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COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURE

REVIEW

DATE: MAY 26, 1999

Referred to *Commander Donaldson*

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2599 Mr. TRAFICANT. Thank you.

2600 Mr. DUNCAN. All right, Ms. Lebow, thank you very much.

2601 It has been an honor and a privilege to have you here
2602 with us today. Thank you for being here.

2603 Our third and final witness will be Commander William S.
2604 Donaldson, III, U.S. Navy retired, an aviation mishap analyst
2605 who is here to make some comments concerning the NTSB and its
2606 organization and particularly its investigation of the TWA
2607 800 crash.

2608 Commander Donaldson, thank you for waiting, thank you for
2609 being here with us today, and you may begin your testimony,
2610 sir.

2611 STATEMENT OF CMDR. WILLIAM S. DONALDSON, III, USN, RET.,
2612 AVIATION MISHAP ANALYST

2613 Commander DONALDSON. Thank you, Mr. Chairman. I feel a
2614 little bit like a Daniel in the lion's den after listening to
2615 the testimony. If you will pardon me, let me get a little
2616 bit of water here.

2617 I would like to you are going to see that I am going to
2618 make some very startling comments. I know that plenty of you
2619 have read ahead. I want to make it clear that I bear no
2620 animus to anybody in the room, outside the room, NTSB, or
2621 anywhere else in the government.

2599 Mr. TRAFICANT. Thank you.

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2618 make some very startling comments. I know that plenty of you
2619 have read ahead. I want to make it clear that I bear no
2620 animus to anybody in the room, outside the room, NTSB, or
2621 anywhere else in the government.

2622 In fact, my primary source of income is retirement from
2623 the Federal Government. And I have been on these crash
2624 scenes. I have picked up bodies. I have picked up pieces.
2625 I know what it is like, and it is not pretty. So I want to
2626 start that way.

2627 I guess I also want to do a disclaimer here because some
2628 people can read my testimony as if I was either directly
2629 involved in supporting TWA's position or Boeing or any of the
2630 other parties, and I am not. I have not received a penny
2631 from any of the interested parties nor would I take it. My
2632 motive, as an individual, is to follow through with what I
2633 did in 1965 and that was swear allegiance to the Constitution
2634 of the United States.

2635 I have testimony that I cannot give in the open, but I
2636 would be glad, too glad to pass it on to the chairman. What
2637 I am going to show you here today, I think, will get enough
2638 people's attention. The fact ^{is} that aircraft, Flight 800 was
2639 shot down, it was the 27th civil aircraft shot down by
2640 MANPADS missiles worldwide.

2641 It is a major aviation concern. And while all of the
2642 good offices that we have been listening here to today, the
2643 word missile is like cancer. If you are a patient in a
2644 hospital, you don't want to hear it.

2645 I want to point out that this administration was
2646 forewarned. Right here in the State of Maryland ~~and~~ AT

2647 Westminster, October 11, 1994, a fully armed French Mistral
2648 missile was found on its tripod laid over, on the side of the
2649 road. The state police were informed by a passerby. They
2650 picked it up, and it was subsequently destroyed.

2651 Now, an interesting aside, when one of the journalists
2652 that I have been dealing with called the NTSB about this
2653 incident, they said that it didn't happen. ^{ALL IT WAS} ~~Then we~~ took a
2654 phone call to ~~the~~ Westminster and the state police to confirm
2655 that it did happen.

2656 One other quick instance, this is not my statement, but I
2657 wanted to set the stage. I was stationed in Italy for three
2658 years on the Sixth Fleet. I know of an incident in which the
2659 Italian Federal Police managed to capture terrorists, if you
2660 want to call them that. I call them surrogates for other
2661 nations, captured them surrounding the airport with these
2662 types of missiles. It is a real threat. It is a real threat
2663 worldwide.

2664 Unfortunately, in my opinion, this administration knew.
2665 They were forewarned. They knew ^[it] when the aircraft ^{WAS} ~~were~~ shot
2666 down, and the good offices of the President were used across
2667 the Board to shut this thing down as a terrorist act. Now,
2668 if I could, let me take a sip, this statement is about 6
2669 minutes long, and then I will be at your mercy, sir.

2670 Mr. DUNCAN. Go ahead.

2671 Commander DONALDSON. Mr. Chairman, ladies and gentlemen,

2672 based on the performance of the NTSB while investigating the
2673 unexplained loss of Flight 800, I no longer believe that the
2674 NTSB is capable of fulfilling its aviation mission. Its
2675 abuse of power used to muzzle witnesses and interested
2676 parties simply to promote the administration's agenda proves
2677 that it has become so politicized that the Board itself has
2678 become an aviation hazard.

2679 The solution would be to recast the NTSB as an
2680 independent body staffed only with aviation professionals and
2681 overseen by a joint committee of Congress. At a minimum, the
2682 current leadership should be replaced and portions of title
2683 49 and title 18 used to intimidate interested parties must be
2684 reformed.

2685 Under the current law, the NTSB leadership has misled the
2686 American people. They did this through unfettered access ^{TO} the
2687 media, unending pursuit of junk science theories without
2688 budgetary constraint, common sense, or air crash protocol.
2689 They have used aerodynamically impossible CIA cartoons,
2690 fraudulent videos of hydrogen-filled tanks exploding, and
2691 fear-mongering appearances by officials pitching a
2692 nonexistent flight hazard.

2693 It all goes unanswered by parties, all very severely
2694 constrained because of their highly regulated industries.
2695 Their bottom line depends first on government bureaucracy's
2696 good will. Current sanctions invite political abuse by

2697 | barring more competent independent investigations or even
2698 | public statements by parties until after the NTSB final
2699 | report.

2700 | Silence ~~sometimes~~ by the parties is misinterpreted by
2701 | media and the public and easily exploited by partisan
2702 | politicians. In this incident 15 weeks before the 1996
2703 | election, Mr. Clinton had motive to cover up a missile attack
2704 | that he had clear forewarning of as early as October, 1994.

2705 | The abuses are unprecedented. An author of three books
2706 | and his wife, James and Elizabeth Sanders, are now felons
2707 | convicted in Federal court for receiving worthless passenger
2708 | seat fabric. Captain Stacey, a no-nonsense TWA Flight 800
2709 | crash investigator, gave them this material for analysis. He
2710 | admitted in court that he had lost all faith in the integrity
2711 | of the NTSB and FBI and didn't believe his action was
2712 | illegal.

2713 | As a past fleet nuclear war planner, it is disappointing
2714 | that the same Justice Department that allowed our trillion
2715 | dollar special weapons technology to be compromised by China
2716 | because it refused to wiretap a spy before the election,
2717 | didn't blink when a Federal judge found Jim Sanders suffered
2718 | unconstitutional searches and seizures or blush when Mrs.
2719 | Sanders, shackled behind the back, was dragged through a
2720 | media circus on the way to arraignment. She lost her airline
2721 | career, her house fighting the charges, and now faces the

2722 possibility of a 10 year prison sentence. Her crime was a
2723 phone conversation with Captain Stacey that neither party
2724 understood to be illegal.

2725 This rabid behavior to get Stacey and Sanders with the
2726 arrest a week before NTSB's public hearing was planned for
2727 maximum intimidation. In fact, Mr. Hall wanted Linda Kunz,
2728 another exceptional TWA crash investigator, arrested after
2729 she pointed out NTSB employees were changing passenger seat
2730 location data to conform to NTSB's theory. Linda had the
2731 presence of mind to use two state police officers to
2732 photograph evidence.

2733 TWA attorneys sent Mr. Hall a letter citing these facts,
2734 but she was still forced out. Acting as defense consultant
2735 for Mr. Sanders, I asked him for photographs of the few
2736 remaining parts of the center wing tank, left side body wall.
2737 When the trial judge allowed photographs during discovery, I
2738 viewed those pictures and determined the few military experts
2739 that examined the cash debris were right.

2740 The number two main tank exploded into the center wing
2741 tank, not the other way around. I then called the NTSB and
2742 left a voice mail message asking where to find the
2743 microscopic fracture face-edge analysis of these side wall
2744 parts. I received a call back from the attorney informing me
2745 that it hadn't been done.

2746 Ladies and gentlemen, the analysis wasn't done because it

2747 would prove the loss of the aircraft was caused by an
2748 explosive event in the number two main tank. I informed that
2749 attorney that if the NTSB final report comes out without an
2750 analysis of the side wall edge metal and without warhead
2751 detonations in the number two main tank and missile shots at
2752 that same tank recommended by the military in ^{their} ~~a~~ report, he
2753 could expect me to file criminal malfeasance and misprision
2754 of felony homicide complaints.

2755 Every time NTSB officials have spoken public^{ly} about TWA
2756 800 they have lied or shaded the truth.

2757 I will close with physical evidence of one of the bigger
2758 deceptions. At the same time Mr. Hall's letter to the editor
2759 was published in the Wall Street Journal in April of 1997,
2760 titled, It Wasn't a Missile, he was playing--I am sorry--he
2761 was paying for the covert recovery of the very missile parts
2762 that he denied existed.

2763 The Scallop boat, Alpha Omega, found and discarded
2764 overboard the first stage of the shoulder-fired missile in
2765 October of 1996 two miles from Flight 800's explosion point.
2766 This is near the spot where Islip's radar recorded a boat
2767 traveling away from the exploding aircraft at 30 knots.

2768 Through questions submitted for us by this committee, and
2769 we are thankful to Mr. Traficant and his office, we forced
2770 the FBI to admit that they failed to identify that boat. As
2771 Mr. Hall's letter was being being written, Special Agents

2772 | Hanson, Petry, Bowen, Lane, Francis, Pica, Mauzey, and Bokal
2773 | were manning the four scallop dredgers scouring the ocean
2774 | bottom for missile parts.

2775 | My assistant, Tom ~~Eastock~~^{STALCUP}, up here is up from Florida
2776 | State. He is chasing a doctorate degree in physics, and he
2777 | is helping me here. If you could hold up that manual.

2778 | [The information follows:]

2779 | ***** COMMITTEE INSERT *****

2780 | Commander DONALDSON. Here is the FBI trawler operations
2781 | manual replete with diagrams of missile parts and an
2782 | operational order with highlighted instructions to hide these
2783 | parts from crew and other interested parties. Boeing, TWA,
2784 | and the Congress of the United States are other interested
2785 | parties.

2786 | And the map that Tom has got here, here is a precision
2787 | map used by these men clearly indicating the primary purpose
2788 | of the operation was to recover missile parts.

2789 | [The information follows:]

2790 | ***** COMMITTEE INSERT *****

2791 Commander DONALDSON. I want to take an aside here. There
2792 were three items that were considered special interest. One
2793 of them, Mr. Sherwood, was that last pump that the NTSB was
2794 looking for. The instructions in that manual applied to it
2795 as well as the missile parts. In other words, if it was
2796 found, I cannot sit here and tell you in good faith that the
2797 American people know it yet. But I can't say ~~that~~ ^{THE} ^{OB} ~~adverse~~,
2798 either.

2799 Most of the area dredged did not have the crash debris
2800 but instead fell within the assumed range of a Stinger
2801 missile from the explosion point. The existence of this map
2802 is one of the several reasons Mr. Hall wouldn't let the Navy
2803 supervisor of salvage take questions at the public hearing.

2804 I have access to 119 eye witnesses on 18 boats, 4
2805 aircraft, and 31 locations ashore that surrounded the missile
2806 launch. None of these witnesses were allowed to testify at
2807 the NTSB hearing. Instead they played a laughable depiction
2808 of a noseless 747 climbing 1,700 feet, an aerodynamically
2809 impossible event.

2810 Even so, it hardly ^[would] appeared to be streaking like a flare
2811 or a rocket as described by these witnesses. The sad thing
2812 is that the media bought it because it was a slick video and
2813 perfect for television. Ladies and gentlemen, I urge you to
2814 hold special hearings in the lost of TWA 800, take the
2815 actions recommended to reform the NTSB.

2816 That concludes my prepared remarks. I would be happy to
2817 answer any questions.

2818 [The statement of Commander Donaldson follows:]

2819 ***** INSERT 2-1 *****

2820 Mr. DUNCAN. Do you want to go ahead?

2821 Well, I was going to let you go ahead first, and then I
2822 got the message that maybe you want to wait a few minutes.

2823 Well, Commander Donaldson, let me ask you a couple of
2824 things. I spent 7-1/2 years before coming to Congress as a
2825 criminal court judge trying felony criminal cases. I have
2826 seen and heard and read about many overzealous Federal law
2827 enforcement officers and Federal prosecutors who have broken
2828 rules and been guilty of prosecutorial excesses.

2829 While that is not true in the majority of the cases, it
2830 is true far too much. Then also, I know that many, many
2831 judges who try criminal cases very much lean toward the
2832 prosecution. It is just easier that way, and the fact is
2833 that most people who are tried, a very high percentage of
2834 them, are guilty. So I am a little skeptical of the
2835 prosecutors and some of the judges and so forth.

2836 I still have great faith in the judicial system because
2837 all of the defendants are allowed to have lawyers who
2838 generally fight really hard for them. Then also after 7-1/2
2839 years of trying jury trial cases, I have become convinced
2840 that in about 98 or 99 percent of the cases the juries come
2841 back with the right decision because they are called in at
2842 random, and it is pretty hard to convince 12 ordinary
2843 citizens with their common sense that somebody is guilty if
2844 they are really not. All you have to do is have one on there

2845 that you don't have to convince.

2846 What I am wondering about is, I noticed in the material
2847 that you submitted to us that you were a consultant to the
2848 Sanders and their lawyer or lawyers. What I am wondering
2849 about is how--why do you feel they were convicted? I am sure
2850 that all of these questions that you have raised--

2851 Commander DONALDSON. They were guilty. That is my
2852 point. They were guilty of the fact that they actually had
2853 these small two and three square inch pieces of fabric.

2854 The law--I am not sure when it was changed, but it was
2855 upgraded from a misdemeanor to a felony. It is because of
2856 the actions of the Congress, I am supposing, or whoever
2857 allowed that change. What you have done is transfer power to
2858 people that want to abuse a captain--Captain Stacey.

2859 Let me tell you what he had to do. He was the real
2860 target. He was the toughest TWA investigator in the field,
2861 in the hangar. He was getting sick of the investigation, and
2862 he risked the last 5 years of his career, which would cost
2863 him a million dollars out of his own pocket, if he lost his
2864 job. But he took that risk anyway.

2865 Well, Sanders, who wrote the book wouldn't turn on him.
2866 So Sanders ends up with a worse deal. They are going to
2867 prosecute him with a felony and let Stacey, the captain, off
2868 with-- he still hasn't been sentenced, but he is still going
2869 to keep his job. My point is this: It is the power that you

2870 | gave this Board or, in this case, the Justice Department, I
2871 | guess, to--really, there is no reason to even have the law
2872 | except to stop people from pilfering things.

2873 | When you turn it against the best investigator that TWA
2874 | had in the field and that is used to throw him out of the
2875 | investigation, it is a wrong application of law.

2876 | Technically, that jury--I walked out of there thinking that
2877 | the jury was going to nullify it, but they didn't.

2878 | I guess that is the best way that I can answer that.

2879 | Mr. DUNCAN. So you think that the jury felt that even
2880 | though the Sanders had no real criminal intent or motives--

2881 | Commander DONALDSON. I believe firmly that neither party
2882 | had any idea.

2883 | If you were the senior captain of TWA and you see that
2884 | stuff was going that upset him, you see a red stain on seats
2885 | that you think is suspicious. It may or may not--I am not
2886 | standing here saying that that proved that there was a
2887 | missile that hit the airplane.

2888 | That is not what the military said, and I am going their
2889 | way now. The point is the fact that they set that crash
2890 | scene up like a nuclear weapon depository. They had an outer
2891 | defense system which was manned by the local police and the
2892 | FBI in the hangar. A guy like me going in there-- and I go
2893 | right to the parts. If Stacey could have walked out legally
2894 | and gone to an analysis group and handed stuff to them on his

2895 | own under his own recognizance, nobody would have ever been
2896 | in trouble.

2897 | I am wasting time here--

2898 | Mr. DUNCAN. I am so limited in my time. Let me move on
2899 | quickly to just a couple of other things. You submitted with
2900 | your material a letter dated April 5, 1999, that you sent to
2901 | Phillip M. Condit, the head of the Boeing Company, and Mr.
2902 | Jerald L. Gitner, the head of TWA.

2903 | Would they not--would both of those companies have great,
2904 | great incentive to support you or to-- not to support you
2905 | economically, but to go along with you or hope that you found
2906 | some definite proof so that they could be--there wouldn't be
2907 | any question about that they weren't involved in any way or
2908 | at fault in any way, their companies?

2909 | Commander DONALDSON. Mr. Chairman, I have been
2910 | associated with aviation my entire life. My father was an
2911 | Air Force officer.

2912 | When you get to a corporation the size of Boeing, what
2913 | they are really trying to do is put the safest product out on
2914 | the road that they can. I can say this with a straight face.
2915 | I don't even own stock in the company. I can't conceive that
2916 | a professional aircraft producer would produce a faulty
2917 | product, and then when it caused the death of people try to
2918 | hide it. Because every day after that they are putting
2919 | billions of dollars, literally, of equipment, the same

2920 equipment in the air every day and risking millions of lives.

2921 Sure, you are going to risk a big lawsuit. I would trust
2922 the party, particularly Boeing or any other major aircraft
2923 production outfit, to do the initial investigation and then
2924 let the government look at it the whole way, but don't let
2925 the government run it. Because in this case the government
2926 was a party. I am telling you, I can't tell you everything
2927 here that I do know, but I know this administration had ~~an~~
2928 extreme^{ly} urgent pressure to change the subject before the
2929 election.

2930 Mr. DUNCAN. What did you think about what Chairman Hall
2931 said, that if there was some sort of conspiracy, it would
2932 have had to have involved hundreds or even thousands of
2933 people.

2934 Commander DONALDSON. Mr. Traficant made the same point
2935 very eloquently.

2936 The best way to explain that is if you don't have access
2937 to the evidence, you don't have a conspiracy. You don't have
2938 to hide anything. What happened here--you have to look at
2939 this from the top. The administration, and I mean the White
2940 House, by using the Justice Department with a thousand agents
2941 in the field-- in fact, I think they might have even bumped
2942 the NTSB people trying to get to the scene with FBI agents.

2943 The FBI agents went in there with a flood. What they did
2944 is they clamped the lid down on these eye witnesses. I have

2945 | got two air crews that I want to get to and I can't find.
2946 | They are so damned scared probably because of what the FBI
2947 | told them when they interviewed them that they are not going
2948 | to talk to somebody like me.

2949 | So Justice took the entire weight of eyewitnesses off the
2950 | Board. I am going to tell you when you talk to them eyeball
2951 | to eyeball, it takes two or three of them to convince you.
2952 | **AL GIPE**
2952 | Mr. ~~Airbright~~, all of 14 miles away--he is the chairman of
2953 | his own board. He is an engineer. He was a World War II
2954 | gunnery officer. He gave me a perfect description of a
2955 | Stinger missile launch. He gave me the angle that it rose
2956 | from the surface. He gave me the time of flight. When I
2957 | matched it up against what the military was saying happened
2958 | to the airplane, it was dead-on.

2959 | Mr. DUNCAN. When you have an incident like this, do you
2960 | think this was some sort of terrorist group? I mean,
2961 | somebody usually claims credit for something like this.

2962 | Commander DONALDSON. Yes, sir, and I think the credit
2963 | was there.

2964 | If you would check closely, there was an Arab newspaper
2965 | in Washington and one in London that received a communique
2966 | about 6 hours before 800 was shot down. It was a really
2967 | weird one. They took Riyadh bombing ^{**CREDIT FOR THE**} ^{**USING**} and some new name, they
2968 | always come up with a new name, which had happened in
2969 | November of 1995. And then in two sentences they took a shot

2970 | at President Clinton calling him silly or something.

2971 | And then they said the American people are going to be
2972 | shocked at where we attack next, where and when we attack
2973 | next, we are going to attack at dawn, and isn't dawn near?
2974 | The airplane went down at 8:30 at night but in Mecca, it was
2975 | dawn. And it was dawn the next day. That is a coded--there
2976 | are people in this--I don't want to get--take too much of
2977 | your time, but the bottom line is the President of the United
2978 | States is the most informed person in the world. I am
2979 | sitting here personally telling you that I believe that he
2980 | knows things that he hasn't been honest to the American
2981 | people about, about Flight 800.

2982 | Mr. DUNCAN. Thank^K you very much. Mr. Lipinski.

2983 | Mr. LIPINSKI. Thank you, Mr. Chairman.

2984 | Commander, is it your view that if the administration,
2985 | the Justice Department, the National Transportation Safety
2986 | Board, the FAA, the FBI, if they said that this was a missile
2987 | attack that it somehow would have been detrimental to the
2988 | reelection campaign of President Clinton?

2989 | Commander DONALDSON. I do, sir, because you have to make
2990 | the connection.

2991 | Obviously, in the first administration there were a lot
2992 | of events, Waco and other things that were terrorist events
2993 | not connected ~~even~~ directly with this. But in this case, I
2994 | believe that the media would have figured out pretty quickly

2995 that there had been an advanced warning.

2996 Mr. LIPINSKI. Advanced warning to who?

2997 Commander DONALDSON. To the administration, the
2998 government.

2999 Mr. LIPINSKI. In this newspaper that you are talking
3000 about?

3001 Commander DONALDSON. No. I am talking about, for
3002 instance, the missile that was found in Westminster was right
3003 under an airway. That missile, all that had to have been
3004 done was set up right and fired as an aircraft went over it.
[ir]

3005 Mr. LIPINSKI. Yes, but we have an awful lot of aircraft
3006 flying in and out of this country. I don't know how we would
3007 have known that it was going to be this plane that was going
3008 to be attacked.

3009 Commander DONALDSON. That is not what I meant. I am
3010 sorry, sir. I do know that ^{...} When I say the "event," I didn't
3011 mean Flight 800 specifically. I meant that the threat was
3012 there, and I do believe that there was an attempt by the
3013 administration thinking that--I believe they thought there
3014 were at least three missiles in the country. The London
3015 Times, in August, right after the crash, 5 or 6 weeks after
3016 the crash--

3017 Mr. LIPINSKI. Let me assume that the administration
3018 thought there were three missiles in the country. For the
3019 sake of argument I will give you that.

3020 I don't understand why if a TWA American plane is
3021 attacked by a missile that that is detrimental to the
3022 President's reelection campaign.

3023 I don't understand that. What is the connection there?

3024 Commander DONALDSON. Because he is the commander in
3025 chief. There are only a few agencies that would have
3026 privilege to this information. Those are the agencies like
3027 CIA that provided that video.

3028 Mr. LIPINSKI. Why would he want to cover it up? How
3029 does it hurt his reelection chances if people know that the
3030 plane was shot down by a missile?

3031 I don't understand that.

3032 Commander DONALDSON. What you have to follow up is what
3033 is the game plan. If the surrogate state was Iran, which I
3034 believe probably was, you are not talking about Kosovo. We
3035 are talking about a nation with 40 million people, with their
3036 mind set ^[CHALLENGING THEM] could make the situation a lot worse than it ^{WAS} ~~is now~~
3037 leaving it alone.

3038 Mr. LIPINSKI. But you are saying that the cover-up is
3039 because it was advantageous to the administration, to the
3040 President, to cover this up, not reveal to the American
3041 people that it was a missile to enhance his reelection
3042 campaign, correct?

3043 Commander DONALDSON. To allow the campaign to go as it
3044 was going.

3045 Mr. LIPINSKI. It would seem to me that if I was
3046 President of the United States and if a U.S. plane got shot
3047 down by a missile from some surrogate that was representing
3048 Iran and I had that information, based upon the history of
3049 this people in this country and the way that people react, I
3050 would certainly announce that to everyone here showing that
3051 this country is under attack, and it usually enhances the
3052 person that is in office as far as all of the public opinion
3053 polls go.

3054 And he probably could have even gone out and shot a few
3055 more rockets into Iran that would have increased his
3056 popularity with the American people. That is the connection
3057 that I can't make. I don't know why the President of the
3058 United States would choose to cover this up in an election
3059 campaign when, it would seem to me that based upon our
3060 history, it has always been advantageous for the president of
3061 this country to be under attack during a presidential
3062 election campaign.

3063 Commander DONALDSON. Let me make a quick analogy with
3064 Pearl Harbor. Twice as many civilians died on Flight 800 as
3065 died at Pearl Harbor when the Japanese attacked. I think the
3066 number was 111 civilians. There were almost 2,000 military
3067 or whatever.

3068 But the point is--an attack like this is not just a
3069 normal terrorist attack. That is a major act of war. And

3070 | all of a sudden you are running up a--you are getting me to
3071 | speculate on what the President should or shouldn't have
3072 | done. I am just telling you that I have other information
3073 | that I can't talk about that I can relay to you in private.

3074 | I think that I can prove to you that he was extremely
3075 | personally agitated, and he wanted to control the event right
3076 | away. That gives me a segue into something that I didn't
3077 | have in here, but it is upsetting to me as an American. The
3078 | reason the Navy got assigned to recover that crash debris was
3079 | because the President of the United States wanted control. I
3080 | know that for a fact.

3081 | Mr. LIPINSKI. The reason that who got assigned to it?

3082 | Commander DONALDSON. The Navy. The Navy should have
3083 | never been involved in that. The reason is ~~Riggs~~^{WEEKS} Marine had
3084 | capability on scene the next day.

3085 | Mr. LIPINSKI. Who had?

3086 | Commander DONALDSON. Weeks Marine, Inc. They had the
3087 | biggest of salvage equipment on the East Coast, anywhere in
3088 | the Atlantic. They were there. They could have supported 50
3089 | divers the next day.

3090 | Mr. LIPINSKI. So you are saying that the President
3091 | wouldn't--we haven't figured out yet why this would be
3092 | advantageous to the President for a story not to come out
3093 | that it was a missile.

3094 | In fact, my position is it would have been advantageous

3095 | to him for it to come out. You, for some reason, don't
3096 | believe it would be. But now you are telling me that the
3097 | President put the Navy in charge of recovering the pieces
3098 | from the crash because he could control it; correct?

3099 | Commander DONALDSON. Yes. Let me tell you that was
3100 | egregious because it meant the bodies stayed underwater an
3101 | extra week. It meant that the wreckage was underwater for
3102 | much longer than that.

3103 | Weeks Marine was capable of-- they were superior to the
3104 | Navy's ability. Not only that, but the entire debris field
3105 | had been mapped by Captain Debow on the Ship Rudy. He told
3106 | me, in testimony to me, that within 11 hours of being on the
3107 | scene--and he was there at dawn the next day, he had radioed
3108 | in to NTSB all major debris locations, had the general debris
3109 | fields outlined.

3110 | That means if--Weeks Marine, with some of the biggest
3111 | lifting and salvaging equipment in the world, was there.
3112 | They got there and they anchored. They sat there for 3 days
3113 | after the FAA had contracted them and after the Coast Guard
3114 | had contracted them verbally to start the salvage. That ~~was~~
3115 | mission ^{WAS} aborted, and all of these families were told that we
3116 | are doing everything that we can do to bring them up.

3117 | Mr. LIPINSKI. Let me ask you--you already stated here
3118 | that the Navy is in on this conspiracy and the National
3119 | Transportation Safety Board is in on this conspiracy--

3120 Commander DONALDSON. I am not saying--I don't have proof
3121 that anybody is in on the conspiracy. What I am saying is
3122 people are following orders. There is a chain of command
3123 that comes down from the White House.

3124 Mr. LIPINSKI. If there is conspiracy, there is more than
3125 two people saying that it was a missile so it is a
3126 conspiracy. I am just trying to establish how many people
3127 you think might be in the conspiracy.

3128 Commander DONALDSON. I am not an attorney. I tell you
3129 what, I would duck the conspiracy question.

3130 I can tell you that the only military experts that did a
3131 report put seven recommendations out to the FBI, and the
3132 first one was to fire live warheads ⁱⁿ ~~at~~ the number two tank.
3133 The second recommendation was to fire live missiles and inert
3134 missiles at the same tank.

3135 The reason is there is 45 square feet of missing forward
3136 spar in front of the number two tank and there is also an
3137 indication that the whole left wing was overpressurized from
3138 that hit. There were no fragment hits in the aircraft
3139 because the missile detonated inside 6 feet of fuel. Within
3140 2 feet, these little fragments are going to stop in the fuel.

3141 Mr. LIPINSKI. Excuse me, Commander, but how many
3142 military air crashes have you participated in as a lead
3143 investigator?

3144 Commander DONALDSON. Lead investigator, one or two.

3145 Mr. LIPINSKI. How many overall?

3146 Commander DONALDSON. Because of the way that the

3147 military is structured, I have supervised probably a dozen.

3148 I go through and critique in the superior--~~in~~ the wing ^{safety} ~~site~~,

3149 ~~the~~ officers, for instance, reviews every squadron crash in

3150 detail--

3151 Mr. LIPINSKI. So as lead, one or two, and you are were

3152 involved in 12 other ones. Have you ever participated in an

3153 official investigation of a civil air crash?

3154 Commander DONALDSON. No.

3155 Mr. LIPINSKI. Who funds your research?

3156 Commander DONALDSON. No one has funded my research. I

3157 have had direct reimbursement for bills for rental cars and

3158 for motels, and that is about it, through Accuracy in ~~the~~

3159 Media.

3160 Mr. LIPINSKI. Accuracy in ~~the~~ Media?

3161 Commander DONALDSON. Right.

3162 Mr. LIPINSKI. They are interested in your theory,

3163 apparently?

3164 Commander DONALDSON. In fact, I came to them when I saw

3165 the Navy being tagged in Mr. Sanders' book for shooting the

3166 airplane down. I have run too many missile exercises. I

3167 have been a fleet observer. I knew that that didn't happen,

3168 but I also knew that the airplane was shot down.

3169 Mr. LIPINSKI. Your contacts in the military have given

3170 | you this information; correct?

3171 | Commander DONALDSON. No. In fact, I can tell you there
3172 | are two fleet commanders right now that I flew with, and
3173 | purposely--I have informed them^[of] everything that I have
3174 | written. Just so they don't get blindsided, I sent them a
3175 | copy.

3176 | But I can't get an active duty officer involved in this.
3177 | They would get eviscerated.

3178 | Mr. LIPINSKI. So your information has come through the
3179 | military?

3180 | Commander DONALDSON. Yes, it did.

3181 | It came through Mr. Traficant's office on 21-page report
3182 | from China Lake. It had seven recommendations on how to
3183 | handle this problem if it was a missile.

3184 | Mr. LIPINSKI. Is any of that information classified?

3185 | Commander DONALDSON. No, sir.

3186 | It is on my web site. Mr. Traficant was good enough, and
3187 | Mr. Marconi, even though we had separated at the point, I
3188 | have to applaud them. They followed through and they sent
3189 | that report to me.

3190 | Mr. LIPINSKI. My time is long exhausted. Thank you very
3191 | much, Commander.

3192 | Mr. DUNCAN. Thank you very much. Mr. Pease. Mr.
3193 | Traficant.

3194 | Mr. TRAFICANT. Thank you, Mr. Chairman. I want to

3195 welcome Commander Donaldson here.

3196 I made available to you everything that I had because at
3197 some point people were being branded as a part of a massive
3198 cover-up.

3199 And I am not going to question your motives, but I am
3200 certainly going to question the outcome of what your analysis
3201 is, and I would like to make a few points. At one point
3202 working with us, you expounded a theory that the missile
3203 could have been from a Canadian frigate.

3204 Hear me. Let me finish.

3205 Commander DONALDSON. Okay.

3206 Mr. TRAFICANT. And at a second point you tried to
3207 impress our investigation that you believed it was two
3208 missiles that were involved.

3209 Commander DONALDSON. Correct.

3210 Mr. TRAFICANT. One, a U.S. Navy missile from an Aegis
3211 Cruiser, in fact, that was patrolling, looking for supposed
3212 terrorist activity in the region who had then identified the
3213 launch of a terrorist missile and did themselves then launch
3214 a second missile to intercept and that this went awry causing
3215 the problem.

3216 RPTS STRICKLAND

3217 DCMN DICKERMAN

3218 [1:00 p.m.]

3219 Mr. TRAFICANT. Number three, if I am not mistaken, you
3220 maintain now it is a stinger missile that was responsible, a
3221 Chinese-made vanguard shoulder-type launch.

3222 I just want to let you know that you were not just giving
3223 me that information. We painstakingly analyzed objectively
3224 everything that you and everybody else, including the Board,
3225 made available to us. And as an old sheriff, believe me I
3226 did that.

3227 Now there are several things I just want to say here. Jim
3228 Kallstrom, the FBI agent in charge for 2 weeks, led this
3229 Nation to believe that there may have been a missile strike
3230 here and he was determined to get to the bottom of it. So in
3231 the beginning, the theory that somebody was covering up does
3232 not wash with me. And quite frankly, I think Mr. Kallstrom
3233 and the FBI did a great job in this investigation.

3234 Now, we have come to learn that, yes, there was an awful
3235 lot of exclusion from this site because when the Feds took it
3236 over, they believe there could have been foul play and they
3237 put the clamps on this site to the point where they may have
3238 excluded our Board. That could never happen again.

3239 But for there to be accusations on the competencies or
3240 integrity of Chairman Hall completely flies in the face, and

3241 that is why we parted ways, frankly, our investigation.

3242 We have investigated everything you talked about. Here
3243 is a point that I would like to make. Everybody that was
3244 involved communicated with us. We had nobody that closed the
3245 door except one person whose name I will present to the
3246 Chairman later who was a significant individual and had an
3247 eyewitness, supposed, account who stated to his commanding
3248 officer after the flight that he had seen nothing.

3249 But several periods later--I forget the exact period of
3250 time--made a statement that he saw what he thought was a
3251 missile. Under hypnosis, supposedly, this revelation came
3252 about, and we further later in our investigation came to
3253 understand that he had hired a Hollywood agent and was
3254 preparing some type of activity, and we discounted that
3255 theory.

3256 Here is the only point I want to make: 95 percent of
3257 this craft has been recovered, one of the greatest bits of
3258 investigation piece work perhaps in our history. And in that
3259 95 percent, every expert, both domestic and international,
3260 concurs that this was an internal explosion, and there was
3261 not one iota of damage to 95 percent of this craft that has
3262 been recovered from the outside.

3263 So we looked at a heat seeker. We looked at a device
3264 that might explode without hitting. We looked at the
3265 possibility of a missile entering the center wing fuel tank.

3266 And there can be, to our opinion--and you are probably more
3267 professional and knowledgeable than we are--but from looking
3268 at the information, we find it unreliable to conclude that
3269 anything other than the center wing fuel tank and an
3270 explosion therein was responsible.

3271 Second of all, the manufacturer clearly now agrees with
3272 the fact that it was a center wing fuel tank explosion. They
3273 don't know what the cause was. They don't know and I don't
3274 believe to this point we have truly identified the exact
3275 cause.

3276 But the question I make to you now is with 95 percent of
3277 the plane having been recovered, with it being documented by
3278 every and all sources that this was an internal explosion--it
3279 was not caused from without--how do you maintain that it was
3280 a missile that shot down TWA Flight 800? Because we think
3281 you are wrong, sir.

3282 Commander DONALDSON. I appreciate the comments, and I
3283 thought at ~~some~~^{THE} time of that earlier stuff you mentioned.
3284 What I was doing ^[was] for the benefit of the committee, ~~was~~ I
3285 thought that I was working directly with your office; and I
3286 was feeding everything, including the Canadian theory. I
3287 interviewed an individual that had been a government official
3288 in Canada who honestly believed that one of their ships might
3289 have been involved, and I passed that information on.

3290 Now for you to sit here and attempt to discredit where I

3291 am now--

3292 Mr. TRAFICANT. Let me intervene. I am not attempting to
3293 discredit you. I am just letting you know that everything
3294 that you presented to us was, in fact, investigated
3295 thoroughly.

3296 Commander DONALDSON. And I ~~was~~^{WANT} to say it was shared
3297 candidly, honestly; and I told you I didn't know all the
3298 facts. I didn't. You have to remember, especially when you
3299 are on the outside, you have got to fight, you have got to do
3300 everything you can to get to the facts. And in the last 3 or
3301 4 months, the facts have been overwhelming.

3302 I have interviewed these people on boats all the way
3303 around that engagement. I am as positive as I am taking my
3304 next breath that aircraft was engaged with a missile. It was
3305 seen by dozens of extremely credible people.

3306 Mr. TRAFICANT. What particular evidence do you have--

3307 Commander DONALDSON. It is in the military report that
3308 China Lake put out. There is a lot of waffling in there
3309 because it is not a popular position. The point is that in
3310 the graphics that you see a stinger missile or a copy of the
3311 stinger, SA-16, 18, Chinese Vanguard, the steering for the
3312 hot vents underneath the center wing tank. There is 450
3313 degree air that comes out of those air handlers. The
3314 military did imaging and gave it to the FBI. The FBI agents
3315 in the field knew, I think, that they had solved the problem.

3316 That missile was fired--I have got the military computer
3317 runs that show that there is a 93 percent probability of hit.
3318 When you fire a missile from where that dadgum radar contact
3319 was out there--I think you remember that it was your office,
3320 and I think it was you, sir, that asked the questions of the
3321 FBI and we forced them to admit that they dropped the
3322 investigation without identifying the boat that was closest
3323 to the disaster.

3324 Let me finish, sir, if I can. I am going to tell you
3325 exactly what happened. The stinger missile has technology
3326 that as it approaches a high ~~moving~~^{SPEED} target, as the angle rate
3327 increases rapidly, it is getting closer, it suddenly will
3328 steer forward because they don't want the missile to fly
3329 through the engine exhaust plume.

3330 The evidence appears to me that firing from that boat,
3331 with witnesses that gave me the dadgum same angle of ascent,
3332 the same time of flight for the missile, that missile was
3333 steered for the center and would have steered forward and
3334 then you jump to the China Lake report that said that in the
3335 unlikely attitude--this is their verbiage, in the unlikely
3336 chance that a missile hit coming straight in at the wing, all
3337 of this is possible.

3338 And check--because they have--they really have put the
3339 blinders on to the damage on the left wing. None of that
3340 damage is found in normal crashes. It only occurs when there

3341 is ordnance involved. Only the left wing was
3342 overpressurized. The left side of the center wing tank was
3343 blown into the center wing tank, and the center wing tank did
3344 explode.

3345 One of the reasons they kept the debris field secret from
3346 Stacy, didn't let Captain Stacy listen to the tape of the
3347 cockpit more than once, was because the evidence becomes
3348 self-evident to professionals. And in other words, if you
3349 don't do--if the boss doesn't say give me the best dadgum run
3350 on that left side ~~while~~ ^{WALL} you can and I want to know how much
3351 pressure was on it when it failed.

3352 Mr. TRAFICANT. Commander, let me conclude my
3353 questioning. I don't want you to misconstrue or misinterpret
3354 any of my questions or my behavior as being critical to you
3355 as an American. I believe you are a patriot and a fine one.
3356 I believe you are very capable, and I want to thank you for
3357 all that you have done.

3358 Commander DONALDSON. Thank you, sir.

3359 Mr. TRAFICANT. The last couple questions I have, just
3360 yes or no. Did you personally inspect any of the 95 percent
3361 remains of this craft?

3362 Commander DONALDSON. No, only photographs.

3363 Mr. TRAFICANT. Number two--I want the committee to know
3364 this--on the 95 percent recovery, which was absolutely
3365 amazing, there was not one iota of evidence of any

3366 penetration from without.

3367 Number three, every agency that has had the opportunity
3368 to personally inspect and analyze the data and the remains of
3369 800 are absolutely positive without doubt that it was an
3370 internal explosion that downed 800.

3371 In furtherance, of all the eyewitness reports over a
3372 period of time, none of them saw all of it. And from all the
3373 theories that have been advanced, there has been one
3374 scientific fact that has been concluded. On or about the
3375 time of that explosion, it would propel the craft even higher
3376 in altitude; that anyone who saw this would, in fact, not
3377 know what they were looking at but would be bombarded by many
3378 different sensations as a result, the interpretation varied
3379 very much.

3380 The FBI painstakingly moved to investigate a missile,
3381 Commander, and here is the point I am making. There was no
3382 evidence of damage from without at all. And that craft and
3383 those parts are still available. Now, my last question to
3384 you is this: at some point we sort of parted ways, when you
3385 maintained that the Chairman of the National Transportation
3386 Safety Board was so off base, he was acting as a traitor.

3387 Commander DONALDSON. I don't think I used those words,
3388 Mr. Traficant.

3389 Mr. TRAFICANT. I think we advised you to not use those
3390 words. You were prepared to send them in a letter. That

3391 | bothered us. And that is one of the areas why maybe we
3392 | didn't go much further with you.

3393 | But I want to say this to you: many of the questions
3394 | that you asked, nearly all of them, were included in the
3395 | Traficant questions to the FBI and the National
3396 | Transportation Safety Board, every tough question you had.
3397 | So I just want to conclude by saying I don't know what the
3398 | conditions are here and what the conclusion will be by this
3399 | committee, but I want to say that we had one of the most
3400 | exhaustive investigations in aviation history in the United
3401 | States of America, Commander.

3402 | And I am going to conclude by saying this: I want to
3403 | commend Mr. Hall; I want to commend the National
3404 | Transportation Safety Board. I want to commend the Federal
3405 | Bureau of Investigation. I want to commend the Navy, and I
3406 | want to commend the Central Intelligence Agency. And I don't
3407 | know if I have ever gone on record of doing any of that
3408 | because I believe that it was a center wing fuel tank
3409 | explosion from within.

3410 | But if there still remains any doubt, and Commander
3411 | Donaldson is a worthy advocate of his theory, then I would
3412 | not be opposed to any furthering investigation that would
3413 | benefit his cause. Thank you.

3414 | Mr. DUNCAN. Thank you, very much. Any final comments
3415 | Commander Donaldson?

3416 Commander DONALDSON. No, sir, I knew this was going to
3417 be a tough appearance. But I guess I would say just for a
3418 minute, I want to put it on record what I think actually
3419 happened. I think that somebody came in our waters. I think
3420 the boat that wasn't identified by the FBI probably contained
3421 the shooter.

3422 I think a missile was fired, that we have dozens of
3423 people that agree with the flight time of the missile, where
3424 it came from and where it went. I think it steered for the
3425 center wing tank. I think it veered forward and entered the
3426 number two main. There is 45 square feet of front spar
3427 missing in front of that tank.

3428 The FBI did explosive testing that is secret on that same
3429 area. The FBI took live ordnance out ~~of~~^{to} those boats and
3430 showed the captain what a stinger ejecter can look^s like,
3431 first stage, looked like. They did that based on testimony.
3432 When they got out there, the guy on the boat said I already
3433 found that and threw it back, and he did that in October.

3434 I don't know what was shared by the FBI. I doubt very
3435 much. And I apologize to Mr. Hall or Dr. Loeb or anybody
3436 else if they were not privy to this information. I had to
3437 dig and dig and dig and finally just go find the people to
3438 find this out. What I am telling you is consistent with what
3439 the only military people that looked at this and wrote a
3440 report said.

3441 I would beg this committee to take seriously the seven
3442 recommendations that China Lake put on the table and spend
3443 the extra few bucks and do the test if you can. And I will
3444 be the first one with my hat in my hand; and I will do a back
3445 flip, and that is tough for a 300-pound fat guy, and I will
3446 apologize to these people.

3447 But to do it is our duty. It isn't about people; it is
3448 about the Constitution, and it is about abuse of power. I am
3449 a citizen, not supported by anyone else. I am doing my duty.
3450 And that is all I can do.

3451 Mr. DUNCAN. All right. Thank you very much. That
3452 concludes this hearing.

3453 [Whereupon, at 1:13 p.m., the subcommittee was
3454 adjourned.]