

# Examining the Methods of Deception

## Deceit in the 9/11 Commission Report as exemplified by endnote 121

121. In response to allegations that NORAD responded more quickly to the October 25, 1999, plane crash that killed Payne Stewart than it did to the hijacking of American 11, we compared NORAD's response time for each incident. The last normal transmission from the Stewart flight was at 9:27:10 A.M. Eastern Daylight Time. The Southeast Air Defense Sector was notified of the event at 9:55, 28 minutes later. In the case of American 11, the last normal communication from the plane was at 8:13 A.M. EDT. NEADS was notified at 8:38, 25 minutes later. We have concluded there is no significant difference in NORAD's reaction to the two incidents. See NTSB memo, Aircraft Accident Brief for Payne Stewart incident, Oct. 25, 1999; FAA email, Gahris to Myers, "ZJX Timeline for N47BA accident," Feb. 17, 2004. [p. 459]

"This Payne Stewart thing has come up often enough. We do actually have a note that discusses the Payne Stewart story. The story is basically this: Gee, we were able to scramble airplanes in time to be at/intercept Payne Stewart's aircraft; why then couldn't we scramble airplanes in time to intercept these airliners? And the answer has to do with the details of the Payne Stewart story and how much time people had. And we actually have an endnote breaking down the timeline of the Payne Stewart story and why they were able to respond and why they had time to respond. And its a quite different story than the story of the notifications we had on 9/11."

Philip Zelikow, Executive Director of the 9/11 Commission, in reply to a caller, who had referred to the Stewart aircraft incident [C-SPAN July 23, 2004].

### Analysis:

*In response to allegations that NORAD responded more quickly to the October 25, 1999, plane crash that killed Payne Stewart than it did to the hijacking of American 11, we compared NORAD's response time for each incident.*

The Commission **does not compare NORAD's response times**. Instead, it compares the times taken to make notifications, which come from the Federal Aviation Administration [FAA], not the North American Aerospace Defense Command [NORAD], a component of the US Air Force. NORAD's responses would begin after notifications. Payne Stewart was a well-known professional golfer.

*The last normal transmission from the Stewart flight was at 9:27:10 A.M. Eastern Daylight Time.*

Although the endnote compares the FAA's "quickness" of notifications, not NORAD'S reaction times, the **time of the last normal transmission is not the correct time, from which to measure the FAA's response** to notify NORAD, since the emergency would not yet have begun. The proper time to begin would be from that of an abnormal transmission (or other emergency condition arising), or from a **failure to respond**. In both the case of the Stewart flight and of American Airlines Flight 11, the first indications of an emergency situation existing were failures to respond to routine communications from their respective air controllers.

*The Southeast Air Defense Sector was notified of the event at 9:55, 28 minutes later.*

**The 9:55 notification time is not given in, nor supported by the cited National Transportation Safety Board [NTSB] Aircraft Accident Brief.** (see below) Since the second cited source, "FAA email, Gahris to Myers, 'ZJX Timeline for N47BA accident,' Feb. 17, 2004," does not appear to be in the public record, one is unable to confirm whether or not it supports the 09:55 EDT notification time, as claimed by the Commission. The asserted 9:55 notification time is the only datum, pertaining to the Stewart flight, in note 121 not provided by the NTSB report. Why an e-mail message, over four years after the fact, would hold greater weight than the official NTSB accident report is not addressed. [Doug Gahris, a FAA systems specialist, to, presumably, Air Force General Richard Myers; ZJX is the designation of the Jacksonville, Florida airport]. 28 minutes is measured from the **incorrect** start time. The Southeast Air Defense Sector is a sector of NORAD.

*In the case of American 11, the last normal communication from the plane was at 8:13 A.M. EDT. NEADS was notified at 8:38, 25 minutes later.*

25 minutes is measured from the **incorrect** start time. NEADS is the Northeast Air Defense Sector of NORAD.

*We have concluded there is no significant difference in NORAD's reaction to the two incidents.*

Again, **NORAD's reactions are not being compared**. By using the incorrect measure (to compare the FAA's notification times), the result shows no substantial difference (28 min. to 25 min.). **The Commission even purports that "the response time" was quicker for AA Flight 11 than for the Stewart flight. This false conclusion derives from the disingenuous choice of using the incorrect measure**, since it masks the fact that large commercial airliners, like AA 11 are typically (and in this case, actually) in far more frequent contact with their controllers, than small private nonscheduled aircraft, like the Stewart flight. **The false conclusion also derives from a claim (notification at 9:55) apparently unsubstantiated by any document in the public record.**

See NTSB memo, *Aircraft Accident Brief for Payne Stewart incident, Oct. 25, 1999; FAA email, Gahris to Myers, "ZJX Timeline for N47BA accident," Feb. 17, 2004.*

**The Commission relies on the reader to be unfamiliar with the cited NTSB accident report for the Stewart flight and to be unfamiliar with the timeline of events pertaining to AA 11.** The cited NTSB Aircraft Accident Brief [pp. 2-3] states:

According to ATC [air traffic control] radio transmissions, the flight departed MCO [Orlando International] about 0919 EDT bound for DAL [Dallas]. At 0921:46 EDT, the flight contacted the Jacksonville Air Route Traffic Control Center (ARTCC) . . .

... At 0927:13 EDT, the controller instructed N47BA [tail number of the Learjet carrying Payne Stewart] to climb and maintain FL 390 [flight level 39,000 ft]. At **0927:18 EDT [last normal communication]**, N47BA acknowledged the clearance by stating, "three nine zero bravo alpha." This was the last known radio transmission from the airplane. . . .

... At 0933:38 EDT (**6 minutes and 20 seconds after N47BA acknowledged the previous clearance**), the controller instructed N47BA to change radio frequencies and contact another Jacksonville ARTCC controller. **The controller received no response** from N47BA. The controller called the flight five more times over the next **4½ minutes** but received no response.

About 0952 CDT, a USAF F-16 test pilot from the 40th Flight Test Squadron at Eglin Air Force Base (AFB), Florida, was vectored to within 8 nm [nautical miles] of N47BA. About 0954 CDT [2 minutes later], at a range of 2,000 feet from the accident airplane and an altitude of about 46,400 feet, the test pilot made two radio calls to N47BA but did not receive a response.

[parenthetical material in original; bracketed material and bolding added]

The time of FAA notification to NORAD is not explicitly stated anywhere in the NTSB report. The implication of the statement, "[t]he controller called the flight five more times over the next 4½ minutes but received no response" is that the notification was made 4½ minutes after the pilot failed to respond and occurred at about 0938 EDT [0933:38 plus 4½ minutes]. The context is provided by the very next sentence, which tells of an F-16 pilot being vectored to within 8 nautical miles to the Stewart plane.

However, the Commission claimed a 28-minute time derived from the last normal communication, which was 0927:18 EDT, placing the notification at about 0955 EDT, a time not mentioned in, nor supported by the official NTSB accident report.

From the NTSB's transcript, dated December 21, 2001, of the Air Traffic Control Recording for AA 11, one learns that the last normal communication from AA 11 was at 8:13:31 EDT, and that the pilot failed to respond to a routine instruction, **a mere 16 seconds later** at 8:13:47 EDT. The 9/11 Commission reported that the notification from the FAA to NORAD about AA 11 was at 8:38 EDT. [FAA Administrator Jane Garvey had testified that it was four minutes earlier at 8:34, the time also given in the FAA's "Report of Aircraft Accident" for AA 11 dated November 13, 2001.]

By using the proper measure (first failure to respond) for the Stewart flight the time taken to notify is reduced by 6 minutes 20 seconds from the claimed 28 minutes to 21 minutes 40 seconds, if one uses the apparently undocumented 0955 EDT notification time. However, 4½ minutes appears to be the correct time for NORAD to have been notified about the Payne Stewart flight.

By using the proper measure (first failure to respond) for AA 11 the notification time is reduced by only 16 seconds, so remains approximately 25 minutes. The resulting comparison, in light of this information of the times taken to notify, is no longer favorable to the case of AA 11 as endnote 121 would have one believe. Instead, **the notification for AA 11 appears to have taken over 5½ times longer [25 minutes : 4½ minutes] than for the Stewart flight** using the Commission's own notification time for AA 11 and the best supported notification time for Payne Stewart's plane. A falsely reassuring comparison becomes a disturbing discrepancy, but one that is unacknowledged need not be explained.

## Postscript

In endnote 121 the 9/11 Commission purports to have "*compared NORAD's response time for each incident*" and to "*have concluded there is no significant difference in NORAD's reaction to the two incidents.*" Brief accounts of NORAD's actual, strikingly dissimilar responses to the Payne Stewart flight and to AA Flight 11 follow:

The NTSB report relates that NORAD responded to the Payne Stewart flight by "vectoring" an F-16 from Eglin Air Force Base to his Learjet. The interception at 9:54 Central Daylight Time would imply an excessive, bordering-on-pointless 1 hour 16 minutes elapsed time to respond (59 minutes, if the Commission's asserted notification time is used). However, by the time the Learjet crashed in South Dakota at 12:13 CDT, a total of five different F-16s had successfully intercepted it, two of which were refueled in mid-air by a tanker aircraft, then intercepted the Learjet a second time.

NORAD, which had been notified at 8:38 EDT or earlier about American Flight 11, waited until 8:46, the same time that it reportedly crashed into the north World Trade Center tower, to order two F-15 fighter jets airborne. Per NORAD, they launched at 8:52, leaving no chance to intercept that airliner, at a distance of 153 miles from Manhattan. For 33 months the public was left to believe that the F-15s had been directed toward New York City. Not until June 2004 did the Commission reveal that, instead, they had been diverted to a military-controlled airspace south of Long Island and held there until 9:13 (10 minutes after the south World Trade Center tower also had been hit, by the second airliner, United Flight 175). Why the responding F-15s were diverted and then held away until the New York phase of the attack was over has not been explained.