

Promoting Accountability and Security in Transition Act

Statements of Support for the Promoting Accountability and Security in Transition Act

1. “The transfer of power to a new administration depends on robust access to Presidential records from the outgoing administration, aside from the vital role of such records in fostering accountability and documenting national history. But the presumption that presidential records will be reliably preserved and properly shared is now in need of both reinforcement and modernization. The PAST Act will bring national policy in this area up to date.” —**Steven Aftergood, Federation of American Scientists**
2. “This is important and needed legislation. The current laws governing presidential records need updating to account for presidential lawlessness at the end of an Administration, including in failing to preserve important records embodied in new forms of electronic communications. The proposed bill also beefs up the Archivist's role in exercising oversight over presidential transitions, to ensure that presidential records in all forms are not destroyed and that our Nation's documentary history is preserved.” - **Jason R. Baron, Professor, University of Maryland and former Director of Litigation, National Archives and Records Administration**
3. “This bill goes a long way toward plugging some of the holes in the Presidential Records Act that have placed historically valuable Presidential records at risk. The American public should not have to wait until a President has left office to learn of problems with that President's record keeping practices. This bill addresses that issue by tasking the Archivist and the Office of Administration with yearly inspections that will identify problems while there is still an opportunity to correct them. Just as significantly, the bill ensures that complete copies of electronic messages will be preserved by requiring the preservation of the metadata -- the who, what, and when -- that is associated with the messages. As someone who has litigated for years over the failure of multiple administrations to comply with their obligations under the Presidential Records Act, I fully and enthusiastically endorse this bill, which protects our nation's history and our ability to learn from the past.” – **Anne Weismann, Founder and Executive Director, Campaign for Accountability, and former Chief Counsel and Chief FOIA Counsel, Citizens for Responsibility and Ethics in Washington (CREW)**
4. “At a time when the nation’s presidential records are in a state of unprecedented uncertainty during the Trump-Biden transition, Senator Murphy’s PAST Act of 2020 is a timely bill that will provide stronger Congressional oversight of the White House’s compliance with the Presidential Records Act. We applaud Senator Murphy’s leadership in protecting the public’s right to know by requiring both the White House and the Archivist to prioritize proper preservation of presidential records.” - **Lisa Rosenberg, executive director of Open The Government**
5. “It has become evident that the Presidential Records Act (PRA), while well intentioned, did not go far enough in establishing guardrails defining how these vital records should be accounted for, and preserved especially during a presidential transition. The law also needs to be amended to address rapidly changing technologies such as apps and software with automatic deleting

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functionality. Presidential records tell our Nation's story from a unique perspective and are essential to an incoming administration in making informed decisions. They are equally vital to historians who rely on presidential records to compile the full narrative of an administration for future generations. Sen. Murphy's bill goes a long way towards filling the gaps left by the PRA amendments of 2014 and the National Coalition for History endorses the PAST Act." - **Lee White** *Executive Director, National Coalition for History*

6. "The National Security Archive enthusiastically endorses Senator Murphy's PAST Act. The proposed legislation fills a vital need that the Trump administration has exposed: to prevent errant and erratic U.S. presidents from doing damage to historical records. That important White House business has been done using communication devices that leave no permanent traces is a dangerous threat to orderly government and the historical record. By fixing the weaknesses in the PRA, Congress and the Biden administration can provide better procedures for the preservation of the records that are vital for historical research and for informing future presidents of the work of their predecessors." - **The National Security Archive**
7. "This vital legislation adds much-needed teeth to the Presidential Records Act. Presidential records are the most important and widely-used source for studying how the executive branch of our federal government works, how it has changed over time, and how it might evolve to serve the needs of a new era. Many records of the current administration, however, are currently at grave risk. The Presidential Records Act lacks essential protections for preserving complete electronic records and affords Congress and the Archivist inadequate oversight over presidential transitions, when important records are most at risk. A legislative solution is imperative: the courts have made clear that they cannot act to force compliance until changes are made to the law. The AHA applauds this legislation for guaranteeing the preservation and accessibility of presidential records and furthering the transparency of our federal government -- a requirement for a functioning, accountable constitutional republic and the protection of liberty." - **James Grossman, Executive Director, American Historical Association**
8. "The Promoting Accountability and Security in Transitions Act of 2020 is an important and timely bill that will put in place strong requirements to ensure that the records, including digital communications, of every President are accounted for and properly secured as the property of the American public. The second key provision in the legislation, amending the Presidential Transition Act, will ensure that the President-elect and members of office staff designated by the President-elect will receive access to, at a minimum, summaries of national security information (including documents, videos, audio, and briefings) created by the previous administration in as soon as possible after the date of the general elections held to determine the electors of President and Vice President." - **Patrice McDermott, Director, Government Information Watch**

"In order to safeguard the integrity of presidential records so that future generations of US citizens can benefit from a comprehensive understanding of the American experience, the Society for Historians of American Foreign Relations, a scholarly organization committed to producing the most accurate history possible, fully supports Senator Murphy's efforts to strengthen the President Records Act by proposing these amendments to it." - **Richard H. Immerman Chair, Society for Historians of American Foreign Relations (SHAFR) Historical Documents Committee.**

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9. "The foundation for wisdom is learning from the past, and Sen. Murphy's new bill Promoting Accountability and Security in Transitions Act is a welcome effort to make sure that records from presidential administrations are preserved and available for access by scholars, historians, journalists, and the American people." - **Daniel Schuman, Policy Director, Demand Progress**
10. "Establishing a full and truthful chronicling of our history is part of how we hold our government accountable. By modernizing how we preserve presidential records, the PAST Act would support the long-term health of our democracy." - **Grant Tudor, Policy Advocate, Protect Democracy**
11. "Preservation of history is key to providing an avenue for analysis when it comes to evaluating presidencies," said Susan Harley, managing director of Public Citizen's Congress Watch division. "Without accountability mechanisms and a clear plan for retention, the keeping of presidential records will be subject to the whims of the sitting president. Cleaning up after the Trump administration should start with ensuring proper records are held for the nation's top office moving forward." - **Susan E. Harley, J.D. Managing Director-Public Citizen's Congress Watch**
12. "Ensuring public records are not lost or destroyed during a presidential transition is critical to ensure a peaceful and productive transfer of power. Safeguarding these records is also foundational to promoting and ensuring accountability for any wrongdoing committed under a previous administration. For these reasons, POGO is proud to endorse Senator Murphy's Promoting Accountability and Security in Transitions Act, which will close loopholes and codify norms that support common sense presidential records retention and protection." - **Liz Hempowicz, Director of Public Policy, Project On Government Oversight (POGO)**