

April 22, 2015

Chairman John McCain and Ranking Member Jack Reed  
Senate Armed Services Committee  
United States Senate  
228 Russell Senate Office Building  
Washington, DC 20510

Dear Chairman McCain and Ranking Member Reed:

We urge you to open up the process for considering the National Defense Authorization Act (NDAA) this year.

Last year, your committee drafted and voted on this bill—authorizing \$585 billion in Pentagon spending—almost entirely in secret. We know that you are aware of the great frustration expressed by many of your Senate colleagues who did not have an opportunity to amend the bill on the floor last year. Given the size and scope of this important legislation, it is unacceptable for the vast majority of senators to have to vote on a bill compiled almost entirely behind closed doors, with very little chance for public input or accountability.

The NDAA is the single largest authorization bill that Congress passes, making the stakes for taxpayers incredibly high. This year SASC will consider amendments to overhaul military pay and benefit policy, authorize base closures, provide funding for major weapon systems, revise Guantanamo transfer authorities, and other provisions with significant and direct impacts on American national security. And yet, your Committee does not disclose the bill it will vote on in advance and then closes the markup of the bill to the public.

It's time to bring the NDAA into the light of day.

All congressional proceedings should be conducted in accordance with our country's highest principles of transparency and openness. Certainly, there are special exceptions when a committee can and should move to closed session to consider classified information, but this step should be taken only as needed and as infrequently as possible. Notably, the House Armed Services Committee (HASC) has held an open markup for years and did not need to close any portion of last year's markup of the NDAA for national security reasons.

How can the same bill considered publicly in the House require secrecy in the Senate?

We ask you to make your committee's consideration of this critical bill at least as transparent as the HASC does, by:

- Giving the public access to *all* subcommittee and the full committee markups of the NDAA, including live and archived webcasting on the SASC website.

- Posting online the: 1) text of the *actual bill* the subcommittees and full committee will amend during markup at least 24 hours prior; 2) amendments considered during markup no later than 24 hours after markup (though preferably when they are filed); and 3) the NDAA as amended and approved by the subcommittees and full committee within 48 hours of the markup.

We appreciate that two years ago SASC held hearings and votes on one portion of the NDAA in open session. The debate on the sexual assault epidemic in the military was an important, thoughtful deliberation of different reform proposals. It is a model for what your committee could and should do on other policies and spending provisions in the bill.

The majority of SASC subcommittees held open markups of the NDAA last year (though the bills they voted upon were not made public in advance). As you know, an open markup does not prevent private deliberation on the bill between senators and staff--it simply gives the public greater opportunity to participate.

Chairman McCain and Ranking Member Reed, we hope you will use your new leadership positions to modernize the committee's processes and operations toward the presumption of openness citizens expect of their elected representatives. We would be pleased to discuss this with you or your staff. Please contact Elizabeth Hempowicz, Public Policy Associate at the Project On Government Oversight, at 202-347-1122 or [ehempowicz@pogo.org](mailto:ehempowicz@pogo.org).

Sincerely,

Activate USA  
American Friends Service Committee  
American Library Association  
American Values Network  
Americans for Tax Reform  
Article 19  
Audit the Pentagon Project  
Bill of Rights Defense Committee  
Brave New Films Action Fund  
Campaign for Liberty  
Campaign for a Nuclear Weapons Free World  
Center for Arms Control and Non-Proliferation  
Center for Effective Government (formerly OMBWatch)  
Center for Financial Privacy and Human Rights  
Center for International Policy  
Center for Media and Democracy  
Citizens for Responsibility and Ethics in Washington  
Coalition on Human Needs  
Coalition to Reduce Spending  
Concerned Educators Allied for a Safe Environment (CEASE)

Cost of Government Center  
Council for a Livable World  
Defending Dissent Foundation  
Demand Progress  
DownsizeDC.org, Inc.  
Electronic Privacy Information Center  
Essential Information  
Friends Committee on National Legislation  
Government Accountability Project (GAP)  
Human Rights First  
Human Rights Watch  
iSolon.org  
Just Foreign Policy  
Liberty Coalition  
National Coalition Against Censorship  
National Commission on Intelligence and Foreign Wars  
National Priorities Project  
National Security Network  
National Taxpayers Union  
Open Society Policy Center  
OpenTheGovernment.org  
Peace Action  
Peace Action West  
People Against the NDAA  
Physicians for Social Responsibility  
Project On Government Oversight (POGO)  
Public Citizen  
R Street Institute  
Society of Professional Journalists  
Sunlight Foundation  
Taxpayers for Common Sense  
Taxpayers Protection Alliance  
The Constitution Project  
Tri-Valley CAREs  
USAction  
U.S. PIRG  
Washington Coalition for Open Government  
Washington Office on Latin America  
Women's Action for New Directions (WAND)  
Win Without War

cc: Senate Armed Services Committee Members