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9/11 COMMISSION RELEASES INTERIM REPORT
TRANSCRIPT OF PRESS BRIEFING WITH
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MR. KEAN: I want to thank you all for coming today. We are today issuing our first interim report on our work on the national commission. We'll report today the facts and circumstances -- our work, rather, on the facts and circumstances surrounding the attacks of September 11th, 2001. It will review, identify and evaluate lessons learned, and make recommendations for the future. Where we analyze the terrorist danger around the world, we are also addressing sensitive policy and intelligence issues across the federal government and beyond.

In the last six months the commission has launched the most wide-ranging outside investigation of American national security in the history of the United States. We make this point so the public will understand that the issues we are addressing have few, if any, precedents. With a staff of 60 now in three offices -- two in Washington, D.C. and one in New York City -- the commission has received already thousands of documents, is meeting with officials in every area of its work. The commission is now fully funded, the professional staff has deep expertise. The staff now has the necessary security clearances, and we also are able to build on work that's already been done inside the government.

As far as our status, it is a critical time for our commission. We have worked hard to stay on schedule, to complete our work at the end of May 2004, which is required in our statute. But the coming few weeks are going to determine whether or not we can do our job within the time allotted.

The task in front of us is monumental. And time is slipping by. Every day lost complicates our work. Extensive and prompt cooperation from the United States government, the Congress, state and local agencies, and private firms is absolutely essential. And this report we're giving today gives you an initial evaluation of this cooperation.

When he signed the bill that created the commission, President Bush pledged his cooperation, and he and his subordinates have made significant efforts to keep that promise. Security clearances are expedited, the president has designated a senior official at the Justice Department to facilitate executive branch cooperation with the commission. Yet it is also clear that the administration underestimated the scale of the commission's work and the full breadth of the support that was required.

The consultation job previously assigned to an already-busy top official of Justice has now been transferred to another senior Justice official working full-time to support the committee, along with four deputies. Every bit of that help will be needed in expediting responses to the 26 briefing requests and 44 sets of document requests, many with dozens of categorical areas of inquiry that have already been filed with 16 different agencies.

While thousands of documents are flowing in -- some are coming in boxes and some are digitized -- most of the documents we need are still to come.

These documents are critical in their own right and to help our staff prepare for their hundreds of interviews with officials -- with individual officials.

And now I'd like to turn to Congressman Hamilton to detail the status in the various agencies.

MR. HAMILTON: Good afternoon. Thank you, governor. First of all, it's a great pleasure to work under the leadership of Governor Kean. He's an outstanding chairman of the commission. And the other commissioners, I might say, take their responsibilities with exceedingly great seriousness, and we've appreciated their help and work.

As the governor has indicated, I will speak specifically about each of the agencies.

First, the executive office of the president. The document requests have been filed with the executive office. Those documents cover every major part of the executive office of the presidency, including, of course, the National Security Council. We will not go into detail on the substance of these or other requests. We can say that we have received and are in the process of receiving access to a wide range of sensitive documents, and that to date no requested access has been denied. Many more documents are being requested. Conditions have been imposed, in some cases, with respect to our access to and usage of materials, and our discussions will continue.

With regard to the Central Intelligence Agency, the agency has been arranging needed briefings and providing intelligence products, including essential information that has been developed since 9/11. DCI Tenet composed a strong review group and team of analysts to look back at the pre-9/11 record. Their work has been invaluable. The CIA has been slower in producing the internal documents that we have requested on management and resource choices in the pre-9/11 war on terrorism.

With respect to the FBI, the Federal Bureau of Investigation got off to a slow start in responding to the commission's request. When Director Mueller became aware of the commission's concerns, he assigned additional agents and staff to assist us. He and his staff have provided us with detailed briefings on the PENTBOMB investigation and the counterterrorism reforms undertaken by the FBI since 9/11. The FBI is now moving constructively to help us utilize the records compiled in the largest criminal inquiry ever conducted by the bureau. Especially helpful, the bureau has helped us access documents in a searchable electronic form.

The Department of Justice. The Department of Justice has assisted the White House in resolving issues that have arisen in agency responses to our requests, but records requested from the Department of Justice are overdue, and the department has not been able to resolve important issues related to the Moussaoui case. We also disagree with the administration's general insistence on having agency representatives present during interviews of serving officials, and this is a matter still under discussion.

The Department of Defense. The problems that have arisen so far with the Department of Defense are becoming particularly serious. We have not received responses to requests relating to NORAD and other DOD components, including the JCS and the department's Historical Office. Delays are lengthening, and agency points of contact have so far been unable to resolve them.

In the past few days, we have been assured that the department's leaders will address these concerns. And we look forward to seeing the results.

The Department of State has responded helpfully to all requests made so far. The Department of the Treasury has also been responsive, as have officials at the Securities and Exchange Commission. The Department of Transportation and the Federal Aviation Administration have gradually been responsive to the commission. But we still have some important additional information to obtain from them.

The record of support from the Department of Homeland Security so far is mixed. Elements of the former Immigration and Naturalization Service have been slow in providing briefings, although there are recent signs of improvement. The Transportation Security Administration has provided a substantial volume of material to us. The Secret Service has also been helpful.

With respect to the Congress. Relevant congressional committees have displayed goodwill, but we have encountered problems in obtaining adequate access to the materials compiled by the joint inquiry. Through cooperation, almost all of those problems have been resolved. More tests will be coming as the commission extends its scrutiny to congressional resource allocation and oversight.

Finally, it is still too soon to assess cooperation by local agencies such as New York City, the Port Authority, or Arlington County, or private sector entities such as the relevant airlines.

For the conclusion, I'll turn it back to the governor.

MR. KEAN: Thank you, Congressman.

We believe the president when he says he's committed to assisting the commission. The White House has demonstrated that commitment in some vital ways, but the next few weeks are going to be absolutely crucial. We'll need strong support from the White House to ensure that we'll be -- we are able to receive the materials we require in sufficient time to meet our statutory deadline.

We acknowledge the challenge faced in responding to these requests by officials already busy with many other tasks. But we must look backward in order to look forward. The contemporary history of this country passed a watershed on 9/11. We must do the job we are required to do by law, so that we must understand how we came to this turning point in the way we think about our security, and to understand the choices that lie ahead.

We plan to provide a number of these interim reports as we proceed with our task. We believe we will issue the next one in the month of September.

Vice Chairman Hamilton and I will be glad to answer any questions.

STAFF: We have microphones for those who need it, and we ask you please to state your name and your affiliation.

MR. KEAN: Yes.

Q The -- I'm Bob Franken -- I'm Bob Franken from CNN.

MR. KEAN: How are you, sir?

Q The person who's been in Washington a while MIGHT construe this as an effort to put pressure on a recalcitrant administration. I wonder if you could comment on that.

MR. KEAN: Well, what's happened -- first of all, we have got a number of documents here that nobody's gotten before. We have, for instance, now in our possession detainee interviews, which were not available, for instance, to the special committee of the Congress. We expect this week -- we have an agreement to get numerous documents from the National Security Council that were not available to the special committee. So we are moving ahead. But we are also facing a deadline by statute. And we have got to work in every way we can to put pressure, if necessary, on whatever agencies are slow in their response, because if we're going to meet that deadline, everybody has to be on board. And when we make a request, those requests have got to be listened to in a timely manner.

Now, as you read this report, some agencies have done pretty well; some agencies have become problems. And we cannot do the job we're required to do unless we get the report. So if there's pressure, good.

Q May I follow up? Are you concerned that some agencies may be just trying to wait you out, given your deadline?

MR. KEAN: I don't think so. I -- in my mind, a lot of it's confusion, a lot of it is they didn't -- I don't think anybody expected the voluminous nature of the requests we put in. We are -- we're requesting documents that nobody's ever requested before. We're asking to see things that I don't think these agencies anticipated. People who had -- who thought there were people -- part-time people were going to handle our requests, it's not possible. I mean, some of the departments, it's going to take three or four people to get these documents and get them to us so we can do our job. I think the agencies are now recognizing the nature of our requests and the difficulty that they're going to have in meeting them in a timely fashion. And they are assigning more people to do this.

We still have problems. The Department of Defense is slow, and we point that out. There are a couple of other agencies who are not responding yet in the way we want them to. And what we're pointing out today is that we cannot do the task that was mandated to us without those documents. Now, we've got everything else in place.

MR. HAMILTON: I think I would not accept the word "recalcitrant" that you used in your question. I'd emphasize what the governor said. I don't know of any investigation which has requested the sheer volume that we are requesting. It is literally millions of pages. And it is not easy for busy people to drop what they're doing and to meet those requests. Now, we've said several times in this report that we thought the response was slow, and we stand by that. We understand the problems the executive branch has. In some areas, cooperation has been very, very good, and in other areas, much less so.

We have a job to do under the mandate of the resolution. We're going to do that job. And in order to do that job, we must have access to these materials. I might say that in some cases, the problem that we confront is not getting access to the documents, but in getting the staff resources to examine

all of those documents that are coming to us. So, this is a monumental task. And the record has not been one of recalcitrance. It has, I think, been a mixed record, but one that is improving with each hour. We are beginning, literally now, to get box loads of information.

Q James Rosen, McClatchy Newspapers. President Bush, of course, opposed the creation of this commission initially, and then changed his mind. Senator McCain was recently quoted as accusing the White House and the administration of stonewalling in its cooperation with the commission. Do you agree that the administration is stonewalling? And do you have plans to subpoena either President Bush or President Clinton to appear before the commission?

MR. KEAN: No, no. (Laughter.)

Q Could we get a follow up, please? Can you elaborate on that, please?

MR. KEAN: Well, no, the White House is not stonewalling. We've got a number of documents already; documents, again, that were not made available in special committee. We expect to get a lot more. We do need speed and we do need to get documents we need in a timely fashion. But "stonewalling" is the wrong expression. It's not true.

And as far as subpoenaing the last two presidents, no, we're not planning to do that. Whether we have a need to talk to them and the manner in which we talk to them and the questions we need to ask them will be determined by the commission at a later date.

Q So you might request that they (appear ?).

MR. KEAN: We may. But we have not had that discussion yet among the commissioners.

Q I'm Phil Shenon from The New York Times. Tell me, before the public statement today have you communicated these concerns to the president? And if so, have you gotten a response from him? And secondly, are you opening the door today to requesting an extension of your deadline?

MR. KEAN: We have talked to a number of these agencies and the White House about our concerns about time and the need for haste, simply given our statutory deadline. And I think the administration and various -- these agencies understand that. Perhaps today's report will act as a bit of a spur under some of those agencies. We're not talking at the moment about asking for an extension of our statutory deadline, because if we get these materials in a timely fashion, we ought to be able to do our job as Congress has set it out for us. But the only thing that could stop us from doing that is a delay in these document requests.

MR. HAMILTON: Let me point out the sentence in the report that is responsive to the question. It's on the third from final paragraph. "We will need strong support from the White House to ensure that we are able to receive the materials we require in sufficient time to meet the statutory deadline."

Q Frank Davies, Miami Herald. This report sort of analyzes the level of cooperation by agency, agency by agency. I'd sort of like to ask a general question, if you would analyze it by subject area: specifically, the

government's work before 9/11, their work after 9/11, and third, the responses on the morning of 9/11. In those three areas, has the level of cooperation been high, low, or are there any particular areas where you're meeting resistance in getting information?

MR. KEAN: We haven't broken it down that way, honestly. I don't think I could identify one of those three areas and say it's slow in that area as opposed to any of the others. We broke it down agency by agency because that's the way we're making our request in all three of your areas. And some agencies have been better than others, and we wanted to make that public, with the hope that those agencies that haven't been would be more productive. But we haven't broken it down in those areas, and I don't know if -- you can correct me, Lee, I don't know -- but I don't think there's any breakdown in that way that we could make right now.

Q David Corn of The Nation magazine.

I wonder if you could elaborate on two points that the report makes. You talk about the NSC documents, that there have been some conditions imposed on the usage of these materials. Can you tell us what those conditions were and have been?

And you also talked about the administration's general insistence of having agency representatives present during interviews of serving officials. Has this been true of all interviews through all agencies? And then what's the state of play on that? And what's the administration rationale given for sitting in on those interviews?

MR. KEAN: Well, this has been a long -- we're particularly talking about, I believe, the intelligence agencies and maybe some others, I guess, in the same area. But normally, I gather -- and I'm not a Washingtonian, as you know -- often appearing before Congress and before the special committee, there has been somebody from the agency who sat in when the people were being interviewed. We, as the commission, would rather interview people without somebody from the agencies sitting in, and we've made that request. The agencies have resisted and said they needed somebody to sit in.

We have -- we do not want this to delay our work, but we have said to them that, look, there will be a number of occasions when we specifically have an interview where we really don't want anybody to sit in, and they say, "All right, come and make your case, if that is -- if that happens." Well, I know it will happen, based on the occasions when we really want to interview people without anybody else there, for obvious reasons. And we will make that case by case as we get to those particular individuals.

Q And of the NSC -- (off mike) --

MR. KEAN: It's a question of -- it's technical. It's the number of staff who might have access, the place in which the access would occur, note-taking and what happens to note-taking, those kind of questions. That's not a question of access. It's a question of conditions of access that we are still negotiating.

Q Chris Mondics from the Philadelphia Inquirer. What is your best explanation for why you're not getting this information quickly? Is it bureaucratic sluggishness? Or have you seen information suggesting that agencies will not release information because it might be damaging to their

reputations or might reflect critically on their conduct before and after 9/11?
MR. KEAN: We have not had any evidence yet of that being -- the latter being the case. I think in some cases, the agencies, I think, were totally unprepared for the volume of the kind of request we made. In other areas, they have some real problems with our request. We have a lot of issues revolving around the Moussaoui trial.

There are a lot of issues around 9/11 that are being encompassed by the witnesses in that (various ?) trial. We need to talk to a lot of those people. We need an agreement as to how we do it without jeopardizing his right to a fair trial. So, we're negotiating that kind of thing. But in the meantime, there are documents being held up and individual interviews being held up until those kind of agreements are reached. So, it's, in some cases, those kind of things. In other cases, we frankly don't have an explanation why some agencies are being slow, and we're going to keep the pressure on to make them faster.

Let's see -- ma'am? Yes?

Q Thank you. (Name inaudible) -- with Reuters News Agency. Among the new things that you've already -- (off mike) -- has there been anything -- (off mike) -- oh, it's on -- (referring to microphone) -- has there been anything that has been found that sheds dramatic new light on what happened with 9/11 so far? I mean, you've had six months. Is there anything that's come your way?

MR. KEAN: Yes. I mean, there are some things that I've learned that I did not know already. And -- but obviously, they'll go into the -- into the making of the report. I'm not going to talk about them today, no.

Q Can you just give us a -- just a broad, general --

MR. KEAN: No, because they -- they'll be put in context. And maybe other people knew them; maybe I just didn't know them. But I've been surprised by some things, yes.

Q And you mentioned a lot of -- that you've asked for a lot of documents that have never previously been asked for before. Can you just tell us generally what kinds of documents you're referring to? I mean, you mentioned the detainee interviews. What else is there that you've asked for?

MR. KEAN: Oh, private diaries, notes -- I said, I think -- it was not necessarily nothing that had been asked before, but a lot of the materials never been delivered before -- or, delivered very seldom to any group. And particularly, because of the separation of powers, sometimes not delivered to committees of the United States Congress. We are not recognizing any barriers. We are assuming that our legislation and the mandate that sets us up gives us the right to ask for anything -- anything from any agency or any individual that's pertinent to our task. And so, when you put all that together and recognize the size of the mandate the Congress has given us, we're asking for an awful lot of stuff.

MR. HAMILTON: I think we're in the process of getting extremely sensitive information, and I say that as one who has the perspective of having served in the Congress for a few years, and often having had to request sensitive information from the executive branch. Clearly, I think the most sensitive information will come from the National Security Council, perhaps from the CIA and the FBI, as well.

And I think we understand how sensitive that information is. I think thus far the indications are that we will have extraordinary access to sensitive information.

MR. KEAN: Sir?

Q Governor, particularly given your --

MR. KEAN: Could you identify yourself?

Q Oh, I'm sorry. Tim Burger with Time Magazine.

MR. KEAN: I know. I know. But I just -- (laughs).

Q Okay. If the commission has thought it to be important to conduct interviews without representatives of agencies of DOJ or the White House present, why are -- why is the commission agreeing to allow such representatives to be present, at least in many of the interviews? And secondly, are you being asked and are you agreeing to go through central agency request points or request people to conduct interviews with subordinates in those agencies?

MR. KEAN: Secondly, I don't think -- I don't think we're doing that, to go through -- to request interviews. The -- in the document requests, it was thought that having a central person would expedite, rather than having us go to 17 or 18 different agencies ourselves, because then the agency checks back, and, you know, it can be a very burdensome process.

What -- the first part of your question was -- ?

Q Well, if you think it's important --

MR. KEAN: I -- I'm sorry, yes. The -- we do not want to hold up the process over that question. In other words, we've got to move ahead. We don't have time to argue for three weeks over that question. So what we're talking about now is to go ahead with our interview process. But when we have an interview that's particularly sensitive and we believe it's important that we see that man or woman alone, we're going to make that point and request and bargain and fight, if you like, to make sure we see that person alone.

Sir. Q Brian Dudley with the Boston Globe. Question about scope -- is this on? Obviously you're going to be looking at lessons learned, making recommendations for the future. Can you give us an idea how far back you're going to go? I mean, is it '98, is it '97?

MR. KEAN: Well, it depends on the area, because, for instance, tomorrow at our public hearing, part of our mandate is to understand al Qaeda. Where did they come from? I mean, who are these people who hate us so much, and hate us so much they're willing to try and destroy civilians in our country? I mean -- and we've got to understand the enemy. So we'll be going back tomorrow, for instance, in our hearing back into the formation of al Qaeda, back into Egypt, back into when those people first got together and how the leadership developed and how this -- how the tactic was switched from concentrating on issues in the Middle East to saying the United States is the enemy and we've got to attack them.

So in areas like that, we'll be going back a long way.

Q And that'll include requesting government documents that date back to the 1980s or --

MR. KEAN: Where they're needed. Where they're needed for our inquiry. But basically we're going to be following the threads, as required by the congressional mandate. And many of our requests will not go back before 1998. Where it's necessary that we -- they do, they will.

Q Tom Frank from Newsday. Are you requesting NSC minutes and presidential briefing?

MR. KEAN: Yes.

Q From both President Bush and Clinton?

MR. KEAN: Yes.

Q Sue Schmidt with The Washington Post. Do you envision seeking interviews with detainees or al Qaeda captives? And have you asked for such interviews?

MR. KEAN: We have asked for the records of all -- of interviews and now have those in our possession. I would -- we have not talked about this on the commission, but I would assume, where we read those records, if we have questions, then we will pursue -- with the detainees or what have you.

Q So you might --

MR. KEAN: We might, yeah. It depends where the -- really, on all these things, it depends where the work leads us. And now having these records, boxes and boxes of them, in our office, when the staff's been able to plow through them, we'll be able to make that kind of determination.

Q My name's Marie Cocco. I'm with Newsday. You have singled out for some criticism the Defense Department, as well as the Justice Department. You've also made mention of difficulty at the Homeland Security Department. The president appointed the secretaries of all those departments. All of those people in authority there work for him. And you also say you need a strong support from the White House in order to get the kind of cooperation needed to finish on time.

Could you specifically say what you're looking for from the White House to convey the message to these people who work for the president that this is strongly supported? Do you think the president should make a public statement to that effect?

MR. KEAN: Well, there has already been a memo -- it was sent on very early on from the chief of staff -- stating the president's strong support for our work and asking people to cooperate. We of course need more than that.

We hope and we expect that now we have a full-time person with four assistants working for us in the administration to help expedite these inquiries on behalf of the White House, that it should speed up the work. He has just come on board in the last week, so it's too early for me to tell you right today. But our hope is that now everybody understands the serious -- what we're doing and the volume of the materials we need to do it properly, that through

that mechanism we'll be able to reach into the various departments and the White House will help us.

That help is absolutely essential -- absolutely essential. When we run into bottlenecks, we need the help of the White House.

Somebody who hasn't asked a question. Yes?

Q Larry Abramson with National Public Radio. Can you talk about the degree to which any limitations on your resources are slowing down the process, or whether your resources are sufficient to keep up with both generating requests and dealing with the documents as they come in?

MR. KEAN: Well, our resources are stretched -- (chuckles) -- and we've got people working very, very hard and working more than five days a week and working a lot of hours every day. But we believe that if the materials come in in a timely fashion, that we have the resources to get the job done and get the job done on time.

Q Laura Sullivan from the Baltimore Sun. How helpful have you found the first 9/11 Commission's report, and how thorough was it? And have you had access to all of the records that have yet to be declassified from that?

MR. KEAN: In the special committee of the Congress?

Q Yeah, the joint committee of the House and Senate.

MR. KEAN: Yes, we have their report in our office. There are still -- there are still some access questions. We still need some help in the area, not of the report itself -- the classified report, which we have, and all commissioners, I think, have now seen and read, but -- and some of the hearings that went into make that up -- to make up that report, we have not -- we need a lot of access to. And --

MR. HAMILTON: We think the joint inquiry did a very good job.

MR. KEAN: Yep.

MR. HAMILTON: We think the cooperation from the leaders of the Intelligence Committees has been exceptionally good. There was a real difficulty in getting release of the joint inquiry report. That arose because of arguments, really, between the Intelligence Committees of the Congress and the CIA. All of that is behind us now; that's worked out. And we are required by our mandate to begin our review with the joint inquiry report and build on it, which we are doing. We think the report was very well done, but as they acknowledged themselves, they were not able to get to many things, and they left a number of questions unexplored.

I think it is important to point out that the mandate of the commission, our commission, is much, much broader than the mandate of the joint inquiry. The joint inquiry focused only on -- really, basically on intelligence questions under the jurisdiction of the intelligence committees.

We -- we have that as part of our mandate. But we also have law enforcement and commercial airlines and visas and terrorist financing and the Congress itself and its oversight of the intelligence community. So our scope, our mandate is much, much broader than the joint inquiry.

Q Hi. Camille al-Hassani (sp) from ABC News. My question is for Congressman Hamilton.

Congressman, do you think that the administration has been as cooperative as it could be, and have they put up any roadblocks?

MR. HAMILTON: I think the administration has been cooperative. And I think that I cannot identify for you any requests that we have made that they have denied. I don't consider roadblocks some of the procedural problems that Governor Kean referred to a moment ago. They can sometimes be an inconvenience to us in our work. But I also think we're gradually working through those.

Q Shaun Waterman from United Press International. You said that the reasons why you didn't want minders from agencies sitting on -- sitting in on interviews were obvious. But would you care to characterize them in your own words? And also, could you just say a little bit more about the role of this facilitator person at the Justice Department? Are they -- they're reviewing every document that you ask for. Is that -- is that right?

MR. KEAN: No. Well, let's take the second part first.

Their role is to expedite, so that, for instance, when we are requesting of an agency -- normally, I guess you'd request -- again, I'm talking as a non-Washingtonian. My colleague will correct me, as he always does, if I'm wrong. But I gather what normally happens is, is that you make the request to the agency, the agency then checks on the material, then checks back, maybe with the White House, and it goes back again. It's a time-consuming process. The idea of having a person with three assistants speaking for the White House is that they can call and coordinate these requests and expedite them. And the idea of that person is to expedite requests.

And on the subject of minders, we had a discussion about this. And I think the commission feels unanimously that it's some intimidation to have somebody sitting behind you all the time who you either work for or works for your agency or what have you, and it can be -- you might get less testimony than you would if the person were there without such a person.

And that's why, unanimously, we felt as a commission that we would rather have witnesses without these agency people. But this has been, I gather, a long-standing procedure, whether it's before the United States Congress or any other agency, that the agencies like to have somebody there so that the agency knows what people say and can put it in their own process.

But that's why we took the stand we did. We would rather interview these people without minders or without agency people there.

MR. HAMILTON: I think the point is that thus far, I don't think the question has arisen that we're concerned about the presence of any person from the agency in the interview. In other words, we see it more as a potential problem than an actual problem thus far. And we are concerned about it. And so in our discussions with the executive branch, we have tried to make very clear that we reserve the option, which we would exercise sparingly, to request before an interview that the interview take place without an agency representative. And the executive branch has not agreed to that at this point. But that's our position. And we will be quite firm in that. In most cases, I think it's not

necessary, but all of us can identify certain situations where it might be necessary, and we will.

Q Can I just follow up?

MR. KEAN: Yes.

Q When you had originally made the request for the materials connected with the joint inquiry, there was a delay, wasn't there, because the White House wanted someone to review -- someone at the Justice Department to review all of those materials? Is that still happening? I mean --

MR. KEAN: No. And the White House was not involved, I don't believe, in that one. It was the intelligence agencies. And it did hold us up. But that is now gone and we have total access to the report and in fact have had the report -- unclassified report in our office now for some time.

Q But you haven't had any more bottlenecks like that, where agencies have asked to review documents before handing them over.

MR. KEAN: Not like that. I mean, we believe that all agencies -- when we ask the FBI for a huge request, I assume they review it before they give it to us, but then I think the same with the CIA and probably the same with a number of other agencies. But not similar to the kind of bottleneck we had there.

Q Hi, I'm Brian Blomquist with the New York Post. Are you getting any assurance from the FBI that ultimately, you will be able to take the information that you get from the PENTBOMB case and then show it to the American people, and particularly, the family members of the victims of 9/11, what happened on that day -- something that they're getting more concerned about, with the rising possibility that there won't be a Moussaoui trial?

MR. KEAN: We are going to do our very best to put everything that we possibly can in a public report, not just for the families, but for the American people. I mean, that's -- our mandate is really not to do something private, but to do something very public so that people will have their questions answered on this terrible event and where there will be recommendations, hopefully, to make the American people safer so this will never happen again.

So, we obviously, however, do not want to put something, I would pose, in the report which might do the opposite -- might jeopardize national security in some way. So, we'll have to balance those things. But our desire, and I think it's unanimously, as a commission -- is to get everything we can into a definitive public report, and that's what we're planning to do.

Q Larry Arnold from the Associated Press. First, just to clarify. Has there been any kind of request, short of a subpoena -- a request of any sort to the president, the vice president or the former president to speak to you at this point?

MR. KEAN: No.

Q But there might be?

MR. KEAN: There might be, yes.

Q And I wanted to ask --

MR. KEAN: And they both, by the way, have assured me personally of their full cooperation.

Q Both the former president and current, or --

MR. KEAN: Yeah.

MR. HAMILTON: Governor, I think we misspoke at one point with regard to the negotiations between -- we had said between the CIA and the Congress on the release of the joint inquiry report. I'm informed that that negotiation was not with the CIA, but it was with the Department of Justice and the FBI, principally, and not the CIA. Excuse me. Excuse me.

MR. KEAN: No, thank you.

Q Governor, the question was even as you're trying to get the documents, you've held two public hearings, you have a third one tomorrow, have there been instances where the hearings have at all been compromised by the lack of documents yet in hand? And does a hearing like tomorrow take on a different focus because there are documents you're still waiting for?

MR. KEAN: No, I don't believe -- I don't believe, and I'll look at Phil Zelikow on that one -- but I don't believe the hearing's been compromised at all tomorrow by a lack of documents.

PHILIP D. ZELIKOW (Executive director, 9/11 Commission staff): (Off mike) -- and we'll be referring to some of the same issues that were discussed in the hearing tomorrow at a later date. No, the hearing tomorrow has not been compromised by a lack of documents. The hearing tomorrow will serve the purposes you described, governor. But we'll be returning to a number of these same issues with the benefit of testimony from administration officials and the benefit of a lot of our additional investigative work. So, we're certainly not done with public discussions of the terrorist enemy.

MR. HAMILTON: Rather, these documents will be very necessary for future hearings.

MR. KEAN: Okay.

Q Hi. I'm Nancy Rome, 3BM TV, London. The White House said today in the Wall Street Journal that they want to make sure that there was no possibility of any politicization. Wouldn't the postponement to -- for the findings of the commission to be released after November have -- remove that possibility, at least postponed it?

MR. KEAN: If -- ?

Q If you all released your report after the November elections.

MR. KEAN: We plan to try and meet the mandate. Congress has said that. And we're going to do our best to meet that date. And so, that's what we're going to try -- (laughs) -- that's what we're going to try and do. But we need the document release to do it.

Q Right. But if -- if everything is -- everything I'm hearing is about timing. Wouldn't postponing this till after the elections help you all out tremendously?

MR. KEAN: Well --

MR. HAMILTON: At this point it's not an option.

MR. KEAN: No. I don't believe it -- I have no idea whether the Congress, the White House or anybody else would be supportive. We've -- when we've talked to people, they all said "We hope you can do it on time." (Laughs.) And we're going to do our very best to do it on time, as long as we get the documents to work with. MR. HAMILTON: I might say that it's my impression -- I haven't checked this with the governor. But it's my impression that the commission did have, as all of you know, some difficulties in getting started. There was a change in the leadership. It's not easy to put together a staff of 60 people that have maximum clearance, not easy to get space that is totally secure, not easily -- not easy to get up to date on investigations that have been going forward for months within the executive branch. But I really feel positive about where we are at this moment, and I believe that we are on track, that the energy level within the commission and the energy level in responding to the commission has been sharply increased in recent weeks.

And I think, in many respects, the commission investigation has turned the corner with regard to its very extensive mandate.

MR. KEAN: Let me say another thing, just to complement what Mr. Hamilton said, that pleases me very, very much. My concern -- when I was appointed as chairman, one of the concerns I had was I looked at the commission and saw here are five Republicans and five Democrats, most of whom had never met each other before, all of whom came from partisan backgrounds on one side or the other; and are we going to head down a road that becomes partisan in some way or other, particularly when you're facing a presidential election just after you make your report?

Well, what I'm so pleased about is, it has not broken down that way. We've had disagreements in the commission, but the disagreements have not broken down between the Republicans and Democrats. They've been broken down on the basis of issues.

And we are working together now very, very well. There hasn't been one single vote taken on the commission that I could characterize as partisan. So that, to me, is a tremendous plus, and frankly, a credit, I think, to my fellow commissioners.

MR. HAMILTON: Every decision has been made, Tom, I believe, on the basis of consensus.

MR. KEAN: That's right.

STAFF: We have one final question -- (off mike).

MR. KEAN: Okay.

Q Governor, how important is it for the commission to understand what happened in the Moussaoui case? And has the FBI cited the Moussaoui in

trying to block access for the commission to information about what happened in the Minneapolis field office?

MR. KEAN: It's more than that. It's -- so much of the Moussaoui case is based around so much of what happened on 9/11. A lot of the witnesses who are going to be called, presumably, in such a case are witnesses that we might want to call and need to call ourselves, in order to do our job.

So it's working out a way with the Justice Department so that we can have access to witnesses, access to materials in the Moussaoui case, in a way that does not in any way jeopardize his right to a fair trial. And those negotiations are ongoing.

But they're vital to our work because we cannot be blocked from access to some of those materials.

Q But at this point is the FBI -- is the bureau trying to block you from having access to materials about what happened between the Minneapolis field office and FBI headquarters?

MR. KEAN: It's not blocking, it's a question of negotiation at the moment. And they are very sensitive, Justice Department in particular is very, very sensitive to keeping that trial pure, in a sense, and fair. And we're very sensitive to the fact that we've got a job to do in which we need some of those documents and some of those people. And we think we can come up with working arrangement where we can get what we need and not in any way jeopardize the trial.

MR. HAMILTON: This is not an unusual instance at all. Any investigation -- or many investigations conflict with a team of trial lawyers. The trial lawyers have a job to do. Their job is to convict somebody. And they're exceedingly sensitive about any information being released which would impact the trial and lessen their chance of getting a conviction.

Our perspective is very different. We're not prosecutors, we're not trying to convict anyone, but we are trying to understand. What arises in this case, because of the unique elements of this particular case, is that it is just so very, very broad that it impacts the work of the commission in many ways. We're going to keep pushing until we get the information we want. But I fully understand any trial lawyer who says to himself any release of any information is going to jeopardize my chances of getting a conviction in court. I've encountered this a half a dozen or a dozen times in the course of investigations. And the only thing that's different about this one is that it's such a broad scope in the trial that it covers a lot of ground that we're interested in.

MR. : Thank you all very, very much.

MR. KEAN: Okay, thank you.

END.