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# Congress of the United States

PRESS GALLERIES

WASHINGTON, DC 20510-7238

The Honorable Carl Levin  
269 Russell Office Building  
U.S. Senate  
Washington, DC 20510-2202

December 23, 2013

Dear Senator Levin:

The Standing Committee of Correspondents respectfully requests that you consider opening all Senate Armed Services Committee defense authorization markups to the media and the public, except at those times when the meetings must be closed for classification reasons.

You have announced that next year will be your last in the Senate, and so the fiscal 2015 defense authorization markup process will be your final one. We hope you will make it a fully open one.

When you leave Congress, you will have left behind a record of considerable legislative accomplishment, and you will be fondly remembered by reporters for your openness and candor. By opening the doors of the authorization markups, you can complete that legacy.

You and your colleagues on Senate Armed Services had chosen to keep all the authorization markups closed until recent years. Now half the subcommittee markups are open. While that's a step in the right direction, it begs the question of why the other half of the panel markups remain closed, not to mention the full committee's markup.

Your reasons for closing the doors have been understandable. You have said that an open markup of the defense policy bill would need to close periodically and that closing and then reopening the markups would be logistically challenging. In addition, private markups doubtless also have been conducive to productive exchanges among lawmakers, away from cameras and recording equipment. We also recognize that other congressional markups, including those conducted by the defense appropriations and intelligence authorizing panels, also are held behind closed doors. And, to be sure, the product of the Senate Armed Services authorization markups--the bill, the report and the recorded votes--always becomes public later.

However, the fact remains that, each and every year, the House Armed Services Committee openly marks up the companion to your committee's bill. The House committee's open markups rarely close to discuss classified data. When they do, we have no indication that it poses a problem for members or staff. In short, if the House committee members can do it, so can the senators on your committee.

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We believe the default mode in a democracy should always be to legislate openly, absent a compelling security reason to do otherwise, which we do not think holds in the case of the Senate Armed Services authorization markups, except perhaps on occasion.

It is not enough that the product of these proceedings is eventually made public. The process of making the decisions should itself be visible to the American people in real time—as it is in most other corners of the Congress.

We understand this is a difficult decision, but we are hopeful that you will consider our point of view.

Thank you for considering our request.

Sincerely,



David Lightman

Chairman, Standing Committee of Correspondents