



American Society of Access Professionals, Inc.
9th Annual National Training Conference

July 18-20, 2016

Renaissance Capital View Hotel - Arlington, Virginia

(Revised 07152016)

Three day training is pre-approved for 18.5 ICRM Certification Maintenance Points (CMP); qualifies for IAPP credit for IAPP certification holders, and may be submitted to your State(s) Bar for CLE, retroactively

Room assignments are subject to change

Sunday, July 17

7:00 pm-9:00 pm Program Registration: An opportunity for our hotel guests to avoid the morning rush.

Monday, July 18

7:30 am-4:00 pm Program Registration - Check in with ASAP Registrars– Salon Ballroom Registration Area

7:30 am-9:15 am Morning Coffee – Salon Foyer – Visit with Sponsors

EYE OPENER - Session 1.01 – Salon 4

7:55 am-8:00 am **Welcome and Introductions for Eye Opener – Amy Bennett, ASAP President**

8:00 am-9:00am **News Update: Live from Capitol Hill**

President Obama signed the FOIA Improvement Act of 2016 on June 20, 2016. Come hear congressional staffers from both the House and the Senate discuss FOIA reform legislation and other FOIA matters.

Moderator: Amy Bennett, ASAP President

-Jessica Carter, Legislative Counsel, Senate Committee on the Judiciary

-Krista Boyd, Counsel/Deputy Director of Legislation, House Committee on Oversight and Government Reform

-Katy Rother, Counsel, House Committee on Oversight and Government Reform

8:45 am–9:30 am Morning Refreshments – Salon Foyer – Visit with Sponsors

9:15 am-9:30 am **Welcome, Announcements and Introductions – Amy Bennett, ASAP President**

9:30 am-10:45 am **CONCURRENT SESSIONS – PLEASE CHOOSE ONE**

Session 1.02 – Salon 1-3 Basic/Refresher Track - FOIA

FOIA: Soup to Nuts

Need a basic working knowledge of FOIA? This session is for you! Included is discussion of key procedural elements of the statute and a summary of its exemptions. Perfect for newcomers and those seeking to refresh their grasp of the Act's requirements, this session will provide a strong foundation for growth.

-Bobby Talebian, OIP, Dept. of Justice

-Stephanie Carr, Dept. of Defense

Session 1.03 – Salon 5-7 Basic/Refresher Track – Privacy

The Privacy Act of 1974: Soup to Nuts

Need a basic working knowledge of the Privacy Act? This session is 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 other administrative considerations.

-Kirsten Moncada, Social Security Administration

Session 1.04 – Salon 4 Intermediate/Advanced Track –

Call the Lawyers: A Lawsuit's Been Filed

What happens once a FOIA lawsuit has been filed? What are your duties and obligations? Don't be caught unaware; attend this session to learn what needs to be done, how to do and when to do it.

-Dick Huff, Consultant

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 1.05 – Salon 1-3
Basic/Refresher Track - FOIA**

FOIA Exemptions: One to Nine in 75 Minutes

Learn a bit more about FOIA's nine exemptions and their application. This session sets the stage for additional sessions on individual exemptions and provides a strong foundation for growth. This session is ideal for new FOIA professionals and the perfect refresher for the more seasoned professional

-Bobby Talebian, OIP, Dept. of Justice

**Session 1.06 – Salon 5-7
Basic/Refresher Track – Privacy**

Privacy Alphabet Soup: SORNs and PIAs

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? How exactly does it complement a SORN? What does a PIA deliver that a SORN fails to capture? What are the roles of a Program Manager in helping to build these documents? Who takes a role in helping update these documents, and when? This session is sure to provide you comprehensive knowledge and implementation know-how for the two key Privacy Act requirements.

-Debra Danisek, Dept. of Homeland Security

**Session 1.07 – Salon 4
Intermediate/Advanced Track –
FOIA/PRIVACY**

The Courts Have Spoken: Find Out What They Said

Are you missing out on new information coming from the Courts? In this session you will learn more about recent developments in FOIA and Privacy case law and how it could affect your policies and procedures.

-Scott Hodes, Attorney-at-Law

-Dick Huff, Consultant

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 1.08 – Salon 1-3
Basic/Refresher Track – FOIA**

Everything You Ever Wanted to Know About FOIA Fees

Fee categories and fee waivers confuse even the most seasoned FOIA requesters and processors. Learn the criteria for determining fee categories, i.e., where do bloggers fit in, and factors in deciding fee waiver requests. You will also learn administrative tips on how to keep the process moving and what to do as you wait for other agencies' offices to respond.

-Ginger McCall, Dept. of Labor

-Michael Morisy, MuckRock

**Session 1.09 – Salon 4
Basic/Refresher Track – Privacy**

Privacy: To Disclose or Not to Disclose? That is the Question

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 twelve reasons a record may be released without an individual's authorization.

-Cindy Allard, Dept. of Defense

-Timothy Graham, Dept. of Veterans Affairs

**Session 1.10 – Salon 5-7
Other/Specialty/Niche Track-FOIA**

Wrangling Records: A Discussion on Records Management

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. This session also delves into the Managing Government Records Directive, the Presidential memorandum and Capstone.

-Ramona Oliver, Dept. of Labor

-Arian Ravanbakhsh, NARA

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 1.11 – Salon 1-3
Basic/Refresher Track – FOIA**

Decoding FOIA Exemptions 2, 3 & 7(A),(B),(D),(E),(F)

Cut through the lingo and explore internal personnel and practices exemptions, statutory exemptions, and law enforcement exemptions in depth.
-Joel Miller, Retired (former FBI)

**Session 1.12 – Salon 4
Basic/Refresher Track – FOIA/Privacy**

Sister Statutes: FOIA and the Privacy Act

Have you ever wondered what the similarities and differences are between the Privacy Act and the Freedom of Information Act? This session explores the complex relationship between the two Acts: when to apply the statutes, where they dovetail, and where they diverge. This also includes a discussion of the issues affected by both Acts.
-Ramona Oliver, Dept. of Labor
-Karen F. Meyers, Dept. of Defense

**Session 1.13 – Salon 5-7
Intermediate/Advanced Track**

Records Management Discussion with a Guru

Still have questions about records or were not able to attend the previous session? From simple to complex, this free-form exchange with experts is sure to get your questions answered and help you through any difficult scenarios.
-Arian Ravanbakhsh, NARA
-Other NARA representative(s), as schedules allow

4:30 pm

Daily Program Ends - Return daily evaluations, Certificates issued for July 18 only attendees

Tuesday, July 19

7:30 am-4:00 pm

Program Registration for Tuesday/Wednesday Registrants – Salon Ballroom Registration Area

7:30 am-9:15 am

Morning Coffee – Salon Foyer – Visit with Sponsors

EYE OPENER – Session 2.01 – Salon 4

7:55 am-8:00 am

Welcome and Introductions for Eye Opener – Amy Bennett, ASAP President

8:00 am-8:45 am

FOIA is a Team Sport: Advocating for your FOIA Program – Salon 4

What can you do to increase buy-in for your FOIA program from your senior executives? How can you engage leadership at all levels to give you the resources you need to make your FOIA program great? In this session, a panel of agency FOIA professionals will discuss their successful efforts at effectively advocating for their FOIA programs and gaining buy-in from their agency leaders. You will also hear about the panelists’ challenges and pitfalls in advocating for their FOIA programs, as well as how they overcame the challenges to create a dynamic and successful FOIA program.
-Tim Graham, Department of Veterans Affairs
-Michael Marquis, Department of Health and Human Services

8:30-9:15 am

Morning Refreshments – Salon Foyer– Visit with Sponsors

8:55 am-9:00 am

Welcome, Announcements and Introductions – Amy Bennett, ASAP President

9:00 am-9:45 am

Session 2.02 – Salon 4

KEYNOTE PRESENTATION - The Honorable Royce C. Lamberth

Royce C. Lamberth is a Senior United States District Judge of the United States District Court for the District of Columbia, and formerly served as its Chief Judge.

A majority of lawsuits filed involve challenges to the agency search for responsive records. Senior Judge Royce Lamberth will talk candidly about the legal issues surrounding searches and why agencies end up in court. Senior Judge Lamberth is always open to questions and answers, so come prepared to get your question answered from the source.

9:45 am-10:00 am

Coffee Break – Salon Foyer - Visit with Sponsors

10:00 am-11:00 am

Session 2.03 – Salon 4

Collaborating for Results: Perspectives from the Requester Community

The key to managing a successful program is collaborating with the customers that your FOIA program is designed to serve. Requester engagement can make your FOIA process more efficient and eliminate the barriers to processing requests in a timely manner. Effective communication is critical in avoiding disputes with requesters and can be very informative for agency personnel processing the FOIA request. In this session, you will hear from an outstanding multi-disciplinary panel of FOIA requesters representing various organizations in the requester community. The panelists will share some of their most rewarding experiences in working with FOIA offices and offer suggestions for how agency FOIA programs can work in a more collaborative form to effectively administer the FOIA.

Moderator: Kirsten Mitchell, Office of Government Information Services, NARA

Panelists:

-Mark Zaid, Law Office of Mark S. Zaid, P.C.

-Brad Heath, USA Today

11:00 am-11:15 am

Stretch Break

11:15 am-12:30 pm

CONCURRENT SESSIONS – PLEASE CHOOSE ONE

Session 2.04 – Salon 4

Intermediate/Advanced Track – FOIA

Exemption 5: It’s a Privilege

Do you struggle with understanding the complex nature of Exemption 5, particularly when you need to justify the potential harm of release? This session 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.

-Brent Evitt, Defense Intelligence Agency

-Scott Hodes, Attorney-at-Law

Session 2.05 – Salon 1-3

Intermediate/Advanced Track– Privacy

Keeping an Eye on Your Privacy Program: Privacy Compliance and Monitoring

You have built a privacy program, but how confident are you that all of your agency employees are complying with privacy requirements? In order to ensure that your program is as effective as possible, you must have a robust compliance monitoring program. In this session, you will learn more about the importance of a strong and effective oversight program as a component of a top tier privacy program, and see how much more there is to privacy than just PIAs, SORNs, and breaches.

-Joo Chung, Dept. of Defense

-Shannon Ballard, Dept. of Homeland Security

Session 2.06 – Studio F

Other/Specialty/Niche Track

Three Tips to Reducing Your FOIA Backlog

Backlogs...the dreaded word that makes all FOIA professionals cringe. The harsh reality is that almost every federal agency struggles with FOIA backlogs, oftentimes leading to adverse consequences. In this session, you will learn at least three tested and proven tips to successfully reduce your FOIA backlog. The session will explore how you can take these tips and implement them at your agency successfully.

-Tim Graham, Dept. of Veterans Affairs

-Fred Sadler, Consultant

-Paul Jacobsmeyer, Dept. of Defense

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 – Salon 4
Intermediate/Advanced Track – FOIA**

Exemption 4: Getting Down to Business
Exemption 4 is perhaps one of the most burdensome and complicated FOIA Exemptions that many FOIA Officers struggle with. After this session, you will be more confident in your ability to handle complex FOIA requests involving exemption four materials. 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.

-Fred Sadler, Consultant

**Session 2.08 – Studio F
Intermediate/Advanced Track– Privacy**

Oh No! We have had a Breach! Now What?

Flip on the news...Another massive breach suffered at a major retailer, health care organization or government agency. What was taken? Personally identifiable information such as credit card numbers, Social Security numbers and other personal information. What this terrible news demonstrates is that there are major security threats and vulnerabilities abound. Is your agency next? In this session, you will learn strategies for effectively responding to breaches as well as how to effectively mitigate risks associated with large data breaches.

-Kate Claffie, Dept. of Homeland Security

-Jerry Hanley, Dept. of Energy

**Session 2.09 – Salon 1-3
Other/Specialty/Niche Track**

Setting and Exceeding Expectations: Providing Great Customer Service

Another overwhelming FOIA request has hit your desk, asking for volumes of records. You're not even sure where to start. How about with the requester? You've heard from the requester community, but this session offers you the chance to hear directly from agency experts who have implemented best practices for collaborating effectively with requesters. These experts will share with you how their approach to collaboration has improved efficiency and reduced the number of requester disputes.

-Nate Jones, National Security Archive

-Jim Hogan, Dept. of Defense

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 - Salon 4
Intermediate/Advanced Track – FOIA**

Exemptions 6 and 7(C): Let's Keep it Private

Exemptions 6 and 7(c) are the FOIA's key privacy exemptions. In this session, you will learn about 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 agency's records, and how it is balanced against the public interest.

-Kellie Robinson, Dept. of State

-Scott Hodes, Attorney-at-Law

**Session 2.11 – Studio F
Intermediate/Advanced Track– Privacy**

Flex your Privacy Muscle: How to Strengthen your Privacy Program

Have you run out of ideas on how to strengthen your privacy program? Are you looking for practical solutions to many of your privacy challenges? Agencies are constantly looking for ways to make their privacy program more robust and stronger. In this session, you will hear from agency experts on how they have successfully made their privacy programs effective utilizing workable solutions that can easily be implemented at other federal agencies. We guarantee you will walk away with multiple tips on how you can improve your privacy program!

-Jonathan Cantor, Dept. of Homeland Security

-Matthew Olsen, Dept. of Health and Human Services

**Session 2.12 - Salon 1-3
Other/Specialty/Niche Track**

Flex your FOIA Muscle: How to Strengthen your FOIA Program

Have you run out of ideas on how to strengthen your FOIA program? Are you looking for practical solutions to many of your FOIA challenges? Agencies are constantly looking for ways to make their FOIA program more robust and stronger. In this session, you will hear from agency experts on how they have successfully made their FOIA programs effective utilizing workable solutions that can easily be implemented at other federal agencies. We guarantee you will walk away with multiple tips on how you can improve your FOIA program!

-Kirsten Mitchell, OGIS, NARA

-Karen F. Meyers, Dept. of Defense

4:30 pm

Daily Program Ends - Return daily evaluations, Certificates issued for July 18-19 only attendees

4:30-5:30 pm

FOIA 50th Celebration and Networking Reception – Studio B (Redeem ticket received at registration)

Wednesday, July 20

7:30 am-4:00 pm Program Registration for Wednesday Only Registrants – Salon Ballroom Registration Area

7:30 am-9:15 am Morning Coffee – Salon Foyer

EYE OPENER Session 3.01 – Salon 4

7:55 am-8:00 am **Welcome and Introductions for Eye Opener - Amy Bennett, ASAP President – Salon 4**

8:00am-9:00 am **Writing Performance Plans for Your FOIA Program**

Did you know that the Government Performance and Results Act of 1993 requires each agency to prepare an annual performance plan covering each program activity and FOIA is no exception? Come to this session to learn tips for establishing goals, setting measures and monitoring performance in the realm of FOIA.

-Amy Bennett, Office of Government Information Services, NARA

-Kirsten Mitchell, Office of Government Information Services, NARA

8:45 am-9:15 am Morning Refreshments Available – Salon Ballroom Foyer – Visit with Sponsors

9:05 am – 9:15 am Welcome, Announcements and Remarks – Amy Bennett, ASAP President

9:15 am-10:30 am

CONCURRENT SESSIONS – PLEASE CHOOSE ONE

Session 3.02 – Studio F

Intermediate/Advanced Track – FOIA

Deciphering Exemption 1

In recent years the public interest in classified national security information has increased. In this session FOIA requests for documents containing classified national security information will be covered in detail. You will gain an understanding of FOIA's emphasis on disclosure balanced against protecting classified national security information. An overview of the Mandatory Declassification Review process, which differs from the FOIA de-class process, also will be covered.

-Paul Jacobsmeyer, Dept. of Defense

-Dr. Robert Wampler, National Security

Archive

Session 3.03 – Salon 1-3

Intermediate/Advanced Track –Privacy

Privacy Act Reality TV: Applying Your Skills to Real-Life Situations

In other sessions you have learned about the key requirements of the Privacy Act. Now, let's put those skills to use in this interactive session where instructors will walk you through various scenarios and help you determine what the correct course of action should be.

-Ramona Oliver, Dept. of Labor

-Cindy Allard, Dept. of Defense

Session 3.04 – Salon 4

Other/Specialty/Niche Track

FOIA in the Tech Age

We live in an age where technology is vital to our lives. How can you use technology to improve your FOIA program? In this session you will hear from agency experts who have successfully integrated technology into their FOIA processes, resulting in substantial improvements in efficiency.

-Allison Stanton, Dept. of Justice

10:30 am-10:45 am Refreshment Break – Salon Foyer -Visit our Sponsors!

Session 3.05 – Salon 1-3
Intermediate/Advanced Track – FOIA

To Centralize or Not? A Central Question for FOIA Programs

Some agency FOIA programs are centralized, while others are not. What are the pros and cons to each? If you're thinking of centralizing, what road map should you follow? What pitfalls should you anticipate? And why aren't FOIA programs centralized at all agencies? Find out from FOIA managers from Cabinet-level departments to small agencies: The Department of Agriculture, the Department of Energy and the National Labor Relations Board.

Moderator: Patricia Weth, National Labor Relations Board

-Diane Bridge, National Labor Relations Board

-Alexis Graves, Dept. of Agriculture

-Alexander Morris, Dept. of Energy

Session 3.06 – Studio F
Intermediate/Advanced Track– Privacy

Build It and They Will Come: Promoting Your Privacy Program

In this session you will learn strategies for building a more robust privacy program. But, keep in mind that once you build a privacy program, it needs to be promoted. In this session, you will explore how to get buy-in from your senior leadership and how to effectively promote your privacy program externally to the individuals who are most impacted by the program.

-Matt Olsen, Dept. of Health and Human Services

-Claire Barrett, Dept. of Transportation

Session 3.07 – Salon 4
Other/Specialty/Niche Track

Swimming in an Ocean of Data: Tips for Not Allowing Big Data Requests to Sink Your FOIA Program

Are you intimidated by FOIA requests for large and complex databases? The recent decision to release agency enterprise data inventories and growing interest in proactively posting data for the public pose challenges to agency's FOIA processes. How can FOIA professional's best meet the demand for such data and release the information in a way that makes it usable for the public, without unduly using FOIA resources? In this session, you will strategies for handling large database requests in a manner that does not diminish your FOIA resources but will get the results that the requester desires.

-Brad Heath, USA Today

-Presenters to be Confirmed

12:00 pm-1:30 pm

Lunch – On Your Own – Visit with Sponsors

1:30pm-2:45 pm

CONCURRENT SESSIONS – PLEASE CHOOSE ONE

Session 3.08 Salon 4
Intermediate/Advanced Track – FOIA

Redaction Workshop

Best practices in redaction process: the physical process, and the “do's & don'ts”, including making sure that the redactions cannot be reversed will be discuss in this informative and interactive session.

-Fred Sadler, Consultant

-Dick Huff, Consultant

Session 3.09 – Salon 1-3
Intermediate/Advanced Track

Discussion with Privacy Gurus

Now's your chance to engage directly with agency privacy experts to answer all of your burning questions. This session affords you the perfect opportunity to ask specific questions with agencies' foremost legal and policy experts in the area of privacy. The session will be interactive and present the perfect opportunity to hear from your colleagues who experience the same struggles that you experience. Everyone in the room will have needs concerning privacy so your questions and engagement will benefit all.

-Jonathan Cantor, Dept. of Homeland Security

-Joo Chung, Dept. of Defense

-Kirsten Moncada, Social Security Administration

Session 3.10 – Studio F
Other/Specialty/Niche Track

The FOIA Improvement Act of 2016 – What You need to Know

Presumption of openness is the order of the day under the new law signed by President Obama on June 30, 2016. Learn what constitutes foreseeable harm, changes to the deliberative process privilege and various procedural requirements designed to facilitate FOIA requests and production. There are changes to response letters and annual reports as well as agency regulations updates. The Law also specifies new or revised duties for Chief FOIA Officers and OGIS and creates a Chief Officer Council. This session will walk you through the principle changes so that you have a clear understanding of how the law will impact your officer operations.

-Sean O'Neill, Dept. of Justice, OIP

-Matt Hurd, Dept. of Justice, OIP, pending schedule

2:45 pm-3:00 pm

Refreshment Break – Salon Foyer – Visit with Sponsors

3:00 pm-4:30 pm

Session 3.11 Agency Breakouts – Determined based on attendance

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.

- *Non-specific Agency – Sean O’Neill, Office of Information Policy, Dept. of Justice – Salon 1-3*

- *Bureau of Reclamation – Debbie Suehr – Studio F*

- *Department of Defense – Joo Chung, Cindy Allard, and Jim Hogan – Salon 4*

- *Department of Energy – Alexander “Chris” Morris – Potomac 2 (Residence Inn)*

- *Department of Veterans Affairs – Tim Graham, Jeff Parrillo – Studio C*

4:30 pm

Daily Program Ends - Return Daily Evaluations, Certificates of Completion Issued

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2) Speakers/Instructors appear in their individual capacities.

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5) ASAP does not endorse any products or services.