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January 25, 2004

Karen Jurgensen
Editor
USA TODAY
7950 Jones Branch Drive
McLean, VA 22108-0605

Re: Jack Kelley and statement of USA Today, dated Jan. 13, 2004

Dear Ms. Jurgensen:

I am writing to you on behalf of my client, the Serbian Unity Congress, in order to thank you for dismissing Mr. Jack Kelley. I am also writing you to raise my client's concern over a portion of your published statement regarding Mr. Kelley, dated January 13, 2004 (the "Kelley Statement").

First of all, you should be aware that the SUC is a non-profit entity based in Washington, D.C. that represents the interests of over 1.5 million Americans of Serbian descent. In that regard, the SUC pursues the goals of helping preserve Serbian culture, and strengthening the ties between the United States and Serbia.

The SUC understands from your Kelley Statement that Mr. Kelley admitted to fabricating certain information relating to the investigation into his July 14, 1999 article, "UN: Records link Serbs to war crimes", which appeared on the front page of your newspaper (the "Notebook Story"). Such headlines certainly helped fuel anti-Serbian public policy in the United States, as well as a good amount of hostility against Americans of Serbian descent. While the Notebook Story has now been largely discredited, we are all still living with the consequences of such media reports.

The SUC is gratified by your efforts to vindicate the "first responsibility of any journalist: to tell the truth" – but it is baffled at your declared unwillingness to issue a correction or clarification:

Given Kelley's actions, the editors were concerned about the story's accuracy. But at the same time, they could not say with certainty what happened in the interview. Since stating the facts is the central element of any correction or clarification, it was concluded that no correction or clarification could be published.

It seems that it should be rather easy so determine whether the UN is, or is not in possession of the mysterious notebook. A recent article in the New York Times suggest that the Mr. Kelley's

infamous notebook never existed, and that the UN is not in possession of any such document. See <http://www.nytimes.com/2004/01/26/business/media/26notebook.html>. Don't you think that USA Today has an obligation to at least clarify the Notebook Story? And is it appropriate that, but for the Washington Post piece about Mr. Kelley's resignation, USA Today never would have brought to light the admitted concerns it had about the accuracy of the Notebook Story?

The SUC also takes issue with the "undisputed facts" you describe in the Kelley Statement:

The former UN official also said that Kelley's story was correct in reporting that a massacre had taken place in the Kosovo village and that Serb military likely had a hand in the atrocity. Those facts have never been in dispute.

Which are the undisputed facts here? That the Serbian military committed a war crime – or that an unnamed UN official said that the military was "likely" involved?

The SUC believes that the best forum to establish "undisputed facts" is a fair international tribunal – not the headlines of newspapers whose stories are based on unnamed sources and phantom documents. And because headlines can start wars – it seems that that newspapers publishers should be especially vigilant of claims that tend to support a government's justificatory claims for war. For instance, the so-called "Racak massacre", which was used by the United States to initiate air strikes against Serbia – is still clouded in mystery. See e.g. <http://www.fair.org/press-releases/racak-update.html>. If these were crimes committed by Serbian security personnel, then the SUC strongly condemns them and urges that those individuals responsible be held accountable before a impartial tribunal.

In the end, it seems that the sacking of Mr. Kelley was one step forward for truth in journalism – but USA Today still has unfinished business.. My client requests the following:

1. that USA Today take all reasonable steps to verify the existence of the mysterious notebook featured in the Notebook Story – and if such is not found, then to print a clarification of the Notebook Story.
2. that USA Today conduct a review of all stories written by Mr. Kelley relating to the wars in the former Yugoslavia, since it is apparent that Mr. Kelley was driven more by anti-Serbian bias than journalistic integrity.
3. that USA Today cover the events in Kosovo in a more balanced fashion. The SUC notes that stories about the truly undisputed crimes committed against Serbian Christians by Albanian Islamic extremists since the arrival of KFOR have gone largely unreported by USA Today. <http://web.amnesty.org/library/Index/ENGEUR700142003?open&of=ENG-YUG>. For instance, there does not appear to be a single report in the USA Today about the dynamiting of medieval Serbian churches in Kosovo by Albanian extremists. See e.g. http://news.bbc.co.uk/1/hi/world/monitoring/media_reports/1717349.stm.

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I thank you for your attention to this matter, and please feel free to contact me if you have any questions about this letter.

Yours very truly,

LEXANALYTICA, P.C.

A handwritten signature in black ink, appearing to read "Perry J. Narancic", with a stylized flourish extending to the right.

By: Perry J. Narancic