

Advanced Information Governance

Tuesday, December 6, 2016

Hilton Garden Inn Washington DC Downtown (McPherson Square) - Georgetown Ballroom – Lower Level

ICRM Certification Maintenance Points – Approved for 6 Credits
CLE – submit program and materials retroactively to your State Bar
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8:00-8:25 am Program Registration for Full Day and Morning Only Registrants
8:25-8:30 am Welcome, Announcements, Introductions – ASAP President

8:30-9:30 am Session 1A: Implementing the Managing Records Directive

OMB and NARA released the Managing Government Records Directive in 2012 to establish a 21st century framework for records management in the Federal Government, which sets out implementation deadlines of December 2016 for electronic management of email and December 2019 for management of permanent electronic records. As the 2016 deadline to implement ways to efficiently and effectively manage the ever increasing volume of electronic mail approaches, NARA has advanced the Capstone approach to managing such records. Listen to the NARA expert talk about the genesis of the Capstone approach to managing email, the disposition of records covered by GRS6.1, and the ongoing issues associated with managing permanent electronic records beyond email on varying platforms, including formatting concerns related to accessioning records to NARA after 2019.

- *Arian Ravanbakhsh, Supervisor, Policy and Program Support Team, Office of the Chief Records Officer, National Archives and Records Administration*

9:30-9:40 am Coffee Break/Stretch Break

9:40-10:40 am Session 2A: The Future of Access to Federal Records: How Should We Approach the Question of Providing Meaningful Public Access to a Vast and Growing Number of Federal Records in Digital Form?

Federal recordkeeping (especially regarding e-mail) has received more attention recently than perhaps it ever has before. Beyond the headlines, both NARA and Federal agencies face enormous challenges in providing meaningful access to the exponentially growing numbers of federal records that they are expected to be managing. In this session we will contemplate ways to look into the future of federal recordkeeping. Among the topics to be discussed: the management of federal records on private networks; information governance strategies for leveraging the Managing Government Records Directive to provide more meaningful FOIA access; and the looming challenge posed by the growing accumulation of vast digital archives which may not be opened for many decades without the development of new technologies.

- *Jason R. Baron, Esq., Drinker, Biddle & Reath*

10:40-10:50 am Stretch Break

10:50-11:50 am Session 3A: Not Just Records: Information Management Strategy is the New Agenda

Many practitioners agree that traditional records management has failed to meet the challenges of the digital era. With its principles born in a paper-based, manually driven age, records management has struggled to move into the realm of true information governance. While records management has created a [secure, centralized repository for documents](#) with an audit trail, tracking and workflows, [it needs to broaden its scope](#) to incorporate new content formats, and be more readily accessible, more searchable and easier to use. And, if problems with the platforms weren't enough, new challenges have swept in to compound the already difficult transition. An explosion of information from new sources and formats, mobility and the consumerization of IT -- as well as cloud computing-- have put additional pressure on records management to step into the modern era. Hear the experts talk about how they have collaborated to address the challenges of managing records in a contemporary environment and becoming comfortable with a holism that includes an influx of information in all forms and formats.

- *Michael Reheuser, Executive Director, U.S. Army Headquarters Services, U.S. Department of the Army*

11:50 am Morning Program Ends, Evaluations and Certificates for Morning Attendees

11:50-12:55 pm Lunch Break – On Your Own

12:30-12:55 pm **Program Registration for Afternoon Only Registrants**

12:55-1:00 pm Welcome, Announcements and Introductions – ASAP President

1:00–2:00 pm **Session 1B: Natural Allies: Federal Information Governance Officers**

In today's information-driven Government, properly managing information is all about managing risk. Whether you are a Privacy Officer, FOIA Officer, Records Officer, or Paperwork Reduction Act Officer, chances are you may not fully grasp how closely your work aligns with that of your fellow information governance officers. If you occupy one of these key roles, you need to understand how these laws all work together and how they present opportunities to build a team, even if you work for different people. Whether it is understanding how to process a request properly under the Privacy Act and FOIA, how to properly create a Privacy Act Statement on an information collection, or how to discuss records retention in a privacy impact assessment or system of records notice, the intersections require partnerships to succeed and manage today's information risks. Understanding how everyone else's areas mesh with yours is a tremendous benefit for all, leads to a better work product, and better customer service. What are these intersections and how do you convince other stakeholders that you each have a stake in one another's area?

- *Cindy Allard, Chief of the Defense Privacy, Civil Liberties, and Transparency Division, U.S. Department of Defense*

- *Allison Stanton, Director of E-Discovery, FOIA, and Records for the Civil Division, U.S. Department of Justice*

2:00-2:15 pm Stretch Break

2:15–3:15 pm **Session 2B: Federal Privacy: The Year in Review**

It's been a very busy year! The President, the Office of Management and Budget (OMB), and the newly-created Federal Privacy Council have re-invented the way that the Federal Government approaches privacy. From the President signing Executive Order 13719 creating the Federal Privacy Council, to the landmark publication of OMB Circulars A-130 and A-108 updating nearly 20 year-old OMB direction, the policy and regulatory framework that dictates how the Government protects personal information has been completely overhauled. Come hear from some of the principal architects of this revolution, what else is underway, and what else to expect in the future.

- *Marc Groman, Senior Advisor for Privacy, White House Office of Management and Budget*

3:15–3:30 pm Stretch Break

3:30 – 4:30 pm **Session 3B: The Privacy Act in Action: What Happens when Something goes Wrong?**

The Privacy Act is a complex statute. It has a byzantine set of rules that govern what federal agencies may do and under what circumstances, and an equally confusing set of conditions and exceptions. And that was when the statute was drafted in 1974. Guiding employees and others with access to Privacy Act records today is an even tougher job, especially as figuring out the way that the Privacy Act will apply into new and still-emerging technologies such as big data, mobile applications, and artificial intelligence is not at all clear or settled. So, at the end of the day, what happens if there is an honest mistake? What if someone chooses to roll the dice knowing the risks are there? How do the Privacy Act's remedial provisions apply?

- *Alexander Wood, Attorney-Advisor (Privacy), Legal Counsel Division, Office of the General Counsel, U.S. Department of Homeland Security*

4:30 pm Program Ends, Evaluations and Certificates

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