

The Biden administration has failed to be transparent with the American people

Immediately upon taking office, President Biden vowed a commitment to government transparency

Did you know...?

Following his inauguration, Biden's then-Press Secretary Jen Psaki said he planned to **"Bring transparency and truth back to the government to share the truth, even when it's hard to hear."**

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Regarding Biden's discovered classified documents, **many questions remain unanswered by the White House** including what is in the documents, how they were discovered, and why the information was withheld two months after they were found.

[Read more at the Washington Examiner →](#)

In March 2021, the **Biden administration was limiting the information Border Patrol agents could share with the media**, which was seen as an unofficial gag order.

[Read more at NBC News →](#)



Non-profit organizations dedicated to government transparency are concerned about the **Biden administration's inaction on transparency and FOIA noncompliance levels rising to a decade-long high**. In January 2022, a group of over two dozen nonprofits sent a letter to the Biden administration expressing concern.

[Read the letter →](#)

CLASSIFIED DOCUMENTS SCANDAL PROVES THE ADMINISTRATION HAS FAILED TO BE TRANSPARENT WITH THE AMERICAN PEOPLE

BIDEN'S BROKEN TRANSPARENCY PROMISE

Immediately Upon Taking Office, President Biden Vowed A Commitment To Transparency

At The Start Of His Presidency, The Biden Administration Promised Transparency

Following His Inauguration, Biden's Then-Press Secretary Jen Psaki Said He Planned To "Bring Transparency And Truth Back To The Government To Share The Truth, Even When It's Hard To Hear."

"President Joe Biden's press secretary held her first news conference on Wednesday, seven hours after Biden's inauguration, vowing to bring truth and transparency back to government. Jen Psaki, who served as the chief spokeswoman at the State Department under former President Barack Obama, told reporters she had a 'deep respect for the role of a free and independent press in our democracy.' ... Biden plans to 'bring transparency and truth back to the government to share the truth, even when it's hard to hear,' she said." ("Biden White House Pledges Data, Transparency, Respect For Free Press," [Reuters](#), 1/20/21)

On February 4, 2021, The Biden White House Issued A National Security Memorandum Citing "Transparency" As A Core Principle To "Advancing America's Security, Prosperity, And Values, Accelerating Our Domestic Renewal, And Delivering Results For All Americans." "The revitalization of our national security and foreign policy institutions is essential to advancing America's security, prosperity, and values, accelerating our domestic renewal, and delivering results for all Americans. ... (b) Transparency. In a democracy, the public deserves as much transparency as possible regarding the work of our national security institutions, consistent with legitimate needs to protect sources and methods and sensitive foreign relationships. The revitalization of our national security and foreign policy workforce requires a recommitment to the highest standards of transparency." ("Memorandum On Revitalizing American's Foreign Policy And National Security Workforce, Institutions, And Partnerships," [The White House](#), 2/4/21)

Biden's Promise Has "Dissipated" As He Has "Failed To Act" On Transparency Issues

In January 2022, Anna Diakun Of The Knight First Amendment Institute At Columbia University Wrote In An Op-Ed That Biden's "Promise Of Transparency Seems To Have Dissipated" And His Administration Had Embraced The "Opaque And Undemocratic Policies Of Its Predecessors." "On President Joe Biden's first day in office, White House press secretary Jen Psaki pledged that the administration would 'bring transparency and truth back to government.' While the administration took some initial steps toward fulfilling this pledge, it has simply failed to act on a number of transparency issues. Worse, the administration seems to be embracing the opaque and undemocratic policies of its predecessors on a few other fronts. One year into Biden's presidency, the drive to fulfill this promise of transparency seems to have dissipated." (Anna Diakun, Op-Ed, "Biden Promised Transparency. Has He Delivered?" [CNN](#), 1/21/22)

- **On National Security And Foreign Policy, Biden's Administration Has "Adopted Undemocratic Policies Of Previous Administrations In These Areas."** "Further, despite Biden's 'recommitment to the highest standards of transparency' when it comes to national security and foreign policy, his administration has adopted undemocratic policies of previous administrations in these areas." (Anna Diakun, Op-Ed, "Biden Promised Transparency. Has He Delivered?" [CNN](#), 1/21/22)

- **“The Biden Administration Can And Should Do Better.”** (Anna Diakun, Op-Ed, “Biden Promised Transparency. Has He Delivered?” [CNN](#), 1/21/22)

EXAMPLES OF BIDEN FAILING TO BE TRANSPARENT

Avoiding Scrutiny From The Press On Recently Discovered Classified Documents

In January 2023, It Was Reported That Classified Documents From The Time He Was Obama’s Vice President Were Found At His Office And Private Residence

In November And December 2022, Two Batches Of Classified Documents Were Found At Biden’s Private Office And His Residence In Delaware. “The first classified documents were found on Nov. 2 and a second batch on Dec. 20. After the initial discovery, the White House promptly notified the National Archives and Records Administration, which then informed the Justice Department.” (Michael D. Shear, “Documents Inquiry Puts Spotlight On Biden’s Frenetic Last Days As Vice President,” [The New York Times](#), 1/14/23)

The First Batch Of Classified Documents From Biden’s Time As Vice President Was Found At His Office In The Penn Biden Center For Diplomacy And Global Engagement. “Several classified documents from President Joe Biden’s time as vice president were discovered last fall in a private office, Biden’s attorneys acknowledged Monday. Attorney General Merrick Garland has asked the US attorney in Chicago to investigate the matter, a source familiar with the matter tells CNN, and congressional Republicans are also taking notice. Biden’s lawyers say they found the government materials in November while closing out a Washington, DC-based office – the Penn Biden Center for Diplomacy and Global Engagement – that Biden used as part of his relationship with the University of Pennsylvania, where he was an honorary professor from 2017 to 2019.” (Evan Perez, Marshall Cohen, Phil Mattingly and Jamie Gangel, “Classified Documents From Biden’s Time As VP Discovered In Private Office,” [CNN](#), 1/9/23)

- **According To A Source, Fewer Than A Dozen Classified Documents Were Found.** “Fewer than a dozen classified documents were found at Biden’s office, another source told CNN. It is unclear what the documents pertain to or why they were taken to Biden’s private office. Federal officeholders are required by law to relinquish official documents and classified records when their government service ends.” (Evan Perez, Marshall Cohen, Phil Mattingly and Jamie Gangel, “Classified Documents From Biden’s Time As VP Discovered In Private Office,” [CNN](#), 1/9/23)
- **“The Classified Materials Included Some Top-Secret Files With The ‘Sensitive Compartmented Information’ Designation, Also Known As SCI, Which Is Used For Highly Sensitive Information Obtained From Intelligence Sources.”** (Evan Perez, Marshall Cohen, Phil Mattingly and Jamie Gangel, “Classified Documents From Biden’s Time As VP Discovered In Private Office,” [CNN](#), 1/9/23)

The Second Batch Of Classified Documents Were Found In A Storage Space In The Garage Of Biden’s Private Residence In Delaware. “The White House said on Thursday that President Biden’s team discovered a second set of classified documents from his time as vice president at a storage space in the garage of his home in Wilmington, Del. The revelation on Wednesday that another batch had been found at a second location associated with Mr. Biden left unclear where the documents had been recovered. It was the second such disclosure this week, but did not answer fundamental questions about the contents of the documents, who packed them and whether the president or his top advisers had read them after he left office.” (Charlie Savage, “Second Set Of Classified Documents Were Found At Biden’s Wilmington Home, White House Says,” [The New York Times](#), 1/12/23)

A Third Batch Of Classified Documents Was Found At Biden’s Personal Residence On The Same Day A Special Counsel Was Appointed To Investigate The Matter. “President Joe Biden’s aides found five additional pages of classified material at his personal residence in Wilmington, Delaware, on the same day a special counsel was appointed to investigate the matter, the White House announced on Saturday. That new disclosure marks the latest shift in the total number of documents with classified markings discovered by Biden’s lawyers in a week that has dramatically shifted the trajectory of an administration at the same moment it has raised

significant questions about its handling of a legally precarious matter.” (Zachary Cohen, Arlette Saenz, Phil Mattingly, Kevin Liptak, Paula Reid And Evan Perez, “5 Additional Pages Of Classified Material Found At Biden’s Wilmington Residence,” [CNN](#), 1/14/13)

- **The Disclosure Of Classified Documents Was Found After White House Special Counsel Richard Sauber Had Said A Search Of Biden’s Homes Was Complete.** “The latest disclosure marks the third in a week, and second time initial information provided was later proved to be incomplete. In fact, Sauber had said the review of Biden’s homes was complete on Wednesday night even though the additional five pages were discovered on Thursday evening. It comes as the White House has struggled to navigate the convergence of ongoing reviews, public messaging and rapidly increasing political pressure.” (Zachary Cohen, Arlette Saenz, Phil Mattingly, Kevin Liptak, Paula Reid And Evan Perez, “5 Additional Pages Of Classified Material Found At Biden’s Wilmington Residence,” [CNN](#), 1/14/13)

As Classified Documents Related To Biden Have Turned Up At His Office And Residence, Attorney General Merrick Garland Appointed A Special Counsel To Investigate The Findings. “Attorney General Merrick B. Garland named a special counsel Thursday to investigate storage of classified documents at places President Joe Biden worked before his return to the White House. Former federal prosecutor Robert Hur, who previously served as U.S. attorney in Maryland, will have the authority to probe the document retention of Biden’s office after he served as vice president under President Barack Obama.” (Michael McCagnone, “Special Counsel To Probe Biden Storage Of Classified Documents,” [Roll Call](#), 1/12/23)

Biden Officials Have Been Unwilling To Answer Basic Questions Over The Handling Of The Documents

ABC News Headline: “Biden White House Faces Transparency Questions As Document Drama Continues” (Libby Cathey, Sarah Kolinovsky and Ben Gittleson, “Biden White House Faces Transparency Questions As Document Drama Continues,” [ABC News](#), 1/17/23)

Biden Officials Have “Declined To Answer Questions” While His Spokesperson, Karine Jean-Pierre Has Said “We Have Been Transparent ...” “The White House has declined to answer questions beyond limited statements issued over the last week. ‘We have been transparent in the last couple of days,’ Karine Jean-Pierre, the White House press secretary, told reporters on Friday. But the White House had not been transparent in the last couple of months.” (Michael D. Shear, “Documents Inquiry Puts Spotlight On Biden’s Frenetic Last Days As Vice President,” [The New York Times](#), 1/14/23)

- **The Biden White House Has Been Unable And Unwilling To Answer Basic Questions About The Classified Documents.** “The revelation of classified documents at the home and former personal office of President Joe Biden has turned into a White House crisis, blunting the president’s momentum from the midterm elections and handing Republicans new attacks. Adding to the blowback has been the inability – or unwillingness – of the White House to answer several basic questions about the handling of the documents, which date back to the Obama administration when Biden served as vice president.” (Joey Garrison, “5 Key Questions We Still Don’t Know About Biden’s Documents,” [USA Today](#), 1/18/23)

The Biden White House Has Failed To Provide Direct Answers To Numerous Questions Surrounding The Discovery Of Documents. These Questions Include Why The Discovery Of The Classified Documents Were Not Disclosed Earlier, Who Was Responsible For The Documents, And How They Found Their Way To Biden’s Personal Office And His Delaware Residence. “During White House briefings this week, Ms. Jean-Pierre declined to provide direct answers to a range of questions from reporters on the documents. Among them: Why the White House didn’t disclose the discovery earlier, who was responsible for packing up then-Vice President Biden’s documents, whether the president would agree to an interview with the special counsel and how the documents found their way to Mr. Biden’s home and office. She repeatedly referred reporters’ questions to the Justice Department and the White House counsel’s office, which provided little additional information beyond their public statements.” (Andrew Restuccia and Tarini Parti, “Classified Documents Saga Overshadows White House Push To Tout Biden Record,” [The Wall Street Journal](#), 1/13/23)

Biden Has Been Criticized For His Lack Of Transparency Over The Storage Of Classified Documents

CBS News' Ed O'Keefe: "They Clearly Have A Problem With This, Especially Because You Have A President Who Made Campaign And Day One Promises Of Transparency – And They Weren't Kept Here For Whatever Reason. Lots Of Questions Still To Come." (CBS' "Face The Nation," 1/16/23)

Withholding Visitor Logs

The Biden White House's Visitor Logs Do Not Include Who Visited Biden's Residence In Delaware Where Classified Documents Were Found

The White House Does Not Keep Visitor Logs Of People Who Visit Biden's Personal Residence In Delaware, Where Classified Documents Were Found. "White House officials said on Monday that there are no visitor logs that keep track of who comes and goes from President Biden's personal residence in Wilmington, Del., where six classified documents were discovered in recent days. A top House Republican demanded on Sunday that the White House turn over visitor logs for Mr. Biden's home, citing what he called the 'serious national security implications' of the fact that the documents may have been accessible to people without security clearances." (Michael D. Shear, "White House Says It Does Not Keep Visitor Logs At Biden's Delaware Home," [The New York Times](#), 1/16/23)

Since Becoming President, Biden Has Spent 163 Full Or Partial Days In Delaware, And Is On Pace To Spend More Time On Vacation Than Any Other President. "But Biden has spent far more time in Wilmington since becoming president, staying there 163 full or partial days across 49 trips, according to the Republican National Committee. He's on pace to spend more time on vacation than any other modern president." (Haisten Willis, "Documents Scandal Raises Transparency Questions At Biden's Residence, Think Tank," [Washington Examiner](#), 1/17/23)

On Biden's Discovered Classified Documents, Many Questions Remain Unanswered By The White House Including What Is In The Documents, How They Were Discovered, And Why The Information Was Withheld Two Months After They Were Found. "With so many questions unanswered, including what's in the documents, what led to their discovery, when Biden found out, and why the public wasn't told until two months later, speculation has run rampant about the rest of the story." (Haisten Willis, "Documents Scandal Raises Transparency Questions At Biden's Residence, Think Tank," [Washington Examiner](#), 1/17/23)

The White House's Visitor Log Policy Disclosure Does Not Include Camp David. "While visitor logs at the White House disclose who is stopping by and when, the logs at Biden's Delaware homes are not public nor are the logs at Camp David, the Maryland retreat where the president often travels on weekends." (Katherine Doyle, "White House Mum On Potential Biden Supreme Court Sit-Downs Outside Washington," [Washington Examiner](#), 2/7/22)

The Biden White House Also Excluded Virtual Meetings From Its Visitor Logs

In March 2021, The Biden Administration Said It Did Not Plan On Divulging The Names Of Virtual Meeting Attendees. "The White House has committed to releasing visitor logs. But it doesn't plan to divulge the names of attendees of virtual meetings, which are the primary mode of interaction until the coronavirus pandemic eases." (Anita Kumar, "Biden Won't Release White House Virtual Visitor Logs," [Politico](#), 3/1/21)

Jordan Libowitz Of Citizens For Responsibility And Ethics In Washington Said, "As We Are In A Pandemic, Visitor Logs Should Include Virtual Meetings, Not Just Those Who Showed Up At The White House In Person" And "Not Doing So Falls Short Of Full Transparency." "It is an important victory for transparency that the Biden administration is voluntarily releasing these," CREW Communications Director Jordan Libowitz told CNN in a statement. Still, Libowitz told CNN, Friday's move 'falls short of full transparency.' 'As we are in a pandemic, visitor logs should include virtual meetings, not just those who showed up at the White House in person.'" (Donald Judd, "Biden White House Posts First Tranche Of White House Visitor Logs In Break With Trump," [CNN](#), 5/7/21)

Representative Mike Quigley (D-IL) Said The Lack Of Virtual Visitor Logs Is A "Loophole" In The White House's Transparency Efforts. "Rep. Mike Quigley (D-Ill.), who chairs the Appropriations panel on financial

services and general government, added the language to the committee report. In a statement emailed to Axios, Quigley called the lack of virtual visitor logs 'a loophole' in the White House's transparency efforts." (Lachlan Markay, "House Targets Secret White House Visitors," [Axios](#), 7/1/21)

In July 2021, The Democrat-Led House Appropriations Committee Produced A Committee Report Directing The White House To Retroactively Reveal All Virtual Visitors. "Language approved Tuesday by the Democrat-led House Appropriations Committee seeks to compel the White House to produce virtual visitor logs, as well. A committee report accompanying a general government appropriations bill directs the White House to retroactively reveal all virtual visitors going back to Biden's Inauguration Day." (Lachlan Markay, "House Targets Secret White House Visitors," [Axios](#), 7/1/21)

The Language Is Not Legally Binding. "Quigley's language is not legally binding, since it's contained in a committee report rather than the appropriations bill itself. But his office expects the White House will play ball." (Lachlan Markay, "House Targets Secret White House Visitors," [Axios](#), 7/1/21)

Stonewalling The Press

Biden's Availability To The Press Has Gotten Worse In 2022 Compared To 2021

Although Biden Promised To Be Transparent With The Press, His Availability Was Worse In 2022 Than It Was In 2021. "As a presidential candidate, President Biden campaigned on being 'transparent' with the press, hoping to restore civility between the White House and the media following years of hostility during the Trump era. But in the second year of his presidency, his availability to the press has only further dissipated. In 2022, President Biden has granted only seven one-on-one interviews to journalists. His first was the pre-Super Bowl sit-down with NBC's Lester Holt in early February. He waited until June, over four months, to do an off-camera interview with the Associated Press. The following month, Biden sat down with Israeli anchor Yonit Levi of Channel 12. He then waited until September before doing an interview with CBS News' Scott Pelley that aired on '60 Minutes.' In October, in the final stretch ahead of the 2022 midterms, Biden did interviews with CNN's Jake Tapper, MSNBC host and Washington Post columnist Jonathan Capehart, and Nexstar's Reshad Hudson." (Joseph A. Wulfsohn, "Biden Has Granted Only Seven Formal Sit-Down Interviews With Journalists In 2022," [Fox News](#), 12/20/22)

- **Biden "Granted Less Than Half As Many Interviews With Journalists In 2022 As He Did In 2021."** "The president granted less than half as many interviews with journalists in 2022 as he did in 2021. Last year, he spoke with news organizations 15 times, including three CNN town halls." (Joseph A. Wulfsohn, "Biden Has Granted Only Seven Formal Sit-Down Interviews With Journalists In 2022," [Fox News](#), 12/20/22)

In His First Year As President, Biden Held Fewer News Conferences And Media Interviews Than Any Of His Five Immediate Predecessors "As Biden wraps up his first year in the White House, he has held fewer news conferences than any of his five immediate predecessors at the same point in their presidencies, and has participated in fewer media interviews than any of his recent predecessors." (Aamer Madhani, "Biden Shied Away From News Conferences, Interviews In Year 1," [The Associated Press](#), 1/9/22)

- **"Biden Has Done Just 22 Media Interviews, Fewer Than Any Of His Six Most Recent White House Predecessors At The Same Point In Their Presidencies."** (Aamer Madhani, "Biden Shied Away From News Conferences, Interviews In Year 1," [The Associated Press](#), 1/9/22)

As Reported By The Associated Press, Biden Was "Falling Short In Pulling Back The Curtain On How His Administration Operates And Missing Opportunities To Explain His Agenda." "The dynamic has the White House facing questions about whether Biden, who vowed to have the most transparent administration in the nation's history, is falling short in pulling back the curtain on how his administration operates and missing opportunities to explain his agenda." (Aamer Madhani, "Biden Shied Away From News Conferences, Interviews In Year 1," [The Associated Press](#), 1/9/22)

68 Journalists Sent A "Rare Protest Letter" To The Biden White House Calling On It To Reopen Large Events To All Journalists

In June 2022, 68 High-Profile Journalists Directed A “Rare Protest Letter” To The White House Calling On The Biden Administration To Cease The Pre-Screening Of Journalists To Events. “A group of 68 journalists sent a rare protest letter to White House press secretary Karine Jean-Pierre Thursday asking that President Biden’s staff abandon a mysterious pre-screening process and reopen large events to all journalists. TV correspondents, famed veteran reporters and leaders of the White House Correspondents’ Association rallied behind the call to end year-old restrictions on venues such as the East Room that in past administrations were ‘open press.’” (Steven Nelson, “White House Press Corps Demands End To Biden Event Restrictions,” [New York Post](#), 6/30/22)

Journalists Alleged That White House’s Pre-Screening Of Journalists Was Intended To Reign In Questions Directed Towards To Biden. “Biden aides have refused to tell the Correspondents’ Association the selection criteria for presidential events and individual reporters have received an array of conflicting explanations, resulting in a widespread belief that the practice is meant to shape the variety of questions presented to the president.” (Steven Nelson, “White House Press Corps Demands End To Biden Event Restrictions,” [New York Post](#), 6/30/22)

According To The Journalists’ Letter, Pre-Screening And Limiting Reports Was “Restrictive And Antithetical To The Concept Of Free Press, ...” The current method of allowing a limited number of reporters into these events is not only restrictive and antithetical to the concept of a free press, but it has been done without any transparent process into how reporters are selected to cover these events,’ the letter says.” (Steven Nelson, “White House Press Corps Demands End To Biden Event Restrictions,” [New York Post](#), 6/30/22)

- **Additionally, “The Administration’s Continued Efforts To Limit Access To The President Cannot Be Defended.”** “‘The administration’s continued efforts to limit access to the president cannot be defended,’ it adds. ‘Any notion that space is ‘limited’ is not supported by the fact that every other president before Biden (including Trump) allowed full access to the very same spaces without making us fill out a request form prior to admittance.’” (Steven Nelson, “White House Press Corps Demands End To Biden Event Restrictions,” [New York Post](#), 6/30/22)

The Biden Administration Barred Journalists Access To Border Facilities

In March 2021, The Biden Administration Denied Journalists Access To Border Facilities Which Raised Transparency Questions. “The Biden administration has so far denied journalists access to border facilities amid a surge of unaccompanied minors crossing the US-Mexico border, which has raised questions about its commitments to increased transparency. Senators from both sides of the aisle have called on the administration to allow journalists access to the facilities.” (Kate Sullivan, “Biden Administration Continues To Deny Journalists Access To Border Facilities,” [CNN](#), 3/22/21)

Reporters Were Barred From Accompanying The Homeland Security Secretary Alejandro Mayorkas-Led Bipartisan Delegations. “But when Homeland Security Secretary Alejandro Mayorkas led a bipartisan delegation of senators to El Paso, Texas, on Friday, reporters were not allowed to accompany them. The Department of Homeland Security said the trip was closed to journalists because of privacy and Covid-19 precautions.” (Kate Sullivan, “Biden Administration Continues To Deny Journalists Access To Border Facilities,” [CNN](#), 3/22/21)

Democratic Senator Chris Murphy (D) Was Critical Of The Administration Blocking The Press, Saying It Is “Something That We Should All Press The Administration To Do Better On” And To “Make Sure That The Press Has Access To Hold The Administration Accountable.” “Democratic Sen. Chris Murphy of Connecticut, who was part of the delegation with Mayorkas visiting facilities, told NPR that media access to the facilities is ‘something that we should all press the administration to do better on.’ ‘We want to make sure that the press has access to hold the administration accountable. That’s the reason I was there, to hold them accountable,’ Murphy, who is the chairman of the Senate Appropriations subcommittee on Homeland Security, said.” (Kate Sullivan, “Biden Administration Continues To Deny Journalists Access To Border Facilities,” [CNN](#), 3/22/21)

The Biden Administration Had Also Withheld Providing Photos Of Border Facilities. “In addition to restricting media access, the Biden administration has also not provided their own photos of the facilities. CNN’s Priscilla Alvarez was able to obtain photos from Democratic Rep. Henry Cuellar, which provided a rare window into the

conditions for dozens of children and adults in an overflow facility in Donna, Texas.” (Kate Sullivan, “Biden Administration Continues To Deny Journalists Access To Border Facilities,” [CNN](#), 3/22/21)

After A Biden Press Conference About The Border, CNN’s Jake Tapper Said Biden’s Stance Was “Not Really In Keeping With The Transparency That He Promised The American People.” “‘I will commit to transparency, as soon as I am in the position to implement what we are doing,’ the president said at a news conference this week. After the news conference, CNN’s Jake Tapper said that Biden’s stance was ‘not really in keeping with the transparency that he promised the American people.’” (David Bauder, “EXPLAINER: Why Is Media Access At The Border An Issue?,” [Associated Press](#), 3/26/21)

The Houston Chronicle Editorial Board Said Biden’s Vague Promise Of Full Access Was Not Good Enough And The Support And Trust Of The American People Starts With Transparency. “Speaking at a press conference Thursday, the president promised to give the media full access, but his timeline was vague. That’s not good enough. If Biden hopes to find a solution that has eluded past administrations, he will need the support and trust of the American people. That starts with transparency.” (Editorial, “Biden’s Press Blackout Is Bad Politics, Bad Policy. We Need Truth, Not Censorship, At The Border,” [Houston Chronicle](#), 3/25/21)

The Society Of Professional Journalists Noted The Preceding Three Administrations Had Granted Journalists At Least Some Access To The Border. “The last three presidential administrations have granted journalists at least some access to border facilities.” (Society Of Professional Journalists, “SPJ Urges DHS To Reverse Position On Blocking Media’s Border Access,” [Press Release](#), 3/23/21)

John Moore, A Senior Special Correspondent For Getty Images Said The Biden Administration Had Gone To A “Zero Access” Policy For Immigration Journalists, A Development “Unprecedented In Modern History.” “We have gone from the Trump-era ‘zero tolerance’ policy toward immigrants to a Biden-era ‘zero access’ policy for journalists covering immigration. This development is unprecedented in modern history.” (John Moore, “I’m A Photojournalist. Why Is The Administration Banning Me From Border Facilities?,” [The Washington Post](#), 3/22/21)

The Washington Post Editorial Board Wrote Neither Health Or Privacy Concerns Are Unmanageable And “Neither Should Be Used As A Pretext For Shutting Down Access.” “During a pandemic, there are legitimate concerns about safeguarding the health of migrants and visitors to the facilities that hold them; the government is also responsible for protecting the privacy of minors in its custody. But neither concern is unmanageable, and neither should be used as a pretext for shutting down access.” (Editorial, “Cutting Off Media Access To The Border Isn’t Management. It’s More Like Censorship,” [The Washington Post](#), 3/24/21)

- **The Washington Post Editorial Headline: “Cutting Off Media Access To The Border Isn’t Management. It’s More Like Censorship.”** (Editorial, “Cutting Off Media Access To The Border Isn’t Management. It’s More Like Censorship,” [The Washington Post](#), 3/24/21)

In March 2021, The Biden Administration Was Limiting The Information Border Patrol Agents Could Share With The Media, Which Was Seen As An Unofficial Gag Order

In March 2021, NBC News Reported The Biden Administration Was Limiting The Information Border Patrol Agents And Sector Chiefs Could Share With The Media. “The Biden administration is restricting the information Border Patrol agents and sector chiefs can share with the media as a surge of migrants tests the agency’s capacity at the southern border, according to four current and two former Customs and Border Protection officials.” (Julia Ainsley, “Biden Administration Limits What Border Patrol Can Share With Media About Migrant Surge At Border,” [NBC News](#), 3/17/21)

Officials Told NBC News The Restrictions Were Seen As An Unofficial Gag Order. “The officials say the restrictions are seen as an unofficial ‘gag order’ and are often referred to that way among colleagues.” (Julia Ainsley, “Biden Administration Limits What Border Patrol Can Share With Media About Migrant Surge At Border,” [NBC News](#), 3/17/21)

The Restrictions Were Passed Down Verbally, Not Through An Official Memo, Leading Some Agents To Release Videos Without Permission. “The new restrictions have been passed down verbally, not through an official memo, the officials said. The unofficial policy has led some agents at the border to release videos that

show mass arrests and surges of migrants without permission from Washington, two officials said.” (Julia Ainsley, “Biden Administration Limits What Border Patrol Can Share With Media About Migrant Surge At Border,” [NBC News](#), 3/17/21)

Border Patrol Officials Were Told To Deny All Media Requests For Ride-Alongs Near The Southern Border And For Local Press Officers To Send All Information Queries, Including Those From Local Media, To The Press Office In Washington For Approval. “Border Patrol officials have been told to deny all media requests for ‘ride-alongs’ with agents along the southern land border; local press officers are instructed to send all information queries, even from local media, to the press office in Washington for approval; and those responsible for cultivating data about the number of migrants in custody have been reminded not to share the information with anyone to prevent leaks, the officials said.” (Julia Ainsley, “Biden Administration Limits What Border Patrol Can Share With Media About Migrant Surge At Border,” [NBC News](#), 3/17/21)

An Official Told NBC News While Ride-Alongs Were Allowed For Some Journalists During The Pandemic, There Had Not Been “A Single One Since January 20.” “Some of the restrictions, particularly for in-person tours, are due to Covid-19 precautions, said one of the current officials. But, as the current official said, while the Trump administration allowed some border ride-alongs for journalists during the pandemic, there has been ‘not a single one since January 20,’ the day President Joe Biden was inaugurated.” (Julia Ainsley, “Biden Administration Limits What Border Patrol Can Share With Media About Migrant Surge At Border,” [NBC News](#), 3/17/21)

The Biden Administration Barred The Press From Covering The Wedding Of His Granddaughter That Was Held At The White House

In November 2022, The Biden White House Broke From Tradition And Barred The White House Correspondents’ Association From Covering His Granddaughter Naomi Biden’s Wedding. “The White House Correspondents’ Association has been barred from covering the wedding of Naomi Biden. Naomi Biden, eldest granddaughter of President Biden, is marrying fiancé Peter Neal at the White House on Saturday. Breaking with tradition, the White House has kiboshed coverage of the event by a pool of reporters.” (Timothy H.J. Nerozzi, “White House Blocks Reporters From Covering Naomi Biden Wedding: ‘Deeply Disappointed,’” [Fox News](#), 11/19/22)

In A Statement Released By The White House Correspondents’ Association, “White House Weddings Have Been Covered By The Press Throughout History And The First Family’s Wish For Privacy Must Be Balanced Against The Public’s Interest In An Event Occurring At The People’s House With The President As A Participant.” “‘White House weddings have been covered by the press throughout history and the first family’s wish for privacy must be balanced against the public’s interest in an event occurring at the People’s House with the President as a participant,’ the White House Correspondents’ Association said in a statement Saturday. The correspondents association said it attempted to negotiate access for a small circle of approved journalists to attend the event but were denied.” (Timothy H.J. Nerozzi, “White House Blocks Reporters From Covering Naomi Biden Wedding: ‘Deeply Disappointed,’” [Fox News](#), 11/19/22)

Financial Transparency

Biden’s “Influential Decision-Makers” Aren’t Required To File Financial Disclosures Which Has Run Counter To His Administration’s Ethics And Transparency Promise

Biden’s Incoming Chief Of Staff, Jeff Zients, Has Drawn Attention As He And Numerous “Influential Decision-Makers” At The White House Are Not Required To Disclose Their Financial Interests. “President Joe Biden’s incoming chief of staff, Jeff Zients, has drawn attention as an example of influential decision-makers in the White House who are not required to disclose their financial interests to the public. Zients led Biden’s COVID-19 response before coming back to the White House last fall to help scout potential appointees for the administration’s senior-most ranks in anticipation of a staffing shake-up.” (Katherine Doyle, “Biden’s Incoming Chief Of Staff Revives White House Financial Transparency Concerns,” [Washington Examiner](#), 1/24/23)

- **Zients Will Succeed Outgoing White House Chief Of Staff Ron Klain.** “Zients, who directed the National Economic Council under former President Barack Obama, is slated to succeed outgoing White House chief of

staff Ron Klain.” (Katherine Doyle, “Biden’s Incoming Chief Of Staff Revives White House Financial Transparency Concerns,” [Washington Examiner](#), 1/24/23)

While Legal, “The Practice Appears To Run Counter To The Biden Administration’s Claim That It Is The Most Ethical And Transparent In History.” “While there is no indication that the White House has failed to meet a legal obligation, the practice appears to run counter to the Biden administration’s claim that it is the most ethical and transparent in history.” (Katherine Doyle, “Biden’s Incoming Chief Of Staff Revives White House Financial Transparency Concerns,” [Washington Examiner](#), 1/24/23)

Zients’ Return Has Raised Questions About Members Of Biden’s Administration Performing Important Functions To Bypass Financial Disclosure. “But his return in October in an uncompensated role, according to reports, revived questions about the use of certain designations to allow staff performing important White House functions to bypass public financial disclosure. Such positions have generated controversy over perceived or actual conflicts of interest across presidential administrations.” (Katherine Doyle, “Biden’s Incoming Chief Of Staff Revives White House Financial Transparency Concerns,” [Washington Examiner](#), 1/24/23)

- **“The White House Published Zients’s Financial Disclosure During His Earlier Post But Did Not Upon His Return In October.”** (Katherine Doyle, “Biden’s Incoming Chief Of Staff Revives White House Financial Transparency Concerns,” [Washington Examiner](#), 1/24/23)

“Biden’s Senior Adviser, Anita Dunn, Bypassed Traditional Disclosure Rules During Two Earlier Stints In The White House.” (Katherine Doyle, “Biden’s Incoming Chief Of Staff Revives White House Financial Transparency Concerns,” [Washington Examiner](#), 1/24/23)

Ethics Attorneys Have Called For Increased Transparency As Its Estimated That 430 Out Of 474 Biden White House Personnel Have Yet To File Their Financial Disclosure. “Disclosures from Biden’s first year in office showed 560 people working in the Executive Office of the President with salaries totaling some \$50 million. In 2022, Biden had 474 White House personnel. Estimates place the number of officials who have yet to file public financial disclosures at 430, meaning seven out of 10 aides over the past two years have not told the public what financial interest they hold. Government ethics attorneys say greater transparency is needed.” (Katherine Doyle, “Biden’s Incoming Chief Of Staff Revives White House Financial Transparency Concerns,” [Washington Examiner](#), 1/24/23)

Withholding Cabinet Secretaries Calendars

Government Watchdog Group Found That Biden’s Cabinet Secretaries Weren’t Being Transparent With Their Calendars

According To Government Watchdog Group Protect The Public Trust, Nine Of Biden’s Cabinet Secretaries Received Failing Grades For Lack Of Calendar Transparency. “Nine of President Biden’s Cabinet secretaries received failing grades for their lack of calendar transparency, according to a government watchdog group. Protect the Public Trust, a federal government watchdog organization, released their report on Tuesday, painting an opaque picture of the Biden administration’s Cabinet.” (Houston Keene, “9 Biden Secretaries Flunk In Watchdog Calendar Transparency Report,” [Fox News](#), 1/4/22)

- **“Twelve Federal Agencies Received A Failing Grade For Calendar Transparency, With Nine Of The Flunking Agencies Being Headed By One Of Biden’s Cabinet Secretaries.”** (Houston Keene, “9 Biden Secretaries Flunk In Watchdog Calendar Transparency Report,” [Fox News](#), 1/4/22)

Protect The Public Trust’s Director Michael Chamberlain Said “The Lack Of Information Made Available At So Many Agencies Stands In Stark Contrast To The Administration’s Claims To Be The Most Transparent In History.” ““Public calendars can be a very useful tool in shedding light on an agency’s decision-making process,” Protect the Public’s Trust director Michael Chamberlain said in a statement to Fox News Digital. ‘Conversely, when important details are missing or large chunks of time are not provided at all, the public is left to wonder what the agency is trying to hide,’ Chamberlain continued. ‘The lack of information made available at so many agencies stands in stark contrast to the administration’s claims to be the most transparent in history.’” (Houston Keene, “9 Biden Secretaries Flunk In Watchdog Calendar Transparency Report,” [Fox News](#), 1/4/22)

Withholding The Names Of Buyers Who Purchased Hunter Biden's Artwork

The White House Negotiated An Agreement With A New York Gallery, With The Gallery Facilitating The Sales Of Hunter Biden's Artwork And The Buyers' Identities Kept Secret From Biden And The White House

The White House Negotiated An Agreement With A New York Gallery Where The Gallery Owner Would Facilitate Sales Of Hunter Biden's Artwork, Independently Setting Prices, And Keeping The Buyers Identities' Confidential. "A New York gallery owner will facilitate sales of Hunter Biden's original artwork, an arrangement meant to diffuse concerns over buyers paying top dollar to win influence with the president's son, according to a source familiar with the situation. The gallerist, Georges Berges, will independently set prices on the artwork of President Joe Biden's son and keep the identities of buyers confidential, including from the president and administration officials. Berges will be the sole person authorized to collect, reject and agree on offers. Berges has agreed to reject any offer that seems unusual, including offers above asking price. White House officials were involved in creating the arrangement, according to the source, as a way to avoid any suggestion of preferential treatment or conflict of interest." (Sarah Kolinovsky, Lucien Bruggeman, and Katherine Faulders, "White House Officials Arrange Confidential Sales Of Hunter Biden's Art," [ABC News](#), 7/9/21)

Walter Shaub, Former Head Of The Office Of Government Ethics, Criticized The White House's Handling Of Hunter Biden's Art Sale, Saying The White House Had "Basically Outsourced Government Ethics To A Private Art Dealer"

Walter Shaub, Former Head Of The Office Of Government Ethics Has Been Outspokenly Critical Of The Biden White House's Handling Of Hunter Biden's Art Selling. "But Walter Shaub, the head of the Office of Government Ethics (OGE) under President Barack Obama and briefly under Trump, has been outspoken about a significant way in which he thinks the Biden administration is falling short. On Twitter, Shaub has been regularly criticizing the Biden White House for its handling of Biden's son Hunter Biden's efforts to sell his works of art for as much as \$500,000." (Aaron Rupar, "Why Obama's Former Ethics Czar Is Highly Critical Of Hunter Biden's Lucrative Art Sales," [Vox](#), 8/3/21)

- **In An Interview With Vox, Shaub Said The White House's Asking Of Kamala Harris' Niece to Tone Down Efforts To Connect Herself With The Administration While Promoting Products, Shows They Clearly Do Not Disagree With The Principal That Relatives Of Public Figures Should Not Be Capitalizing Off The Presidency.** "But Walter Shaub, the head of the Office of Government Ethics (OGE) under President Barack Obama and briefly under Trump, has been outspoken about a significant way in which he thinks the Biden administration is falling short. ..." AARON RUPAR: "I think there's a sense among people on Twitter and I think more broadly as well that Hunter Biden is a private citizen, he doesn't work for the government, and therefore he should be able to do what he wants with his art. What do you think people who hold that view get wrong?" WALTER SHAUB: ... And the administration clearly doesn't disagree with the principle, because there was reporting that they asked Meena Harris [Vice President Kamala Harris's niece] to tone down the efforts to connect herself to this administration while promoting products. So they seem to only disagree in the specifics of this instance, but not with the idea that relatives of elected officials shouldn't be capitalizing on their public service." (Aaron Rupar, "Why Obama's Former Ethics Czar Is Highly Critical Of Hunter Biden's Lucrative Art Sales," [Vox](#), 8/3/21)

Senior Ethics Fellow At The Project On Government Oversight, Walter Shaub Said The Art Sale Is "Really A Terrible Idea," And Said The White House Had "Basically Outsourced Government Ethics To A Private Art Dealer." "Shaub, now a senior ethics fellow at the Project On Government Oversight, said the sale is 'really a terrible idea.' 'They've basically outsourced government ethics to a private art dealer and they're depending on unknown art purchasers to help keep the secret' he said, referencing the sales arrangement." (Maegan Vazquez and Sunlen Serfaty, "White House Helped Form Ethics Agreement With Art Gallery That's Selling Hunter Biden's Paintings, Sources Say," [CNN](#), 7/9/21)

Ethics Experts Argued Transparency About The Buyers Was A Better Approach Than Attempting To Hide Their Identities

Walter Shaub, Former Head Of The Office Of Government Ethics, Says Since Hunter Biden Is Likely To Meet With Prospective Buyers, The Public Would Be Better Served Knowing Who Buys The Works And For How Much. “But Walter Shaub, the head of the Office of Government Ethics (OGE) under President Barack Obama and briefly under Trump, has been outspoken about a significant way in which he thinks the Biden administration is falling short. ... Shaub, however, counters that since Hunter is likely to meet with prospective buyers at two upcoming art shows, the public would actually be better served by knowing more about who buys the works and for how much.” (Aaron Rupar, “Why Obama’s Former Ethics Czar Is Highly Critical Of Hunter Biden’s Lucrative Art Sales,” [Vox](#), 8/3/21)

Richard Painter Noted Concealing The Identities Of Hunter Biden’s Art Purchasers Would Seem Shady To The Public And Give The Appearance Of Payoffs And Influence, Regardless Of Who Buys The Art. “Painter also said that concealing the identities of Hunter Biden’s art purchasers will seem shady to the public. ‘It doesn’t matter who Hunter Biden actually sells the paintings to; you’re going to have the appearance of payoffs and influence,’ Painter said.” (Daniel Villarreal, “Hunter Biden Says His Art Exhibit Is ‘Pretty Courageous’ As White House Grapples With Ethics Issues,” [Newsweek](#), 7/30/21)

FOIA Noncompliance

In October 2022, Biden’s Federal Trade Commission Was Sued By An Ethics Watchdog For Stalling On A FOIA Request Seeking Records Related To The Baby Formula Shortage

In October 2022, Ethics Watchdog The Functional Government Initiative Sued Biden’s Federal Trade Commission (FTC) For Blocking The Release Of Records Related To The Nationwide Baby Formula Shortage. “President Joe Biden’s Federal Trade Commission is being sued for allegedly blocking the release of records related to its investigation of the nationwide baby formula shortage. The Functional Government Initiative, an ethics watchdog, sent a Freedom of Information Act request in August to the FTC for the records, noting their release is in the ‘public interest.’ But the watchdog has not received any records as of this writing and is now suing the FTC for ‘wrongfully withholding them,’ according to a Wednesday complaint obtained by the Washington Examiner.” (Gabe Kaminsky, “Biden Administration Sued For Allegedly Hiding Documents On Baby Formula Investigation,” [Washington Examiner](#), 10/29/22)

- **The Functional Government Initiative Sought Records Related To The Federal Trade Commission’s Formula Shortage Investigation And Communications Between FTC Commissioners Or Their Staff With Congress.** “The FTC initiated an investigation on May 24 into the formula shortage ‘to identify the factors that contributed to the shortage or hampered our ability to respond to it,’ the agency’s Chairwoman Lina Khan said at the time. The agency noted it was seeking public comment ‘on whether the FTC itself or state or federal agencies may have inadvertently taken steps that contributed to fragile supply chains in the market for these crucial products for many American families.’ Through its lawsuit, FGI aims to obtain records on this announcement and communications between FTC commissioners or their staff with members of Congress and congressional staff about infant formula.” (Gabe Kaminsky, “Biden Administration Sued For Allegedly Hiding Documents On Baby Formula Investigation,” [Washington Examiner](#), 10/29/22)
- **“The Watchdog Also Wants Records Showing FTC Commissioners Perhaps Communicating With Outside Groups About The Investigation And Any ‘Analysis Or Discussion’ Conducted By FTC Commissioners On Comments Submitted About Infant Formula.”** (Gabe Kaminsky, “Biden Administration Sued For Allegedly Hiding Documents On Baby Formula Investigation,” [Washington Examiner](#), 10/29/22)

The Lawsuit Was Spurred After The Federal Trade Commission Sent A Letter To The Functional Government Initiative Saying It Was Unable To Comply With The Request Within A 20-Day Period And Granted Itself An Extension Due To “Unusual Circumstances.” “On Sept. 7, the FTC told the watchdog in a letter it would be unable to comply with its FOIA request within the 20-day period required under the law. The agency granted itself an extension due to the ‘unusual circumstances’ that arose from the ‘need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request.’” (Gabe Kaminsky, “Biden Administration Sued For Allegedly Hiding Documents On Baby Formula Investigation,” [Washington Examiner](#), 10/29/22)

- The “FTC Did Not List A Date For When It Would Fulfill The FOIA Request, ... Nor Did The Agency Say In What Location Or Field Facilities It Was Searching For The Records.” “But the FTC did not list a date for when it would fulfill the FOIA request, says the watchdog, nor did the agency say in what location or field facilities it was searching for the records.” (Gabe Kaminsky, “Biden Administration Sued For Allegedly Hiding Documents On Baby Formula Investigation,” [Washington Examiner](#), 10/29/22)

Weakening Of The Freedom Of Information Act

The Biden Administration Has Not Continued The Norm Of Issuing A Statement Outlining Their Goals For Improving Transparency After Taking Office

Las Vegas Review-Journal Editorial Headline: “Biden Drags His Feet On Government Transparency” (Editorial, “Biden Drags His Feet On Government Transparency,” [Las Vegas Review-Journal](#), 2/6/22)

The Las Vegas Review-Journal Editorial Page Wrote That After A Year In Office, It Was “Disappointing That The White House Hasn’t Found The Time At All To Clarify Its Commitment To Transparency And Open Government.” “President Joe Biden has many raging fires to contain, including COVID, Ukraine, inflation, immigration and crime. Yet more than a year into his first term it’s disappointing that the White House hasn’t found the time at all to clarify its commitment to transparency and open government.” (Editorial, “Biden Drags His Feet On Government Transparency,” [Las Vegas Review-Journal](#), 2/6/22)

It Is The Norm For Incoming Presidents To Issue A Statement Outlining Their “Goals For Strengthening Transparency,” But Nothing Has Yet Been Seen From Biden. “In recent decades, it has become the norm for incoming presidents to issue a statement outlining their ‘goals for strengthening transparency’ and improving the administration of the Freedom of Information Act, Ryan Mulvey, policy counsel for the Americans for Prosperity Foundation, told Reason. But so far, ‘The government transparency community hasn’t seen anything yet from President Biden.’” (Editorial, “Biden Drags His Feet On Government Transparency,” [Las Vegas Review-Journal](#), 2/6/22)

The Las Vegas Review-Journal Said, “The President Must Lead From Above And Make It Clear” He Will Not Tolerate Efforts To Keep Public Information From The Taxpayers. “There are reforms, however, that could strengthen the law and make it easier to hold government officials accountable for noncompliance. So far, however, the Biden administration has been silent on this vital matter. That’s not good enough. The president must lead from above and make it clear to the executive branch agencies he oversees that he understands the value of transparency and won’t tolerate efforts to keep public information from the taxpayers.” (Editorial, “Biden Drags His Feet On Government Transparency,” [Las Vegas Review-Journal](#), 2/6/22)

Anna Diakun, Staff Attorney For Columbia University’s Knight First Amendment Institute: “For Example, The Administration Has Taken No Apparent Steps To Address Significant Problems Relating To Agencies’ Compliance With The Freedom Of Information Act.” (Anna Diakun, Op-Ed, “Biden Promised Transparency. Has He Delivered?,” [CNN](#), 1/21/22)

Non-Profits Dedicated To Government Transparency Are Concerned About The Biden Administration’s Inaction On Transparency And FOIA Noncompliance Levels Rising To A Decade-Long High

In January 2022, A Group Of Over Two Dozen Nonprofit Organizations Sent A Letter To The Biden Administration Expressing Concern About Its Inaction On Government Transparency. “Last week, a group of more than two dozen nonprofits dedicated to government accountability sent a letter to the administration expressing concern about its inaction on this vital matter.” (Editorial, “Biden Drags His Feet On Government Transparency,” [Las Vegas Review-Journal](#), 2/6/22)

- **The Letter Noted They Had Written In 2021 To Attorney General Garland’s Office On How To Enact The “Generous” Reading Of FOIA Garland Said DOJ Would Implement During His Confirmation Hearing, But His Office Had Not Responded To The Letter Or Published Any Significant Guidance.** “As non-profit organizations dedicated to a transparent and accountable government, we call on your office to

reinvigorate its efforts to provide oversight on executive branch agencies' compliance with the Freedom of Information Act (FOIA). Last year, many of our organizations wrote to your office to offer recommendations for how the Department of Justice (DOJ) could implement a 'generous' reading of FOIA as you testified it would during your confirmation hearing. However, in the nine months since then, your office has neither responded to the letter nor published any significant guidance for agency compliance with the FOIA." ([Letter From The American-Arab Anti-Discrimination Committee Et Al. To Merrick Garland](#), 1/31/22)

- **The Letter Noted By One Measure, FOIA Noncompliance Was At A Decade-Long High.** "Our hope was that the DOJ would address the government's troubling tendency toward less disclosure and the increasing challenges requesters are facing during the FOIA process. By one measure of agency noncompliance with the FOIA, the number of active FOIA litigation cases, noncompliance is at a decade-long high even while requesters are waiting longer than ever to initiate litigation." ([Letter From The American-Arab Anti-Discrimination Committee Et Al. To Merrick Garland](#), 1/31/22)
- **The Letter Said, "Without An Updated Memorandum On Interpreting The FOIA, The DOJ Is Skirting It's 'Special Responsibility To Ensure'" The Faithful And Effective Administration Of FOIA.** "At the same time, we believe that, without an updated memorandum on interpreting the FOIA, the DOJ is skirting it's 'special responsibility to ensure [FOIA's] faithful and effective administration.' We also note that we are entering the second year of the Biden administration and that updated guidance to agencies is long overdue." ([Letter From The American-Arab Anti-Discrimination Committee Et Al. To Merrick Garland](#), 1/31/22)