

SEVENTH ANNUAL FREEDOM OF INFORMATION DAY CELEBRATION

Presented by WCL's Collaboration on Government Secrecy

March 18, 2014

9:00 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

In the United States, Freedom of Information Day is celebrated on or near the March 16 birthday of James Madison, considered the "Founding Father of Freedom of Information," as part of what during recent years has become known as "Sunshine Week." This program is the seventh annual celebration of Freedom of Information Day held by the Washington College of Law's Collaboration on Government Secrecy, and this year it is part of an expanded celebration of Sunshine Week among related activities by media and public interest groups. Former NBC News legal reporter Carl Stern, who also served as the Department of Justice's Director of Public Affairs, will give the program's keynote address and will be presented with the 2014 "Robert Vaughn FOIA Legend Award" in recognition of his long and distinguished FOIA-related career, including as a highly successful FOIA requester. Washington College of Law Dean Claudio Grossman will make this year's presentation.

8:15 a.m. Registration and Continental Breakfast

9:00 a.m. Welcome and Opening Remarks -- *Daniel J. Metcalfe, Executive Director, Collaboration on Government Secrecy, Washington College of Law*

9:10 a.m. Award Presentation -- *Claudio M. Grossman, Dean and Professor of Law, Washington College of Law*

Keynote Address -- *Carl Stern, Professor Emeritus, School of Media and Public Affairs, George Washington University*

10:00 a.m. Panel One: Legislative Outlook -- **a comprehensive view of FOIA-related activity in the 113th Congress from all four corners of Capitol Hill**

Krista Boyd, Minority Counsel, House Committee on Oversight and Government Reform; Lydia Kay Griggsby, Counsel to Senate Judiciary Committee Chairman Patrick Leahy; Tegan N. Millspaw, Professional Staff Member, House Committee on

Oversight and Government Reform; *Nathan J. Hallford*, Republican Counsel, Senate

Judiciary Committee; and *Thomas M. Susman*, Director of Governmental Affairs, American Bar Association (moderator)

11:15 p.m. Panel Two: *Surveillance Secrecy -- an examination of the secrecy blanket that surrounds the highly controversial aspects of government surveillance activity*

Alan Butler, Appellate Advocacy Counsel, Electronic Privacy Information Center (EPIC); *Sharon Bradford Franklin*, Executive Director, Privacy and Civil Liberties Oversight Board; *Josh Gerstein*, White House Reporter, POLITICO; *Michael Isikoff*, National Investigative Correspondent, NBC News; *Eric J. Struening*, Senior Research Assistant, Collaboration on Government Secrecy; and *Steven I. Vladeck*, Associate Dean for Scholarship, Washington College of Law (moderator)

12:30 p.m. Luncheon Address -- *Hon. Royce C. Lamberth*, Senior Judge, D.D.C., and formerly Presiding Judge, Foreign Intelligence Surveillance Court (1995-2002) (invited)

2:00 p.m. Panel Three: *New Developments in National Security Classification -- a close look at recent policy activities and litigation results in Exemption 1 cases*

Steven Aftergood, Executive Director, Project on Government Secrecy, Federation of American Scientists; *John P. Fitzpatrick*, Director, Information and Security Oversight Office, NARA; *Kenneth L. Wainstein*, former Homeland Security Advisor to the President; and *Elizabeth Goitein*, Co-Director, Liberty and National Security Program, Brennan Center for Justice, NYU School of Law (moderator)

3:15 p.m. Panel Four: *The Privacy Act of 1974 – an expert assessment of the need for a long-overdue overhaul of this 40-year-old Watergate reform legislation*

Khaliyah Barnes, Administrative Law Counsel, Electronic Privacy Information Center (EPIC); *Evan Hendricks*, Founder/Publisher, *Privacy Times*; Office of Management and Budget representative (invited); *Rachel Levinson-Waldman*, Counsel, Liberty and National Security Program, Brennan Center for Justice, NYU School of Law

4:15 p.m. Panel Five: *Exemption Five -- a critical review of recent government positions under this key exemption, including as to discretionary disclosure under the “foreseeable harm” standard*

Daniel Marcus, Professor, Washington College of Law, and former Associate Attorney General; *Miriam M. Nisbet*, Director, Office of Government Information Services, NARA; *David Sobel*, Senior Counsel, Electronic Frontier Foundation; *Anne L. Weismann*, Chief Counsel, Citizens for Reform and Ethics in Washington; and *Kevin M. Goldberg*, Special Counsel, Fletcher, Heald, and Hildreth (moderator)

5:00 p.m. Reception

General Registration, no charge. CLE Registration (5 credits will be applied for), \$275. To register, please go to www.wcl.american.edu/secle/registration. For further information, please contact the Office of Special Events & Continuing Legal Education, 202.274.4075 or secle@wcl.american.edu.