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Published on Wednesday, August 2, 2006 by the [Denver Post](#)

Pentagon's Version of 9/11 Far from Truth, Panel Found

Some commission members wanted Justice Dept. probe
by Dan Eggen

WASHINGTON - Some staff members and commissioners of the Sept. 11 panel concluded that the Pentagon's initial story of how it reacted to the 9/11 terrorist attacks may have been part of a deliberate effort to mislead the commission and the public, according to sources involved in the debate.

Suspicion of wrongdoing ran so deep that the 10-member commission, in a secret meeting at the end of its tenure in summer 2004, debated referring the matter to the Justice Department for criminal investigation, said several commission sources.

Staff members and some commissioners thought that e-mails and other evidence provided enough probable cause to believe that military and aviation officials violated the law by making false statements to Congress and to the commission, hoping to hide the bungled response to the hijackings, the sources said.

In the end, the panel agreed to a compromise, turning over the allegations to the inspectors general for the Defense and Transportation departments, who can make criminal referrals if they believe they are warranted, officials said.

"We to this day don't know why NORAD (the North American Aerospace Command) told us what they told us," said Thomas Kean, the former New Jersey Republican governor who led the commission. "It was just so far from the truth. ... It's one of those loose ends that never got tied."

Although the commission's landmark report made it clear that the Defense Department's early versions of events on Sept. 11 were inaccurate, the revelation that it considered criminal referrals reveals how skeptically those reports were viewed by the panel and provides a glimpse of the tension between it and the Bush administration.

A Pentagon spokesman said Tuesday that the inspector general's office would soon release a report addressing whether testimony delivered to the commission was "knowingly false."

A separate report, delivered secretly to Congress in May 2005, blamed inaccuracies in part on problems with the way the Defense Department kept its records, according to a summary released Tuesday.

For more than two years after the attacks, officials with NORAD and the FAA provided inaccurate information about the response to the hijackings in testimony and media appearances.

Authorities suggested that U.S. air defenses had reacted quickly, that jets had been scrambled in response to the last two hijackings and that fighters were prepared to shoot down United Airlines Flight 93 if it threatened Washington.

In fact, the commission reported a year later, audiotapes from NORAD's Northeast headquarters and other evidence showed clearly that the military never had any of the hijacked airliners in its sights and at one point chased a phantom aircraft - American Airlines Flight 11 - long after it had crashed into the World Trade Center.

Maj. Gen. Larry Arnold and Col. Alan Scott told the commission that NORAD had begun tracking United 93 at 9:16 a.m., but the commission determined that the airliner was not hijacked until 12 minutes later.

The military was not aware of the flight until after it had crashed in Pennsylvania.

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