

Daniel J. Metcalfe
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1969-1973: State University of New York at Stony Brook; worked full-time through college; named top political science student in class, sophomore year; selected to represent university in Washington Semester Program (fall, junior year); worked as full-time law clerk for medium-sized law firm during final twenty months of college; graduated magna cum laude.

Fall 1971: Intern (full-time), Department of Justice; worked as the Department's first-ever academic intern, in the National Institute of Law Enforcement and Criminal Justice of the Law Enforcement Assistance Administration (now Office of Justice Programs); wrote 10% of 1972-1973 LEAA Impact Plan; internship became model for subsequent Justice Department internship program.

1973-1976: National Law Center at George Washington University; attended as Trustee Scholar based upon undergraduate academic record; awarded full scholarship based upon first-year (second in class) and second-year (third in class) academic records; worked full-time in Justice Department's Office of Criminal Justice (then part of Attorney General's Office, now Office of Legal Policy) during most of first year; left Department to help launch congressional campaign of Tom Downey (youngest member of 94th Congress) in spring 1974; worked full-time as law clerk in private sector through summer 1974; published law review note in January 1975; tutored blind law student, spring 1975; summer associate, Arnold & Porter, summer 1975; notes editor, GW Law Review, 1975-1976; named top judicial clerkship candidate in class.

1976-1977: Law clerk, U.S. District Court Judge Oliver Gasch, U.S. District Court, District of Columbia.

1977-1981: Trial Attorney, Civil Division, Department of Justice; litigated most precedent-setting FOIA cases during next four years, on such issues as national security "Glomarization," law enforcement purpose, confidential source protection, law enforcement privacy, and "survivor" privacy; selected for Assistant Attorney General's advisory committee, 1978; designated by Assistant Attorney General as Department's principal advisor for "reverse" FOIA litigation, 1979; author of Civil Division monograph on Right to Financial Privacy Act, 1979; began teaching at Attorney General's Advocacy Institute, OPM's Government Affairs Institute, and Justice Department's governmentwide Legal Education Institute, 1979; began work on FOIA reform legislation, 1979; designated as advisor to Office of the Associate Attorney General on FOIA legislation, 1980; argued dozens of cases in district courts and courts of appeals nationwide, including one trial, by mid-1981.

November 2, 1981-January 3, 2007 (retired): Served as Founding Director of the Justice Department's Office of Information and Privacy, one of the Department's forty components, responsible for the development and dissemination of FOIA policy throughout the executive branch.

- Principal author and editor of the "Justice Department Guide to the Freedom of Information Act" (through 21 editions, 1982-2007), a comprehensive treatise consisting of more than 1000 pages and 4000 footnotes.
- Edited entireties of *FOIA Update* publication (1981-2000) and Web-based successor *FOIA Post* (2001-2006) and wrote approximately 95% of their policy content.
- Made policy presentations to a total of more than 10,000 training students (attorneys and access professionals) in a wide range of educational programs.
- Directly supervised the defense of more than 500 FOIA and Privacy Act lawsuits at district court and court of appeals levels, becoming the most experienced transparency litigator worldwide.

- Met with more than 250 delegations of visitors from a total of nearly 100 nations and international governing bodies interested in the adoption or implementation of their own government transparency laws.
- Appeared live on C-SPAN and CNN; on both domestic and international television broadcasts (such as PBS and CNN International); on numerous NPR, FEDtalk, and other radio broadcasts; and on international videoconference and Webcast programs.
- Have spoken at such institutions as National Academy of Public Administration, International Law Institute, Brookings Institution, Heritage Foundation, FBI Academy, Library of Congress, Administrative Conference of the U.S., National Press Club, Newseum, Freedom Forum, Foreign Press Center, University of Maryland College of Journalism, Columbia School of Journalism, George Mason University, George Washington University, John Marshall School of Law, University College London, and the American Embassy in Japan.
- Have spoken at several American Bar Association programs for its Administrative Law Section (in Philadelphia, San Antonio, and D.C.), for its Law and National Security Section (as government representative on post-9/11 secrecy), and at the ABA's 25th anniversary celebration of the FOIA (with D.C. Circuit Chief Judge Wald); served as formal advisor to ABA working group on national security information policy from 1982-1992; and provided editorial review for several ABA Administrative Law Section publications.
- Have given keynote or featured presentations at such programs as National Archives and Records Administration Annual Records Administration Conference (1991, 1997), Annual Conference of Administrative Law Judges (1999, 2000), American Society of Newspaper Editors' "Freedom of Information Summit" (2003), National Freedom of Information Coalition's Annual Conference (Santa Fe 2005), International Conference of Information Commissioners (Manchester, England 2006), "FOI Live" Conference (London 2006, 2009), American Society of Access Professionals Conference (Las Vegas 2007), "International Right-to-Know Day" Event (held by audio-link in Washington, London, Paris, and Wellington, New Zealand 2007), to a conference of presidentially appointed inspectors general (2006), and at dozens of federal agency annual FOIA conferences.
- Served as senior Department of Justice representative in governmentwide continuity-of-government activities (now known as "shadow government"), 1983-1991; progressed to top leadership role on legal/law enforcement team and then for entire domestic node; ultimately served as Department of Defense-related exercise control official during 1990-1991, receiving classified DOD commendation.
- Chaired FOIA Officers Homeland Security Information Group (2003-2006), National Performance Review Electronic Record Working Group (1993-1994), FOIA Officers Advisory Group (1993-1995), FEMA COG Nomination Committee (1989-1991), and American Society of Access Professionals Nomination Committee (various).
- Represented U.S. at International Conference of Information Commissioners, at international transparency programs in the U.K., at meetings with members of the Japanese Parliament and other leaders conducted in Japan, at briefing for members of the European Parliament conducted through congressional videoconference, and at several series of sessions held by the Group of States Against Corruption (GRECO) of the Council of Europe and the Council on Government Ethics Laws (COGEL).
- Testified before Congress in both Senate and House, most recently on behalf of executive branch in July 2006.
- Held principal policy and administrative responsibility for governmentwide implementation of first-ever FOIA Executive Order, E.O. 13,392 (entitled "Improving Agency Disclosure of Information").

- Principal drafter of Attorney General's Memorandum on the 1986 Amendments to the FOIA (1987), Department of Justice Report on "Electronic Record" FOIA Issues (1990), Attorney General's FOIA Memorandum of October 4, 1993, President's FOIA Memorandum of October 4, 1993, Attorney General's FOIA Memorandum of October 12, 2001, White House Chief of Staff's Memorandum on Safeguarding Homeland Security-Related Information (Mar. 19, 2002), Executive Order 13,392 (Dec. 14, 2005) (with multiple others), Attorney General's Report to the President on the Implementation of Executive Order 13,392 (Oct. 16, 2006).

- Served as primary governmentwide expert on new information policies in post-9/11 environment during 2001-2006, advising Office of Homeland Security, Homeland Security Transition Planning Office, Department of Homeland Security, National Security Council, Information Security Oversight Office, President's Information Security Classification Appeals Panel, Joint Terrorism Task Force, Foreign Terrorism Tracking Task Force, 9/11 Victim Compensation Fund, Terrorism Screening Center, and most recently Office of Director of National Intelligence; gave presentation for DHS general counsel at inaugural session of "Homeland Security Law Institute"; and advised presidentially mandated Interagency Working Group on Information Sharing Environment on creation of "Controlled Unclassified Information (CUI)" regime during 2006.

- Member of Senior Executive Service (ES-5) for more than twenty-two years; served on numerous OPM and Justice Department SES certification and performance evaluation panels; served on Governance Board of "Business Gateway" information technology project for OMB; received more than a dozen SES performance awards; hold distinction of having been (at age 32) the youngest person appointed to the career SES at the Justice Department, if not also governmentwide, a record that still stands.

- Appointed as an Honorary Senior Research Fellow at University College London in 2006; have been an associate member of the National Academy of Public Administration's Social Equity and International Affairs Panels since 2003; and have given numerous NAPA presentations on information policy subjects, most recently including a program on international transparency with NAPA's acting president.

- Have spoken at American University several times -- at administrative conference for agency commissioners (1999), graduate school public policy class (2002); national security policy debate (2004); international transparency conferences (2007, 2008, 2009), FOIA community conferences (2008, 2009), and academic conferences (2009); LLM program's Washington Lawyer seminar (2007, 2009); graduate school journalism classes (2008, 2009); and with Washington Seminar presentations on "Secrecy and Openness in Government" to academics from Japan (2006, 2007, 2009) and presentation on "The Mysteries of White House Records" (2007). Have also been guest lecturer in administrative law at American University's Washington College of Law, University of Pennsylvania Law School, and Cardozo School of Law.

- Profiled in March 2007 edition of *Government Executive* magazine (both print and Web), in April 16, 2007 issue of *Legal Times* (both print and Web), by Cox News Service in November 2006 and June 2007, on Danish television in September 2007, and by both *ProPublica* and *Columbia Journalism Review* in 2009.

- In 2007 joined the faculty at American University's Washington College of Law as a Faculty Fellow in Law and Government and also Executive Director of its new Collaboration on Government Secrecy ("CGS") (<http://www.wcl.american.edu/lawandgov/cgs/>), the first academic center of its kind at any law school in the world. Developed a course on "Government Information Law and Policy" (Spring 2008, Fall 2009), a seminar entitled "Secrecy Controversies" (Spring 2008, Spring 2009), and (with Professor Stephen I. Vladeck) a seminar on national security secrecy (Fall 2008). Published seminal article on 2007 FOIA Amendments, 33 Admin. & Reg. L. News 11 (Spring 2008); *The Nature of Government Secrecy*, 26 Gov't Info. Q. 305 (2009); and *Sunshine Not So Bright: FOIA Implementation Lags Behind*, 34 Admin. & Reg. L. News 5 (Summer 2009). Currently writing books on government secrecy, including (with Prof. Vladeck) a textbook for Carolina Academic Press.