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## COALITION OF FEDERAL OMBUDSMAN

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### MEETING MINUTES

**Meeting Date and Time:** January 12, 2022, 1:30-3:00 pm (ET)

**Location:** WebEx

**Agenda:**

1. COFO Executive Committee Nominations and Elections
2. A word from the ABA Dispute Resolution Section
3. Charter and Governance Workgroup Update
4. Mentoring Committee Update
5. Social Media Committee Update
6. Reminder – COFO website needs a new home
7. Voluntary Leave Transfer Initiative Reminder
8. Next Ombuds Supporting Ombuds (OSO) meeting 01/26/2022
9. Announcements
10. General Questions
11. Discussion Topic - Ombudsman “recordkeeping” protocols – one of our member offices is currently working with their agency to determine the best records management protocols for their office, and they see some gray areas that they’d like to discuss and receive feedback on from the COFO community

**Highlights: - In the order of discussion**

- 1. Added Topic: IOA Updated Revision to Standards of Practice**
  - a. Today at noon IOA released an updated revision to Standards of Practice
  - b. COFO as an organization will comment as necessary
  - c. Please take a look at these standards and participate in the commenting process as it is important for the profession:  
[https://ioa.memberclicks.net/index.php?option=com\\_dailyplanetblog&view=entry&year=2021&month=01&day=07&id=106:standards-of-practice-ethical-principles](https://ioa.memberclicks.net/index.php?option=com_dailyplanetblog&view=entry&year=2021&month=01&day=07&id=106:standards-of-practice-ethical-principles)
- 2. ABA Dispute Resolution Section (DRS) – 10 things about the ABA DRS**
  - a. The DRS has 9000 members, lawyers, students, affiliated professionals, and international lawyers: great opportunity for networking across the globe
  - b. You do not have to be a lawyer to join ABA DRS
  - c. You can join as many committees as you like which are actual communities of practice like the Ombuds Committee and this is free with your membership

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- d. DRS members have free access to monthly webinars on a variety of topics and you can also participate in creating content for these webinars
- e. DRS provides cross-cutting programming for all types of dispute resolution professionals across the spectrum that allows the sharing of best practices. As an example, January 26, 2022, there will be a webinar with the CEO of Mediators Beyond Borders International, who will discuss how dispute resolution professionals can deescalate the public debate
- f. DRS offers fellowships where you can work on important projects for the committee
- g. DRS members and receive and contribute to the monthly, *Just Resolution E-News*, the quarterly *Dispute Resolution* magazine, and committee newsletters: great way to get published with a 500-word posting in a newsletter or an article in the magazine
- h. The DRS Idle Chat Series on YouTube gives you the opportunity to know members and for the members to know you during a casual chat that is a fun networking opportunity
- i. DRS' Annual Spring Conference features a broad diversity of programming supplied by members and distinguished plenary speakers and includes outstanding networking opportunities
- j. DRS is on the leading edge of educating members about technology and has promoted multiple tech expos on various subjects enhancing the practice using tech along with access to tech experts
- k. If considering joining the ABA DRS and have questions, contact Ken at [Ken.Skodacek@fda.hhs.gov](mailto:Ken.Skodacek@fda.hhs.gov)

**3. Charter and Governance Workgroup**

- a. Update from the Charter and Governance Workgroup: Bill Mauer-Chair, Andrea Brown, Sarah Trujillo, Bina Patel, Claire Heffernan, and Christine Megee
- b. Task for this group is to review some of the foundational documents for any needed updates
- c. This group believes the charter is a great document for this organization and only needs some updating to provide more clarification for questions that have arisen
- d. A first draft has been shared with the COFO Executive Committee for their review and consideration
- e. A rough first draft of the document will soon be shared with the full membership
- f. There will be time for input from the whole membership and input is needed from everyone to ensure the process is robust
- g. The draft proposed will split the current charter into two documents, an organizational charter and a leadership charter that outline the roles and responsibilities of the leadership
- h. There will an opportunity for members to provide written responses for changes to the charter and the charter updates may be discussed in one or more membership meetings

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- i. The Charter and Governance Workgroup Chair stated the changes proposed to the charter are not significant fundamental changes; however, there are some nuanced changes that may require further discussion to ensure the charter information is clear and specific

**4. Mentoring Committee**

- a. Cohort five has been launched for 2022 and this week orientation is being hosted for mentors and mentees
- b. The number of pairs this year is five
- c. Thanks to all in the mentor cadre who applied or reapplied for this year
- d. You will hear more about the program as it progresses and more to come next fall when the process begins again to start new pairs
- e. If anyone has any questions about the program contact Virginia Behr, Bill Maurer, Fatimah Mateen, Brenda Doty, or Lisa Levine

**Commented [LL(1):** It might have been four pairs at the time of the meeting, so she may have misspoken, but now there are 5 pairs, so I propose just writing 5. Not opposed if we need to add a clarifying comment, like this was updated after the meeting

**5. Social Media Committee**

- a. Social Media Committee will have its first of four quarterly meeting this year on Thursday, January 20, 2022
- b. The Social Media Committee was formed to oversee the COFO LinkedIn Group and will explore other opportunities to continue our monthly meeting conversation online
- c. It is a closed group, so it is great platform to ask questions, to add content for discussion, and to continue the discussion from meetings, to connect, learn, and grow.
- d. If you want to join the Social Media Committee, which meets quarterly, please reach out to Erica at [erica.katherine@fda.hhs.gov](mailto:erica.katherine@fda.hhs.gov).

**6. COFO website needs a new home**

- a. COFO will move from the hosted site by the Department of Education to a new host
- b. COFO has no budget and cannot pay for host thus needs free hosting from a Federal agency or other non-profit type entity
- c. If your agency is available to host the COFO website on their server or you have a suggestion, please contact Paul Sotoudeh [Paul.Sotoudeh@USPTO.GOV](mailto:Paul.Sotoudeh@USPTO.GOV)

**7. Voluntary Leave Transfer Initiative**

- a. Reminder that the Voluntary Leave Transfer Initiative is a way to help connect ombuds with ombuds who have been approved by their Federal agency for voluntary leave transfer.
- b. Because of the ombuds role and concerns about independence and impartiality, concerns are raised about ombuds asking stakeholders to donate, so this initiative was created to avoid such issues.

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- c. If you have questions, reach out to Wendy Kamenshine, [wendy.kamenshine@cfpb.gov](mailto:wendy.kamenshine@cfpb.gov) Heather Milner, [Heather.Milner@CFPB.GOV](mailto:Heather.Milner@CFPB.GOV) or Susanne Porch, [susanne.porch@nist.gov](mailto:susanne.porch@nist.gov)

**8. Next Ombuds Supporting Ombuds (OSO) Meeting, 01/26/2022**

- a. OSO meetings were cancelled at the end of the year due to the holidays and are starting again Wednesday, January 26, 2022, from 2pm – 3pm ET
- b. Ombuds Supporting Ombuds (OSO) is a space COFO created almost two years ago in response to the pandemic, for reflection, sharing, community discussion, venting, and connecting

**9. Executive Committee election update/reminder to vote**

- a. Current Executive Committee term ends on March 01, 2022
- b. This means the process begins to elect the new committee for a two-year term of March 1, 2022 – February 29, 2024
- c. An election committee has been empaneled to administer the election and members are Elisa Enriquez, Jenn Mahony and Bina Patel
- d. The nomination period is being extended through the end of the week for all positions and specifically for the position of secretary
- e. COFO has two persons at each position except chair and currently no one has accepted a nomination for secretary
- f. Self-nomination is allowed and is great to show your excitement about the position
- g. Nomination list will go out mid to late next week along with the email with the voting survey
- h. To be on the COFO Executive Committee you need to be a voting member which means being an active Federal Ombudsman practicing the standards

**10. Announcements**

- a. none

**11. General Questions**

- a. One ombuds had more of an observation than a question about a large increase in visitors with concerns about work life balance and how the great retirement has impacted the workforce and workflow
  - i. It was noted that it was important to ensure management knows how this is concerning to the workforce and how to reward those who are carrying the load under the stress of more work with fewer people
  - ii. Another comment was that a brain drain has started from the top leaving those behind with limited experience to help guide them in these very advanced roles
  - iii. There was a previous sense of, if you don't like it here go somewhere else; however now it seems to be reconnection to the workforce, but is it coming too late?

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- iv. One ombuds noted an organization pays a monetary penalty for not engaging its workforce
- v. One external ombuds noted there is an extra layer of anger coming from some individuals that aligns with the frustration that is being felt by all in not feeling valued
- vi. It hard dealing with the level of frustration in the virtual environment and not having the camaraderie of the office space

**12. Discussion Topic: Ombudsman “recordkeeping” protocols – one of our member offices is currently working with their agency to determine the best records management protocols for their office, and they see some gray areas that they’d like to discuss and receive feedback on from the COFO community**

- a. One ombuds wondered about best practices regarding records managements, risk management, and internal controls and what is retained in terms of records
- b. For example, one office maintains the program charter, mission directives, and records of office changes, but does not keep email correspondence
- c. A question was also asked, “Has any ombuds been asked to submit things like statements of assurance or worked with internal control staff at your agency?”
- d. One ombuds stated an internal protocol was being created at their office related to confidentiality and is curious about what is written related internal ombuds practices to ensure confidentiality in the federal government
- e. Another ombuds stated they created a data and security document that could be shared with anyone who needed it (contact COFO coordinators for more info)
- f. It was stated that all ombuds should prioritize creating a records retention schedule to ensure records are destroyed in a timely fashion which helps to ensure confidentiality
- g. A records schedule will help you to destroy a record as soon as resolution is reached for the issue you are working and without this you do not have anything that allows you to dispose of that record
- h. Improper access of a record is the greatest risk to confidentiality of records and the chances lessen with a good records schedule that is implemented and reinforced in your program
- i. It can take time to ensure your records schedule is promulgated and some ombuds stated it took up to three years
- j. One ombuds asked if others had meetings with others in their agency to ensure records are destroyed, i.e., backup of emails or other electronic records that may have other copies
- k. You may need to get IT support to ensure emails that are deleted are truly purged from the servers
- l. One ombuds noted that sweeps of electronic files may be made for FOIA, or court required actions and the ombuds should work with IT to ensure the ombuds program files are not apart of those electronic collections
- m. Another ombuds stated they do not use electronic communication for most conversations with visitors

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- n. In the web chat it was noted that Microsoft Teams used by many agencies may record meetings and that this has occurred. Other chat communications are logged to a general server at regular intervals and maybe should not be used for communication with visitors
- o. One ombuds worked with the Chief Counsel and the Cyber Chief of their agency to create a memo to ensure none of their records could be accessed to mitigate risk as well
- p. Also, it was noted that with any chance you get you should remind visitors not to send information via email to help protect their confidentiality
- q. It was also noted the conversation was more about confidentiality than the risk most ombuds think about with records; however there is administrative element that goes with being a Federal employee to consider maybe in a future conversation

**Attendance 01/12/2022**

Last	First	Agency	Call-In
Anderson	Jeff	DOE	1
Behr	Virginia	FDA	1
Berg	Mollie	DOD / National Geospatial-Intelligence Agency (NGA)	1
Bookstein	Monique	Prince William County Public Schools	1
Cameron	Bob	CFPB	1
Coffman	Cherina	NGA	1
Davenport Dayes	Nicky	FEMA	1
DeBerry	Marcella	NSA	1
Doyle	Bill	Secret Service	1
Enriquez	Elisa	Los Alamos Laboratory (DOE)	1
Garmon	Felisa	CFPB	1
Gersten	David	DHS	1
Gill	Sarah	FINRA	1
Gordon	Laurel	DOJ / U. S. Marshals Service (USMS)	1
Green	Veronica	State OIG	1
Heffernan	Claire	TSA	1
Hendrickson	Caitlan	FEMA	1
Holland	Shavon	Dept of Education	1
Hopkins	Emilee	NGA	1
Hurley	Nathan	FDA / Center for Tobacco Products	1

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Last	First	Agency	Call-In
Kamenshine	Wendy	CFPB	1
Katherine	Erica	FDA	1
Kinnavy	Noreen	USAGM	1
Lawrence	Steve	DHS Office of Intelligence & Analysis	1
Lenkel	Laurie	FDA	1
Levine	Lisa	DOJ / Executive Office of Immigration Review (EOIR)	1
Lewis	Mark D.	FDA	1
Magnus	Vicki	Library of Congress	1
Mahony	Jennifer	Boston Childrens Hospital	1
Manderson	Katie	VA	1
Maurer	Bill	Census	1
McNeil	Tracey	SEC	1
Megee	Christine	DOD Education Activity	1
Michael	David	NIH	1
Miller	Carla	DOJ / ATF	1
Milner	Heather	CFPB	1
Morey	Chauncenette	FBI	1
Patel	Bina	USPTO	1
Porch	Susanne	Commerce / National Institute of Standards and Technology (NIST)	1
Portonovo	Sheela	NARA	1
Robinson	Belinda	FBI	1
Rojas	Nick	DOD / DIA	1
Rowe	Mary	Massachusetts Institute of Technology (MIT)	1
Simpson	Candace		1
Skodacek	Ken	FDA	1
Smith	Julie	Census	1
Smith	Tyler	NIH	1
Sotoudeh	Paul	USPTO	1
Starr	Judith	ABA Dispute Resolution Section	1
Stergio	Marcus	Office of Federal Contract Compliance Programs / DOL	1
Swann	Benita	FDIC	1
Thomson	Ronnie	Sandia National Laboratories	1
Trujillo	Sarah	USDA	1

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<b>Last</b>	<b>First</b>	<b>Agency</b>	<b>Call-In</b>
Vermillion	Chris	DOE	1
Voloshin	Victor	NIH	1
Walker	Olivia	DOD / Army Medical Readiness Assistance Program	1
Weber	Guy	DOD / NGA	1
White	Karen	DOD / National Guard Bureau	1
Wolfe	Lexi	DOE	1
Yuille Banford	Deanna	DOD / Defense Human Resources Activity	1
		<b>Total</b>	<b>60</b>

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