UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * * * * * * * * * * * * * * * *
In the Matter of: *
*
PRESENTATION BY THE TWA 800 PROJECT *
IN SUPPORT OF A PETITION FOR *
RECONSIDERATION OF THE FINDINGS *
OF THE TWA FLIGHT 800 ACCIDENT *
INVESTIGATION *
*
* * * * * * * * * * * * * * * * * * *

National Transportation Safety Board
490 L'Enfant Plaza East, S.W.
Washington, D.C. 20594

Friday,
January 10, 2014

The above-entitled matter was held, at 10:12 a.m.

BEFORE: DAVID TOCHEN
General Counsel

APPEARANCES:

On behalf of the NTSB:

DAVID TOCHEN, General Counsel
National Transportation Safety Board
Office of the General Counsel
490 L'Enfant Plaza East, Southwest
Washington, D.C. 20594
202-314-6080

STEPHEN KLEJST, Deputy Managing Director
Office of the Managing Director
National Transportation Safety Board

BENJAMIN ALLEN, Assistant General Counsel
Office of the General Counsel
National Transportation Safety Board

THOMAS ZOELLER, Director
Office of Communications
National Transportation Safety Board

DANA SCHULZE, Deputy Director
Office of Aviation Safety
National Transportation Safety Board

On behalf of the Petitioners:

TOM STALCUP, Ph.D., Doctor of Physics

HANK HUGHES, NTSB Investigator (Retired)

BOB YOUNG, Former TWA Director of Flight Safety
and Chief Accident Investigator

JOSEPH DELGADO, Eyewitness

# I N D E X

P R O C E E D I N G S

(10:12 a.m.)

MR. TOCHEN: Good morning, everyone. My name is David Tochen. I'm the General Counsel for the NTSB, and we're here this morning for a listening session and a presentation by the TWA 800 Project concerning their petition for reconsideration of the NTSB's accident investigation of the TWA 800 accident. The TWA 800 Project's petition for reconsideration was filed with the NTSB on June 19th, 2013.

As was agreed to before this meeting, this, again, is a listening session and an opportunity for TWA 800 Project to provide information concerning their petition. This is not a presentation that is subject to NTSB regulations because we in no way find that the petition that was submitted is in any way deficient or incomplete. That petition is under review by NTSB. And if there is any new information that TWA 800 Project has concerning its petition, it was agreed that the Project would submit a new petition with the additional information, so today's session really is focused exclusively on what is in the current petition that is under review by NTSB.

A couple of other minor ground rules: We have agreed to have a court reporter, and a transcript of the listening session will be put on the public docket. We request that if anybody has any recording devices or listening sessions, that they shut it off now. Again, the official transcript of this listening session

will be made by the court reporter and will be put on the public docket.

And let me just -- quickly, for the record, we'll go around the room so everybody can identify themselves so we have that available on the record. Again, my name is David Tochen, NTSB General Counsel.

MR. KLEJST: Stephen Klejst, Deputy Managing Director, NTSB.

MR. ALLEN: Benjamin Allen, Assistant General Counsel, NTSB.

MR. ZOELLER: Tom Zoeller. I'm the Chief of Staff for the Chairman and the Director of the Office of Communications.

MS. SCHULZE: Dana Schulze. I'm the Deputy Director for the Office of Aviation Safety here at NTSB.

MR. DELGADO: I'm Joe Delgado. I'm a witness.

MR. HUGHES: I am Hank Hughes. I'm a retired NTSB investigator. Formerly, I worked in the Office of Aviation Safety and a few dozen other places within the agency.

DR. STALCUP: Tom Stalcup, Doctor of Physics.

MR. YOUNG: Bob Young, former TWA Director of Flight Safety and the chief accident investigator for TWA 800.

MR. TOCHEN: And before we turn it over to you gentlemen, I just wanted to add that it was also agreed that substantive questions by TWA 800 Project would not be asked of the NTSB folks during this session. With that, we --

MR. HUGHES: Yeah, I guess I can get it started and then turn it over to Tom.

DR. STALCUP: Just one clarification. But the NTSB can ask us questions?

MR. TOCHEN: That's correct. Yes.

DR. STALCUP: Okay.

PRESENTATION BY THE TWA FLIGHT 800 PROJECT

MR. HUGHES: We appreciate the opportunity to talk with you today. Our only interest is in the truth. And I think -- well, we have a couple things today to talk about that you may not well be aware of, some new developments. We also have a gentleman here who's come all the way from New York who's highly educated, very experienced, who is an excellent witness to what happened, whose testimony was not only not taken by NTSB but was completely misconstrued by the now managing director of the Safety Board. Mr. Delgado, I think, has worked with us from day 1, along with many other people, witnesses, as well as family members.

The Board has been silent basically about the petition for reconsideration and that sort of thing; however, former senior management officials have made some outrageous statements that we take exception to. However, again, we appreciate the opportunity to brief you today. We'd be glad to provide you with any additional information you might require.

Everything we've talked about in the petition as well as we're going to discuss today is fact based. When the team got

together, our team -- basically, we're retired investigators from NTSB, the United States Army, TWA, all original investigators on this case, and we decided -- we did this out of a matter of belief. There was no motive other than that. We had an obligation to 230 dead people. But we decided from day 1 it had to be fact based, and we support everything we say with facts. We have additional information today we're going to provide you with. But again, if you have any questions along the way, if you want to challenge anything we have to say, we'd be more than glad to provide you with backup material. Because all we're doing is trying to provide a, you know, search for the truth of what happened, and we know it wasn't the center fuel tank.

Tom.

DR. STALCUP: Sure. Thanks, Hank.

And thank you. This is Tom Stalcup. I appreciate you having us here, I really do. I think it's very important that you take our petition seriously. I think what we will show shortly is that it's physically impossible -- as a physicist I can tell you this, that the center wing fuel tank explosion theory cannot physically account for the evidence. It's impossible.

And one thing, if you want to take away anything from this meeting, if you forget everything else, just remember the graphic that's on the screen right now. And I have circled there radar information which cannot be explained by the center wing fuel tank explosion. It's physically impossible. And if you

notice, it's the second-most luminous event on radar. It's the initial explosion that caused the crash. That's confirmed.

Let me just explain what this is. These red lines are secondary radar data. This is when Flight 800 was flying and still had electrical power. So it's heading northeast -- east-northeast. It was on its way to Paris. Right where these red lines stop is the moment it lost electrical power. Immediately upon losing electrical power, debris began accumulating in this area, approximately 1/2 mile due south of the aircraft. Physically, it's actually impossible for this to have come from the center wing fuel tank explosion because the velocities necessary to get the debris at that location, based on the laws -- the well-understood laws of aerodynamics and physics require a significantly high velocity to get there. And not only that, it had to be carried there by something, some higher-density objects.

So this, in effect, is a secondary break-up sequence of something, and it just happens to be completely consistent with Mr. Delgado's eyewitness account, which he will be testifying here shortly of what he saw, along with dozens of other eyewitnesses who clearly saw an object rise up from the surface, head outbound, away from Long Island. And if you look at this debris pattern -- I'll use the pointer -- outbound from Long Island is coming from this way. Long Island is to the north. So an object was seen approaching the jetliner from this direction. This debris is consistent with the trajectory of that object.

So this radar, not only does it disprove the official theory, it corroborates the eyewitness accounts. And once you have a corroboration of eyewitness accounts, it leads credence to what they said. So all of the information that was provided at the NTSB final Sunshine Hearing by Dr. David Mayer, who's now a managing director, about memory errors or maybe they just didn't see things right, well, that can all be thrown out because there's now confirmation that these people were right.

So one of the findings in the final report is that the eyewitnesses didn't see some secondary object, what they did see was Flight 800 climbing. Flight 800 exploded, the nose fell off, it climbed because of a weight imbalance, and went down. So that slight climb is the official explanation for what these eyewitnesses saw. We want to check if that's true. Did the eyewitnesses only see Flight 800? And if we can show that they did not, we have therefore proven the NTSB finding is erroneous and, therefore, the NTSB is legally bound to entertain our petition.

I will then do an official crash scenario refresher and I will talk about official wreckage trajectories based on the official scenario. There will be an analysis of the unexplained debris cloud, which I mentioned earlier. There will be an analysis of spike tooth fractures, which are evidence of high-velocity events, and we will talk about explosive traces, and we will end with our recommendations.

But what we'd like to do first, since the eyewitnesses were never allowed to testify at any NTSB hearing, even though there are 670 of them --

MR. HUGHES: Most of them were never interviewed by the NTSB, by the way.

DR. STALCUP: That's actually correct, Hank. Thank you.

The NTSB chairman of the Witness Group happens to be a current managing director of the NTSB right now. His name is Dr. David Mayer. He personally, and his group, never interviewed a single eyewitness who saw a rising streak of light, the rising streak of light. Never. We have one here today that, hopefully, you can listen to.

With that, Joe, Mr. Delgado, would you mind just telling people what you saw? Maybe I'll start off with your perspective.

So just forget about those black lines for now. This is where Joe's standing.

Just explain what you saw, if you wouldn't mind.

MR. DELGADO: At the time I was a principal of a high school. It's a federally-funded-type high school which provides support services for all the school districts within a particular region, 52 districts in this particular case.

The high school that I was running at -- and I make this a point because I want to make sure the school is on the record. The high school that I was at is not the high school that I was the principal of. I was just there. It was evening and I was out

there running on the track. I live nearby. I live about seven or eight miles away from that high school, and I was running.

If you don't mind if I stand up and just reenact a little bit of what happened? Is everybody okay with that? I'm not going to run for you, though. Although, I tell you, if I worked in this building, I would bring my workout clothing and I would walk the hallways during lunch.

I'm running, and as I'm coming back I'm doing stretches of all sorts, you know, the type you do at the age of 45 or so, at the time. I'm just trying to stretch my body out, and my goal was to go meet my wife at the beach after that. And I went down, and as I came up like this -- one-half of a second earlier coming up, I would have missed the whole thing; one second and a half later, I would have -- either way, I would have missed the whole thing. I just happened to be at the right place -- at the wrong place at the right time, or whatever you want to call it. And all of a sudden I saw something a little bit bigger than my -- about the size of my thumb pop up from behind the tree line, wiggle, turn, and head out in this direction, to my right.

I followed it for a little while. As I followed it, it disappeared. And I'm telling you I'm following it like this. This is all happening with seconds. Then I caught a glimmer of something up here, very small, very, very small, and before you know it, the object then reappeared and you see a puff and then another -- then kind of lift up, another puff, and then you see a

burning, what I call a burning matchbox. If you're as old as I am, you remember that matches used to come in boxes, and one of the things that we used to do is we used to stick one match out of the box, and then you light the one match and then explode the whole -- the whole box would explode. So you had one matchbox coming down this -- and a red object coming down this way.

That's it. That's what I saw.

DR. STALCUP: Can I ask you a question? You mentioned a glimmering object. How is that related to the first object you saw?

MR. DELGADO: The glimmering object that I saw up in the sky was heading in one particular direction; the other one was heading in that direction. I think there was more like a turnaround for the first object, you know.

DR. STALCUP: Is there any way possible that first object you saw high in the sky --

MR. DELGADO: The first object?

DR. STALCUP: I'm sorry. Is there any possibility of that second object you saw high in the sky was the first object you saw?

MR. DELGADO: No. No way.

DR. STALCUP: They were separate objects?

MR. DELGADO: Yes, separate.

DR. STALCUP: Why are you so sure?

MR. DELGADO: Because one was glimmering, the other one

was just a little -- it just wasn't. It was a little red -- one was -- I would like to say that what I saw glimmering up there was an airplane, but I don't remember the shape of it because it was glimmering, you know, and just -- it was glimmering. The first object was more detailed in the sense that it had kind of like a red nose type of thing, but it was small, very small. I mean, we're talking about things in the sky.

DR. STALCUP: Okay. Okay. Thanks, Joe.

Mr. Delgado's giving an account of something that happened 17 years ago that matches precisely what he said 17 years ago. Mr. Delgado was interviewed the very day after the crash and he mentions this glimmering object. In a subsequent interview, he said that the glimmering object was different than the first object in that he felt that it reflected light as opposed to emitting light. Flight 800 at the time was reflecting the sun. The sun had set, but it was at an altitude where it was still lit by the sun. So he has a very detailed account of a glimmering object, which we have all seen.

I think on my drive up -- or was it yesterday, driving home from work I saw an aircraft and the sun was setting and I noticed the sun reflecting off of it and I thought of Joe Delgado. Because that's what happens, if you just catch the aircraft at the right time and the sun is at the right location, you can see the sun reflect off of that object.

The other interesting thing about Joe's account is what

the FBI did soon after. They interviewed Joe. And I'm putting a picture up there. When they interviewed Mr. Delgado, as he's explaining, probably the same way to the FBI agents back then what actually happened at that location, one of the FBI agents was apparently noting down a picture, a diagram of what he saw. And actually, Joe mentioned that there was a -- well, let me get the better one here, not that this is real clear.

There's a telephone pole here with a fireplug next to it, a yellow fire hydrant, and that's where Mr. Delgado said he first saw the rising object. And then there's another telephone pole maybe one or two telephones poles over, where he said, well, that's the extent of what I saw between these two telephone poles off in the distance, according to this FBI agent.

Now, if you just take this rough sketch and say, okay, that's approximately 20 degrees, and then you analyze that with a Google Earth presentation, the collision occurred almost precisely where Flight 800 lost electrical power. And to convince you of that, this is a technology that may not have been available to the NTSB at the time, but this is Google Earth, and this is pretty much the FBI drawing, but these are now sightlines. Your red line is a sightline to the initial object, and the white line is to that other telephone pole that the FBI agent highlighted with the brackets. And with Google Earth, we can just zoom out.

As you can see quite clearly, Joe Delgado saw a collision precisely where Flight 800 lost electrical power. And

this is precisely where the initial debris plume recorded on the radar was recorded. So we have confirmation that Joe Delgado did see a separate object, not only that, but it was high velocity and it was heading southbound, confirmed by radar, and the point at which Mr. Delgado explained where the collision occurred was precisely where Flight 800 lost electrical power. Joe Delgado is an amazing eyewitness. You can't have a better eyewitness in this. When you have landmarks like that, okay, it happened over this telephone pole and exploded up over this house here, perfect eyewitness.

MR. HUGHES: Can I interject something?

DR. STALCUP: Yes.

MR. HUGHES: We have 577 people, 577 people who have given statements, very few of whom even knew each other, all of whom, for the most part, were in different places around about a 50-mile perimeter who describe seeing essentially the same thing at the same place at the same time. Now, the degree of detail varies. You heard Joe's account. We also have a highly decorated Air National Guard pilot who was a Vietnam SAR pilot, highly decorated, been shot at, been shot down in North Vietnam, who gave a lot of detailed information on what he saw. If you saw the documentary -- we sent you copies of it. Have you seen it? Have you seen it?

MR. ZOELLER: I watched some of it. I haven't watched all of it.

MR. HUGHES: Well, to fill in a lot more detail, I'd urge you to take a look at it. The point is, Joe's information was very valuable. It was confirmed by many, many, many people, and some of them had bits of information that other folks didn't, but they all confirm exactly the same thing, precisely what Tom just said.

DR. STALCUP: Yes, that's correct. And this information was available to the NTSB for four years before the NTSB's Sunshine Hearing, and for some reason -- actually, I might know the reason. Joe Delgado's witness summaries span months. There were two immediately taken -- one the day after, one the day following that -- and there was another one in May of 1997. There are three FBI interviews, and they have varying amounts of detail but each of them are consistent with what he saw, this object coming up. He drew a picture.

And there's one paragraph in his statement that has an error, an error made by a defense intelligence analyst or who whoever transcribed the FBI's account, where it said they visited the location of where Mr. Delgado was, without Mr. Delgado being present, and took bearing lines to what he saw, two bearing lines. And I'm going to put my pointer up here. Well, let's go back. Let's zoom in and go back to Mr. Delgado's viewpoint.

Do you see where my hand is right there on that? That's approximately two degrees separation from where he first saw the initial object. The first bearing line they took was here, which

was correct. The second bearing line they took was here, which is incorrect, but for some reason it was recorded. And there's only one paragraph. He has pictures and diagrams, which we'll show you later.

Dr. David Mayer, the current managing director, focused on that one paragraph at the Sunshine Hearing and stated Mr. Delgado said -- which he never did but Dr. Mayer said he did -- said that everything occurred between these two flagpoles, which were two degrees apart. First of all, there were no flagpoles. Those are telephone poles way off in the distance, and the closest ones weren't even two degrees apart. But he said they were two degrees apart, and since they were two degrees apart, he said everything had happened here, so he could not have seen the crash because Flight 800 crashed here. That's how they discredited Mr. Delgado after four years of time with the eyewitness accounts.

Now, I'm going to show you these drawings that are also in the account to see how well or poorly you think they could fit within two degrees of separation. Here's the picture he drew. The object went up, went over here, collided with a glimmering object, and the glimmering object came down here. Flight 800 was here, as we showed you. Flight 800's wreckage did fall in an easterly direction as the drawing depicts. Flight 800's wreckage was recovered right where his drawing depicts it fell. This is an incredible eyewitness and he should have been -- his account

should have been taken seriously and not distorted, but it was.

And just for further clarification we'll show you this. This is pretty much what he saw. This is his drawing. The object went up, collided with an object, the explosion occurred, Flight 800 fell. No one doubts that Joe Delgado saw Flight 800 fall. Everyone, even the NTSB, admits that. The different is what did he see first? And it's clear that what he saw first was not Flight 800. Flight 800 was heading east to Paris. The object he saw was heading southwest, according to him, and according to his drawing.

MR. TOCHEN: Can I just ask one question?

DR. STALCUP: Yes.

MR. TOCHEN: The paragraph that was in error, I assume, Mr. Delgado, that you were never given the opportunity to review and sign that?

MR. DELGADO: No, sir, I was not.

MR. TOCHEN: Okay.

DR. STALCUP: I don't think any eyewitnesses were given that --

MR. HUGHES: Well, no, and that's another problem. NTSB policy has always been, first of all, if you're doing an important interview -- and I used to teach interviews at their training school -- get a verbatim transcript, provide the witness with a copy. I used to give them two copies, and on one I used to make any corrections, sign it, and the other copy was for them.

There was never any confirmation of his witness statement, never any opportunity to review it, and there was never any NTSB investigator assigned to be able to, first of all, conduct the interviews, and secondly, to have reviewed them. For months and months and months we waited and bitched and complained -- it fell on deaf ears -- trying to get copies of the interviews so we could see what happened.

You know, you all know there are only three things that cause transportation accidents: people, vehicles and the environment. The people side of it was only one part of it, but if you do your job right things fit together. It's not any big mystery. It's not rocket science. And we were missing so much information by way of the witness interviews and technical data -- and he's going to get into the radar aspect of it soon -- that we couldn't put the picture together, and then all of a sudden things went down a dark hole.

You may be familiar with the fact that I testified before a Senate oversight committee, and I told the truth and my career went down the tubes. And that's fine. I accept that. But the point is everybody who had any conscience or intelligence at all could see that things were wrong. I investigated hundreds of accidents while I was here at NTSB, and I was always and have always been proud of the agency, but it was the most unique experience I ever had, and I think any investigator who participated would say the same thing. Things went wrong quick,

and there were so many anomalies and inappropriate behavior, especially with regard to the witness interviews, it was just incredible.

DR. STALCUP: That might be an exercise that we might recommend. It's not even in the recommendations, but go talk to the Boeing guys who are here, go talk to the TWA guys. Don't talk to the political leadership. Talk to the guys who were in the hangar with Hank.

A majority, would you say a majority do not agree with the official theory?

MR. HUGHES: Oh, without question. When you have people -- and I was a nuts and bolts guy, but when you have people like Col. Dennis Shanahan, who's internationally recognized as an expert in crash injury correlation, when you have the chief medical examiner in Suffolk County, Dr. Wetli, and I can go on and on and on, people say, yeah, this thing stunk; there was something wrong, and they can articulate, specifically articulate what was wrong and why --

DR. STALCUP: And who.

MR. HUGHES: -- and who, there's a problem. You know, for years and years and years people would ask me, you know, do you think it was -- no, I said there's been no physical evidence or other information developed that would say it's a missile. I said that until I retired.

And by the way, it took us 15 years to put this

together. I didn't wait to retire. That's something Mr. Goelz and I think Mr. Kallstrom decided, that I just waited to get my fat government retirement before I did something. I was prohibited by Board order, and you know it as well as I do, from saying anything to anybody about it. And I believe in fidelity. I stuck to the rules. But the fact is there were serious problems from day 1, and a lot of us decided we needed to document it, which is why we're here today.

But, you know, Bob has an extensive background in aviation safety and a distinguished military career before that, and he's a very patient, professional individual, but as time went on he and the rest of the group started to talk during the course of the investigation and we just couldn't understand why these strange things were happening, things that were absolutely contrary to any acceptable procedure.

DR. STALCUP: Let me just finish.

MR. HUGHES: Yeah, I'm sorry. I didn't mean to go off track there.

DR. STALCUP: Just quickly to finish Mr. Delgado's presentation, in May FBI agents visited Mr. Delgado and they presented him with a drawing of the official scenario. What you're looking at here is the official explanation of what Mr. Delgado said. Flight 800 exploded here, but that it became a streak of light when it started spewing flames while it was climbing, and, according to the CIA in their video, quote, "Looked

like a missile." And so, Mr. Delgado saw something climbing up from -- heading east and then exploding and coming down.

And they showed this to Mr. Delgado and they said, "Mr. Delgado, what do you think about that?" And you can read this in the file. He said, "Oh, that's pretty accurate except you're missing something," and he drew in the first part. He said, "Well, before that happened, something came up here and headed west." So, the object -- I think everyone can see from this picture, it's impossible for the official explanation of the rising streak to account for what Mr. Delgado saw, and dozens of other eyewitnesses.

And the CIA knew it before they presented their animation. This is an e-mail from the Missile and Space Intelligence Center to the CIA: "The witnesses who state that they saw an object in the sky moving from left to right, east to west, prior to observing any explosions cannot be explained as seeing any portion of the aircraft trajectory," quote. The other quote: "There are several witnesses that cannot be lightly disregarded and possibly may have seen something other than the aircraft." Now, these are the experts from the Missile and Space Intelligence Center, and the FBI.

The FBI agents on the ground, not the political leadership who brought in the CIA, but the people who were interviewing the eyewitnesses also e-mailed the CIA and said: "Witnesses observing left to right or east to west motion of

ascending something prior to an explosion have not been successfully explained," end quote. And also, "Some witnesses do report seeing something hit the aircraft." Because the CIA was saying that witnesses did not see that, but several did see a collision as you just heard here today.

And now, the southwest trajectory is very important because it not only conflicts with the trajectory of the aircraft but also supports the radar evidence. We also have Mike Wire, Paul Angelides, a former Marine helicopter crew chief whose name was redacted -- we couldn't get his name but he's Witness 364 -- and many others said there was an outbound object prior to Flight 800 exploding, getting to altitude, heading outbound.

This is now Witness 364. He drew a picture as well, and it looks awful similar to Mr. Delgado's picture. But it's interesting, though, he's from a completely different perspective. But you'll see why in a second. And here's the picture.

Just like Mr. Delgado, there was an explosion high in the sky, and from the explosion, he saw Flight 800 falling. So this right here is where Flight 800 was flying, and the explosion occurred after this object climbed, just like it's shown by Mr. Delgado. And from Witness 364's distance from the aircraft, you can determine that it was about 10 degrees above the horizon where that explosion occurred. And from that number, from this rough drawing, you can figure out that this is approximately 13 degrees.

Now, this witness also gave, like Mr. Delgado, a landmark over which he saw the initial object rise, and that was the Smith Point Pavilion. The red line is going directly over the Smith Point Pavilion. That's where he saw the object rise. And if you triangulate, it came from here and went outbound and collided here. And it just so happens, just like Mr. Delgado, the 13 degrees of separation is precisely where Flight 800 lost electrical power. His witness account is consistent with the radar data, Mr. Delgado's account, and the fact that there's something else in the sky, consistent with Mr. Delgado's account.

MR. ZOELLER: How far offshore in your triangulation here --

DR. STALCUP: Yeah, I believe --

MR. ZOELLER: That line looks black to me, but --

DR. STALCUP: Yeah, no, I think --

MR. ZOELLER: So, how far off -- no, not where you're at. Move your arrow --

DR. STALCUP: Oh, you mean from here to here?

MR. ZOELLER: No, no, on the --

DR. STALCUP: What just happened? Sorry.

MR. TOCHEN: It's a red line on your computer, but it's black on the --

MR. ZOELLER: It's showing black on the screen.

DR. STALCUP: Oh, I'm sorry. That should be red.

MR. ZOELLER: So where they meet, where the two lines

meet.

DR. STALCUP: Yes.

MR. ZOELLER: Right there. How far offshore is that?

DR. STALCUP: That's probably seven, six or seven miles.

MR. ZOELLER: And how deep is the water there?

MR. YOUNG: About 100 to 120 feet. 120 feet is where all the wreckage was recovered.

(Coughing.)

MR. TOCHEN: Anybody got water?

MS. SCHULZE: Do you have some?

(Interruption.)

MR. YOUNG: Yeah, the bottom's unique, Tom, out there. There's very little marine growth or anything else on the bottom. It's white sand. In fact, if you've ever seen -- I assume the videos are still available. The underground ROVs of where the wreckage sits, I mean, it's sitting on white sand and there's not any kind of vegetation or anything. That's all about 120 feet deep.

MR. ZOELLER: Okay.

DR. STALCUP: Should I continue even though one of the members of the NTSB is not in the room, or should we hold off?

MR. TOCHEN: Let's hold off for a little bit.

DR. STALCUP: Okay.

(Off the record.)

(On the record.)

DR. STALCUP: Okay. So, again, he confirmed Delgado's account. And as a triangulation point -- interesting thing about this triangulation point here is the direction. If this is where an object came from and you triangulate it and you take a straight line to Flight 800, that is almost perfectly southwest. Because you see over here north is that way. And again, that matches Mr. Delgado's account that the object was moving southwest.

Okay, Bob, you want to take over?

MR. YOUNG: Well, we mentioned earlier that we have statistics from the eyewitnesses, and they're taken from three different studies. There was an NTSB factual report done in 1997 by Norm Wiemeyer, who was an employee of the NTSB who unfortunately has passed away; and then the NTSB witness factual from 2000, that I was a part of the Witness Group; and then after that, Dr. Stalcup and one of his associates did an analysis of these two plus the eyewitness FD-302s that they got from the FBI, and basically they pretty much corroborate each other.

In the 1997 one that Norm Wiemeyer did, 94 percent said the streak rose off the surface. And then in the 2000, 93 percent with unobstructed views said the streak rose off the surface of the horizon. And then when Dr. Stalcup did his analysis of these two things plus the FBI 302s that he was able to get through FOIA, essentially 95 percent said the streak rose off the surface of the horizon.

So TWA 800, at the time of the event, was at 13,000

feet, so significantly more than two, almost two and a half miles above the surface of the horizon. So that's why it's our concern that in the final Sunshine Hearing and, actually, in the Board report, essentially the witnesses -- it was attributed to the witnesses that they actually saw the airplane in various phases of crippled flight after the explosion. And we believe this analysis, as I say two of the reports done by the NTSB and one done by Dr. Stalcup, prove conclusively that that's not what the witnesses saw.

DR. STALCUP: Okay. This is what I wanted to show and I can't show right now. My DVD player is not working, but I will discuss it.

When considering the earliest events, those witnesses who saw the early events, Mr. Delgado and many others, they all are consistent with an external detonation, some other object external to the aircraft, not an internal explosion from the center wing tank. And what Bob Young just said here is overwhelming statistics. Usually you hear about eyewitnesses that can't agree on anything, but they all agree on -- an overwhelming majority -- I'm using the FBI's words here -- saw something that was not the aircraft rise off the surface and cause the accident, and there explode at the aircraft; simultaneously the aircraft erupting in flames. So you would think there's a cause and effect relationship there.

We don't have the clip to show, but if you do watch our

documentary on Netflix, you will see current Managing Director David Mayer talk about Delgado's observations and distort them, along with the accounts of Air National Guard Captain -- or Maj. Meyer, and Chris Bauer, and many others. I think in the petition itself we request a thorough review of that Sunshine Hearing presentation by the Witness Group Chairman, Dr. David Mayer.

And we hope that is done, because not only will it support the inescapable conclusion that there was another object in the air, but it will also expose a very troubling series of misrepresentations and omissions of eyewitnesses who should not have been misrepresented but should have actually testified. But save them from testifying, they should not have been misrepresented. They should have been represented properly and accurately, and they were not. And we hope that you will review that Sunshine Hearing presentation and correct it, because that's on the record. The transcripts are there and all those statements have to be corrected.

Also, what Dr. Mayer did at this hearing was quote Psychologist Ira Hymen. This is a quote from Dr. David Mayer: "Psychologist Ira Hymen of Western Washington University has written that people do not simply retrieve their memory and replay their experience. He said that people combine knowledge from various sources with their own personal experience to create memory. In other words, all memories are under construction and

these constructed memories change over time."

Dr. Mayer was taking Mr. Hymen completely out of context. Mr. Hymen -- or Professor Hymen was talking about childhood memories that change over time, not memories from a plane crash, childhood memories. Those are the quotes that Dr. Mayer has taken completely out of context.

How do we know this? We spoke to Professor Hymen yesterday. From that discussion, we've learned from Professor Hymen, who said that, no, that was from my work on childhood memories. He told us that Managing Director Mayer was taking him out of context. He also said, "Well, if they're immediately afterward making claims they saw something come off the surface and they haven't been exposed to misinformation, then it's unlikely that those reports are all erroneous." He also said, "Without being misled, we should have as much confidence as we ever have in somebody's memory. People do generally remember things." The information about the trajectory of the streak of light and the sharp left turn just before the initial explosion are details collected during early FBI interviews, with no evidence to suggest that they were based on suggestions or misleading questions. This is, according to Hymen, the sort of information that you place greatest stock.

There are possibilities where people can insert things into people's memories, those things can happen, but when they give a detail about the trajectory of the streak that is not

prompted by anyone, and they all agree, those are the details we can take the greatest stock in. And that's what we're focusing on here, what was the trajectory of the streak? It was not the trajectory of Flight 800. So the witness accounts according to the expert who David Mayer has quoted from said those details and those accounts are what you should pay attention to. And if you do, you will see that it was not Flight 800, what these people were seeing.

MR. DELGADO: Can I just add something to that?

When I got back from the beach, I called the FBI right away in New York City that evening. We also called in the morning, and then somebody came to visit me within the next day. So within maybe 15 hours or so, 20 hours or so, I was talking to somebody, giving them my explanation. This is before Facebook, this is before Twitter, and personally this is even before computer social media like there is today, okay? So, I had no accounts of anything except what I know I saw. On the east end where we live, the radio station down there was claiming that two airplanes had hit each other. That's the only information that I had heard about this flight. So what I gave was simply pure what I thought was -- what I saw.

So this detail here, this explanation here by Dr. Mayer, and god forbid, if you're an attorney, you take that into court during a criminal case, because nobody's going to go to jail. Because if you can't rely on witness memory, how are you going to

send the criminal to jail? But anyways, not only -- I didn't have time for it to be -- for my memory to be enriched with other data or information. It was as clean as possible.

DR. STALCUP: Very good point. Okay. And also, the other important thing about eyewitness testimony is that if it's corroborated by other evidence, that's also very valuable. And as we've shown today, it's corroborated by the radar data.

Federal regulations require that our petition be entertained based on us showing that the streak of light was seen rising fast off the surface and heading southwest before exploding at a position consistent with what TWA Flight 800 was flying at the very moment it lost electrical power. It is a statistical certainty, based on the high confidence that Psychologist Ira Hymen and other memory experts place on memories such as the ones recalled to describe the trajectory of the streak of light, that the streak of light was not TWA Flight 800 in crippled flight. That is a conclusion you cannot get by reviewing the eyewitness accounts. Therefore, Finding 8 is erroneous because Finding 8 states that the streak of light witnesses saw was Flight 800. And since we've shown that Finding 8 is erroneous, our petition, based on federal law, must be entertained.

Okay. The staff isn't here, but I'll give a refresher -- I think it might be helpful -- of what the official theory is. The official theory is that the plane was flying along and this low-velocity eruption caused by a short circuit inside a -- fuel

vapor and air mixture inside the center fuel tank, not the wing tanks, the center tank, caused an explosion from over-pressurization, a deflagration, a low-velocity deflagration. The weakest part of the center wing tank is the front wall, according to Boeing, and in the official theory that's the wall that failed first. There's pictures of it in the final report. That front wall fell forward, knocked the wall in front of it, they both went forward, created a hole in the belly of the plane where pieces of wreckage just were sucked out.

And basically, if you can picture it, it's as if you had a dandelion and you threw it. Well, the dandelion spores, after the spores are exposed, you'd see the dandelion spores just follow it like a tail. That's pretty much the official theory. That is the official theory. That's not pretty much, that's what it is. And according to the official theory, there was nothing that exited the aircraft at subsonic, never mind supersonic, speeds at that time. All it did was just peel away, and a new analysis of the NTSB trajectory data shows that the official scenario matches this.

So, here is the trajectory data done by Dennis Crider to determine how the debris reached its final point in the debris field. Again, I'll just show you, this is Flight 800; it loses electrical power, and the pieces were peeling away. Now, as we see, they're going this way. This is not -- you don't really see speed here. This is just motion. You don't see velocity. But

that's all that was in the report. But thanks to -- I think it was speaking to you, Mr. Allen, who said that actually Ray Lahr was provided the software to generate this data. And I was able to extract the time data, which is very important because from that you can get the velocity data. And from that we created an animation which actually shows this data in actually two times the speed, and we'll show you that momentarily.

I'm going to stop it there. The circle is Flight 800 heading that direction, and you can see the wreckage. This is the official theory. You're watching the official theory. If this were a satellite viewpoint, you're looking down on it. This is what the NTSB says happened; debris was sucked out and became a tail. This is two times fast, so this actually would go slower than that. But that tail would slowly drift with the wind. And if we keep watching it, which I don't think I'll make you sit through, but this debris slowly ends up over here based on the wind. Let's compare that with the radar information.

MR. HUGHES: If you've read the final report, they talk about the red, yellow and green recovery zones. That's what this is.

DR. STALCUP: Yeah, that's the red zone.

MR. HUGHES: By the way --

DR. STALCUP: Let me just --

MR. HUGHES: Yeah.

DR. STALCUP: This has got to be done right after each

other. Let's compare that with the radar data.

Not even close. Not even close. Some event sent something southbound much faster than the NTSB official theory can account for.

MR. TOCHEN: Essentially, perpendicular to the flight path?

DR. STALCUP: Perpendicular to the flight path. But let me just keep on this same mode here. Remember that image. That's what we're looking at. I'm going to focus on the circle data now, okay? The black -- is that a black circle for you? Yes.

You see this is the data on that circle. Now, I want to show you -- remember, you saw it happening right now on the animation, but this is pretty much the wind direction. This stuff is drifting with the wind. After it was sent due south about a half mile at very high speeds, it then started drifting with the wind. It was very light debris.

The interesting thing when you view the radar data, it's kind of an interesting thing; you can actually subtract for the wind direction. So what I did here was I subtracted the wind off the data, and you can actually then see this actually debris cloud much clearer. This is about six minutes of debris, and it pretty much gives almost like a cone shape, as you would expect from some object moving due south and exploding. That's pretty much what the data shows.

And then I will show you animation. And if you'd like

to watch this one. Now, I'll explain why the cloud is that large in a moment, but the pink area, that pink -- okay, it's blue on the screen here, but this pink area is the highest density of this cloud. There were pieces over here, but it was a lower density cloud. But there was debris in this entire -- see, there's one here -- cloud. And the reason you're not seeing it all the time, just because it's falling through the air and it's an artifact of how radar sites work. And I'll explain that shortly.

But just briefly, as a piece of light debris falls with the wind, it's just creating this random flopping pattern. And if the radar site hits it -- if the radar antenna hits at the right moment where it's almost like a mirror reflecting back at you, that's when it shows up on radar. But all of the time it's not going to be shining right back. It'll shine over here; it's going to miss it. But when it happens to shine right back at the radar site, it will pick it up, and that's why we're seeing it kind of sporadic and random. But it's consistent with debris creating this cloud from some event from the north to south. And we can keep following it, but I think you get the picture here that this debris cloud continued on, moving in this direction.

An NTSB Air Traffic Control member from the original investigation of Flight 800, Jim Reilly, has independently confirmed that debris kicked out to the right just as the aircraft lost electrical power, inconsistent with the official theory as we've shown just previously. The radar expert identifies debris

that kicked out to the right.

This is a statement he just sent to me, I think yesterday or the day before: "I have reviewed the Petitioners' analysis of the FAA radar data and I'm in complete agreement with their findings and conclusions. As a member of the original NTSB Air Traffic Control Team during the investigation, it was evident that this was not a normal exercise in an attempt to determine the cause. There was a serious lack of sharing information by the numerous agencies involved, which resulted in the loss, compromise or suppression of potentially valuable evidence. I'm hopeful that the petition for reconsideration of the Board's findings is successful and results in a positive outcome."

I'm not going to read his résumé, but I include it here, and I'll give you a copy of the PowerPoint presentation to read through it, but it's quite -- he's highly qualified.

MR. HUGHES: Tom, could I add something here?

DR. STALCUP: Yeah, sure.

MR. HUGHES: And I think this is important, because the radar evidence is extremely critical. When we initially launched on the accident, the individual they sent up to be the ATC group chairman was not even a qualified controller. He was a nice guy, but he wasn't an investigator, but he was assigned to air traffic control.

Nothing happened for a couple days. The FAA, if you remember, was working with the data at the tech center in Atlantic

City. At any rate, I realized what was going on and we had a meeting with Chairman Hall, and at that meeting I gave him, in front of the entire team, including this guy that was assigned to ATC, and everybody was in agreement, including the IIC, I said, "Look, we need the best ATC person we can get, and that happens to be Mike O'Rorick, retired NTSB. And Mr. O'Rorick is incredible.

I gave Mr. Hall the paper and I said, look, I've already talked to Michael, you know, he doesn't want money, he wants to do it out of a sense of patriotism. You know, anything he can do to help, he'd be glad to. He'd been retired for a year or so. To make a long story short, Mr. Hall, for whatever reason, never called.

Three days later, I was in the hangar. And being a nuts and bolts guy, I complain about a lot of things, but I also like to get things done. Jimmy Kallstrom was standing there, the FBI's assistant director, and he says, "Is there anything we need to cover that we haven't?" I said, "Yeah." I said, "We need an ATC person on this." I said, "For that matter, we also need to look at VTS data." And he said, "What the hell's that?" I said, "Vessel Traffic Services, Coast Guard surface traffic." And he said, "Well, do you have anybody?" I said, "No, but if you want one" --

Twenty minutes later the FBI contracted with Mr. O'Rorick as their air traffic control consultant, somebody we could have had for free. But as a result of that -- and

Mr. O'Rorick's work is impeccable. We take no exception to the work he did. The problem was it went to the FBI and got funneled through them back to us. And then, of course, we still didn't have a good ATC person working on the Safety Board side, and then they gave it to an aircraft performance specialist who didn't know what the hell to do with it. Excuse me.

Bob, would you agree with that?

MR. YOUNG: Well, I mean, I wasn't involved in the deal when you and Mr. Kallstrom did that. But Mr. Reilly was my ATC guy at TWA. He was our guy. He had 30-plus years with the FAA, and when he retired he was in charge of quality assurance for Miami Center in Florida. And basically what those folks do is they adjudicate things like near misses and stuff like that. So he's quite, quite experienced with the capabilities of ATC radar. So that's why he's kind of helping us out here, so --

MS. SCHULZE: Bob, can I just clarify? So Jim Reilly was a, he was a TWA group member?

MR. YOUNG: He was a TWA employee and a member of the ATC group. Yeah, he was TWA's representative on the ATC group.

DR. STALCUP: Okay. Anyone want to take a stab, a guess at what this is? It looks kind of random, doesn't it?

It's pretty much a chafe simulant. It's similar to the cloud we were watching. Like I was explaining earlier is, material -- the chafe for example, is flat and reflective. Look at it like little flat pieces of paper that are mirrors. Like

confetti, you throw it up in the sky and, you know, you see it twinkling as it comes down. What are you seeing, really? Well, if there's a light directly behind you, you're going to see the flash only when the flat piece of chafe is perpendicular to your eyes so that you can see the light behind you.

So you're just seeing flashes, and it seems random. That's because it is, because the paper or whatever it is, is rotating randomly. And so this simulation which we did a few days ago is fairly good analogy for what was on radar. Pretty much, you know, there was -- there's debris everywhere, right? There's debris right here even though you don't see it, but maybe you'll see it on the next slide.

You see? So it depends -- it's just a random -- and that's why you see the random pattern in that debris cloud. The debris cloud existed. It was picked up as, it seemed, random spots, but it's perfectly explainable and most likely -- or not even most likely -- it's based on well-understood phenomenon of radar, and this is actually from an FBI report which shows exactly this phenomenon.

Something called a TRL run length is based on -- it's a very high value if it's perpendicular to you, just like the flash of the mirror or the piece of shiny paper. And then, if it's like this, you may not see it because the TRL gets lower. If it's parallel to you, you'll very likely not see it. And, in fact, FAA radars are designed to filter out smaller objects, unfortunately.

But actually, if you're trying to get 747s to land, you don't want to be cluttered up with flocks of birds and things like that, so there's a reason for filtering out small objects. But, you know, that debris cloud that you saw would have been a lot busier had the FAA turned off their filters. Do you understand what I'm saying?

And there's the cloud that we showed you in the animation, and it matches, pretty much, the wind-subtracted data from this event.

And like I said before -- I'm just belaboring the point -- it confirms the eyewitness accounts of a southbound object. It's not from the official deflagration. It's impossible, actually, to be from the official theory, physically impossible because the official philosophy is low velocity and forward moving; this was high velocity and southward moving, or rightward moving. Okay. And this, again, is another reason, per federal regulations, to entertain our petition.

This discovery of new evidence, this analysis of the debris cloud, was not isolated by the NTSB and studied. This is the new evidence that we presented, and per federal regulations, you must entertain a petition strictly based on that. Secondly, since it contradicts the finding that the -- it confirms the eyewitness accounts and it corroborates their accounts, Finding 9 -- or Finding 8 is also shown to be erroneous.

So, this is sort of where we're left. There's more

coming, but I just want to stop here and really focus on those bolded statements in the center there. The radar data is your data. It's the FAA's data. It's the NTSB -- it's from the NTSB investigation. It's in the public domain. It's not going anywhere. So since it's not going anywhere, and since the laws of physics will never change, there's only one thing that has to change, and that's the probable cause.

If you keep the probable cause the way it is, the laws of physics will forever prevent the current NTSB probable cause determination from accounting for this evidence, this data, which cannot be influenced by memory errors. This is evidence, and it's there, corroborated by five, six different radar sites. This event happened. Radar experts confirmed it. And so, there's only really one choice. And if the choice is -- if this is just swept under the rug or ignored again, we'll be right back here again a few years from now, and it doesn't need to happen. I mean, the mistakes were made back then, obviously. The CIA came in. They shouldn't have been in. Why were they here? Why did they preempt the NTSB hearing? Why did that happen? You know, those were mistakes made.

Getting on the CIA, for example, a letter from George Tenet to Chairman Hall thanked Chairman Hall for having David Mayer spending 16 months with their lead analyst to work with the eyewitness information. Now, this 16-month period happened before David Mayer was eyewitness chairman. This

happened at a time when Norm -- he wasn't even in the Eyewitness Group. What was David Mayer doing at the CIA working on eyewitness information when he was not Eyewitness Group chairman?

MR. HUGHES: He was changing evidence tags in our hangar. I can tell you that for a fact.

DR. STALCUP: Well, let me just finish -- again, let me just finish this thought. And low and behold, the original Eyewitness Group chairman gets knocked off the group and is replaced by David Mayer and the CIA's theory for what happened rules the day. This is documented. I can give you the letter from George Tenet if you'd like. This happened. And if we have to make another documentary to show this part of the story, we will, but we shouldn't have to do that.

MR. HUGHES: There's also a letter from Mr. Kallstrom, the deputy assistant director of the FBI, to Chairman Hall a day before -- a couple days before the hearing, and we can provide you with that, too, instructing him not to allow any witnesses to testify at the hearing.

DR. STALCUP: Five days before the --

MR. TOCHEN: This is the Baltimore hearing?

DR. STALCUP: Five days before the factual hearing.

MR. HUGHES: Fact hearing. You've been involved in public hearings. Why wouldn't you want witnesses, especially if they're veracity wasn't questioned?

DR. STALCUP: And if there's 670 of them. Anyway, this

all happened.

MR. HUGHES: And again, we've got the documents. We've got, you know, the --

DR. STALCUP: But like I said, the witnesses aren't going anywhere. The radar evidence isn't going anywhere. There's only one thing that has to go, and that's the --

MR. ZOELLER: Let me ask a question. I'm sorry if this is a dumb question, and maybe I misheard. Can you go back to your radar data?

DR. STALCUP: Yeah, sure. This one?

MR. ZOELLER: Well, even back -- you had the animation.

DR. STALCUP: Oh, you want to see the animation?

MR. ZOELLER: Well, what I'm trying to -- I mean, you've got a lot of documentation here about the debris radar, but I'm missing the point. Where's the radar that shows the trajectory of this item, this missile?

DR. STALCUP: Before it exploded?

MR. ZOELLER: Yeah.

DR. STALCUP: That's a very good question. Like I said -- I'll go back to this graphic and show why it wasn't showing on -- radar -- missiles -- what are you -- what was the question? I want to be very specific. The object. We'll call it an object.

MR. ZOELLER: Right. So you've showed all the radar of the trajectory, so you've got the radar --

DR. STALCUP: Let me just --

MR. ZOELLER: -- that shows the -- well, wait a minute.

DR. STALCUP: Okay. Sorry.

MR. ZOELLER: You've go the radar plot of the flight going, and then you've got all the debris field, but nowhere before do you show the radar track of something hitting the aircraft.

DR. STALCUP: Right. The NTSB, in 2000 --

Was it, April, Bob?

MR. YOUNG: Right.

DR. STALCUP: Did a missile visibility study in Pensacola where they fired three missiles and had the radars running. None of the missiles were detected on the radar until they exploded. The reason --

MR. HUGHES: That -- oh, go ahead.

DR. STALCUP: Just to finish my thought.

MR. ZOELLER: Is that because it's too low to be detected on the radar?

DR. STALCUP: Yeah. That's why I'm showing this graphic. Let me -- if you threw up, instead of flat pieces of paper that were shiny, cylindrical pieces of paper that were shiny, or cylindrical objects that were shiny, you wouldn't see those flashes anymore. You'd just see thin little lines falling down and they would never flash at you. They would never be strong enough for the filters of the FAA radar to record. The FAA

radar would have picked it up, but they would have said, "That object is too small. I'm concerned about these airplanes. I can't deal with it. It's probably a flock of birds" -- you know, it's the computer saying this, of course, right -- "I'm going to filter it out." And that's why the objects were not recorded in Pensacola when the Witness Group went down there, and that's most likely the reason why the object was not recorded here.

But most significant is this data is corroborated by the missile test in Florida. The object was not recorded until it exploded, which is completely consistent with what happened down in Florida.

MR. HUGHES: The missile test also included things other than missiles, and part of the study was to place people in different locations and have them try to identify whether they saw a missile or not. What was interesting was the report on the missile study indicated just the opposite of what the truth was. The fact was they were able to identify a missile when they saw it rise up from the ground --

DR. STALCUP: Everyone saw it.

MR. HUGHES: -- as opposed to other objects, every single one of them, yet the report didn't reflect that at all.

DR. STALCUP: Yeah.

MR. YOUNG: And the report wasn't finished until after the Sunshine Hearing, by the way.

Tom, a quick answer to your question, too, the night of

the event, the FAA was so concerned with some things that they'd picked up on their radar and their NTAP data that they notified the White House Situation Room, because they were concerned that they'd seen something on their radars that indicated an object.

Well, upon analysis, the fact is that these radars, as you well know from your previous life, a lot of times won't pick up little airplanes and things like that, and that's why we have problems with air traffic control. They're optimized to pick up secondary targets, things with transponders, and small cross-section things like a cylindrical object or a little airplane a lot of times the radars won't pick up, and that's because they're not optimized to do that.

And after they sent this to the White House Situation Room on December -- or July 17th, they looked at it in analysis and said, you know, these are anomalies of the radar, they're not objects. So that actually happened the night of the accident -- or the event, I guess. But they're not optimized to pick those things up, so --

DR. STALCUP: Yeah, like I'm looking at your pen now and I'm seeing the reflection, and the reflection is a straight line that's coming off the -- know what I mean?

MR. ZOELLER: Yeah, but I don't think a pen would have taken down an airplane.

DR. STALCUP: Well, you know, it's the same idea. It's a cylindrical object.

MR. ZOELLER: I don't want to belabor the point.

DR. STALCUP: Okay. Okay.

MR. ZOELLER: Okay. I mean, I guess the question is, if FAA radar can't -- is not optimized, are there other government assets that would be able to do a better job?

DR. STALCUP: That's one of our recommendations. We have a FBI --

MR. ZOELLER: That was not consulted or reviewed in the process?

DR. STALCUP: That's a very good question. Because our request to you today is for you to request to the DOD the classified military and DOD radar data, because we believe that there are some folks here at the NTSB with clearance who can review that data.

MR. HUGHES: And traditionally, unless they got cheap again, the ATC investigators had a Top Secret clearance. I would hope -- and I'm sure some of the folks in AS would have, be able to have access.

DR. STALCUP: Yeah, and I have heard that those radars can pick up missiles. So that would be good. Or objects. Let's call them objects for now.

All right. We can talk about spike tooth fractures for a moment.

MR. ALLEN: Could I ask a follow-up?

DR. STALCUP: Sure.

MR. ALLEN: You said that the day of the incident air traffic control saw something on their screens that they thought warranted calling the White House?

MR. YOUNG: They thought they saw something and they were quite concerned about it and they actually sent it down to the White House that night.

MR. ALLEN: And these were the air traffic controllers in the five towers in the --

MR. YOUNG: Yeah, this was at New York Center, actually, which is on the --

MR. ALLEN: Where are those images on the radar screens? On the radar plot, I'm not seeing those images.

MR. YOUNG: Well, they're not, because they looked at it and they determined that it was anomalies in the radar. So it wasn't even included when the analysis -- it's called NTAP data. When the NTAP data was provided to the groups, it wasn't even included. Because the radar does -- radar is sensitive to temperature inversions. It's sensitive to all sorts of different things, and they looked at it and said that this isn't an issue, so --

MR. ALLEN: So you're saying that that plot that you showed has been edited?

MR. YOUNG: Well, it's not been edited. It's just that their system, when they create this what's called NTAP file, it takes things out that it doesn't think are relevant.

MR. ALLEN: So that image is not what they saw on the scopes that night?

MR. YOUNG: No, that's not the raw data, certainly not.

DR. STALCUP: Wait a minute. They saw it real time?

MR. YOUNG: They saw it that night and they were concerned enough when they reviewed it to send it down to the White House.

DR. STALCUP: Okay.

MS. SCHULZE: And it wasn't recorded --

MR. YOUNG: I don't know --

MS. SCHULZE: -- it wasn't recorded? This is based on their statements of what they saw on the scope?

MR. YOUNG: This was a couple things that were said the first day or two when we were having meetings at the hangar. And the only person that would probably own up to it, if you can get him to talk, is George Stephanopoulos, because he was in the White House Situation Room that night, so -- and indicated he was, by the way. He didn't indicate necessarily for that reason; it was for 800 in general. You won't find any documentation that says, "Hey, we thought we saw something, we sent it down, and on analysis we decided it was irrelevant," but that's exactly what they did. Because the radar does have anomalies; it's not a perfect science, as no science is.

DR. STALCUP: Spike tooth fractures quickly, Bob?

MR. YOUNG: Sorry.

DR. STALCUP: That's okay. Spike tooth fractures, here's what they look like. This is on the left wing landing light surround structure. I did a little research. This is caused by something breaking so quickly that it acts almost like putty. It's no longer a metal; it becomes almost a liquid, and as it pulls apart so quickly, it creates these spikes. And according to the NTSB's Exhibit 7-A, Structure Group Factual Report, characteristic indicative of a very rapid strain rate produced by a high-energy event. There were on high-energy events in the official crash sequence, so we'd like these spike tooth fractures to be revisited to explain exactly how they occurred.

I did speak to Jim Wildey about this. He was a chief metallurgist for the investigation. And he didn't quite understand it either, but he said, well, perhaps they were created on ocean impact. And the only problem with that theory, though, is that on ocean impact a lot of the pieces were floating down like leaves, so they wouldn't hit the water very fast, especially the red zone parts. All the red zone parts were fluttering down like leaves. You're not getting a spike tooth fracture from that impact.

So the evidence is, based on the spike tooth fractures found on pieces in the red zone, were that they occurred in midair. What event in midair was a high-energy event? There wasn't one in the official theory. The eyewitnesses saw one. The radar evidence picked one up. So the spike tooth fractures

confirm this high-energy event in midair, which was well observed and recorded on radar, not created by water impact.

We highly recommend that these -- it's actually a pretty simple test. Again, through my research, I found that there's people around the world who have machines that can just make things go very quickly, actually mechanical machines, not even with guns, to create fractures. And but turn one of those machines on, see how fast you've got to get something to move, what size, what shape it is to create these fractures. Try to duplicate it. Get some front spar pieces from the center wing tank, which had some of these fractures on it, maybe spanwise beam 3 that was found in the red zone with spike tooth fractures, parts of that were. Let's see. Let's see.

Now, the center wing tank, according to Sandia Laboratory -- not Sandia, was it -- yeah, in New Mexico -- was a 100-meter-per-second explosion, at maximum. So if you find that the spike tooth fractures were created by something that went faster than 100 meters per second, you have to throw out the official theory. And I have a sneaking suspicion that the spike tooth fractures were generated by something going much faster than 100 meters per second. But that can be determined, and that avenue of investigation has not been pursued, but it should be.

MR. HUGHES: If you contact ATF, they have more experience probably in explosives investigation than any other government agency. They'll tell you that when you have spike

tooth fractures and gas washing, you have a high ordnance explosion, not a deflagration. You know, and that's a potential resource. But I, having gone through their school back in the '70s, can tell you -- and I've blown a few cars up and things and had a chance to look at a lot of this stuff, especially in my law enforcement career -- spike tooth fractures and gas washing are indicative of high ordnance explosion, not a deflagration; supersonic, not subsonic.

Would you agree with that, Tom?

DR. STALCUP: The literature suggests that, and there is no literature to suggest that a low-velocity explosion can cause spike tooth fractures. There is just none, and Jim Wildey admits this.

So, again, our petition must be entertained due to our discovery of new evidence and our subsequent analysis and presentation of this evidence to staff members, that new evidence being spike tooth fractures found on debris items that were in the red zone. The red zone being the earliest debris field associated with the initial event.

Finding 9 is therefore erroneous. Finding 9 says it was a low-velocity explosion. Well, if it was a low-velocity explosion, you can't have spike tooth fractures. So, all you have to do is do that simple test that I told you, or I recommended, and you will, I believe -- well, I don't want to put words in your mouth. I think the test just should be done. And if it does

indeed disprove the probable cause, then the probable cause must be reconsidered based on federal regulations.

Okay. Bob Heckman. This is -- quickly. I know we're getting late. Explosives were found all over this plane. The NTSB just noted three explosive residues on the plane. They were all over the place. Heckman said they found lots of explosive traces everywhere, but he dismissed them as being false positives. We interviewed the inventor of the EGIS machine, who said the EGIS machine rarely -- this is a quote, "rarely, if ever, gives a false alarm." FBI lab chief -- a former FBI lab chief, Frederic Whitehurst, confirmed this, that the EGIS did not give frequent false positives.

Okay. Therefore, our recommendation is find out from the FBI, request from the FBI all the positives that were found on this aircraft, where they were, and so that we can document them and find out if there's any pattern to where these traces were found. Because they're all significant, and they all mean -- the EGIS machine -- this is physics, so it was interesting interviewing this person. He was surprised that I knew this. I'm not going to explain it here, but it's very, very accurate. When you get an alarm, it's extremely specific. You can actually know the molecule that's -- he can say -- when the EGIS machine goes off, it won't just tell you explosives are here, it'll tell you the exact type of explosive. It'll say PETN is here.

MR. ZOELLER: Is that -- essentially does it use GC/MS

technology?

DR. STALCUP: Gas chromatography.

MR. ZOELLER: Yeah.

DR. STALCUP: Yeah, yeah.

MR. HUGHES: It found over 100 hits, 100 positive.

DR. STALCUP: Yeah, around 100, I think is what he said. And so, that's a lot of explosives -- well, it's not a lot of explosives; they were very small amounts but they were widespread throughout the aircraft, consistent with an object not exploding on impact but spreading its --

MR. HUGHES: Yeah, at the time of the on-scene investigation, they produced a letter at -- well, first, they said we found evidence of explosives, and then they retracted that and had the FAA security guy do a retraction in public, which I'm sure was painful, saying that they had had a K-9 training session on that airplane and that inadvertently some trace residue had been left on the airplane. Well, we contacted the officer that did the check. We also went back and looked at the letter. The letter never specifically mentioned that airplane. There's no indication that he left anything on the airplane. And, in fact, he's retired now. But, you know, we ran that down too, and again it was, you know, information that was suppressed.

DR. STALCUP: Yeah, there is information --

MR. HUGHES: And it's quite clear that there was an intent to do that.

DR. STALCUP: There's information on the NTSB docket about this. The only problem with it is he was interviewed by NTSB personnel, but there was no recorder present. It was a summary of interview, and he challenges some things in that record. I think he should be re-interviewed on the record. He challenges the fact that -- the notion that he spilled any explosives at all. I think he needs to be re-interviewed.

MR. HUGHES: Whether it was even the airplane. In fact, we have the documentation from the airport as far as the manifest and the dispatch information that shows that wasn't the airplane.

DR. STALCUP: Well, it's conflicting information. The FBI has one set of times he was on the aircraft; the NTSB seems to have a different set of times. It would be good to make sure that -- compare them both and see which one's wrong. That would be good.

Okay. Well, Dr. Joseph Kolly mentioned that the explosive traces would have dissipated in water, and he cited an NTSB final report from this crash, which itself cited a study done by -- I forget, someone in the FAA, where they took explosives, rubbed it on some wreckage and threw it over a dock in, I don't know, a few feet of water in the bay of New Jersey, and found that the explosives dissipated and said, okay, well, this is what happened. Even if there was some kind of device that caused this, all of the explosive traces would have dissipated in the water and they would not have resulted in any positives at all. But that

study also found out that microbial life was a major player in dissipating these explosives, and so this whole test has to be thrown out and cannot be relied upon in any fashion to represent wreckage that fell in 120 feet of water, 8 miles off of Long Island.

And I have looked at the research and microbial life distributions change dramatically from one year in a high-nutrient marshland of New Jersey to pretty much a desert of sand and not much nutrients on the bottom 8 miles out. I can't say a desert. I mean, there are some nutrients in there, but they're not comparable to a marsh.

MR. KLEJST: So, when you submit this presentation, you'll be making a correction to the date that you have present?

DR. STALCUP: What did I do?

MR. HUGHES: 2014.

MR. KLEJST: It's in the future and has not taken place yet.

MR. ZOELLER: We're in 2014.

DR. STALCUP: Yes, noted. I will correct that to July 2013.

MR. KLEJST: Thank you.

DR. STALCUP: Yes. Thank you. Okay. So that statement has to be, I guess, retracted, I believe. Explosive traces, high-energy event, other evidence -- and, of course, it corroborates everything else: spike tooth fractures, witnesses, radar data,

you know, as evidence of an explosive event, high-velocity explosive event, and all the evidence dovetails. It fits like a glove.

Let's see here. Where am I getting this? Okay, required in federal regulations -- okay. Okay. All right. The question is, you know, did the eyewitnesses see a missile? I'm sorry, that's not the question. The question is did the eyewitnesses only see Flight 800? Regardless if they saw a witness or not, the NTSB says the eyewitnesses only saw Flight 800. Did they? I think today you've seen that that is not correct; that they did not. I mean, they saw something that went in a completely different trajectory, and based on the expert in memory, Dr. -- or Professor Hymen, the trajectory that they described is one of the most important and highly reliable parts or details in their accounts.

And that makes Finding 8 erroneous. Now, the probable cause is erroneous because there was no high-velocity event. Finding 9 is erroneous because it pins the blame on a fuel-air explosion. Everything we've presented today was information sidelined, dismissed, misrepresented, overlooked -- I could use a number of words -- for some reason by the original investigation. That should not be. You don't do that. Evidence, all evidence is significant. All evidence should be taken with the exact same value in the beginning, and not thrown out just because it doesn't fit a theory.

Hank has some recommendations. I didn't know if you wanted to --

MR. HUGHES: No, go ahead.

DR. STALCUP: Shall I go ahead?

MR. HUGHES: Yeah.

DR. STALCUP: Okay. These are our recommendations:

Reopen the investigation and thoroughly document the facts, circumstances and evidence in an effort to determine an accurate probable cause determination.

Request and thoroughly analyze all and any classified DOD radar data which potentially can provide additional trajectory information of any wreckage or objects in the area of the event.

Request that the FBI return any and all wreckage items, samples, analyses, and/or documentation in their possession that relates in any way to the investigation of TWA Flight 800.

Fully review this material and information and make any and all such reviews publicly available. This material should include a videotape of an apparent object rising off of Long Island five days before the crash. Ten copies of this video were made and internal FBI documents show they were sent to the deputy assistant director of the FBI in New York, in the New York office.

MR. HUGHES: Mr. Kallstrom.

DR. STALCUP: No, deputy, his deputy.

MR. HUGHES: Oh, deputy.

DR. STALCUP: Deputy. Ten copies were made. I'm

certain they must have one, and I think the videotape should be analyzed.

Full documentation of the evidence and information in C above, which is the wreckage items for the FBI, must be made public and should be thoroughly analyzed by competent NTSB personnel.

Publicly correct all misleading and erroneous statements made at the July NTSB media briefing. And that's important. We mentioned Joseph Kolly's statement that was made at the media briefing. But there are many other misleading statements at that briefing as well, which we have a separate e-mail to Mr. Tochen about, and hopefully we can correct some of those statements by working together, maybe a joint statement somewhere.

Conduct tests to determine the likely object sizes and minimum velocities required to create the spike tooth fractures.

Something I didn't discuss but is significant -- someone send a team down to the training center in Virginia, get a sample of the splatter pattern on top of the center wing tank and test it for explosives. There's no indication that was every done.

And since I didn't discuss this, I'm just going to quickly explain what the splatter pattern in. The documentary explains it quite well, but the NTSB group -- there's a Splatter Group that was formed to analyze the pattern that was splattered on top of the center wing tank, and that group, led by the Fire and Explosions Group Chairman, Dr. Birky, concluded that it most

likely was deposited by a high-temperature event prior to the fuel-air deflagration.

And the reason they did that was because when they pieced back the center tank together like a puzzle, it was a continuous pattern across all the broken pieces. So whatever deposited this melted material did it before the tank broke apart, and so they had no other conclusion to make but that. Those field notes were -- like the eyewitness evidence, like the radar evidence, like the spike tooth fracture evidence, was pushed aside and they charged forward with the physically impossible probable cause.

MR. HUGHES: Dr. Birky's been working with us. I don't know whether you knew him or not, but, you know, when we had an opportunity to provide him with new information that he hadn't had before, he concluded that a lot could have been done and should have been done that wasn't in terms of testing. And, you know, he was very reasonable about it. He examined the information and we gave him an opportunity to deliberate on it, and he agreed with us.

DR. STALCUP: And just three more:

Reanalyze all fractures and holes in the aircraft which appear to have been created by objects originated outside the fuselage, wing, or other skin of the aircraft. State publicly the most likely external points of origin relative to the airplane of all such objects, and do not focus solely on holes with high-

velocity characteristics, as those were created by shoulder -- those are the types of characteristics that are created by shoulder-launched missiles. There's a whole other type of missile which does not explode on contact with the aircraft, and that type of missile creates the low-velocity holes. And so, if you have a low-velocity hole coming from outside the aircraft inward, you should not ignore that. That should be documented.

And then request from the Office of the Secretary of Defense, the Missile Defense Agency, and the Department of Operational Testing and Evaluation all information, classified or otherwise, related to tracking, testing, and/or other events related to possible foreign or domestic missiles in the northeastern United States.

Request from the Office of the Secretary of Defense and the Special Operations Command a full and complete accounting of any and all Special Forces activities within 50 nautical miles of where Flight 800 crashed before, during, and/or after the crash, whether it's classified or not.

Now, the Navy, they documented that the Navy SEALs were in -- and the reason this request is in here is because the Navy admitted -- or didn't admit, they wrote that the Navy SEALs were involved in the wreckage recovery efforts, but there's been no accounting for what they recovered or what they did. I mean, that is relevant to the determination of what may have caused this crash. It is all the wreckage, not just wreckage recovered by the

main Navy divers. If the Navy SEALs recovered certain pieces of wreckage that did not make it to the NTSB, that could be difficult for your investigation. You have to request that all wreckage recovered during this investigation be provided to you as the agency charged to lead this type of investigation.

MR. HUGHES: Presidential Executive Order precluded any naval personnel, the divers, the SEALs, guys on the ships from discussing anything, which is interesting too.

DR. STALCUP: I think it was just a Naval Special Warfare Command, Navy Development Group. It's a specific SEAL group they did that for, I think.

MR. HUGHES: It was all the divers.

DR. STALCUP: Oh, was it? Okay.

MR. HUGHES: Yeah.

MR. TOCHEN: I'm curious; did you file Freedom of Information Act requests with the Department of the Navy?

DR. STALCUP: Yes. Yes, I have done both. But I thought if you guys did, too, that would be very helpful. I've asked for this information through a FOIA request from both the Office of the Secretary Defense and the Missile Defense Agency and Navy SEALs Specialist Command. So I'm working on it, too. But I think -- if I get it, I'm going to give it to you anyway, so I think it would be very -- they would more likely give it to you than me, I would think, especially since it's your job -- or you were mandated by Congress to be the lead agency in this crash

investigation. I think they should provide that information to you. And I'd be fine not receiving it as long as you guys receive it and it's analyzed properly.

But I think that pretty much ends the -- I just want to leave with this thing. Like I said in the beginning, if anything you walk away with today, walk away with this image, that -- it's in Exhibit 13-A of then NTSB public docket, of a debris plume which has not been explained by the official scenario, and physically cannot be.

MR. HUGHES: Can I ask you a question? And obviously, you don't have to answer it. How many transport category airplanes have had center fuel tank explosions in the history of civil aviation?

MR. YOUNG: I would add to that, Hank, in flight.

MR. HUGHES: In flight, yes, in flight.

MS. SCHULZE: Do you have that information? Are you --

MR. HUGHES: Pardon?

MS. SCHULZE: Do you have that information?

DR. STALCUP: Bob knows.

MR. HUGHES: Yeah, we do.

DR. STALCUP: Bob knows.

MR. HUGHES: Bob can tell you all about it.

MR. YOUNG: I'll give you a 30-second synopsis. The first commercial jet flight was in May of 1952, with a British Comet. And the fuel that was used prior to the mid-'60s was a

very volatile type of fuel called Jet B, which is a combination of kerosene and gasoline. It's JP-4 for those of you who have been in the military. It's very combustible stuff because it's a mixture of gasoline and kerosene.

Because of several accidents in the '60s, the commercial airlines stopped using Jet B and started using Jet A. Now, since 1952, since the first Comet flight, until getting here this morning, the occurrences of in-flight fuel tank explosions with airplanes fueled with Jet A, which is what the commercial airlines use now and have since the mid-'60s, the total, if you count Flight 800 as one, the total is two.

And the other one was, you'll find it in your Board reports going back, was an Avianca 727 in 1989 out of Bogotá, Colombia. And what happened is the FARC, which is a terrorist group down there had been having little problems with the Colombian government for a few years, placed a small bomb under a seat in the airplane. And after the airplane took off, the bomb went off, impinged through the floor of the cabin and was right over the center tank, and that caused the fire and the destruction of the airplane.

So, there have been some on-ground events with 737s specifically, but for in-flight fuel tank explosions since 1952, there have been two. If 800 is counted as one, there have been two, and the other one was caused by a bomb.

MR. HUGHES: It also took the FAA over eight years to

make any correction on Flight 800.

MR. YOUNG: The fuel tank in --

MR. HUGHES: Which tells you something about --

MR. YOUNG: Actually, it was more than eight years.

MR. HUGHES: -- their corporate thought on the matter.

MR. DELGADO: And I think if you took the time to talk to some of the witnesses like myself, I will tell you 100 percent, without any doubt in my mind, that I saw something rise up behind those tree lines and actually go in that direction. I saw it, and you can't take that away from me.

MR. HUGHES: If you haven't seen the documentary, I'd urge you to look at it. It does have a lot of useful information, especially information from the witnesses, along with the technical experts that we consulted.

DR. STALCUP: I brought DVDs. I can give each of you a DVD, if you'd like.

MR. TOCHEN: Mr. Hughes has provided a copy to us.

DR. STALCUP: Oh. Well, I made everyone -- I brought 10.

MR. TOCHEN: Okay. We'll get back to you on that. I mean, you know, if there actually is -- you know, whether we have to accept that as a gift or --

DR. STALCUP: Oh.

MR. HUGHES: No, no. No, as far as we're concerned, it's technical information that would, you know -- with the

exception of Tom, we're just a bunch of old guys that want to get it right. We have no profit motive, nothing to gain. In fact, to be quite honest, we've given up a lot to participate in it. It's just something that we believe in. And we're not going off half-cocked; it's based on absolute documented facts. You challenge anything we did and we'll be glad to -- gleefully provide you with backup documentation.

MR. TOCHEN: Well, thank you. There is one issue I would like to address on the record. We had a conversation off the record and Mr. Klejst had raised an issue about the information you provided today, you know, supplements your petition for reconsideration, and you indicated that there's some information that is new. We'll need to discuss among ourselves and get back to you quickly, you know, how we should best handle this. You know, it may be that, you know, we would ask that you provide this information to the parties similar to what you did under our requirements when you filed the petition, but we'll talk amongst ourselves and get back to you.

MR. HUGHES: If I might ask, based on our meeting today, are you going to provide the technical staff with the information so that they can help you in your deliberations as far as whether you feel it's significant or not?

MR. TOCHEN: Yes.

MR. HUGHES: As I said earlier, you know, we have one technical person here, so --

MR. TOCHEN: Yes, certainly.

MS. SCHULZE: Yeah, we appreciate you coming in today, and we certainly intend to use this in our consideration of your petition.

DR. STALCUP: One more thing I'd like to recommend on the record. We strongly would like to give a presentation to the Board directly. We feel that this is not the simplest thing to read a piece of paper and grasp, and we think the animation shown today and the helpful graphics lend credence or lend to being an oral presentation, and even a video presentation. We think the Board would benefit greatly and understand the facts of this crash much more thoroughly if we were allowed to meet with them and present our findings directly to them.

Don't you agree, Hank?

MR. HUGHES: Yeah, I do. Has the Board been provided with any of the information as far as your examination of our petition, or the petition for that matter?

MR. TOCHEN: They're certainly aware of the petition.

MR. HUGHES: Have they been provided with any reports or --

MR. TOCHEN: I don't have any direct knowledge on that either way.

MR. HUGHES: Would you?

MS. SCHULZE: What reports exactly are you asking about?

MR. HUGHES: Has the group that's been responsible for

reviewing our petition provided any draft reports or reports or briefings to the Board members?

MS. SCHULZE: No, no reports or briefings, per se. As David mentioned, the Board is aware of the petition.

DR. STALCUP: What about recommendations?

MS. SCHULZE: Again, we can't talk about the deliberation aspect of this.

David, I don't know if you have any comment there.

But, you know, we're very interested in understanding what you have to present today and make sure that it's considered in, you know, our evaluation of your petition. But as far as the process internally for evaluating that --

DR. STALCUP: So you can't confirm or deny that a recommendation for our petition was presented to the Board by your staff members prior to us coming down here?

MS. SCHULZE: I can't comment on that.

DR. STALCUP: Hank?

MR. HUGHES: I think that tells us what we need to know. We appreciate it.

MR. TOCHEN: I guess now we can close the record on the presentation. And we thank you for coming.

DR. STALCUP: Okay. Thank you.

(Whereupon, at 12:03 p.m., the listening session concluded.)

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: PRESENTATION BY THE TWA 800 PROJECT IN SUPPORT OF A PETITION FOR RECONSIDERATION OF THE FINDINGS OF THE TWA FLIGHT 800 ACCIDENT INVESTIGATION

PLACE: Washington, D.C.

DATE: January 10, 2014

was held according to the record, and that this is the original, complete, true and accurate transcript which has been compared to the recording accomplished at the hearing.

_____

Ed Schweitzer
Official Reporter