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Mr. Gerald L. Gitner  
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Re: The unexplained loss of TWA Flight 800

Gentlemen,

Over the last four months our investigation into the loss of TWA Flight 800 has produced information far surpassing that contained in our July 20, 1998 Interim Report to Congress. We can now prove, before a jury or other independent fact-finding body, that the aircraft was shot down. We can also explain why the Administration covered it up and expose some of the methods they employed to do so.

Your corporations are being scapegoated and defrauded by Administration officials because, had the truth about this incident been reported before November of 1996, it could have derailed the reelection of Clinton/Gore. Exposed now, it could send guilty parties to jail for Misprision of Felony Homicide.

We can provide your attorney's with witnesses, documents, or reference material that will support the following text:

### **White House knowledge of a threat prior to the loss of TWA Flight 800**

1. The Administration knew that in 1996, surrogates from rogue states had access to MANPADS (Man Portable Air Defense Systems) or shoulder-fired missiles in mid-eastern weapons bazaars. \$5,000 would acquire the least capable model, the Russian SA-7. \$50,000 would buy the most capable, the Chinese Vanguard, a deadly new missile upgraded from US Stinger technology transferred to the Chinese in the early 90's.

Superior to the Stinger, this missile has a much longer range. The Administration also knew Iran had a limited number of US Stinger missiles in inventory.

2. The Administration was aware that, worldwide, MANPADS missiles had already claimed 26 civil transport aircraft and was only a matter of time before a U.S. Flag carrier would be targeted and hit. They knew the Administration had dodged a bullet in 1994 when Maryland State Police found a fully armed French Mistral MANPADS missile ready to fire on its tripod directly under a busy northeastern air route.
3. In response to sanctions unilaterally levied against Iran by Mr. Clinton in 1995, Iranian surrogate's car bombed US troops in Riyadh, Saudi Arabia and later smuggled MANPADS missiles into the US from across the Canadian border. Iranian officials warned the Administration that they considered enactment of the Iran/Libya Sanctions Act tantamount to an act of war!
4. When Mr. Clinton signed the Iran, Libya Sanctions Act of 1996, a decision was made by the Iranian Supreme Council to approve attacks on major American targets. Terrorist surrogate groups from nine countries were summoned to Tehran to meet with Iranian officials in June of 1996. Later that month, a huge truck bomb was deployed against the US Air Force barracks complex at Khobar Towers in Saudi Arabia. Three weeks later, TWA Flight 800 was shot down only hours after an explicit warning of an attack was received in London and Washington that taunted the President.
5. The White House, the CIA and the FBI were aware of the threat and they knew preventing that attack was their primary responsibility.
6. We can show the Administration anticipated incorrectly that, if the missiles were used, they would be targeted against Olympic air traffic landing or taking off in the Atlanta area.
7. We can provide testimony that immediately after Flight 800 was shot down, Mr. Clinton called an FBI command post supporting the Olympics and informed them Flight 800 was downed with shoulder-fired missiles.
8. The White House, the CIA and the FBI political leadership have waged an unrelenting disinformation campaign from the onset. This has ranged from the White House spokesman stating, "Anyone in government that says this was a missile only has half a brain", and to the CIA cartoon that libeled hundreds of eyewitnesses.

### **Witnesses or "Untouchables"?**

1. The day after Flight 800 was shot down, the Justice Department, helped by 1,000 FBI agents, began the process of converting hundreds of witnesses into the first American "untouchable cast". The political leadership of the NTSB aborted its mission in one surrender of its responsibilities after another. When the Justice Department illegally ordered the NTSB crash investigators to have no contact with witnesses or their statements, and the NTSB complied, the investigation was over, the cover-up and Misprision of Felony Homicide had begun.

2. At the NTSB Public Hearing in December of 1997, the word "witnesses" was not even mentioned. Before and since, they have been ridiculed, slandered and liabled in official videotapes and statements made by government spokesmen.
3. On March 15, 1999 the derailment of the Spirit of New Orleans after she hit a steel truck at a railroad crossing in Bourbonnais IL, prompted a media wide call for witnesses by NTSB officials. It seems a witness was needed to prove the truck had driven around the safety gate. Apparently, investigations are much simpler and witnesses more creditable for the NTSB when there is no White House interest.
4. We have access to 107 witnesses on 4 aircraft, 19 boats, and 31 locations ashore. They were located in a 360° circle around the missile engagement. Their live testimony alone will prove the aircraft was shot down. This is why the Justice Department has kept air crash investigators away from witnesses for 2 1/2 years and also one reason they are conducting a malicious show-trial prosecution of author and outside investigator James Sanders and his wife. It's hard to interview witnesses from a Federal prison. The FBI failed to identify and interview 17 of these people. Among these 17 are witnesses on a boat who may have seen the escaping shooter.

### **Justice Department suppression of Missile Evidence**

1. It appears, aggressive FBI missile-team field agents eventually solved the problem as to the cause of the crash, but had no support in the FBI leadership. In fact, the FBI leadership seems to have deliberately withheld vital information from their own agents.
2. George Gabriel, the senior FBI Agent on Long Island and personal friend of Mr. Kalstrom, was a close witness on his boat. We can provide witnesses who overheard him say he believed what he observed was a missile. FBI missile-team members did not know he was a witness until we informed them.
3. The FBI has videotape that was shown to military experts of a missile shot from off the coast of Long Island that failed to engage a target. This first attempt was nearly coincidental to the Khobar Towers attack 3 weeks before Flight 800's loss.
4. By late September, 1996, FBI missile-team members had established informal liaison with military missile guidance experts. By that time the FBI knew witnesses at sea on all sides were pointing to a missile launch a few miles southeast of Flight 800's explosion point. What they observed fit the profile of a MANPADS missile engagement.
5. In December 1996, FBI missile team members told military experts that two separate commercial fishermen dredged up and threw back a MANPADS first stage, the missile ejector-motor can. The ejector motor, about the size of a Coke can, fires in the tube, ejecting the missile, then drops in the water when the missile 2<sup>nd</sup> stage booster ignites.
6. The fishing vessel Alpha Omega recovered one of these motor cans in early October, 1996, while trawling for scallops about 2 nautical miles from Flight 800's explosion point. The crewman, not realizing the importance of his find, noted the two distinctive ignition wires attached to the can before he threw it overboard.
7. Despite overwhelming forensic evidence of a weapon impact in the number 2 main tank of the left wing and witness testimony of a missile attack, the Administration would not

fund military missile experts or allow the FBI to trawl for missile parts until after the November 1996 elections.

8. The Alpha Omega was one of five trawlers contracted by the Navy Supervisor of Salvage for trawler operations. When FBI agents finally came aboard in November 1996 to begin trawling and brought pictures of three objects they were looking for, it was that point the crewman told them they were too late, he had already found and discarded an ejector can!
9. Responding to the previous findings, Special Agents Bongardt and Otto took a live ejector motor can from a Stinger missile aboard all the trawlers under contract, showing it to captain and crew.
10. Interrogated for hours, the Alpha Omega crewman insisted the can he found had the same features, ignition wires, etc. but was somehow different.
11. That interrogation should have prompted the FBI leadership to suspect they may have been dealing with the longer-range Chinese Vanguard or Russian SA16/18 missiles.
12. It is clear from the Supervisor of Salvage's operational trawling maps depicting "missile firing zones" and the FBI Trawling Operations Manual in our possession, that the Justice Department's intent was to find and hide from "other Interested Parties", missile ejector cans, missile battery cooling units and the last Flight 800 Scavenge Pump the NTSB was trying to blame as a source of a spark.
13. The \$ 5 million trawling operation was funded by NTSB, contracted to civilian scallop boats through the Navy Supervisor of Salvage from 4 November 1996 until it was suddenly terminated on 30 April 1997, yet the trawlers were manned 24 hours a day by teams of FBI agents. Up until 30 April 1997 the scallop boat captains had been told the operation would continue indefinitely for months or even years. FBI agents got the word via cell phone to shut down the operations. On two of the boats, when the captains refused to stop until the Navy contractor on board told them to, the agents threatened force to make the captains shut down. The first agent backed down when the captain told him he would go anywhere at gunpoint, but the agent could expect to be charged with piracy on the high seas when they got ashore. The second agent backed down when the captain informed him that he was armed also and he was the captain and they weren't going anywhere!
14. The FBI's trawling plan was flawed in the following ways.
  - a. The missile firing zones depicted on the charts were 1.75 NM and 2.7 NM radius circles. These distances are accurate for two types of MANPADS but the Chinese Vanguard exceeds those ranges.
  - b. They used the last transponder response from the aircraft as the aircraft explosion point. The aircraft was travelling east over 2,900 feet between each transponder response. A two-second error would move the trawling off by 1/4 mile.
  - c. They failed to notice, until December 1996, a recorded surface radar contact only 2.9 NM from Flight 800 when it exploded!
  - d. They failed to identify that boat!

- e. They failed to adjust the trawling lines to cover that boat's surface track while it was in range of TWA Flight 800.
15. The FBI told military experts they had a witness who perfectly described a MANPADS engagement terminating in an impact on Flight 800's left wing root. It includes boost; sustainer-motor burn and total missile fly-out time typical of the US Stinger and its copies.
  16. Military thermal imaging of B747-100's provided to the FBI by China Lake Naval Air Weapons Facility, indicate a MANPADS missile fired from a low forward quarter would guide toward the three air pack exhaust ports, directly under the center wing tank and not, as publicly stated for the engine nacelles. See attached thermal imaging.
  17. Military computer modeling of the TWA 800 engagement, using Stinger data, shows the missile's velocity would degrade to 400 meters per second as it climbed through 13,700 ft. This would cause the circular error probability (CEP) to expand to 20 ft. or more, allowing an impact almost anywhere on the aircraft.
  18. Stinger guidance technology provides a last instant steer-forward command to avoid a miss by flying through an engine exhaust plume. Such a command would explain a missile, fired from in front, steering for the air pack exhausts under the center wing, impacting forward on the left wing root leading edge.
  19. The Stinger, for example, has a two-pound warhead with three fusing options, contact, penetration and time-out.
  20. Using stinger missile fly-out data provided to the FBI by military experts, the combined velocity of missile body and aircraft at impact would be 1950 ft/sec.
  21. If the cockpit voice recorder hasn't been tampered with, an audio laboratory should be able to discern this velocity through its analysis of recorded frequencies. This may be why the NTSB has refused to allow the Cockpit Voice Recorder group to convene and study the data generated from the Bruntingthorpe tests done in England.
  22.  $E = \frac{1}{2} MV^2$  would predict kinetic energy available at impact of over 1.2 million foot pounds.
  23. The kinetic energy from a missile body entering the number two main,  $\frac{3}{4}$  full of fuel, at mach 1.8 would cause the tank to burst from hydraulic overpressurization.
  24. Fused for penetration, the two-pound high explosive warhead, bursting in the fuel could impart an additional 200-PSI spike of hydraulic ram overpressure.
  25. Jet fuel is over 700 times the density of air. A MANPADS missile warhead's fragments would be stopped in a few feet of fuel, negating high velocity fragment damage to aircraft components. Mr. Kalstrom's public statements repeatedly used the lack of high velocity fragment damage as an excuse to ignore witnesses and shutdown the investigation.
  26. The Navy China Lake missile impact "Quick Look Engineering Study" identified 4 criteria for expected damage if a shoulder fired missile hit a 747-100 inboard main fuel tank. All four are caused by hydraulic over pressurization of fuel tanks. All four are in evidence on the left wing. None of these criteria have ever been seen in previous air crashes.

27. The China Lake report's first two recommendations were to detonate shoulder-fired missile warheads in fuel tanks to determine if the fragments would be trapped and to do live firing of these missiles at inboard main tanks to compare to left wing damage on Flight 800.
28. Mr. Kalstrom ignored all seven recommendations; cherry picked statements out of the China Lake report and used them out of context in the media to argue the aircraft was not shot down.
29. When Mr. Kalstrom was faced with having to take action on the China Lake report he chose to shut down the investigation.
30. At the time the FBI investigation was prematurely shut down in November of 1997, the FBI had failed to identify a fast moving boat captured on radar only 2.9 nautical miles from Flight 800 when it exploded. Mr. Schirilo, who replaced Mr. Kalstrom, admitted that fact in a letter to Congressman Traficant.
31. After his retirement, Mr. Kalstrom was taped stating the boat captured on radar was really a helicopter. Considering the radar target was non-transponder and was tracked on the surface at speed below 36 knots for 35 minutes prior to disappearing over the horizon, even FBI agents have acknowledged Mr. Kalstrom's excuse is nonsense.
32. Witnesses afloat and ashore observed a six second missile burn (Stinger rocket burn is 6 ½ seconds) coming from the near vicinity of the unidentified boat.
33. Senior Justice Department officials need to be compelled to answer under oath why testing essential to determine if Flight 800 was brought down by a shoulder fired missile was not funded and why they ignored the forensic evidence, military experts, witnesses and their own FBI field agents.

## **The search for the Black Boxes**

1. Discovery of the plight of the Flight Data Recorder and Cockpit Voice Recorder and their two Ducane pingers, after water entry, may be the key to unlocking the cover-up. We can show a Grand Jury how Mr. Clinton personally involved himself.
2. The NTSB is extremely sensitive to the subject of Black Boxes. They opened the boxes without any investigators from the Interested Parties present. They refused to allow TWA's investigator to listen to the voice recorder more than once.
3. The Voice Recorder has a "sound like damaged tape" precisely seven seconds prior to its end. Seven seconds prior to missile impact would be coincidental to MANPADS booster ignition. A visually bright event that could be seen by the First Officer.
4. Dr. Loeb has refused to release Addendum number two to the Flight Data Recorder Analysis that was written to rebut our interpretation of the last data line. The NTSB even refuses to let the Voice Recorder Analysis group reconvene!
5. The Administration's explanation of the circumstances under which the USS Grasp" divers found the Digital Flight Data Recorder and the Cockpit Voice Recorder is highly questionable.

6. According to divers we interviewed and the Navy Supervisor of Salvage Report, Navy divers from the USS Grasp found the recorders during Dive #2 and Dive #3 on the evening of 23 July 1996. The Administration maintains these same divers found them more than 24 hours later at 2330 hours on 24 July 1996. East coast TV news coverage ends at 23:30.
7. The most probable motive for this deception was to ensure investigators, who are Parties to the Investigation, were not witnesses when NTSB/FBI officials were alleged to have first opened the boxes in Washington during the early morning hours of 25 July 1996.
8. The boxes should have been found in the aircraft tail cone section, or within its debris. Instead, divers from the Grasp found each box 30 feet apart on a hard sand bottom, devoid of any attached debris and neither Ducane Pinger was operating. They appeared just as they would if dropped overboard from a boat!
9. Somehow both Ducane Systems fixed themselves while in FBI custody. They were found to be fault-free in laboratory test days later.
10. The small cylindrical Ducane Pingers are mounted on the narrow front face of each oblong rectangular box. They are protected from damage because they are bolted firmly to the inside angle of a short piece of angle iron. Because of their shape, the probability of either free falling box landing on the bottom with the pinger stuck in the sand, would be akin to a free falling domino landing on it's end and remaining standing in that position.
11. The only way Ducane Pingers can be silenced under water without evidence of damage is by partly unscrewing the battery connection.
12. The probability of both undamaged Ducane Pingers failing simultaneously in a shallow open ocean environment, on top of a hard sand bottom, approaches that of a spontaneous aviation kerosene explosion in an ignition-free Boeing 747-100 fuel tank.
13. We consider the fact the NTSB has remained mute about these alleged Ducane failures is Prima Facie evidence of either abject incompetence on the part of the NTSB who should have opened an inquiry into the cause, or proof of a cover-up of NTSB misconduct.
14. Weeks Marine, Inc. was verbally contracted by both the Coast Guard and FAA officials the night of the crash to position for salvage operations. They were on site the next morning with the best salvage equipment available in the Atlantic. It was superior to Navy assets, but Weeks Marine was stood down by the NTSB. It would be five more days before Navy divers would be on scene to recover recorders, bodies, etc! Why the forced wait?
15. Holding Weeks Marine, Inc. to standby while ordering Navy assets to respond from far away points deliberately condemned victims trapped in bottom wreckage to five additional days of ravage by natural elements. This grossly compounded the grief of the families and put at risk the ability of medical examiners to identify all remains. The White House was responsible for this order.
16. Circumstantial evidence indicates the Administration, knowing the aircraft to be shot down, may have ordered a covert recovery, laboratory examination and reinsertion of the recorders to ensure the aircrew did not describe the attack on audio tape. Scuba divers could have recovered the recorders on the afternoon of 18 July and dropped them back

overboard after 10 am 22 July, before the USS Grasp and Navy divers were on scene. During that period of time NOAA research vessel Rude and the motor vessel Pirouette were simultaneously sent 5 miles off the main debris field on a "wild goose chase" by the NTSB. Both ships had been mapping that field with side scan sonar!

17. Properly done, a scuba team equipped with a Ducane locator amplifier tube, held over the side, could position a small boat directly over active Pingers, dive and recover the boxes in a single effort. Active pingers can be detected by divers 300 yards away.
18. We have a witness that has passed a polygraph test and has provided a sworn affidavit that a member of the NTSB leadership told him the recorders were found and examined by 20 July. The Coast Guard told both TWA maintenance and Congressman Forbes that the recorders were found on 18 July. The next day, 19 July, the Senate Select Committee on Intelligence was told the aircraft was shot down by terrorists. Senators Hatch and D'Amato made public statements to the same effect.
19. White House, NTSB and Justice Department officials need to be compelled to explain these events and their actions under oath. We also have other individuals who have asked to remain anonymous who should be questioned under oath.
20. Despite a steep learning curve and the best efforts of some of its most aggressive field agents, FBI leadership has demonstrated itself to be functionally illiterate in the critical areas of; military weapons and tactics, radar interpretation and air crash investigation. The fact the White House failed to immediately assign appropriate elements of the Department of Defense as lead investigators in the missile inquiry is inculpatory.
21. Gentlemen, we have the "FBI Trawler Operations Manual" and Operations Order as well as other documents left behind aboard a contract boat by FBI agents. If found, the Justice Department intended to hide from your companies; the last fuel scavenge pump, a missile ejector can and the missile battery cooling unit!

TWA Flight 800 was the 27<sup>th</sup> civil aircraft shot down worldwide by shoulder fired missiles. The Administration's actions have greatly increased the danger of a recurrence, not only because of the deception of this case but because administration policy deliberately fails to link any terrorist act to the government of the Sponsor State. This provides political cover for the Administration's lack of action and sanctuary to deadly enemies.

I will point out the coincidence of the Clinton Administration's pro Arab, anti Israeli policy shift and the arrival on our shores of a creditable anti-aircraft threat under the control of rogue states. In 1994, the Maryland State Police found a fully armed French MANPADS missile, the Mistral, ready to fire on its tripod, directly under a heavily used air corridor near Westminster Maryland.

Our research also found U.S. Stinger technology transferred to China in the early 90's enabling them to produce the Vanguard, a quality shoulder fired Chinese missile. It was deployed first in 1996. If past history is an indicator, the China / Iran weapons transfer link bodes ill for future air commerce.

In a worse case scenario, absent a respected American Commander-in-Chief, Iran's Supreme Council, or other rogue state, could successfully shutdown or disrupt major traffic hubs



worldwide by activating surrogate cells armed with Vanguard. If they can shoot down one, why not a half dozen on a single day?

Gentlemen, the time to act is now, regardless of any arrangements you may or may not have had to accept. Once the American people understand the truth, your corporations will be indemnified against any further political extortion from this administration.

We would ask, in the interest of long term air safety, that you take an aggressive and public pro-active stance. Challenge the Administration; educate the media and the electorate. Severance from a politicized and fraudulent Federal investigation is no penalty and maintenance of the status quo is certainly no prize.

Sincerely,

William S. Donaldson

cc:

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Unites States Senate

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Air Attaché', Embassy of France

The Honorable Orin Hatch  
Unites States Senate

Gen. Bernardis  
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The Honorable George Boinovitch  
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The Honorable John J. Duncan, Jr.  
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