



**Statement by  
Thomas H. Kean, Chair, and Lee H. Hamilton, Vice Chair  
of the 9-11 Commission**

**December 3, 2003** – The National Commission on Terrorist Attacks Upon the United States has reached an agreement with New York City regarding access to documents sought by the subpoena issued by the Commission on November 21, 2003. Pursuant to the agreement, Commission staff will have unfettered access to the unredacted 911 tapes and transcripts of firefighter oral histories seven days a week, from 8 a.m. until 10 p.m., beginning December 8. (The City will also deliver redacted versions of the tapes and transcripts on December 3 to the Commission’s New York office.)

In addition, the City has agreed to make its best efforts to respond to other outstanding document requests from the Commission by December 15, and in any event respond to all outstanding requests no later than December 31. The City has also agreed to preserve the tapes and transcripts for a period of at least 15 years. Under the terms of the agreement, there are no restrictions on the Commission’s ability to take notes based on its inspection of the unredacted material. The Commission may also use individual statements contained in the tapes and transcripts in its public report if permission is obtained from the individual.

“This agreement will afford Commission staff access to everything it needs to do its job,” said Chair Thomas H. Kean. “While we are certain that the Commission would have prevailed in court, this agreement avoids protracted litigation and gives the Commission immediate access to these materials. Furthermore, we are pleased that this agreement addresses the Commission’s other outstanding document requests to the City and goes a long way toward avoiding future disputes.”

“The Commission welcomes this agreement and looks forward to a cooperative relationship with the City as the Commission completes its work,” said Vice Chair Lee H. Hamilton.

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