government relations firms, and as an aide for Congresswoman Jan Schakowsky (D-IL).

April Davis is the Manager of Classification and Assessment Policy for Recruitment and Hiring at the U.S. Office of Personnel Management (OPM). Since joining OPM, she has completed classification studies and conducted research to identify critical competencies for numerous Federal occupations and has helped Federal agencies apply these competencies to their human resources initiatives. In her current role, Ms. Davis manages Governmentwide policy in the areas of position classification, competencies, and personnel assessment. Recruitment and Hiring provides Federal-wide policy to almost 2 million Federal employees and over 11 million Americans seeking employment opportunities with the Federal government. April holds a BA in Human Relations with a Minor in Business Administration and a MSA in Human Resources Management from Trinity University in Washington, DC. In addition, April is completing her doctorate dissertation in the specialization of Industrial/Organizational Psychology.

Privacy Act – Infliction of Harm that will Trigger Damages

Moderator: Richard L. Huff, as a member of the Senior Executive Service, served as one of two co-directors of the Office of Information and Privacy since the Office's creation in 1982 until his retirement in 2005. He was the official designated by the Attorney General to act on all administrative appeals from denials under the Freedom of Information Act and Privacy Act of 1974 by Department of Justice components. He litigated and supervised FOIA cases at the district and appellate level and has testified before Congress on the implementation of the 1996 Electronic FOIA Amendments and on the interface between the FOIA and the Privacy Act. For twenty-three years he oversaw the development of the "Freedom of Information Act Guide & Privacy Act Overview," the Department of Justice's 1100-page treatise that was updated and distributed every other year to more than 22,000 recipients. He has also published several legal articles, most recently co-authoring, "Freedom of Information Act Access to Personal Information Contained in Government Records: Public Property or Protected Information?" Mr. Huff came to the Department of Justice in 1976 after serving seven years on active duty in the Army; his last reserve assignment was with the Army Judge Advocate General's Legal Center and School where he taught FOIA and Privacy Act subjects to military graduate students. He is now a retired colonel in the Army Reserve. Since retiring Mr. Huff has made one-, two-, and three-day training presentations for the Departments of Justice, Army, Navy, Commerce, Health and Human Services, and Homeland Security, as well as for the American Society of Access Professionals and the Graduate School USA. Mr. Huff received a B.A. from Stanford, an M.A. from St. Mary's University, a Juris Doctor from Hastings College of the Law, and a Master of Laws from Georgetown University.

as a member of the Senior Executive Service, served as one of two co-directors of the Office of Information and Privacy since the Office's creation in 1982 until his retirement in 2005. He was the official designated by the Attorney General to act on all administrative appeals from denials under the Freedom of Information Act and Privacy Act of 1974 by Department of Justice components. (The Department averaged over 3000 such administrative appeals each year.) He litigated and supervised FOIA cases at the district and appellate level and has testified before Congress on the implementation of the 1996 Electronic FOIA Amendments and on the interface between the FOIA and the Privacy Act. For twenty-three years he oversaw the development of the "Freedom of Information Act Guide & Privacy Act Overview," the Department of Justice's 1100-page treatise that was updated and distributed every other year to more than 22,000 recipients. He has also published several legal articles, including "A Preliminary Analysis of the Implementation of the Freedom of Information Reform Act." Mr. Huff came to the Department of Justice in 1976 after serving seven years on active duty in the Army; during his last reserve assignment he was assigned to the Army Judge Advocate General's Legal Center and School where he taught FOIA and Privacy Act subjects to military graduate students. He is now a retired colonel in the Army Reserve. Since retiring Mr. Huff has made one-, two-, and three-day training presentations for the Departments of Justice, Army, Commerce, and Homeland Security, as well as for the American Society of Access Professionals and the Graduate School, United States Department of Agriculture. Mr. Huff received a B.A. from Stanford, an M.A. from St. Mary's University, a Juris Doctor from Hastings College of the Law, and a Master of Laws from Georgetown University.

Jonathan R. Cantor is the Chief Privacy Officer/Chief Freedom of Information Act Officer (Acting) at the Department of Homeland Security (DHS). As Chief Privacy Officer, he is responsible for privacy and data protection policy for the Department, including its seven components, and serves as the key advisor on issues relating to compliance with the Privacy Act, E-Government Act provisions on privacy, and other privacy laws and mandates. He is also the DHS Chief FOIA Officer, leading the Department's FOIA operations and transparency activities. Before joining DHS, he served as the Department of Commerce's first Chief Privacy Officer and Director of Open Government, charged with developing a Departmental privacy program, and served as its Deputy Chief FOIA Officer, helping it greatly improve its FOIA program. As Director of Open Government, he led the Department's Open Government activities. Mr. Cantor also previously served as the Executive Director for Privacy and Disclosure at the Social Security Administration. In his tenure at Social Security, the agency bolstered its reputation as a leader in privacy protection and FOIA processing. He revamped the Social Security Administration's regulations on privacy, helping lead Social Security's transition to a modern privacy program designed for the Internet age. He also helped design the agency's first privacy impact assessment process, privacy threshold analysis process, and bolstered the agency's web privacy policies. He received his J.D. with honors from the George Washington University Law School, and his A.B. cum laude from Duke University. He is member of the International Association of Privacy Professionals, and is a Certified Information Privacy Professional (CIPP/US) and CIPP in U.S. government privacy (CIPP/G).

Kirsten Moncada is the Executive Director for Privacy and Disclosure at the Social Security Administration (SSA). She has served in this role since August 2012, and is responsible for providing national oversight in the formulation, implementation, and coordination of SSA's disclosure and privacy policy program. Prior to joining SSA, Ms. Moncada

had a 22-year period of service at the Department of Justice (DOJ). She began her DOJ service in the Office of Information and Privacy, where she served as the Department's Privacy Act expert and rose to the level of Associate Director. In 2006, she was selected to support the Department's new, statutorily-created Chief Privacy and Civil Liberties Officer in establishing the Office of Privacy and Civil Liberties, for which she served as Director. During her tenure at DOJ, Ms. Moncada oversaw publication of DOJ's "Overview of the Privacy Act of 1974," handled cases and provided advice in Privacy Act and Freedom of Information Act litigation, conducted government-wide privacy training initiatives, oversaw agency privacy compliance, and provided legal advice on a wide variety of disclosure and privacy matters.

Keynote Address: Charlene Wright Thomas – Reflections of a Career in Disclosure

Charlene Wright Thomas serves as the Senior Advisor on Privacy Policy for the U.S. Department of State. She is responsible for providing executive level leadership and management oversight of the Department's privacy program and represents the Department on a wide variety of domestic and international privacy issues. Before coming to the Department, Charlene was the Deputy Privacy Advocate for the Internal Revenue Service where she was responsible for integrating privacy safeguards into the IRS' automated systems. She also served at the U.S. Department of Justice's Office of Information and Privacy, working with staffs of successive Attorneys General in responding to FOIA and Privacy Act requests. As a past president of the American Society of Access Professionals, Charlene continues to provide guidance and training across the government. Charlene graduated Magna Cum Laude from the University of Maryland.

Growing Backlogs, Shrinking Budgets: New Ideas about FOIA Backlogs

Moderator: Carrie McGuire is a Program Analyst for the Office of Government Information Services within the National Archives and Records Administration. She joined OGIS after six years with the American Library Association's Washington Office, where she directed the Office for Information Technology Policy's Program on Networks. In that position, Carrie studied telecommunications policy issues that impacted libraries; directed two major projects funded by the Bill & Melinda Gates Foundation; and advocated for the library position in policy debates. Carrie earned her Bachelor of Science from the University of Wisconsin-Madison, her Master of Library Science from Syracuse University, and has taken mediation and conflict resolution courses at Northern Virginia Mediation Service. Carrie's work at OGIS is focused on resolving disputes between FOIA requesters and agencies, review of FOIA policies, procedures and compliance, and outreach to a variety of audiences.

Scott Hodes entered private practice in 2003. Prior to that, he spent over a decade working as an attorney for the federal government. Mr. Hodes worked for the Department of Labor, Department of Justice (Office of Information and Privacy) and the FBI. From 1998 to 2002 at the FBI, Mr. Hodes was the Acting Unit Chief of the Freedom of Information/Privacy Act Section's Litigation Unit and was a Top Secret Classification Authority. Mr. Hodes has been involved in thousands of FOIA and Privacy Act matters. Mr. Hodes is admitted to the bars of the District of Columbia and the State of Maryland, the United States District Court for the District of Columbia and the United States Court of Appeals for the District of Columbia. He has also been admitted pro hac vice to practice before other federal district courts. Mr. Hodes is a member of the American Society of Access Professionals and a contributor to a number of publications on matters dealing with government information policies and practices. Mr. Hodes currently practices civil matters, focusing primarily on the Freedom of Information and Privacy Act. Mr. Hodes received his J.D. from Arizona State University in 1989 and his B.S. in Accounting from Indiana University in 1986.

William H. Holzerland serves as the Associate Director, Disclosure Policy & FOIA Program Development for the U.S. Department of Homeland Security. He originally joined DHS in November 2003 with the Transportation Security Administration's Office of Security, Freedom of Information Act/Privacy Act Division. Holzerland currently focuses on developing and implementing DHS Freedom of Information Act policy, conducting department-wide FOIA training and assessing and improving DHS components FOIA-related processes and procedures. He also serves as the DHS FOIA Public Liaison, pursuant to E.O. 13,392 and the OPEN Government Act of 2007. Holzerland's last appointment prior to joining the DHS Privacy Office in November 2006 was with the DHS Office of Inspector General, Office of Counsel. Mr. Holzerland, a Buffalo, New York native, earned a dual Bachelor of Arts in Journalism/Mass Communications and History from St. Bonaventure University, and is presently a J.D. candidate at the University of Baltimore School of Law.

Don McIlwain is the Chief of the FOIA-MDR Division of the National Declassification Center at the National Archives and Records Administration (NARA). Previously he served as a supervisory archivist in the Initial Processing and Declassification Division and as a subject area specialist dealing with the accessioning, declassification and description of

records pertaining to the foreign relations of the United States. He has also worked as an archivist in the Initial Processing and Declassification Division, Textual Projects Division, and Center for Electronic Records. He began his NARA career in 1990 as an archives technician working in the Records Declassification Division. He has served as an instructor for several courses including the NARA Lifecycle Briefing for Agency Reviewers, the Modern Archives Institute, and Introduction to Archives for Archives Technicians. He holds a BA in History from Auburn University and an MS in Management from University of Maryland University College.

Government Contractors and FOIA

Moderator: Patrice McDermott is the Executive Director of OpenTheGovernment.org, a coalition of consumer and good government groups, environmentalists, journalists, library groups, labor and others united to make the federal government a more open place in order to make us safer, strengthen public trust in government, and support our democratic principles. Dr. McDermott is a frequent speaker on public access issues and is the author of *Who Needs to Know? The State of Public Access to Federal Government Information* (2008 Bernan). She previously served as Deputy Director of the Office of Government Relations at the American Library Association Washington Office. She joined ALA in December 2001, after having served for 8 years as the senior information policy analyst for OMB Watch, and having worked at the National Archives and Records Administration. She was awarded her doctorate from the University of Arizona in political science and received an M.Ln. in library and information management from Emory University.

Harry Hammitt is editor/publisher of *Access Reports*, a biweekly newsletter on the Freedom of Information Act and open government laws and policies. He is the primary editor of *Litigation Under the Federal Open Government Laws* published by the Electronic Privacy Information Center (EPIC). He received his B.A. from the University of Michigan in 1975. He holds an M.A. in journalism from the University of Missouri and a J.D. from George Washington University Law School. He has worked as an information specialist for the Consumer Product Safety Commission, and for FOI Services, a third-party requesting company that deals primarily with businesses in the food and drug industry. He became editor of *Access Reports* in 1985 and became publisher in 1989. He has written and lectured extensively on access and privacy issues in both the United States and Canada. He is a past president of the American Society of Access Professionals and he conducted that organization's annual seminar on business information issues for more than ten years. He was inducted into the FOI Hall of Fame at the Freedom Forum in Arlington, Virginia, in 2001.

James Hogan is responsible for the formulation and implementation of FOIA policy guidance for the Department of Defense on behalf of the DoD Chief FOIA Officer, the Director of Administration and Management. Additionally, he has oversight of the administrative processing of all FOIA litigation cases and appeals for the Office of the Secretary of Defense, the Joint Staff, the Combatant Commands, and DoD Field Activities. A recognized FOIA instructor in the Federal government, Jim conducts FOIA training for the Department of Defense, the Departments of Justice and Energy, and the American Society of Access Professionals. His experience as an action officer includes the processing of over 3000 FOIA requests and appeals, many involving very sensitive and difficult issues. Jim is a retired Air Force Lieutenant Colonel, and initially was assigned to the DoD FOIA Office while on active duty in 1995. While in the Air Force, Jim served as an Instructor Navigator in KC-135, EC-135, and T-43 aircraft and as Assistant Professor of Philosophy at the U.S. Air Force Academy. Jim earned his undergraduate degree at Grove City College and his Master's degree at The Ohio State University.

Charlene Wright Thomas serves as the Senior Advisor on Privacy Policy for the U.S. Department of State. She is responsible for providing executive level leadership and management oversight of the Department's privacy program and represents the Department on a wide variety of domestic and international privacy issues. Before coming to the Department, Charlene was the Deputy Privacy Advocate for the Internal Revenue Service where she was responsible for integrating privacy safeguards into the IRS' automated systems. She also served at the U.S. Department of Justice's Office of Information and Privacy, working with staffs of successive Attorneys General in responding to FOIA and Privacy Act requests. As a past president of the American Society of Access Professionals, Charlene continues to provide guidance and training across the government. Charlene graduated Magna Cum Laude from the University of Maryland.

FOIA Regulations

Moderator: Amy Bennett is the assistant director at OpenTheGovernment.org, where she works extensively on the organization's policy issues, including improving access to government information, reducing national security secrecy, preserving records, and increasing openness and accountability of the federal government. She joined the organization in

2008. Amy holds a Master's in Public Policy from the Georgetown Public Policy Institute (GPPI) and a BA from Tufts University. Amy has previous experience working for a small start-up nonprofit, as a lobbyist for government relations firms, and as an aide for Congresswoman Jan Schakowsky (D-IL).

Amy Bunk is the Director of Legal Affairs and Policy for the Office of the Federal Register, National Archives and Records Administration where she supervises the legal staff who review documents submitted for publication in the Federal Register and codification in the Code of Federal Regulations (CFR) for compliance with the requirements of applicable statutes, Executive Orders and regulations. She advises the Director of the Federal Register and Administrative Committee of the Federal Register on adequacy of existing regulations of the Committee in 1 CFR and drafts new regulations for review and approval by the Committee. Ms. Bunk coordinates regulations drafting program of the Office and directs preparation of instructional materials. Before taking this position at the Federal Register, Amy worked in the Office of Regulations and Administrative Law, Office of the Judge Advocate General, United States Coast Guard.

Lauren Harper is a Research Associate at the National Security Archive, where she focuses on FOIA advocacy, open government, and the Archive's projects on the Middle East. Lauren has been with the Archive since 2011, and writes regularly for their blog, Unredacted. She holds a Master of Arts in Middle Eastern Studies and a Master of Public Policy, both from the University of Chicago, and a BA from Scripps College.

Kirsten B. Mitchell is a facilitator with the Office of Government Information Services (OGIS), the FOIA Ombudsman's office located at the National Archives. Before joining OGIS in 2010, she spent two years at the Reporters Committee for Freedom of the Press and a year at the Sunshine in Government Initiative, a coalition of media groups that worked to gain passage of the OPEN Government Act of 2007, which amended FOIA and created OGIS. A former journalist, most recently with the New York Times Co., Kirsten frequently used state and federal records to shine a light on how government operates. Her involvement in a federal press freedom case in the late 1990s fueled her interest in government transparency issues. Kirsten earned her Bachelor of Arts degree from Mary Washington College and her Master of Arts degree in journalism and public affairs from American University. She earned a certificate in federal workplace mediation in 2011 from Northern Virginia Mediation Service, an affiliate of the George Mason University School for Conflict Analysis and Resolution, and is a member of the American Society of Access Professionals.

Using Technology Effectively

Moderator/Panelists: Tim Crawford serves as the Senior Advisor to the Director of the Office of Information Collection at the Environmental Protection Agency (EPA). He also serves as the Agency lead for Open Government and is responsible for developing and implementing the Agency's OpenGov plan that will feature the FOIA Module. Tim is interested in FOIA requests as a source to help identify and prioritize what information should be proactively made publicly available in *data.gov*, the potential for fostering innovation through broad access to publicly released responsive documents, and business process improvements. He has worked at EPA for 23 years in a number of programs including eGov eRulemaking, data standards and information exchange, public data released through the Toxic Release Inventory and others. While at EPA, Tim has led a number of major regulatory actions, created a federal-wide solution for properly managing electronic records, developed the Agency's initial data architecture, and performed foundational work on its data registries. He is a certified Project Management Professional and has a MSPH from Tulane's School of Public Health and Tropical Medicine.

Gery Huelseman is the Principal Technical Advisor for the Knowledge Operations Branch at the National Air & Space Intelligence Center, United States Air Force. He has over 18 years experience in the Freedom of Information Act Program and 30 years experience in the Records Management Program. He is very involved in innovative Information Technology solutions for the Freedom of Information Act, Mandatory Declassification Review, and Records Management programs. Partnering with the Department of Defense, he was successful in the deployment of the Enterprise Referral Process on three separate networks enable collaboration throughout the federal government.

Joey Hutcherson is currently the Deputy Director for Open Government with U.S. Department of Commerce. He is responsible for the seamless integration of transparency, collaboration, and participation into all programs while insuring that national security and personal privacy are maintained. These efforts support and implement the Presidential Open Government initiative department wide in cost effective and efficient manners utilizing information sharing best practices as well as developing new and innovative methods where needed. With 37 years experience in the Information Technology (IT) field, he has provided a broad spectrum of capabilities from military technology community in

hardware/software design, development and deployment, to program analysis, collection and knowledge management, as operator and as a technical solutions provider and manager. He has provided businesses requirements collection, analysis, and development to enable end-users more efficient processes through automated applications and business process improvement to the federal government and private organizations. This includes complete establishment of an Information Sharing Environment (ISE) from high level inter-agency to detailed implementations of policies for local organizations and user communities and Department wide implementations. Prior to appointment to his current position he was responsible for Information Technology (IT) Infrastructure Management (ITIM) within the Office of the Chief Information Officer, U.S. Department of Commerce. In this role he worked to standardize the Enterprise Architecture (EA), engineering, and strategic programs in support of the department's Technology Development Initiative (TDI) to apply emerging technology supporting Department missions and objectives. He has been assigned to Executive Office of the President, Office of Management and Budget on detail as an interagency collaboration lead for [Data.Gov](#) and Open Government efforts. During his detail he continued working as the Department IT Infrastructure Management, Open Government and [Data.Gov](#) leads. He developed the Department of Commerce internal processes for publishing information within the Open Government's [Data.Gov](#) environment. He worked with multiple agencies at department and bureau levels to improve dissemination about [Data.Gov](#) and the Open Government Initiatives building best practices and improving agency/sub-agency coordination, allowing better communication and understanding of the goals and objectives for Open Government Directive and [Data.Gov](#). Prior to his appointment to the Department of Commerce, Mr. Hutcherson worked with various government and civilian agencies to improve their Business Operations, Knowledge Management, IT Infrastructure, and IT Security postures. Mr. Hutcherson served as the Branch Chief of the Project Management Office, Office of the Chief Technology Officer, Bureau of Diplomatic Security, U.S. Department of State. In this role he was responsible for supervision and management of project managers who managed IT projects for the Bureau of Diplomatic Security. These projects encompassed complete analysis of business requirements, impacting existing and future mission capabilities. Mr. Hutcherson also served as Senior Project Manager and Test Director at United States Transportation Command (USTC) and Military Surface Deployment and Distribution Command (SDDC), within the Defense Personal Property Service Program Office. This office was responsible for the applications development and deployment worldwide. In this role he oversaw the testing requirements collection, documentation, and testing implementation that included analysis of alternatives and return on investment. Mr. Hutcherson worked with the Military Communities at USFK-J2, Seoul, Korea and EUCOM-J2, RAF Molesworth, UK. He insured that their capabilities allowed mission accomplishment in a global information sharing environment. This included the development of standard practices to enhance real-time capabilities, allowing efficient and up to date access to information, ensuring reliability and traceability in the decision-making process. Mr. Hutcherson worked with the DOD Finance and Accounting Service (DFAS) in various roles that included the deployment of Defense Standard Civilian Payroll System Military (DCPS) information infrastructure and software development environment. He worked with DOD Standards to establish DOD enterprise environment for DII COE and IT Security. He developed enterprise end-to-end testing standards for all finance and accounting systems to include the first fully electronically documented test environment in DOD. He established standards for hardware and software for the DFAS as the standards lead. These standards became the basis for DFAS Enterprise Infrastructure and 1900 software developers. He helped to establish the DFAS Corporate Computing Strategy (CCS) and monitored the progress towards DFAS consolidation of IT Infrastructure which became a basis for enterprise lifecycle planning including budget and program justification. Mr. Hutcherson served in the United States Navy from 1975 to 1985 as Electronic Warfare Specialist. He was certified Navy Instructor, Master Training Specialist and Enlisted Surface Warfare. His duty stations included: RTC San Diego, CA, NTC San Diego, CA, NTTC Corry Station, Pensacola, FL, USS America CV66, NOB, Norfolk, VA, and NTTC Corry Station, Pensacola, FL. Mr. Hutcherson has obtained certifications in: Telecommunications Project Management (TPM); Project Management Professional (PMP); Certified Information Privacy Professional/Government (CIPP/G)

Effective Referrals and Referral Agreements

Moderator: Brentin Evitt is Assistant General Counsel in the Office of General Counsel, Defense Intelligence Agency. Previously he was an attorney with the Office of Information and Privacy at the United States Department of Justice. His responsibilities included adjudicating administrative appeals, defending agency action in Freedom of Information Act litigation, and answering questions as a FOIA counselor. He was also responsible for Exemption 1 (national security classification) issues at the Office of Information and Privacy. He served as the treasurer of the American Society of Access Professionals in 2005-2006. Mr. Evitt is a graduate of law schools in the United States and New Zealand, and came to the Department of Justice from private practice in Christchurch, New Zealand. Prior to law school, he served in the United States Army Military Intelligence Corps as a Russian linguist and tactical electronics warfare and intercept

specialist assigned to the Army's 1st Infantry Division. Mr. Evitt continues to serve as a reserve officer and trial defense counsel in the United States Army Judge Advocate General Corps.

Dennis Argall is the Assistant Section Chief, Record Information Dissemination Section (RIDS) at the Federal Bureau of Investigation (FBI). RIDS is responsible for all FOIA and Privacy Act requests in FBI and has oversight of the administrative processing of FOIA litigation cases and appeals. Mr. Argall is retired Navy Captain, having served 25 years in the Judge Advocate General's Corps. He received his J.D. from the University of Wisconsin in 1983.

Carmen L. Mallon became the Chief of Staff of the Office of Information Policy of the United States Department of Justice in 2007. The Office of Information Policy (OIP) is responsible for developing guidance for Executive Branch agencies on the Freedom of Information Act (FOIA), for ensuring that the President's FOIA Memorandum and the Attorney General's FOIA Guidelines are fully implemented across the government and for overseeing agency compliance with the law. OIP is also responsible for processing initial FOIA requests for the Senior Leadership Offices of the Department of Justice and for adjudicating all administrative FOIA appeals from denials for all forty components of the Department. Before becoming Chief of Staff, Ms. Mallon served for eight years as the Chief of the Initial Request Staff of OIP, where she was responsible for managing the processing of initial requests made to the Department's Senior Leadership Offices, including the Offices of the Attorney General, Deputy Attorney General, Associate Attorney General, Legal Policy, Public Affairs, Legislative Affairs and Intergovernmental and Public Liaison. As Chief of Staff of OIP, Ms. Mallon oversees the day-to-day operations of the Office and holds primary responsibility for the work performed by the IR Staff which includes serving as the denial authority for all IR Staff actions. Ms. Mallon has over twenty years of experience working with the Freedom of Information Act. She joined the Department of Justice's Civil Division in 1987 working in its FOIA office and then joined OIP in 1989 where she has held various positions. Ms. Mallon has taught courses on the FOIA for numerous federal agencies and the American Society of Access Professionals.

Mark S. Zaid specializes in litigation and lobbying on matters relating to international transactions, torts and crimes, national security, foreign sovereign and diplomatic immunity, defamation (plaintiff) and the Freedom of Information/Privacy Acts (FOI/PA). Through his practice Mr. Zaid often represents former/current federal employees, intelligence and military officers, Whistleblowers and others who have grievances or have been wronged by agencies of the United States Government or foreign governments, as well as members of the media. Mr. Zaid teaches D.C. Bar Continuing Legal Education classes on "Defending Security Clearances" and "The Basics of Filing and Litigating Freedom of Information/Privacy Act Requests". He was named as a Washington, D.C. Super Lawyer in 2009, 2010, 2011 and 2012, as well as a "Best Lawyer" by Washingtonian Magazine in 2009 and 2011, for his national security work. As the National Law Journal once wrote, "if Agent Mulder ever needed a lawyer, Zaid would be his man." Mr. Zaid is also the Executive Director and founder of the James Madison Project, a Washington, D.C.-based organization, with the primary purpose of educating the public on issues relating to intelligence gathering and operations, secrecy policies, national security and government wrongdoing. In connection with his legal practice on international and national security matters, Mr. Zaid has testified before, or provided testimony to, a variety of governmental bodies including the Senate Judiciary Committee, the Senate Governmental Affairs Committee, the House Judiciary Committee, the House Government Operations Committee, the Department of Energy, the Public Interest Declassification Board and the Assassination Records Review Board. "Curiously for this town," wrote the American Bar Association Journal, "Zaid is an equal opportunity thorn out to pierce the sides of suit jackets bearing both elephants and donkeys on the lapels." A 1992 graduate of Albany Law School of Union University in New York, where he served as an Associate Editor of the Albany Law Review, he completed his undergraduate education (cum laude) in 1989 at the University of Rochester, New York with honors in Political Science and high honors in History. Mr. Zaid is a member of the Bars of New York State, Connecticut, the District of Columbia, Maryland and several federal courts. He currently possesses a Secret level security clearance and has had previous authorized access to TS/SCI.