



DEPARTMENT OF HOMELAND SECURITY
UNITED STATES SECRET SERVICE
WASHINGTON, D.C. 20223

Freedom of Information and Privacy Acts Branch
Communications Center
245 Murray Lane, S.W.
Building T-5
Washington, D.C. 20223

OCT -8 2009

Tegan Millspaw
Judicial Watch
501 School Street, S.W.
5th Floor
Washington, D.C. 20024

File Number: 20090685

Dear Ms. Millspaw:

Reference is made to your Freedom of Information Act (FOIA) request, dated August 10, 2009, received by the United States Secret Service (Secret Service) on August 20, 2009, for "any and all agency records concerning. . .[a]ll official visitors logs and/or other records concerning visits made to the White House from January 20, 2009 to present."

Please note that we are interpreting your request to encompass Access Control Records System (ACR) records, and/or Workers and Visitors Entry System (WAVES) records.

It is the government's position that the categories of records that you requested are not agency records subject to the FOIA. Rather, these records are records governed by the Presidential Records Act, 44 U.S.C. § 2201 et seq., and remain under the exclusive legal custody and control of the White House Office and the Office of the Vice President.

The White House and the Office of the Vice President retain authority to direct the discretionary release of the White House visitor records, and have announced a policy for discretionary releases. Therefore, your request is being referred to White House Counsel's office for consideration pursuant to this policy.

Sincerely,

Craig W. Ulmer
Special Agent in Charge
Freedom of Information and
Privacy Acts Officer