



INSPECTOR GENERAL  
DEPARTMENT OF DEFENSE  
400 ARMY NAVY DRIVE  
ARLINGTON, VIRGINIA 22202-4704

OFFICE OF  
SECRET  
2004 SEP -3 PM 5:28

INFO MEMO

September 3, 2004, 14:30 am

FOR: SECRETARY OF DEFENSE

FROM: Joseph E. Schmitz, Inspector General of the Department of Defense

SUBJECT: 9-11 Commission Referral Regarding Inaccurate Public Statements

- The attached letter (TAB A) from the General Counsel of the 9-11 Commission addressed to the Inspectors General of the Departments of Defense and Transportation indicated that the Commission had “discovered evidence that certain public statements made by NORAD and FAA officials at a Commission hearing on May 23, 2003, and elsewhere, regarding the actions of NORAD and FAA officials in responding to the 9/11 attacks were not accurate.”
- On August 17, 2004, members of my staff and members of OIG DOT staff met with the members of the 9-11 Commission staff to obtain a clear understanding of the Commission’s concerns.
- On September 1, 2004, my Deputy Inspector General for Intelligence issued the letter (TAB B) announcing a preliminary review of the alleged erroneous statements by DoD officials.
- I am available to meet with you to discuss this issue.

COORDINATION: None

Attachments: As stated



FOR OFFICIAL USE ONLY (WITH ATTACHMENTS)

OSD 13321-04

# TAB

# A





FOR OFFICIAL USE ONLY

Thomas H. Kean  
CHAIR

July 29, 2004

Lee H. Hamilton  
VICE CHAIR

Hon. Joseph E. Schmitz  
Inspector General  
U.S. Department of Defense  
Washington, D.C. 20301-1900

Richard Ben-Venise

Fred F. Fielding

Jamie S. Gorelick

Hon. Kenneth M. Mead  
Inspector General  
U.S. Department of Transportation

Slade Gorton

Bob Kerrey

John E Lehman

Moxy J. Roemer

Dear Mr. Schmitz and Mr. Mead:

James R. Thompson

Philip D. Zelikow  
EXECUTIVE DIRECTOR

During the course of our investigation, the staff of the National Commission on Terrorist Attacks Upon the United States discovered evidence that certain public statements made by NORAD and FAA officials at a Commission hearing on May 23, 2003, and elsewhere, regarding the actions of NORAD and FAA officials in responding to the 9/11 attacks were not accurate. We did not, however, investigate whether these statements were knowingly false. Since we did gather evidence that may bear on this issue, we decided to refer this matter to each of you so that you may take whatever steps you believe are appropriate.

To assist you in examining this matter, we have included copies of the following:

- (1) A Commission staff memorandum regarding NORAD and FAA Statements Concerning Air Defense on 9/11.
- (2) An email from Col. Robert Marr to retired Col. William Scott dated June 2, 2003, which was forwarded to Commission staff.
- (3) The Final Report of the Commission released July 22, 2004; chapter 1 in particular pertains to this issue.
- (4) Commission Staff Statement No. 17, dated June 17, 2004.
- (5) Testimony of NORAD and FAA officials at the Commission's public hearing held on June 17, 2004.
- (6) Testimony of NORAD and FAA officials at the Commission's public hearing held on May 22-23, 2003.

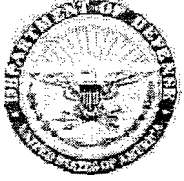


FOR OFFICIAL USE ONLY

# TAB

# B





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SEP 1 2004

MEMORANDUM FOR DISTRIBUTION

SUBJECT: Review of DoD Official's Testimony to the National Commission  
on Terrorist Attacks Upon the United States (Project No. D2004-INT-0229)

We will begin the subject review in September 2004 in response to a referral from the National Commission on Terrorist Attacks Upon the United States (known as the 9-11 Commission) jointly to the DoD and DOT Inspectors General. The preliminary review will assess whether information presented to the Commission related to the military response to the terrorist hijackings was factually correct. Based on the results of our preliminary assessment, we may then need to assess whether DoD officials knowingly presented erroneous information. We will fully consider suggestions from management on additional or revised objectives.

We will perform this review at elements of the Office of the Secretary of Defense, the Joint Chiefs of Staff, the North American Aerospace Defense Command, and the Reserve Components. Additional elements may be identified during the course of the review.



Thomas F. Gimble  
Deputy Inspector General  
for Intelligence

