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September 12, 2006

MEMORANDUM FOR UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE

SUBJECT: Report on Review of Testimony to the National Commission on Terrorist Attacks Upon the United States (Report No. 06-INTEL-12)

The National Commission on Terrorist Attacks Upon the United States (the Commission) alleged that DoD and Federal Aviation Administration (FAA) officials at a Commission hearing made certain statements knowing them to be false. This report is the result of a coordinated review of those allegations undertaken by the offices of Inspectors General for DoD and Department of Transportation (DOT). Both DoD and the FAA provided the Commission and the public with inaccurate information about their responses to the events of September 11, 2001. However, we found no indication that these statements were intentionally false. Rather, we attribute the inaccurate statements to a lack of capabilities and thoroughness within DoD to accurately reconstruct the response to the sequence of events of September 11, 2001.

Scope and Methodology. We interviewed DoD and FAA officials, contractors, and civilian witnesses. We reviewed memoranda and transcripts of interviews that the Commission conducted. Further, we examined the Commission's Final Report, Staff Statement 17, transcripts from hearings, written statements presented to the Commission, chronologies (including drafts) produced by various DoD and FAA organizations, press releases, and many other sources, including internal and external DoD and FAA e-mails, faxes, and correspondence.

Background. The Commission identified inaccuracies in DoD and FAA officials' May 23, 2003, testimony and on other occasions. Specifically, the Commission identified the following four erroneous statements.

The FAA notified DoD at 9:16 a.m. (eastern daylight savings time) of the United Flight 93 hijacking. The actual time was 10:07 a.m.

The FAA notified DoD at 9:24 a.m. of the American Flight 77 hijacking. The actual time was 9:34 a.m.

DoD scrambled fighters from Langley Air Force Base in response to the hijackings of United Flight 93 and American Flight 77. The fighters were actually scrambled in response to an erroneous report that American Flight 11 was heading south toward Washington D.C.

DoD was tracking United Flight 93 and intended to intercept the aircraft if it approached Washington D.C. DoD was not aware of the United Flight 93 hijacking until after the flight crashed.

The Commission was concerned about whether DoD and FAA officials knew that the statements were inaccurate and, if they did, why they failed to correct them.

Review Results. We did not substantiate that DoD statements to the Commission were intentionally false. We confirmed that DoD reported inaccurate information on the air defense response to the September 11, 2001, hijackings in press releases and in testimony to the Commission. DoD forensic capabilities were inadequate to ensure accurate and timely reporting. Further, officials did not take sufficient actions to completely and accurately report events related to the events of September 11, 2001. Report No. 05-INTEL-13, "Forensic Capabilities and Incident Reporting Related to Air Defense Actions," May 27, 2005 recommended improvements DoD can take to sufficiently capture and report on actions in responding to a future significant air event. The Assistant Secretary of Defense for Networks and Information Integration agreed to change applicable DoD Directives to implement the recommended actions.

Forensic Capabilities. The lack of adequate forensic capabilities for maintaining logs, video and audio recordings, and storing radar information was a contributing factor to the inaccurate testimony. Individuals responsible for reporting on the response to the attacks were impeded because there were no standardized logs. The ability of DoD to accurately report on events was also affected by inadequate audio recording capabilities. Within DoD, available audio recordings of activities within the Air Defense Command centers were not easily accessible for review. In addition, DoD officials did not use the transcripts, even when available, to prepare the press releases and subsequent testimony to the Commission. We recommended that the DoD establish and install standardized forensic capabilities.

Timeline Preparation. DoD did not place sufficient emphasis on investigating and reporting actions taken in response to the hijackings. DoD relied on subordinate commands to develop information for the press and the Commission. Commanders throughout DoD did not place a high priority on developing accurate information and, after September 11, 2001, they primarily focused their efforts on identifying and correcting operational weaknesses. Gathering information related to the events of September 11, 2001, was considered an additional duty. Consequently, the events were neither adequately reported nor documented. Staffers preparing testimony for the Commission focused on the information reported immediately after the event and did not check the accuracy of the information. We recommended that DoD needed better reporting procedures for similar events that might occur in the future.

Response Coordination. We saw no indication that DoD and FAA officials collaborated on their initial statements in response to the events of September 11, 2001, or their subsequent testimony to the Commission. Significant indications existed to show that DoD, DOT, and FAA officials discussed actions they needed to take to improve communications between the organizations and to develop better protocols to respond to future incidents. However, there was

no indication that those officials discussed the timelines of the events of September 11, 2001. The DoD and FAA officials that we interviewed consistently stated that they did not coordinate timeline information.

Other Reporting. We did not find any indication that the DoD officials made erroneous statements once they became aware of the inaccuracies. In addition to the press releases and testimony provided to the Commission; press interviews, briefings, and books describing the events also included inaccurate timelines. The Commission specifically cited one publication, "Air War Over America" as an example in which DoD officials portrayed the inaccurate information. However, all the information cited in the book was based on interviews and documents dated before the Commission's findings. Further, the author was not given access to the tapes and logs that the Commission examined and in which they identified the errors in the timelines.

Corrective Actions. DoD officials initiated a significant effort to validate the Commission's timelines once they became aware of the discrepancies. However, DoD officials did not publicize the modified timelines once they became aware of the discrepancies. The Commanding General, North American Air Defense Command wrote to the Commission in March 2004 stating that the testimony presented at the January hearing was inaccurate and verifying that the timeline information that the Commission developed was correct. DoD officials believed that this action would rectify the situation because the Commission's charter was to report on all the events related to the hijackings, including the DoD and FAA responses. Further, we found no evidence that DoD or DOT officials knowingly misled the Commission.

No written response to a draft of this report was required, and none was received. Therefore, we are publishing this report in final form. We appreciate the courtesies extended to the staff. If you have any questions or would like additional information regarding our review please contact either [REDACTED] at (703) 604-[REDACTED] or [REDACTED] at (410) 854-[REDACTED]



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