

TRANSPARENCY IN THE OBAMA ADMINISTRATION A Fourth-Year Assessment

Presented by WCL's Collaboration on Government Secrecy

January 17, 2013

9:30 a.m. -- 6:00 p.m.

(Reception at 5:00 p.m.)

American University Washington College of Law
4801 Massachusetts Avenue, NW, Room 603, Washington, DC

Since January 20, 2009, the Administration of President Barack Obama has striven to keep his presidential campaign commitment to create "the most transparent administration in history," beginning with his sweeping "Day One" transparency and FOIA policy memoranda. After creating high expectations for the full and prompt implementation of these new transparency policies, however, the Obama Administration and its Department of Justice struggled greatly during the first presidential term to do so -- which led to growing concern and even alarm in the openness-in-government community. This program, as the fifth in a series of eight such programs conducted by CGS on or near January 20 of each year, aims to gather leading experts on transparency issues together with representatives of the Obama Administration to focus on exactly what has been done, what has not in fact been done, and what most urgently still needs to be done to finally make meaningful government transparency a reality in what will now be a second Obama Administration term.

8:45 a.m. **Registration**

9:30 a.m. **Welcome and Introduction** -- *Daniel J. Metcalfe*, Executive Director, Collaboration on Government Secrecy, Washington College of Law

9:40 a.m. **Keynote Speech** -- *Derek Anthony (Tony) West (invited)*, Acting Associate Attorney General, United States Department of Justice

10:15 a.m. **Panel One: OGIS Successes** -- an assessment of the Office of Government Information Services' successful discharge of its statutory mandate, and more, during its first three years

James V. Holzer, Senior Director for FOIA Operations, Department of Homeland Security; *Miriam M. Nisbet*, Director, Office of Government Information Services (OGIS), National Archives and Records Administration; *Kathleen M. Ray*, Department FOIA Officer, Department of Transportation; representative of

Office of Information Policy (OIP) (invited); *Claudia A. Trotch*, Research Assistant/Dean's Fellow, Collaboration on Government Secrecy, Washington College of Law; *Corinna Zarek*, Senior Attorney-Advisor, Office of Government Information Services (OGIS), National Archives and Records Administration

11:45 a.m. Panel Two: *Portal to Success* -- an early look at the unique new "FOIAonline" portal launched by OGIS, EPA, and three other federal agencies to transform the handling of FOIA requests

Amy Bennett, Assistant Director, OpenTheGovernment.org; *Joey A. Hutcherson*, Deputy Director of Open Government, Department of Commerce; *Rosa M. Koppel*, Solicitor and Chief FOIA Officer, Federal Labor Relations Authority; representative of Office of Information Policy (OIP) (invited); *Anne L. Weismann*, Chief Counsel, Citizens for Responsibility and Ethics in Washington (CREW); and *Rick Blum*, Coordinator, Sunshine in Government Initiative (moderator)

1:00 p.m. Luncheon Presentation -- *David Burnham*, Co-Director, Transactional Records Access Clearinghouse (TRAC), and former investigative reporter, *The New York Times*

2:15 p.m. Panel Three: "FOIA Regs or FOIA Dregs" -- a critical review of the widespread failure of federal agencies to issue regulations required for full and proper implementation of the 2007 FOIA Amendments and the Holder FOIA Memorandum of March 2009

Lauren Harper, Research Assistant, National Security Archive; *Nate Jones*, FOIA Coordinator, National Security Archive; *Patrice McDermott*, Executive Director, OpenTheGovernment.org; *Kirsten Mitchell*, Management and Program Analyst, Office of Government Information Services (OGIS), National Archives and Records Administration; representative of Office of Information Policy (OIP) (invited); and *Thomas S. Blanton*, Director, National Security Archive (moderator)

3:45 p.m. Panel Four: "Transparency" in its Broadest Sense -- a broad view of "transparency" as involving the means by which government information is made available for most effective public use

Josh Gerstein, White House Reporter, POLITICO; *Daniel Schuman*, Director, Advisory Committee on Transparency, and Policy Counsel, Sunlight Foundation; and *Sean Moulton*, Director, Federal Information Policy, Center for Effective Government (formerly OMB Watch) (moderator)

5:00 p.m. Reception

General Registration, no charge.

CLE Accreditation (5 credits) will be applied for -- CLE Registration, \$275.

To register, please go to www.wcl.american.edu/secle/registration.

For further information, please contact: Office of Special Events & Continuing Legal Education, 202.274.4075 or secle@wcl.american.edu.