This web site was frozen on September 20, 2004 at 12:00 AM, EDT. It is now a Federal record managed by the National Archives and Records Administration. External links were active as of that date and time. For technical issues, contact webprogram@nara.gov. For questions about the web site, contact legislative.arcives@nara.gov.

Statement by the 9-11 Commission

November 20, 2003 – At its meeting yesterday evening, the Commission voted to issue a subpoena to the City of New York for documents crucial to its investigation that the City has failed to produce in response to a document request issued more than four months ago.

The documents covered by the subpoena include tapes and transcripts of emergency (911) calls that are critical to understanding the interaction between members of the public and the City on September 11, 2001. The subpoena also requires the City to produce transcripts of hundreds of historical interviews of firefighters conducted by the FDNY after the 9-11 attacks. These transcripts will contribute significantly to the Commission's understanding of the performance of the FDNY on September 11.

The City's failure to produce these important documents has significantly impeded the Commission's investigation. Given its statutory deadline, the Commission cannot wait any longer for these vital records.

Yesterday the Commission also selected the Commissioners and staff who will serve on the team reviewing PDB articles pursuant to the Commission's agreement with the White House:

- The Commission requested access to years of articles from the President's Daily Brief that are relevant to the Commission's work. There are hundreds of such PDB articles. The agreement provides access to all the requested PDB articles.

- The Commission has selected four representatives—the Chair, the Vice Chair, Commissioner Gorelick, and the Executive Director—as its review team. They will examine the core group of PDB articles made up of those that are plainly critical to the Commission's investigation, including PDB articles involving threats to the U.S. homeland.

- Notes taken by the four representatives on the PDB articles will be kept at the White House and may be reviewed at any time by the representatives. The four representatives will also prepare a summary for all Commissioners and designated staff. That summary is subject to limited White House review before it is shared with the full Commission. The four representatives will have "wide latitude" in preparing the summary and briefing the full Commission.

AL FELZENBERG, DEPUTY FOR COMMUNICATIONS
National Commission on Terrorist Attacks Upon the United States
Office: 202-401-1725 ▪ Cell: 202-236-4878 ▪ Fax: 202-296-5545
afelzenberg@9-11commission.gov

- Two members of the Commission review team—Commissioner Gorelick and the Executive Director—will review the entire group of several hundred responsive PDB articles to determine whether there are any that are demonstrably critical to the Commission's mandate and should therefore be added to the core group and summarized for the full Commission. The criteria for adding such articles to the core group are that they are material, important to the Commission's mandate, and provide significant knowledge not otherwise available to the Commission. In conducting this review of the complete group of responsive PDB articles, the two representatives may take limited notes and consult the Chair and the Vice Chair. Any transfer of articles to the core group will require White House agreement.

- In the event the Commission does not obtain the material it needs, the Commission retains the right to take any actions it deems appropriate.

The Commission believes that this agreement should provide a mechanism for obtaining the access it needs to fulfill its mandate.

###