

February 12, 2021

Ms. Dana Remus
White House Counsel
The White House
1600 Pennsylvania Avenue N.W.
Washington, DC 20500

Dear Ms. Remus,

As organizations advocating for open and accountable government, we applaud President Biden's decision to resume releasing White House visitor logs. Visitor logs provide the public with information about the groups and individuals influencing the administration's policy decisions; information that is crucial to holding officials accountable. We were, however, disappointed to hear White House Press Secretary Jen Psaki say that the administration is not planning to release visitor logs for virtual visits.¹

As you know, government business does not stop during a pandemic, and the principle of transparency becomes more, not less, important during times of national crisis. The public must have a clear picture of the forces influencing White House policy, and White House meetings and visitors are a necessary part of that picture. We ask that the administration change course and immediately begin preparing virtual visitor logs for public release. All visitor logs - whether for in-person visits or the virtual meetings that have replaced them during the pandemic - should be made available online in a searchable, sortable, downloadable database that includes the name and affiliation of each visitor, the date of the visit, the name of the person being visited, and a general description of the reason for the visit. Our groups are happy to provide additional recommendations for creating virtual meeting records that adequately capture this information.

The issue of virtual visits also raises important records management questions, as materials associated with virtual meetings clearly constitute presidential records according to the Presidential Records Act.² National Archives and Records Administration (NARA) guidance further clarifies that presidential records "can be in any media, including textual, audiovisual, and electronic."³ Therefore, we ask that you publicly answer the following questions as soon as possible:

1. What information is the White House collecting from participants in virtual meetings? Does it differ from information collected from in-person visits?

¹ "Press Briefing by Press Secretary Jen Psaki, February 2, 2021," available at: <https://www.whitehouse.gov/briefing-room/press-briefings/2021/02/02/press-briefing-by-press-secretary-jen-psaki-february-2-2021/>

² The Presidential Records Act defines presidential records as "documentary materials, or any reasonably segregable portion thereof, created or received by the President, the President's immediate staff, or a unit or individual of the Executive Office of the President whose function is to advise and assist the President, in the course of conducting activities which relate to or have an effect upon the carrying out of the constitutional, statutory, or other official or ceremonial duties of the President." [44 U.S.C. § 2201(2)]

³ "Guidance on Presidential Records from the National Archives and Records Administration," pg. 1, available at: <https://www.archives.gov/files/guidance-on-presidential-records-from-the-national-archives-and-records-administration-2020.pdf>

2. Which records associated with virtual meetings are being preserved? Do they include an agenda, a list of participants, meeting minutes, and notes, as well as a transcript?
3. Since virtual platforms such as Zoom or Teams are equipped with the ability to record, what is White House policy on whether or not to record meetings?
4. The Secret Service maintains records of in-person visits. Which agency or White House office is responsible for maintaining records of virtual visits?
5. Has your office consulted with NARA for guidance on preserving these records, and has your office designated an attorney to serve as contact for NARA on all PRA issues, as is recommended in NARA's presidential records guidance?
6. Have you issued presidential records guidance to White House staff, and will you release this guidance publicly?

In addition to public answers to these questions, we request a meeting at your earliest convenience to discuss additional presidential records-related recommendations many of our organizations made in our [Accountability 2021](#) agenda and elsewhere. These recommendations, including modernizing records management systems and restrictions on the use of disappearing message apps for government business, are important steps toward making the Biden administration as ethical, transparent, and accountable as possible.

Thank you for your consideration. Please contact Emily Manna at emanna@openthegovernment.org for any additional information.

Sincerely,

Center for Responsive Politics
Citizens for Responsibility and Ethics in Washington (CREW)
Government Accountability Project
Government Information Watch
Digital Democracy Project
National Coalition Against Censorship
National Coalition for History
National Security Archive
National Security Counselors
Open The Government
Project On Government Oversight (POGO)
Public Citizen
Society of Professional Journalists
Walter Michael Shaub Jr., former director, U.S. Office of Government Ethics

cc:

The Honorable David S. Ferriero
Archivist of the United States
National Archives and Records Administration
700 Pennsylvania Ave. NW
Washington, DC 20408