

# **THIRD ANNUAL FREEDOM OF INFORMATION DAY CELEBRATION**

**Presented by WCL's Collaboration on Government Secrecy**

**March 16, 2010**

**9:30 a.m. – 6:00 p.m.**

**(Registration at 8:45 a.m./Reception at 5:00 p.m.)**

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

In the United States, "Freedom of Information Day" is celebrated annually on March 16 (James Madison's birthday), near the beginning of what is known as "Sunshine Week." This program is the third annual celebration of Freedom of Information Day held by the Washington College of Law's Collaboration on Government Secrecy, and this year it serves as the primary day-long "Sunshine Week" (March 14-20) event among related activities by media and public interest groups. Panels of leading experts will discuss major issues of current importance to the openness-in-government community, particularly in light of the enactment of the OPEN FOIA Act of 2009 and growing concerns about the adequacy of FOIA policy implementation by the Obama Administration. Former White House Chief of Staff John D. Podesta will give the opening keynote address, as he is presented with the 2010 "Robert Vaughn FOIA Legend Award" in recognition of his longstanding commitment to the Freedom of Information Act and government transparency. As last year's FOIA Legend Award recipient, as well as an early role model to Mr. Podesta, Senator Patrick Leahy will present this year's award.

**8:45 a.m. Registration and Continental Breakfast**

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

**9:40 a.m. Introduction -- Claudio M. Grossman, Dean and Professor of Law, Washington College of Law**

**Award Presentation -- Senator Patrick Leahy, Chairman, Senate Judiciary Committee**

**Keynote Address -- John D. Podesta, President and CEO, Center for American Progress, Former White House Chief of Staff, and Obama/Biden Transition Team Co-Chair**

10:40 a.m. Break

10:50 a.m. **Panel One: *Big Freedom of Information Act Litigation Cases* -- a wide-ranging discussion of pending issues in major FOIA litigation by expert government and private-sector litigators.**

*Thomas H. Golden*, Partner, Willkie, Farr & Gallagher; *Marc Rotenberg*, Executive Director, Electronic Privacy Information Center (EPIC); *Henry Whitaker*, Attorney, Appellate Staff, Civil Division, Department of Justice; and *Thomas S. Blanton*, Director, National Security Archive (moderator)

12:10 p.m. **Panel Two: *Backlog Reduction Under the Open Government Directive* -- an inside look at the potential implementation of this major governmentwide FOIA initiative in light of renewed legislative concern.**

*Charles N. Davis*, Associate Professor, Missouri School of Journalism, and Executive Director, National Freedom of Information Coalition; *William T. Kammer*, Chief, Freedom of Information Policy Office, Department of Defense; *Sharon M. Mar*, Policy Analyst, Information Policy Branch, Office of Information and Regulatory Affairs, Office of Management and Budget; and *Mark Tapscott*, Editorial Page Editor, *The Washington Examiner*

1:10 p.m. **Luncheon Address** -- *Norman L. Eisen*, Special Counsel to the President for Ethics and Government Reform and key official on the White House Open Government Initiative

2:30 p.m. **Panel Three: *Pseudosecrecy, From SHSI to SBU to CUI* -- a review of the problematic proliferation of "safeguarding labels," from Clinton-era origins to prospective Obama Administration solutions (potentially in the form of an unprecedented executive order).**

*William J. Bosanko*, Director, Information Security Oversight Office, National Archives and Records Administration; *Michael German*, National Security Policy Counsel, American Civil Liberties Union; *Matthew L. Kronisch*, Associate General Counsel for Intelligence, Department of Homeland Security, and Co-Chair, Interagency Task Force on Controlled Unclassified Information; *Grace L. Mastalli*, President, Ethos International, Former Principal Associate General Counsel, Department of Homeland Security, and Former Associate Deputy Attorney General, Department of Justice; and *Sharon Bradford Franklin*, Senior Counsel, The Constitution Project (moderator)

4:00 p.m. **Panel Four: *Exemption Three Going Forward*** -- an analysis of the FOIA's controversial "catch-all exemption," its recognized scope to date, and its future application under the OPEN FOIA Act of 2009 (the "2009 FOIA Amendment").

*Jason I. Allen*, Senior Research Assistant, Collaboration on Government Secrecy, Washington College of Law; *Kevin M. Goldberg*, Special Counsel, Fletcher, Heald & Hildreth, P.L.C.; *Matthew L. Johnson*, Chief Counsel to Senator John Cornyn for Senate Judiciary Committee; and *Adina H. Rosenbaum*, Director, Freedom of Information Clearinghouse, Public Citizen Litigation Group

5:00 p.m. **Reception**

*General Registration – no charge.*

CLE Accreditation (5 credits) will be applied for -- *CLE Registration - \$75.*

To register, please go to [www.wcl.american.edu/secle/registration](http://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](mailto:secle@wcl.american.edu).

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