

**Testimony on Public Access to White House Visitor Logs and Virtual Visitor Logs**  
**Submitted by Hajar Hammado, Policy Advisor, Demand Progress, for**  
**The Senate Appropriations Subcommittee on Financial Services and General Government**  
**For Fiscal Year 2024**

**April 17, 2023**

Dear Chairman Van Hollen, Ranking Member Hagerty, and Members of the Subcommittee:

Thank you for the opportunity to submit written testimony regarding the FY 2024 Financial Services and General Government Appropriations Bill. My organization, Demand Progress, conducts research and engages in advocacy focused on strengthening Congress's ability to legislate and conduct oversight. In furtherance of this mission, I urge the Committee to direct the public disclosure of in-person and virtual visitors to the White House and the Vice President's residence, which would further Congress's oversight role and greater governmental accountability.

**Disclosure of White House Visitor Logs**

Disclosure of White House visitor logs — records of in-person visitors to the White House — is an important element of government accountability and serves as a proxy for disclosure of meetings by lobbyists and special interests with government officials. These records of in-person meetings are generated by the activity of the United States Secret Service, which monitors visitors and clears them to the White House complex using records from two automated systems.<sup>1</sup> These records track visitors from the initiation of a request that they be cleared for access until the point that they exit the White House complex.

On September 15, 2009, the Obama administration began voluntarily disclosing the majority of the information in the White House visitor logs to settle then-ongoing litigation brought by civil society organizations over the issue of public access to these records under the Freedom of Information Act.<sup>2</sup> In doing so, the White House recognized the “right” of “Americans” to “know whose voices are being heard in the policymaking process.” As implemented, the posted records included names of visitors, the dates and times they entered and exited the White House compound, and the names of the White House staff requesting that they be cleared for access. (Ultimately, the federal courts held the records are not legally Secret Service property, but rather White House records, and are thus covered by the Presidential Records Act and not the Freedom of Information Act.)

Under its disclosure policy, the Obama administration released nearly 6,000,000 records, which opened a new window into the functioning of the White House and helped inform the public, directly and through countless news stories, about who was going into the White House to meet with administration officials. This also offered opportunities for civil society groups to analyze the data in an effort to hold the administration accountable.

---

<sup>1</sup> 18 U.S.C. §§ 3056, 3056A.

<sup>2</sup> Peter Baker, *The White House Will Disclose Visitor Logs*, *New York Times*, Sept. 4, 2009, available at <https://thecaucus.blogs.nytimes.com/2009/09/04/the-white-house-will-disclose-visitor-logs/>.

Experience under the Obama administration's voluntary disclosure policy demonstrates how important these records are for public accountability. The *Washington Post* reported that the visitor records released by the Obama administration included "scores of lobbyists."<sup>3</sup> For example, one news report examining records from an "unremarkable" day in January 2012 revealed the "regular presence" of lobbyists at the White House, with "lobbyists with personal connections to the White House enjoy[ing] the easiest access."<sup>4</sup> At the same time, the Obama disclosure policy protected the interests of the president, his family, and the nation by excluding purely personal guests of the president's family, records implicating national security interests, and records of particularly time-sensitive meetings that were temporarily withheld.

Eight years later, President Trump closed that window when he came into the White House, leaving the public in the dark about who was going into "the people's house" and fueling multiple lawsuits. Regardless of who is president, information about White House visitors should continue to be publicly available. These records help inform Congress and the public about those individuals and entities that seek to influence presidential decision-making and Executive branch policies, and the basic day-to-day workings of our government—the information the FOIA was designed to access and the voluntary disclosure policy was meant to address.

The Biden administration has chosen to reverse the Trump administration's decision to discontinue the voluntary disclosure policy. This is a welcome development, but one granted at the sufferance of the current administration and liable to reversal at any time. Congress must step in to guarantee access for itself and the American people.

To that point, the House of Representatives included language in the Protecting Our Democracy Act, Section 2203 of H.R. 5314 (117th Congress), which establishes "not later than 90 days after the date of enactment of this Act, the President shall establish and update, every 90 days thereafter, a publicly available database that contains covered records for the preceding 90-day period, on a publicly available website in an easily searchable and downloadable format." While the House passed H.R. 5315 on December 9, 2021, it has yet to see any action in the Senate. The measure paralleled legislation introduced by Rep. Mike Quigley in section 602 of the Transparency in Government Act over multiple Congresses.<sup>5</sup>

Appropriators routinely require the administration to provide to Congress records appropriate for legislative oversight of Executive branch activities, including requiring the public disclosure of these records. White House visitor logs are quintessential oversight records. The House has already given its blessing for requiring White House visitor log disclosure and the Appropriations Committee is best positioned to vindicate Congress's will. I urge you to ensure uninterrupted congressional and public visibility into visitors to the White House and the Vice President's residence regardless of who occupies the White House. The policy adopted by the White House with respect to which records to disclose and which ones may be withheld is

---

<sup>3</sup> John Wagner, Trump will keep list of White House visitors secret, *Washington Post*, Apr. 14, 2017, available at <https://www.washingtonpost.com/news/post-politics/wp/2017/04/14/trump-to-discontinue-obama-policy-of-voluntarily-releasing-white-house-visitor-logs/>.

<sup>4</sup> T.W. Farnam, White House Visitor Logs Show Lobbying Going Strong, *Washington Post*, May 20, 2012, available at [https://www.washingtonpost.com/politics/2012/05/20/gIQA2ok4dU\\_story.html](https://www.washingtonpost.com/politics/2012/05/20/gIQA2ok4dU_story.html).

<sup>5</sup> See, e.g., H.R. 2055 (117th Congress).

reasonable, by and large, and should be put into law. To that end, I recommend the following bill language that codifies the current White House policy and vindicates Congress's oversight needs and the public's right to know:

*White House Visitor Logs.* Not later than 30 days after the date of enactment of this Act and updated every 30 days thereafter, the White House Office of Administration shall report to the Congress, the Senate Homeland Security and Governmental Affairs Committee, the House Committee on Oversight, and make contemporaneously available online, a searchable, sortable, downloadable database of visitors to the White House and the Vice President's residence compiled in the White House Worker and Visitor Entry System that includes the name of each visitor, the name of the individual who requested clearance for each visitor, and the date and time of entry for each visitor. Notwithstanding this requirement, the White House Office of Administration, after consultation with the United States Secret Service and the President or his designee, may exclude from the database any information that would 1) implicate personal privacy or law enforcement concerns or threaten national security, or 2) relate to a purely personal guest. In addition, with respect to a particular sensitive meeting, the White House Office of Administration shall disclose each month the number of records withheld on this basis and post the applicable records no later than 365 days later.

#### **Disclosure of White House Virtual Visitor Logs**

As described above, the Biden Administration reinstated the Obama administration's policy to disclose the vast majority of records of visitors to the White House. However, many White House meetings are taking place virtually and are not covered under that policy. The move from in-person to virtual meetings in response to COVID-19 could not have been anticipated when the disclosure policy was first implemented in 2009.

The Financial Services and General Government FY 2023 Appropriations Bill Report (H. Rept. 117-393, p. 37) declared:

*White House Virtual Visitor Logs.*—The Committee believes that disclosure of White House visitors is essential to helping the public, the press, and Congress understand the development of White House policies and initiatives. The Committee is pleased that the Biden-Harris Administration has committed to reinstating a White House visitors log disclosure policy. However, the Committee is concerned that social distancing procedures and the resulting increase in virtual meetings limit the amount of relevant disclosures and harm the public interest. The Committee looks forward to the briefing required in House Report 117–79 regarding the feasibility of disclosing “virtual” visitors to the Executive Office of the President.”

This followed on language in the FY 2022 Appropriations Bill Report (H. Rept. 117-79, p. 37) which requested “[t]he Executive Office of the President to explore the feasibility of disclosing ‘virtual’ visitors to the Executive Office of the President in a manner that provides similar information as provided for other visitors and that is retroactive to January 20, 2021” and “directs EOP to provide a briefing on this topic no later than 120 days after enactment of this act.”

I applaud this action from the Committee and believe access to “virtual” visitor disclosures should become a permanent practice. I encourage the Committee to move forward to direct the Executive Office of the President to provide a report on the cost and implementation of making “virtual” visitor log disclosures permanent. To that end, I recommend the following bill language:

*White House Virtual Visitor Logs.* The White House Executive Office of the President, within 60 days of enactment of this legislation, shall provide a report to Congress on how it recommends implementing a requirement to make contemporaneously available online on at least a biweekly basis a searchable, sortable, downloadable database of “virtual visitors” to the White House and the Vice President’s residence. A virtual visitor is a person who meets with Executive branch office staff whose normal place of work is at the White House or the Vice President’s residence. This list should include the name of each visitor, the name of each person they met with, and the date and time of each meeting.

As part of its report to Congress, the EOP may evaluate including a provision that would exclude from the biweekly public disclosure any information that would 1) implicate personal privacy or law enforcement concerns or threaten national security, or 2) relate to a purely personal guest. In those instances, the Executive Office of the President shall still disclose the total number of records on a biweekly basis, but withhold the applicable record for no more than 365 days.

The report shall also address the costs of implementing such a system.

Thank you again for the opportunity to submit written testimony.