

Second Annual Freedom of Information Day Celebration

Presented by the Collaboration on Government Secrecy

March 16, 2009

8:30 am – 5:30 pm

Room 603

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

In the United States, "Freedom of Information Day" is celebrated each year on March 16 (which is the birthday of Founding Father James Madison, who is considered the father of freedom of information) within what is now known as "Sunshine Week." This program is the second annual celebration of Freedom of Information Day by the Washington College of Law's Collaboration on Government Secrecy, and this year it helps launch the "Sunshine Week" (March 15-21) of related activities by media and public interest groups. Panels of leading experts and distinguished keynote speakers will discuss major issues of current importance to the openness-in-government community, particularly in light of the remarkable "Day One" Freedom of Information Act and information-policy directives that were issued by President Barack Obama on January 21, 2009.

This year CGS is especially pleased to announce that long-time FOIA champion Patrick Leahy (D-Vt.), Chairman of the Senate Judiciary Committee, will present this FOI Day program's keynote address. At the same time, Senator Leahy also will be presented with the 2009 "Robert Vaughn FOIA Legend Award" by former Member of Congress and fellow member of the congressional "class of 1974" Thomas J. Downey, who additionally is a distinguished alumnus of WCL (class of 1980).

8:30 am **Registration and Continental Breakfast**

9:00 am **Welcome and Introduction:** *Daniel J. Metcalfe*, Executive Director,
Collaboration on Government Secrecy, Washington College of Law

9:15 am **Panel One: Overclassification, Declassification, and Executive Order Change**
– an analysis of national security classification under existing Executive Order 12,958, as well as the prospects for its revision.

Speakers: *Steven Aftergood*, Executive Director, Project on Government Secrecy, Federation of American Scientists; *William J. Bosanko*, Director, Information Security Oversight Office, National Archives and Records Administration, and Executive Secretary, Public Interest Declassification Board; and *Steven Garfinkel*, Former Director (1980-2002), Information Security Oversight Office, National Archives and Records Administration, Executive Secretary, Interagency Security Classification Appeals Panel, Chairman, Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group, and Member, Public Interest Declassification Board (2004-2008)

10:15 am **Panel Two: “Bailing Out on Transparency”** – a critical consideration of the openness limitations of the government’s recent “TARP,” financial industry bailout, and economic stimulus-related activities.

Speakers: *Ryan Alexander*, President, Taxpayers for Common Sense; *Danielle Brian*, Executive Director, Project on Government Oversight; *John Irons*, Research and Policy Director, Economic Policy Institute; *Greg LeRoy*, Executive Director, Good Jobs First, and Co-Organizer, Coalition for Accountable Recovery; and *Gary D. Bass*, Founder and Executive Director, OMB Watch (moderator)

11:15 am **Break**

11:30 am **Introduction and Award Presentation:** *Thomas J. Downey*, Chairman, Downey McGrath Group, Inc., and Former Representative, New York’s Second Congressional District (1975-1993)

Keynote Address: *Senator Patrick Leahy*, Chairman, Senate Judiciary Committee

12:45 pm **Luncheon Speaker:** *Dr. Harold C. Relyea*, recently retired scholar specializing in national government (1971-2009), Congressional Research Service, Library of Congress

1:45 pm **Panel Three: “CUI or See You Later”** – an up-to-date look at the continuing murky world of “pseudosecrecy.”

Speakers: *Sean Moulton*, Director, Federal Information Policy, OMB Watch; *Adina H. Rosenbaum*, Director, Freedom of Information Clearinghouse, Public Citizen Litigation Group; and *Patrick D. Viscuso*, Associate Director for Controlled Unclassified Information (CUI), Information Security Oversight Office, National Archives and Records Administration

- 2:45 pm **Panel Four: “Born Digital But Preserved in Hard Copy?”** -- a back-and-forth discussion of E-Gov and records-management practices as vital foundations of all disclosure regimes, with emphasis on much-needed reforms, on the 20th anniversary of the *Armstrong v. Executive Office of the President* (“PROFS System”) litigation.
- Speakers:** *Jason R. Baron*, Director of Litigation, National Archives and Records Administration, and *Scott Armstrong*, Executive Director, Information Trust, former investigative journalist for *The Washington Post*, and co-author of *The Brethren*
- 3:45 pm **Break**
- 4:00 pm **Panel Five: An Early Assessment of the Obama Administration** -- in the nearly two months since President Obama stunned the openness-in-government community and federal workforce alike with his strong pro-disclosure words and “Day One” transparency and FOIA memoranda, has that momentum carried forward or has it lagged, including as to implementation of the 2007 FOIA Amendments?
- Speakers:** *Thomas S. Blanton*, Director, National Security Archive; *Michael Isikoff*, Investigative Correspondent, *Newsweek*, and newly named contributor to MSNBC; *David Sobel*, Senior Counsel and Director, FOIA Litigation for Accountable Government (FLAG) Project, Electronic Frontier Foundation; and *Thomas M. Susman*, Director of Governmental Affairs, American Bar Association, and 2008 “Robert Vaughn FOIA Legend Award” recipient (moderator)
- 5:00 pm **Reception -- With the Chairman and Members of the Public Interest Declassification Board**

General Registration – no charge.

CLE Accreditation (5 credits will be applied for) – CLE Registration - \$45

To register, please visit <http://www.wcl.american.edu/secle/registration>

For further information about registration, please contact: Office of Special Events & Continuing Legal Education, American University Washington College of Law,
202.274.4075 or secle@wcl.american.edu.

Major support for this CGS program has been provided by the Open Society Institute’s Transparency and Integrity Fund and National Security and Human Rights Campaign.