COALITION OF FEDERAL OMBUDSMAN

<u>**MEETING MINUTES**</u>

Meeting Date and Time: July 14, 2021, 1:30-3:00 pm (ET)

Location: WebEx

Agenda:

1. 2021 COFO Annual Conference
2. IOA bylaw changes/upcoming meeting on July 15th
3. Social Media Committee Update
4. Next Ombuds Supporting Ombuds (OSO) Meeting on July 28th
5. Ombuds Day is October 14th
6. Announcements
7. General Questions
8. Discussion Topic

Highlights:

1. **2021 COFO Annual Conference**
   a. Date for conference: October 15, 2021
   b. Conference room at USPTO Campus is currently not available for booking until the campus is open to the public
   c. Mid-to-late September is projected date, and this may not be ideal for scheduling this room for the COFO Annual Conference
   d. Some type of in-person element will be attempted but plan for a virtual conference, and this will be revisited as necessary
   e. If anyone is interested in joining the conference committee, please contact Paul Sotoudeh, Paul.Sotoudeh@USPTO.GOV

2. **IOA bylaw changes/upcoming meeting on July 15th**
   a. The bylaw and articles of incorporation changes are different from the changes in the standards of practice that were first discussed in 2020 and are currently on hold
   b. Changes are proposed to address concerns about the recent election of officers to the board, eligibility criteria for board members, and diversity and inclusion on the board
   c. IOA also wanted to ensure there is clear criteria for who holds seats on the board, the number of members on the board, and the length of terms with term limits

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d. President and president elect will also be named to ensure continuity of the group
e. Meeting is planned for tomorrow at 11 am ET for members, and you must register to attend the meeting
f. Easy to see the changes as there is redline version online if you plan to attend
g. On the Ombuds Blog some have specific opinions and there is some disagreement about these changes
h. Go online and please make your own comments about the changes on the IOA webpage
i. Changes will be sent to the COFO community for review if you do not have access to IOA webpage
j. Discussion on Ombuds Blog: https://ombuds-blog.blogspot.com/2021/07/guest-post-chuck-howard-comments-on.html https://ombuds-blog.blogspot.com/2021/07/independent-forum-to-discuss-proposed.html & https://ombuds-blog.blogspot.com/2021/07/ioa-asks-members-to-approve-omnibus.html
k. Concerns that have been raised reflect the process and the lack of general discussion prior to the vote

3. **Social Media Committee (SMC) Update**
   a. Thanks to all on the committee for helping move forth this initiative
   b. The SMC completed a proposal to actively use LinkedIn as networking tool for the COFO community
   c. Proposal has been sent to the COFO Executive Committee for approval
   d. Reminder that the suggested use of social media would be professional, meaning a chance to network with other ombuds, career development, and education
   e. Any implementation of social media for COFO would be limited to the community with criteria for joining along with rules for how to engage the community

4. **Next OSO Meeting on 07/28/2021**
   a. Next meeting of Ombuds Supporting Ombuds (OSO) will be 7/28/2021, 2-3 pm EDT
   b. This month the meeting will focus on different books that have been helpful to you during this time or books that have been a resource to you
   c. Please join the meeting and bring book ideas to share with others

5. **Ombuds Day – 10/14/2021**
   a. Ombuds Day is October 14, 2021, and it is the 4th annual year for this event
   b. Ken Skodacek is leading this effort for ABA
   c. Actively working to confirm speakers; a large social media company, the Department of Homeland Security Citizenship, and Immigration Services Ombudsman, an ombuds from a state long-term care program, and AARP among others

6. **Announcements**
    a. None

7. **General Questions**
    a. Does anyone have any suggestions for good records management systems outside of Excel spreadsheets and Salesforce?
    b. One ombuds has worked with Microsoft to build a system for records management that is tied in with their case management system. Katie Manderson @ VA stated contact her to gain more details
    c. This is a challenging topic due to the lack of budget that some programs face

8. **Discussion Topic: Security of Electronic Records – How are ombuds around the federal government protecting their electronic records? What methods are you using?**
    a. Separate ombuds systems were stated as the gold standard at IOA but most government IT offices state that smaller systems cannot be as secure as large systems
    b. Key is to ensure access to records is accurate, updated and that a good schedule of records retention and destruction is created
    c. One ombuds uses Access that has a schedule created uniquely for that group
    d. In one group it was questioned if each person in the ombuds group should use their own code for their folders and if that would be best to ensure privacy
    e. Caseload Manager is being used by one ombuds program to help protect electronic records along with a working document describing process that is divided by program needs
    f. Question. Did any ombuds have experience with records being requested under FOIA?
    g. This question was asked concerning security of records related to confidentially as well as physical access to records
    h. One ombuds had records inquiry related to dispute via a FOIA request from an external stakeholder who wanted all internal communications related to the dispute
    i. Another ombuds also had challenges forestalling the release via FOIA of records that were communications to internal staff
    j. One ombuds stated that the support by the Agency's General Counsel has been very helpful and that a statement in the Ombuds Program Charter that states the Agency Director will not approve the release of ombuds records under FOIA gives additional support in these situation
    k. Also having a separate email for all ombuds communications to and from internal and external parties is helpful to demonstrate emails that are not releasable under FOIA under Administrative Dispute Resolution Act (ADRA)
    l. One ombuds stated that at the bottom of all ombuds communications they included a statement that affirms dispute communications are not releasable as determined by the ADRA statute

m. One ombuds stated to remember that the chat or message program communication is also subject to disclosure

n. It is good advice to engage with general counsel for your agency prior to a request for records to ensure everyone is on the same page when it comes to the confidentiality of records

o. Anyone using Microsoft Team be aware that a channel is created if you create the meeting inside Teams and any chat that is done will be saved in that channel creating a record that is saved and uploaded to the cloud

p. In the virtual world some are concerned with securing who may be on a call or ability to see a virtual meeting

q. One ombuds stated they have a statement signed by all parties agreeing that no additional parties will be on a call and they will abide by virtual guidelines

r. Virtual guidelines will be shared with the community from this ombudsman and sent by Heather Milner after the meeting

s. With all the data breaches in the world today it is very important to build on this conversation and to advocate for NARA standards to help ombuds

Attendance 07/14/2021

Last	First	Agency	Call-In
Adams	Joanne	USDA	1
Arbid	Michelle	FEMA	1
Balick	Howard	FDA	1
Bayley	Bernardo		1
Behr	Virginia	FDA	1
Berg	Mollie	DOD / National Geospatial-Intelligence Agency (NGA)	1
Bloch	Brian	DOI	1
Brown	Amy	FDIC	1
Brown	Andrea	United States Patent and Trademark Office (USPTO)	1
Cameron	Bob	CFPB	1
Coffman	Cherina	NGA	1
Dean	Karen	FMCS	1
DeBerry	Marcella	NSA	1
Enriquez	Elisa	Los Alamos Laboratory (DOE)	1
Fall	Carla		1
Fleming	Tasha	BOP	1
Footman	Aaron	USPTO	1
Fox	Angela	FDA	1

Last	First	Agency	Call-In
Garmon	Felisa	CFPB	1
Gnatt	Sheldon	NSA	1
Gordon	Laurel	DOJ / U. S. Marshals Service (USMS)	1
Green	Veronica	State OIG	1
Harley	Jasmine	National Credit Union Administration	1
Hartman	Jessie	NARA/ Office of Government Information Services (OGIS)	1
Heffernan	Claire	TSA	1
Hopkins	Emilee	NGA	1
Hurley	Nathan	FDA / Center for Tobacco Products	1
Jarrett	Syreeta	DIA	1
Kashden	Mark	CDC	1
Kamenshine	Wendy	CFPB	1
Katherine	Erica	FDA	1
Kinnavy	Noreen	Broadcasting Board of Governors	1
Lawrence	Nicole	DC Dept of Behavioral Health	1
Lawrence	Steve	DHS Office of Intelligence & Analysis	1
Lloyd	Brenda	FLETC	1
Manderson	Katie	VA	1
Marcotte	Dan	FDIC	1
Maurer	Bill	Census	1
McNeil	Tracey	SEC	1
Megee	Christine	DOD Education Activity	1
Michael	David	NIH	1
Mills	Laurel	DOJ / USMS	1
Milner	Heather	CFPB	1
Morey	Chauncenette	FBI	1
Patel	Bina	USPTO	1
Perez	Neida	Organization of American States (OAS)	1
Piziali	Jamie	EPA	1
Reed	Janay	DOD / DIA	1
Reilly	Kevin	NASA	1
Rojas	Nick	DOD / DIA	1
Roth	Lewis	NRO	1

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Last	First	Agency	Call-In
Rowe	Mary	Massachusetts Institute of Technology (MIT)	1
Semo	Alina	NARA	1
Skodacek	Ken	FDA	1
Smith	Julie	Census	1
Sotoudeh	Paul	USPTO	1
Vermillion	Chris	TSA	1
Villafane	Jacqueline	American Red Cross	1
Voloshin	Victor	NIH	1
Walker	Olivia	DOD / Army Medical Readiness Assistance Program	1
Weber	Guy	DOD / NGA	1
Whittington	Fred (Whitt)	DOL OIG	1
Wolfe	Lexi	DOE	1
Zrubek	Tom	DOD OIG	1
		Total	**64**

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