

September 8, 2006

The Honorable Thomas H. Kean
THK Consulting
PO Box 810
Far Hills, NJ 07932

Dear Governor Kean:

We write to express our deep dismay with your ongoing association with the ABC miniseries "The Path to 9/11", intended for broadcast September 10 & 11.

Your continued defense of this deeply flawed production is especially hard to understand in light of your commendable leadership of the 9/11 Commission. Like much of the country, we were impressed by the care you and your fellow commissioners took to stick to the facts and to get it right for the American people -- and for history.

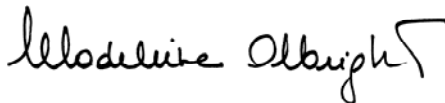
Unfortunately, as co-executive producer of this miniseries, you and your new associates haven't chosen to go another way.

While we do not object to a certain amount of dramatic license, we strongly object to wholesale fabrications. Actors portraying us do contemptible things we never did, and say things we neither said nor believed. And what's more, in many instances these portrayals are contradicted by your Commission's own findings. [See enclosure.]

Whether your broadcast purports to be based on the 9/11 Report in whole -- or only in part -- is increasingly beside the point. The dramatic impact of a costly but carelessly produced film will invariably overwhelm the impression of any government document.

Amidst alarming reports that irresponsible theories about the events of 9/11 have begun to gain currency with the American people, you should not want to lend your personal reputation to a production which seems likely to instigate new and dangerous falsehoods. And so we ask that you use your influence to persuade ABC to withdraw the broadcast altogether. Failing that, we urge you to sever your relationship with this grossly misleading production.

Sincerely,



Madeleine Albright



Samuel R. Berger

CC: 9/11 Commission Vice Chair Lee H. Hamilton
9/11 Commissioner Richard Ben-Veniste
9/11 Commissioner Fred Fielding
9/11 Commissioner Jamie Gorelick
9/11 Commissioner Slade Gorton
9/11 Commissioner Bob Kerrey
9/11 Commissioner John F. Lehman
9/11 Commissioner Timothy J. Roemer
9/11 Commissioner James R. Thompson

“PATH TO 9/11” FABRICATIONS vs 9/11 COMMISSION FACTS

In promotional advertisements, ABC has claimed that their “Path to 9/11” film (scheduled for broadcast September 10 & 11) is “based on the 9/11 Commission Report.”

The following details scenes from a preview DVD of “Path to 9/11” that are fabricated and cannot be substantiated by the text of the 9/11 Commission Report.

“PATH TO 9/11” FABRICATION: The **Clinton Administration was reluctant to kill bin Laden.** (Broadcast Night 1)

- In August 1998, President Clinton ordered 50 Tomahawk cruise missiles fired at a camp in Afghanistan where bin Laden was believed to be. **The clear intent of the missile strike was to kill (not capture) Osama bin Laden.**

FACTS FROM THE 9/11 COMMISSION REPORT:

“Policymakers in the Clinton administration, including the President and his national security advisor, told us that **the President’s intent regarding covert action against Bin Ladin was clear: he wanted him dead.**” (9/11 Report, p. 133)

“**Berger reported to President Clinton ...** The new memorandum [of notification] would **allow the killing of Bin Ladin** if the CIA and the tribals judged that capture was not feasible ... what was envisioned was ... a shootout ... Bin Ladin ... probably would be killed. The [Clinton] administration’s position was that ... killing a person who posed an imminent threat to the United States would be an act of self-defense, not an assassination ... **President [Clinton] approved the document** ... Albright, Cohen, Shelton and Reno [were notified] ... A copy of the final document ... was given to Tenet.” (9/11 Report, p. 132)

“President-elect Bush ... asked Tenet whether the CIA could kill Bin Laden ... President Bush told us **Tenet said ... that the CIA had all the authority it needed.**” (9/11 Report, p. 198-199)

“ ... [Tenet told the 9/11 Commission] ... that if ... he needed more authority, he would have come back to either President Clinton or President Bush and asked for the additional authority.” (9/11 Report, p. 508-509, footnote 158)

[Former Counterterrorism Czar and ABC consultant Richard A. Clarke: “**[President Clinton’s] intent was very clear: Kill bin Laden.**” (Richard A. Clarke, *Against All Enemies*, p. 204).]

“PATH TO 9/11” FABRICATION: Though CIA operatives in Afghanistan have the al Qaeda leader in their sights **“National Security Adviser Sandy Berger” refuses on behalf of President Clinton to authorize a strike on Osama bin Laden** despite the urgent pleadings of CIA officials. (Broadcast Night 1)

- **No such episode ever occurred** -- nor did anything like it. **There is nothing in the 9/11 Commission Report to substantiate this scene.**
- President Clinton and National Security Adviser Berger authorized every operation the CIA and US military requested against bin Laden and al Qaeda.

FACTS FROM THE 9/11 COMMISSION REPORT:

“By the fall of 1997, the [CIA’s] Bin Laden unit had ... a plan for ... Afghan tribals to capture Bin Laden ... In early 1998, the cabinet-level Principals Committee [led by National Security Adviser Berger] apparently gave the concept its blessing ... CIA officers ... drew up plans for the [Tarnak Farms] raid ... Tenet apparently walked National Security Adviser Berger through the basic plan on February 13, [1998]. (9/11 Report, p.110-112)

“[CIA Director] Tenet told us that given the recommendation of his chief operations officers, he alone had decided to “turn off” the operation ... He said the plan was never presented to the White House for a decision. The CIA’s senior management clearly did not think the plan would work.” (9/11 Report, p. 114)

“ ... [Tenet] also said he did not tell the Principals Committee [led by National Security Adviser Berger] his reasons for canceling the operation because there was no reason for the principals to hear the details of an unsound plan.” (9/11 Report, p. 481, footnote 30).

[Former Counterterrorism Czar and ABC consultant Richard A. Clarke: “The [Clinton] White House wanted action [in catching terrorists] ... The fact is, President Clinton approved every snatch that ... CIA, Justice, or Defense proposed ...” (Richard A. Clarke, *Against All Enemies*, p. 145).]

“PATH TO 9/11” FABRICATION: Over the objections of the military, **“Secretary of State Madeleine Albright” alerts the Pakistanis in advance of a 1998 US missile strike against bin Laden** at Khost, Afghanistan. Bin Laden gets away before the missile strike. (Broadcast Night 1)

- This scene is false and defamatory. **Secretary Albright never provided the Pakistanis with any notification of the intended missile strike whatsoever.**

- Secretary Albright fully and unconditionally supported the missile strike against Bin Laden and never insisted upon an advance notification to the Pakistani military.
- The Pentagon waited until the missiles were in the air before notifying the Pakistani military.

FACTS FROM THE 9/11 COMMISSION REPORT:

“Since the missiles headed for Afghanistan had had to cross Pakistan, the Vice Chairman of the Joint Chiefs [**General Joseph Ralston**] **was sent to meet with Pakistan’s army chief of staff to assure him the missiles were not coming from India.** Officials in Washington speculated that one or another Pakistani official might have sent a warning to the Taliban or Bin Ladin.” (9/11 Report, p. 117)

[Former Counterterrorism Czar and ABC consultant Richard A. Clarke has speculated that the Pakistani Navy observed US naval vessels offshore preparing to launch missiles on Afghanistan. (Richard A. Clarke, *Against All Enemies*, p. 188).]

“PATH TO 9/11” FABRICATION: Using newsreel footage of President Clinton, the **movie insinuates that President Clinton was too preoccupied with the impeachment and the Lewinsky matter to focus on terrorism and the threat from al Qaeda.** (Broadcast Night 1)

- There is nothing in the 9/11 Commission Report to support this theme.

FACTS FROM THE 9/11 COMMISSION REPORT:

“We believe that both President Clinton and President Bush were genuinely concerned about the danger posed by al Qaeda.” (9/11 Report, p. 349)

“By May 1998 ... clearly, President Clinton’s concern about terrorism had steadily risen.” (9/11 Report, p. 102)

“President Clinton was deeply concerned about bin Laden. He and his national security advisor, Samuel ‘Sandy’ Berger, ensured they had a special daily pipeline of reports feeding them the latest updates on bin Laden’s reported location.” (9/11 Report, p. 174)

“President Clinton spoke of terrorism in numerous public statements ... he called terrorism ‘the enemy of our generation.’” (9/11 Report, p. 500)

[Former Counterterrorism Czar and ABC consultant Richard A. Clarke: “... **I feared that the timing of the President’s interrogation about the [Lewinsky] scandal ...**”]

would get in the way of our hitting the al Qaeda meeting. It did not. Clinton made clear that we were to give him our best national security advice without regard to his personal problems. ‘Do you all recommend that we strike on the 20th? Fine. Do not give me political advice or personal advice about the timing. That’s my problem. Let me worry about that.’ If we thought this was the best time to hit the Afghan camps, he would order it and take the heat ...” (Richard A. Clarke, *Against All Enemies*, p. 186]

“PATH TO 9/11” FABRICATION: After the bombing of the USS Cole **“National Security Adviser Sandy Berger” appears to argue against a retaliatory missile strike for fear that with the election three weeks away the Republicans will charge that military action by the Clinton Administration is part of a political strategy to help Al Gore win.** (Broadcast Night 2)

- This scene is false. The timing of the national election never factored in national security considerations in the aftermath of the attack on the USS Cole.
- The only impediment to launching a retaliatory strike for the USS Cole attack was the lack of clear findings on the part of the CIA and FBI of bin Laden’s role in the event. No such conclusion was forthcoming before the end of the Clinton presidency.

FACTS FROM THE 9/11 COMMISSION REPORT:

“[President Clinton] said he was very frustrated that he could not get a definitive enough answer to do something about the Cole attack ... **The election and change of power was not the issue**, President Clinton added ... If [the CIA or FBI] had given him a definitive answer, he said, he would have ... [taken] further action against both al Qaeda and the Taliban. But **he did not think it would be responsible for a president to launch an invasion of another country just based on a “preliminary judgment.”** “Other advisers [including Secretary of Defense William Cohen and General Hugh Shelton] have echoed this concern.” (9/11 Report, p. 193-195)

“... Deputy Director of Central Intelligence John McLaughlin explained ...it was not enough for the attack to smell, look, and taste like an al Qaeda operation. To make a case, the CIA needed not just a guess but a link to someone known to be an al Qaeda operative ... **the CIA’s December 21, 2000 briefing slide reported that “so far the CIA had no definitive answer on [the] crucial question of outside direction of the attack – how and by whom.”** (9/11 Report, p. 192 & 195)

“... Berger ... recalled that the intelligence agencies had strong suspicions, but had reached “no conclusion by the time we left office that it was al Qaeda ... **the United States did not have evidence about Bin Ladin’s personal involvement in the attacks until Nashiri and Khallad were captured in 2002 and 2003.**” (9/11 Report, p. 193)