

From: "Dickerson, Ken" <kdickerson@majorcomm.ca>
Date: July 13, 2006 8:26:05 AM PDT
To: <barry@ntsb.org>
Subject: Application for standing

Mr. John Barry Smith
541 Country Club Drive
Carmel Valley, CA 93924
USA

e-mail: barry@ntsb.org

Dear Mr. Smith :

On behalf of the Honourable John C. Major, Commissioner, I hereby acknowledge receipt of your application for standing at the public hearings of the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182.

Written acknowledgement will follow, by letter to the address above.

You will be contacted shortly to inquire as to whether you intend to also present an oral submission on July 18, 2006 in Ottawa.

Yours truly,

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

for Sheila-Marie Cook
Executive Director

From: "Dickerson, Ken" <kdickerson@majorcomm.ca>
Date: July 13, 2006 4:03:26 PM PDT
To: "John Barry Smith" <safety@ntsb.org>
Subject: RE: Application for standing

Mr. Smith,

Please note that oral submissions concerning your application for standing will be heard on Wednesday, July 19, 2006. Hearings commence at 9:30 a.m. Please arrive by that time.

Commission hearings are held at the Bytown Pavilion, 111 Sussex Drive, Ottawa, Canada.

Let me reconfirm that the Commissioner will consider your application as submitted, whether or not you provide an oral submission on July 19.

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

From: John Barry Smith [mailto:safety@ntsb.org]
Sent: Thursday, July 13, 2006 12:43 PM
To: Dickerson, Ken
Subject: Re: Application for standing

Dear Mr. Dickerson, Thursday, July 13, 2006

Thank you for your recent telephone call in which I confirmed I would be presenting at the application for standing hearing on 18-19 July in Ottawa.

I shall drive instead of flying.

Can I be scheduled for 19 July, Wednesday, since the trip shall be a long one?

13. Applicants for standing will be permitted to make oral submissions not exceeding 15 minutes at a public standing hearing in Ottawa, on July 18-20, 2006 at the Bytown Pavilion, Victoria Hall, 111 Sussex Drive, Ottawa, Ontario, or at the discretion of the Commissioner at any other date.

I shall prepare for my full 15 minutes at the Bytown Pavilion.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
barry@johnbarrysmith.com
safety@ntsb.org

At 11:33 AM -0400 7/13/06, Dickerson, Ken wrote:
Mr. John Barry Smith
541 Country Club Drive
Carmel Valley, CA 93924
USA

e-mail: barry@ntsb.org

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Yours truly,

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

for Sheila-Marie Cook
Executive Director

From: John Barry Smith <barry@johnbarrysmith.com>
Date: July 21, 2006 8:18:09 PM PDT
To: "Dickerson, Ken" <kdickerson@majorcomm.ca>
Subject: Re: Application for standing

Ken Dickerson
Public Affairs Officer / Agent des affaires publiques

Dear Mr. Dickerson, Friday, July 21, 2006

Thank you for your assistance during my brief appearance before the Commissioner.

He said he would consider any written submission and I am preparing one now. I would appreciate if he could get it personally. It should be ready by Monday and in your email inbox.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
safety@ntsb.org
barry@johnbarrysmith.com

From: John Barry Smith <barry@johnbarrysmith.com>
Date: July 23, 2006 10:04:30 PM PDT
To: kdickerson@majorcomm.ca
Subject: Please forward to Commissioner Major before 25 July deadline.

Ken Dickerson
Public Affairs Officer / Agent des affaires publique

Dear Mr. Dickerson, Sunday, July 23, 2006

The Commissioner said he would accept written submissions from me to him. Below is a letter for the Commissioner regarding my fleeting time before him. I shall also send a hard

copy to the Commission address. Can you print it out or email it to him, please?

I'm still trying for standing before the 25 July deadline, hope springs eternal.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Honourable John C. Major, Q.C. Commissioner

Sheila-Marie Cook, Executive Director and Commission
Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

P.O. Box 1298, Station B
Ottawa, Ontario K1P 5R3
CANADA

Dear Commissioner John C. Major, Q.C. Sunday, July 23, 2006

This is John Barry Smith who appeared before you briefly on 19 July, 2006, at the hearings to consider grants of standing before the Commission.

Actually, I never got to the "John Barry Smith" part because you interrupted me after 60 seconds and said you would not

listen to any of the remaining 14 minutes of my allotted 15 minutes because my content was not within the Terms of Reference which violated the Rules included in your Mandate.

As you can imagine, I was quite distraught when I was rejected only a few minutes into my presumed fifteen minute presentation. I'm over that now. I now understand your position and your reasons for my rejection. I hope by this last gasp letter before the 25 July deadline for standing to persuade you that your misgivings are unfounded.

Your kindly, patient demeanor indicated you regretted having to cut short my presentation but you had no choice as you were a loyal public servant just following your orders with rules. You do have a choice, sir.

Based upon the transcript of our few minutes of talking there are clear implications that:

1. You are persuaded I am worthy of being granted standing.
2. The Terms of Reference direct us to take into account those things that have already been determined.
3. Because Justice Josephson determined the cause of the explosion was a bomb any alternate explanation is moot.
4. My alternate theory may be correct but you do not know.
5. My explanation can not be considered as part of evidence because the Terms of Reference preclude its consideration.
6. If you could grant me standing within the Rules, you would.

Commissioner Major, permit me to demonstrate you can grant me standing because:

1. My explanation is within the Terms of Reference for at least one and possibly two Terms.

2. It has already been determined the cause of Air India Flight 182 was an explosion with cause not stated and can be taken into account.

2. Justice Josephson did not determine the cause was a bomb because the bomb cause was never disputed by the defense.

3. I can remove your doubts about my explanation being correct.

4. You can grant me standing based on grounds stated in the Terms and verbal suggestions from the Prime Minister.

To refresh our memory: Transcript from 19 July 2006 Hearings on Standings before the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182.

"Mr. Smith: I have an alternate explanation for Air India 182. It's a mechanical explanation. I'll go into some detail during my presentation and my detail will not be to persuade you that my explanation is correct but to persuade you that my research has depth and is worthy of being granted standing.

THE COMMISSIONER: Well, I don't think, Mr. Smith, that you need 15 minutes to persuade me of that. Here's the difficulty. The Terms of Reference direct us to take into account those things that have already been determined. Justice Josephson in Vancouver determined that there was a bomb in a certain compartment of the airplane and it was the bomb that caused the explosion that resulted in the death of these people.

You have an alternate theory. The alternate theory may over time prove to be correct. I don't know. What I do know is that we cannot consider it as part of the evidence in this Inquiry but what I can do is permit you to file any written material that substantiates your view and it will be part of the Air India record. It will be there for examination by people who look at

this Inquiry in future years, but the Terms of Reference preclude our considering whether or not there was any cause for that explosion other than the bomb that is found by the Supreme Court of British Columbia.

So I can't do anything more for you than permit you to do what I have just suggested."

Reply today in this letter: Commissioner Major, it has already been determined that there was an investigation into the bombing of Air India Flight 182 and yet, there is an inquiry into that investigation. Following that logic, it was determined that during the investigations from 1985 to 2005 the cause of the explosion was determined to be a bomb by Justice Kirpal and thus an inquiry into that issue is justified.

It has also been determined that during those investigations there are discrepancies between agencies such as a Court, CASB, TSB, and the RCMP as to the cause of the explosion and the location of that explosion, and therefore an inquiry into those determinations is justified. The investigation into the bombing of Air India Flight 182 certainly included whether there was a bomb or not and where it was; therefore, an inquiry into the investigation of the bombing should allow discussion on those matters.

Imagine if the judicial courts were to reject reconsidering cold case files as closed and reject any reconsideration or appeal. Imagine if the judicial courts were to reject without discussion the technological advancements of DNA testing and the internet in resolving cases, new and old.

Air India Flight 182 is a cold case file. I used the internet to

access official government websites on aviation safety available to the public and was able to see a pattern for several matching accidents for early model Boeing 747s that suffered an explosion in flight near and in the forward cargo compartment which left a sudden loud sound on the cockpit voice recorder followed by an abrupt power cut to the flight data recorders with more severe inflight damage on the starboard side. All were initially thought to have been bomb explosions. The DNA of those four accidents matches Air India Flight 182.

At this time, please let me address each point specifically which warrants my granting of standing and your authority to do so:

1. You are persuaded I am worthy of being granted standing.

Reply: Thank you, sir.

2. The Terms of Reference direct us to take into account those things that have already been determined.

Reply: Yes, sir, and it has already been determined by those that are most qualified to give an opinion about Air India Flight 182 that the cause was an explosion....in the forward cargo compartment....of unstated cause.

The Canadian Aviation Safety Board respectfully submits as follows:

Ò4.1 Cause-Related Findings

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment.Ó

That finding from CASB is absolutely correct. It also does not

conclude the destruction of the aircraft was caused by a bomb. It is specific on the location. There are several alternative explanations for that confirmed explosion, from fire in the cargo hold or hull rupture at a door, or bomb in baggage go boom. I agree there was an explosion in the forward cargo compartment, all the experts agreed on that point in 1986 for solid reasons. The cause and location of the explosion is now in disagreement between the Court, media, by the Indian government, the RCMP, the UK crash investigator, and me. All these disagreements occurred during the investigation of the bombing which is the subject of the inquiry.

The Canadian and United Kingdom government experts in aircraft accident investigation for Air India Flight 182 did not state the cause was a bomb and in fact, the UK expert stated in 1986 it was not a bomb and gave strong evidence for his conclusion.

Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified. It must be concluded that without positive evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident".

That 'other cause' was established by me in 1996 based on an event in 1989, UAL 811, plus other accidents. (And there is good reason why it is called an "explosive" decompression. It is an explosion that mimics a bomb.)

The Canadian crash experts (CASB) called Air India Flight 182 a 'crash'. It was. The word 'bomb' was never used in relation with Air India Flight 182 in their entire CASB report. 'Bomb' was used only once in reference to a different aircraft and event for comparison purposes. There was no match.

It has already been determined during the investigation there was an explosion and I wish to present in detail my explanation of that explosion. My discussion would take into account a thing already determined as part of a Term of Reference: An explosion in Air India Flight 182 was determined during the investigation into the bombing. An inquiry into the investigation should include discussion regarding the explosion and its location.

To repeat the logic: An 'Inquiry into the Investigation of the Bombing' should allow discussion of what, how, when, where, and why a bomb explosion was determined during the investigation of the bombing and why other explanations were ruled out, especially when there is so much official expert disagreement in the bombing conclusion from Canadian government air accident investigators.

3. Because Justice Josephson determined the cause of the explosion was a bomb any alternate explanation is moot.

Reply: Criminal court judges and criminal defense attorneys may be expert in the evils of human nature but not in the faults of machines. Regarding Justice Josephson's belief in a bomb caused event, the criminal defense attorney for the two accused never disputed the bomb cause and quibbled about the specific location, but only that his clients did not plant it. The issue of an alternative explanation or general location was never raised. I'm

sure the accused believe Air India Flight 182 was blown out of the sky by a bomb someplace in the plane but they did not plant it. Justice Josephson did not 'determine' the cause was a bomb, it was essentially stipulated by a criminal defense attorney and a prosecutor.

Below from "Reasons for Judgment" by Justice Josephson regarding Malik and Bagri.

I. OVERVIEW

[1] In the early morning hours of June 23, 1985, Air India Flight 182, carrying 329 people[1], was destroyed mid-flight by a bomb located in its rear cargo hold. Remnants of the plane and bodies of some of the victims were recovered from the Atlantic Ocean off the coast of Ireland. There were no survivors.

H. Conclusion [190] It is agreed amongst the experts that the Kanishka was destroyed by the detonation of an explosive device within its left aft fuselage. The sole issue is the precise location of that device.

Reply: Is the trial of the two accused eligible for inclusion in the "Investigation" which is part of the Inquiry into the Investigation....? If no, then Justice Josephson's finding is irrelevant and precludes nothing. If yes, then the discrepancies between the experts of 1986 in accident reports and 2005 during trial can be included and justify an inquiry into the details of the disagreements.

During trial here was never any consideration of an alternative for the holes and bulges they discovered. There was never any consideration of the location of the explosion being in the

forward part of the aircraft which was 'agreed amongst the experts' in 1986. There was some quibbling in 2005 about a few feet of location but never any substantive argument of where and what caused the explosion. There was never any discussion of several similar Boeing 747s accidents which matched Air India Flight 182.

The agreement amongst the experts in Canada, UK, and India in 1986 stated the explosion occurred in the forward cargo compartment and yet in 2005 there was never any dispute about the cause being a bomb or its location nor any rebuttal to the experts of 1986.

From the 1986 CASB experts opinion: 2.11.6.5 Target 47 - Aft Cargo Compartment

No other significant observation was noted. There was no evidence to indicate characteristics of an explosion emanating from the aft cargo compartment.

From the 1986 Indian Kirpal report:

3.2.11.19 Target 47 - Aft Cargo Floor Structure

This portion of the aft cargo compartment was located between B S 1600 and B S 1760. No significant observation was noted.

There was no evidence to indicate characteristics of an explosion emanating from the aft cargo compartment.

An Inquiry into an investigation of a bombing could certainly inquire as to the unexplained discrepancy between two groups of experts declaring opposite opinions during the investigations after June 23, 1985.

I might add that the two documents which state the experts' opinions of an explosion in the forward cargo compartment are

specifically suggested as source material for the Commission:

Terms of Reference: "...the Commissioner to conduct the Inquiry as he considers appropriate with respect to accepting as conclusive or giving weight to the findings of other examinations of the circumstances surrounding the bombing of Air India Flight 182, including

the report of the Honourable Mr. Justice B.N. Kirpal of the High Court of Delhi of February 26, 1986,

the Aviation Occurrence Report of the Canadian Aviation Safety Board into the crash involving Air India Flight 182 of January 22, 1986"

The Trial proceedings of Justice Josephson are noticeably absent which would imply they are outside the area of inquiry. In that case, sir, Justice Josephson's determination of a bomb does not preclude including discussion of an alternate explanation for the explosion in this inquiry.

4. My alternate theory may be correct but you do not know.

Reply: An honest statement expressing an open mind revealing an intellectual curiosity. I can remove your doubts, sir, if given the opportunity, by use of documents, charts, models, aircraft accident reports, and following strict rules of scientific exposition. I have had the luxury of technological advancements such as the internet and the benefit of hindsight based on several similar accidents.

5. My explanation can not be considered as part of evidence because the Terms of Reference preclude its consideration.

Reply: You can grant standing sir, should you choose to do so.

Your criteria is whether my explanation fits into Terms of Reference.

Terms of Reference. 2. the Commissioner to conduct the Inquiry specifically for the purpose of making findings and recommendations with respect to the following, namely...

2. if there were problems in the effective cooperation between government departments and agencies, including the Canadian Security Intelligence Service and the Royal Canadian Mounted Police, in the investigation of the bombing of Air India Flight 182, either before or after June 23, 1985,

I can give one area of lack of effective cooperation between Canadian government agencies: A high ranking TSB Air official in June, 2002, Mr. Bill Tucker, officially requested (at my urging) photographs of the wreckage of Air India Flight 182 (photos held by the RCMP) to the RCMP Air India Task Force via Sgt. Bart Blachford who declined to cooperate and rejected the request thus keeping secret from Canadian aviation accident personnel important evidence of a Canadian aviation accident in which both agencies were interested. There was no cooperation between the RCMP Air India Task Force and the TSB Air investigators during a period after June 23, 1985. The history of Air India Flight 182 might very well have been different if the RCMP had given those vital photographs to TSB for evaluation as requested.

Terms of Reference. 7. whether further changes in practice or legislation are required to address the specific aviation security breaches associated with the Air India Flight 182 bombing, particularly those relating to the screening of passengers and their baggage;

The meaning of the word "security" probably means protection

from human killers while the general meaning of 'security' is protection from natural hazards, human hazards, or machine hazards. Changes in practice are required to address a specific aviation security breach in that the airplane hazard of maintaining faulty wiring still exists today for Canadian air passengers. Air India Flight 182 was after all, an airplane crash, not a bank robbery. I was about to present an issue that affected and still affects the physical security of all Canadian citizens who fly in early model Boeing 747s, of which 500 are early models still in service which are similar to the model of Air India Flight 182. This security inclusion as a Term of Reference is a stretch but still fits in a general area of aviation security. If you are to err in discretion, Commissioner Major, please err on the side of too much inquiry, not too little.

My explanation is within the Terms of Reference in at least one area and probably two in addition to referring to a thing that has already been determined. My explanation thus can be considered as part of evidence should you choose to do so.

6. If you could grant me standing within the Rules, you would.

Reply: Sir, you can. Please do.

1. Your authority as directed by the Rules of Procedure:

D. STANDING

10. A person may be granted full or partial standing as a party by the Commissioner if the Commissioner is satisfied that the person is directly and substantially affected by the mandate of the Inquiry or portions thereof.

11. A person may be granted standing as an intervenor by the Commissioner if the Commissioner is satisfied that the person

represents clearly ascertainable interests and perspectives essential to the Commissioner's mandate, which the Commissioner considers ought to be separately represented before the Inquiry, in which event the intervenor may participate in a manner to be determined by the Commissioner.

14. The Commissioner will determine any special conditions under which a person may participate and those parts of the Inquiry in which a person granted standing may participate.

15. From time to time, the Commissioner may, in his discretion, at any time grant to or rescind standing from a person, or modify the status or conditions of the standing of a person.

16. The Commissioner will determine on what terms and in which parts of the Inquiry a party or intervenor may participate, and the nature and extent of such participation.

You may set special conditions, you may rescind standing, you may narrow the area of standing, you may modify status or conditions of standing, you may determine the nature and extent of the participation.

You can grant me standing sir, should you choose to do so.

I also have a unique perspective which would enhance the work of the Commission...I have actually been in a sudden fiery fatal jet airplane crash and I would be talking about a sudden fiery fatal jet airplane crash. I would call that a unique perspective.

A brief description of this messenger/applicant is appropriate at this time:

Commercial pilot, instrument rated, former FAA Part 135 certificate holder.

US Navy reconnaissance bombardier navigator, RA-5C 650 hours.

US Navy patrol crewman, P2V-5FS 2000 hours.

Air Intelligence Officer, US Navy

Retired US Army Major MSC

Owner Mooney M-20C, 1000 hours.

Survivor of sudden night fiery fatal jet plane crash in RA-5C

I am not employed by a manufacturer, any airline, attorneys, family groups, or government agencies. I am thus able to be detached and objective.

On an informal note, Prime Minister Harper's concept of the Commission of Inquiry is stated below in excerpts:

Speech - Prime Minister Harper announces inquiry into Air India bombing

Ottawa, Ontario

Thank you Mr. Speaker.

On June 23, 1985, Air India Flight 182, on its way from Montreal to London, England, exploded in mid-air near the coast of Ireland.

In January of the following year, the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb.

It is our duty as Canadians to do everything in our power to prevent a similar tragedy from ever happening again,

A full public inquiry is required.

This inquiry will be launched immediately and led by an outstanding Canadian, retired Supreme Court Justice John Major.

He has agreed to serve as Commissioner for this inquiry and I have every confidence that he will conduct a thorough and compassionate investigation into the events surrounding this tragedy.

This inquiry is about analyzing the evidence that has come to light since 1985 and applying it to the world we live in today.'

Nice speech. Nice guidance. Let me condense some of them:

1. Exploded in mid-air.
2. Do everything in our power to prevent similar tragedy.
3. Full public inquiry.
4. Outstanding Canadian, retired Supreme Court Justice John Major.
5. Commissioner...will conduct a thorough investigation into the events surrounding this tragedy.
6. This inquiry is about analyzing the evidence since 1985 and applying it to today.

Those verbal suggestions from the Prime Minister are very broad and make sense. You have great power, Commissioner, to do everything in your power to conduct a thorough investigation into the events surrounding Flight 182 and to analyze the evidence since 1985 and apply it today. Your action to abruptly curtail my presentation was bewildering until I read the transcript.

There is much official encouragement to allow me to proceed as I present an explanation for the tragedy based on a thorough investigation into Air India Flight 182 and uses several similar accidents of early model Boeing 747s in 1988, 1989, 1996, and 2003.

I wish now to address the most insidious lie/error of fact with such disastrous consequences I have run up against in my short sweet life of sixty two years:

Here it is:

From Prime Minister Harper's speech to Parliament 1 May 2006:
"In January of the following year, the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb."

From Letter for Application for Partial Standing from Air India,
"The Canadian Aviation Safety Board later determined that Air India Flight 182 and its passengers and crew had been the victims of an explosive device that was contained in baggage stowed in the aircraft's cargo compartment."

From website of The Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182, opening statement: "Yet, it was not until the following January that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb."

Wrong, wrong, wrong.

Here is the true and accurate statement from the Canadian Aviation Safety Board for Air India Flight 182:

The Canadian Aviation Safety Board respectfully submits as follows:

4.1 Cause-Related Findings

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment."

That finding from CASB is absolutely correct.

Here is the terrible logical conclusion of the false premise:
Unwitting Prime Minister Harper again:

ÔIn January of the following year, the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb. Clearly, this was an act of terrorism - one that claimed hundreds of innocent lives.Ó

That was a dangerous conclusion based upon a false premise and off we go to the 911 terrorists everywhere paranoia parade; "Take off your shoes, your belt, your jacket, empty your pockets and stick out your arms; this is clearly for your own safety sir, your fellow passengers may be stone cold suicidal killers and welcome aboard, we hope you enjoy your flight."

There were real terrorists on airplanes in 2001 but none was present sixteen years earlier with Air India Flight 182. There was no bomb, no bombers, no conspiracies, no crime and no criminals: A huge machine exploded because a small part failed. The event was investigated and now there is an inquiry into that investigation which evaluated causes and locations of the already determined explosion. I wish to contribute to that inquiry into the investigation.

A good idea would be for the Commission to formally ask for an updated supplemental opinion about the twenty one year old Aviation Occurrence Report of the CASB. The request to the Transportation Safety Board of Canada, Air, investigators regarding Flight 182 would give you a Crown respected opinion by air accident experts, not criminal attorneys, and TSB might be flattered at the request but need to be asked by competent authority which the Commission of Inquiry certainly is.

I support the Canadian institutions of safety and justice and inquiry. The Canadian Transport Safety Board represented by the

CASB was correct, there was an explosion in the forward cargo compartment. The Canadian judicial system represented by Justice Josephson was correct, the accused did not do it because nobody did it. I even sympathize with the CSIS and the Gendarmerie royale du Canada. They could not catch anyone because there was no one to catch; they were chasing ghosts created by media and a foreign government for its own purposes.

In a court environment there is an adversarial relationship between the parties while a commission is less formal and should be more of a cooperative style with the goal being the gaining of knowledge and possibly truth. I did not complain too much at the start of my show when you told this dog to sit and keep the pony in the corral. I am not your adversary, Commissioner Major, I am on the side of the Canadian aviation accident experts, on the side of Canadian Justice Josephson, and the side of Canadian Prime Minister Harper's thorough inquiry; I agree with all three. And yet I am excluded from presenting evidence and those that doubt the institutions are given full exposure. That's not fair or reasonable, sir. Please correct the injustice by allowing my explanation time in the sun.

In California I was given a scant five days to prepare my oral presentation to you in Ottawa and I learned a lot: I learned that flights booked with less than seven days notice cost a whole lot more than those booked with more than seven days and I learned to never ever fly in an Airbus 319 again unless I lose ten inches in length, starting at my feet.

I used those five days to rehearse about four hours every day, revising and revising. After the first day of hearing adjourned I stood in front of the podium looking at the Canadian flags on poles behind the empty Commissioner's dais and honed my

speech to fifteen minutes. On the morning of the actual presentation I came early and repeated the dress rehearsal. I had my plastic model of a Boeing 747 to use as a visual aid. I had a large color photo of the actual aircraft, "Kanishka" taken a few years before its explosion. I had a pun, "votre a decouvrir." I was not going to bumble through, wander off, or read by rote with head down as other applicants did; no, I was going to maintain eye contact, stick to the facts, present a logical sequence of events, and not attempt to persuade you my explanation was correct but to persuade you my research had depth, I had done my homework, my facts were compelling and I was thus justified a granting of standing as a person before the Commission which would give me an opportunity to present my explanation in detail at a later time.

I was told you could not allow my standing by mandate, yet upon review you could. I was told my content was not in the Terms of Reference, but upon review it is. I was told I could submit written documents for consideration and in that case, please consider this letter, although full of chaff, as a substitute for the twelve minutes I did not get earlier. Is the jury still out on my application for standing, Your Honor?

THE COMMISSIONER: I should say we appreciate the time you've taken to come as far as you've come to make this point.

Reply: You're welcome, sir. Ottawa is full of varied pleasant people and my visit to the Air Museum outside of town was a highlight. Spitfire, Hurricane, Komet, Starfighter, and Vampire were magnificent to see first time and close up.

I empathize with the victim's families; their grief is real regardless of the cause of the explosion of the aircraft their loved

ones were in. Any beliefs they hold to relieve grief are justified. I would hope that my alternative mechanical explanation will give them some consolation and closure by explaining clearly, completely, and in detail what happened to their family members. 'Who, what, where, when, how much, how, and why' questions are all answered by the shorted wiring/ruptured open forward cargo door/explosive decompression/inflight breakup explanation for Air India Flight 182.

You have a great opportunity, Commissioner Major, to solve a vexing problem that has haunted the Canadian consciousness for twenty one years. Physical mysteries are not resolved by closed minds based on stereotypes or raw emotions; they are solved by rules of science, accumulation of data, questions based on conjecture, and rigorous application of logic. Air India Flight 182 was an airplane crash first and always.

I trust that you will do everything in your power as Commissioner to conduct a thorough investigation into the surrounding events and to analyze the evidence since 1985 and apply it today during the term of the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
safety@ntsb.org

From: "Dickerson, Ken" <kdickerson@majorcomm.ca>
Date: July 24, 2006 5:42:02 AM PDT
To: "John Barry Smith" <barry@johnbarrysmith.com>
Subject: RE: Please forward to Commissioner Major before 25 July deadline.

Mr. Smith,

I have forwarded your additional written submissions (received this morning, July 24) to Commissioner Major and commission counsel, advising them that you intend them to inform the Commissioner's decisions on applications for standing.

Thank you.

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

-----Original Message-----

From: John Barry Smith [mailto:barry@johnbarrysmith.com]
Sent: Monday, July 24, 2006 1:07 AM
To: Dickerson, Ken
Subject: Please forward to Commissioner Major before 25 July deadline.

Ken Dickerson
Public Affairs Officer / Agent des affaires publique

Dear Mr. Dickerson, Sunday, July 23, 2006

The Commissioner said he would accept written submissions from me to him. Below is a letter for the Commissioner regarding my fleeting time before him. I shall also send a hard copy to the Commission address. Can you print it out or email it to him, please?

I'm still trying for standing before the 25 July deadline, hope springs eternal.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924

Commission of Inquiry into the Investigation of the Bombing of
Air
India Flight 182
Honourable John C. Major, Q.C. Commissioner
Sheila-Marie Cook, Executive Director and Commission Secretary
Mark J. Freiman, Commission's Lead Counsel
Michel Dorval, Commission's Co-Counsel

P.O. Box 1298, Station B
Ottawa, Ontario K1P 5R3
CANADA

Dear Commissioner John C. Major, Q.C. Sunday, July 23, 2006

This is John Barry Smith who appeared before you briefly on 19
July,
2006, at the hearings to consider grants of standing before the
Commission.

Actually, I never got to the "John Barry Smith" part because you
interrupted me after 60 seconds and said you would not listen to
any
of the remaining 14 minutes of my allotted 15 minutes because my
content was not within the Terms of Reference which violated the
Rules included in your Mandate.

As you can imagine, I was quite distraught when I was rejected
only a
few minutes into my presumed fifteen minute presentation. I'm
over
that now. I now understand your position and your reasons for my
rejection. I hope by this last gasp letter before the 25 July
deadline for standing to persuade you that your misgivings are
unfounded.

Your kindly, patient demeanor indicated you regretted having to
cut
short my presentation but you had no choice as you were a loyal
public servant just following your orders with rules. You do have
a
choice, sir.

Based upon the transcript of our few minutes of talking there are
clear implications that:

1. You are persuaded I am worthy of being granted standing.
2. The Terms of Reference direct us to take into account those things that have already been determined.
3. Because Justice Josephson determined the cause of the explosion was a bomb any alternate explanation is moot.
4. My alternate theory may be correct but you do not know.
5. My explanation can not be considered as part of evidence because the Terms of Reference preclude its consideration.
6. If you could grant me standing within the Rules, you would.

Commissioner Major, permit me to demonstrate you can grant me standing because:

1. My explanation is within the Terms of Reference for at least one and possibly two Terms.
2. It has already been determined the cause of Air India Flight 182 was an explosion with cause not stated and can be taken into account.
2. Justice Josephson did not determine the cause was a bomb because the bomb cause was never disputed by the defense.
3. I can remove your doubts about my explanation being correct.
4. You can grant me standing based on grounds stated in the Terms and verbal suggestions from the Prime Minister.

To refresh our memory: Transcript from 19 July 2006 Hearings on Standings before the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182.

"Mr. Smith: I have an alternate explanation for Air India 182. It's a mechanical explanation. I'll go into some detail during my presentation and my detail will not be to persuade you that my explanation is correct but to persuade you that my research has depth and is worthy of being granted standing.

THE COMMISSIONER: Well, I don't think, Mr. Smith, that you need 15 minutes to persuade me of that. Here's the difficulty. The Terms of Reference direct us to take into account those things that have already been determined. Justice Josephson in Vancouver determined that there was a bomb in a certain compartment of the airplane and it was the bomb that caused the explosion that resulted in the death

of
these people.

You have an alternate theory. The alternate theory may over time prove to be correct. I don't know. What I do know is that we cannot consider it as part of the evidence in this Inquiry but what I can do is permit you to file any written material that substantiates your view and it will be part of the Air India record. It will be there for examination by people who look at this Inquiry in future years, but the Terms of Reference preclude our considering whether or not there was any cause for that explosion other than the bomb that is found by the Supreme Court of British Columbia.

So I can't do anything more for you than permit you to do what I have just suggested."

Reply today in this letter: Commissioner Major, it has already been determined that there was an investigation into the bombing of Air India Flight 182 and yet, there is an inquiry into that investigation. Following that logic, it was determined that during the investigations from 1985 to 2005 the cause of the explosion was determined to be a bomb by Justice Kirpal and thus an inquiry into that issue is justified.

It has also been determined that during those investigations there are discrepancies between agencies such as a Court, CASB, TSB, and the RCMP as to the cause of the explosion and the location of that explosion, and therefore an inquiry into those determinations is justified. The investigation into the bombing of Air India Flight 182 certainly included whether there was a bomb or not and where it was; therefore, an inquiry into the investigation of the bombing should allow discussion on those matters.

Imagine if the judicial courts were to reject reconsidering cold

case files as closed and reject any reconsideration or appeal. Imagine if the judicial courts were to reject without discussion the technological advancements of DNA testing and the internet in resolving cases, new and old.

Air India Flight 182 is a cold case file. I used the internet to access official government websites on aviation safety available to the public and was able to see a pattern for several matching accidents for early model Boeing 747s that suffered an explosion in flight near and in the forward cargo compartment which left a sudden loud sound on the cockpit voice recorder followed by an abrupt power cut to the flight data recorders with more severe inflight damage on the starboard side. All were initially thought to have been bomb explosions. The DNA of those four accidents matches Air India Flight 182.

At this time, please let me address each point specifically which warrants my granting of standing and your authority to do so:

1. You are persuaded I am worthy of being granted standing.

Reply: Thank you, sir.

2. The Terms of Reference direct us to take into account those things that have already been determined.

Reply: Yes, sir, and it has already been determined by those that are most qualified to give an opinion about Air India Flight 182 that the cause was an explosion....in the forward cargo compartment....of unstated cause.

The Canadian Aviation Safety Board respectfully submits as follows:

"4.1 Cause-Related Findings

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment."

That finding from CASB is absolutely correct. It also does not conclude the destruction of the aircraft was caused by a bomb. It is specific on the location. There are several alternative

explanations
for that confirmed explosion, from fire in the cargo hold or hull
rupture at a door, or bomb in baggage go boom. I agree there was
an
explosion in the forward cargo compartment, all the experts
agreed on
that point in 1986 for solid reasons. The cause and location of
the
explosion is now in disagreement between the Court, media, by the
Indian government, the RCMP, the UK crash investigator, and me.
All
these disagreements occurred during the investigation of the
bombing
which is the subject of the inquiry.

The Canadian and United Kingdom government experts in aircraft
accident investigation for Air India Flight 182 did not state the
cause was a bomb and in fact, the UK expert stated in 1986 it was
not
a bomb and gave strong evidence for his conclusion.

Mr. R.A. Davis, Head, Flight Recorder Section, Accidents
Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion,
Mr.
Davis reported as follows :- "It is considered that from the CVR
and
ATC recordings supplied for analysis, there is no evidence of a
high
explosive device having detonated on AI 182. There is strong
evidence
to suggest that a sudden explosive decompression occurred but the
cause has not been identified. It must be concluded that without
positive evidence of an explosive device from either the wreckage
or
pathological examinations, some other cause has to be established
for
the accident".

That 'other cause' was established by me in 1996 based on an
event in
1989, UAL 811, plus other accidents. (And there is good reason
why it
is called an 'explosive' decompression. It is an explosion that
mimics a bomb.)

The Canadian crash experts (CASB) called Air India Flight 182 a
'crash'. It was. The word 'bomb' was never used in relation with
Air
India Flight 182 in their entire CASB report. "Bomb" was used
only
once in reference to a different aircraft and event for
comparison
purposes. There was no match.

It has already been determined during the investigation there was an explosion and I wish to present in detail my explanation of that explosion. My discussion would take into account a thing already determined as part of a Term of Reference: An explosion in Air India Flight 182 was determined during the investigation into the bombing. An inquiry into the investigation should include discussion regarding the explosion and its location.

To repeat the logic: An 'Inquiry into the Investigation of the Bombing' should allow discussion of what, how, when, where, and why a bomb explosion was determined during the investigation of the bombing and why other explanations were ruled out, especially when there is so much official expert disagreement in the bombing conclusion from Canadian government air accident investigators.

3. Because Justice Josephson determined the cause of the explosion was a bomb any alternate explanation is moot.

Reply: Criminal court judges and criminal defense attorneys may be expert in the evils of human nature but not in the faults of machines. Regarding Justice Josephson's belief in a bomb caused event, the criminal defense attorney for the two accused never disputed the bomb cause and quibbled about the specific location, but only that his clients did not plant it. The issue of an alternative explanation or general location was never raised. I'm sure the accused believe Air India Flight 182 was blown out of the sky by a bomb someplace in the plane but they did not plant it. Justice Josephson did not 'determine' the cause was a bomb, it was essentially stipulated by a criminal defense attorney and a prosecutor.

Below from "Reasons for Judgment" by Justice Josephson regarding Malik and Bagri.

I. OVERVIEW

[1] In the early morning hours of June 23, 1985, Air India Flight 182, carrying 329 people[1], was destroyed mid-

flight by
a bomb located in its rear cargo hold. Remnants of the plane and
bodies of some of the victims were recovered from the Atlantic
Ocean
off the coast of Ireland. There were no survivors.

H. Conclusion [190] It is agreed amongst the experts
that
the Kanishka was destroyed by the detonation of an explosive
device
within its left aft fuselage. The sole issue is the precise
location
of that device.

Reply: Is the trial of the two accused eligible for inclusion in
the
"Investigation" which is part of the Inquiry into the
Investigation....? If no, then Justice Josephson's finding is
irrelevant and precludes nothing. If yes, then the discrepancies
between the experts of 1986 in accident reports and 2005 during
trial
can be included and justify an inquiry into the details of the
disagreements.

During trial here was never any consideration of an alternative
for
the holes and bulges they discovered. There was never any
consideration of the location of the explosion being in the
forward
part of the aircraft which was 'agreed amongst the experts' in
1986.
There was some quibbling in 2005 about a few feet of location but
never any substantive argument of where and what caused the
explosion. There was never any discussion of several similar
Boeing
747s accidents which matched Air India Flight 182.

The agreement amongst the experts in Canada, UK, and India in
1986
stated the explosion occurred in the forward cargo compartment
and
yet in 2005 there was never any dispute about the cause being a
bomb
or its location nor any rebuttal to the experts of 1986.

From the 1986 CASB experts opinion: 2.11.6.5 Target 47 - Aft
Cargo Compartment
No other significant observation was noted. There was no evidence
to
indicate characteristics of an explosion emanating from the aft
cargo
compartment.

From the 1986 Indian Kirpal report:

3.2.11.19 Target 47 - Aft Cargo Floor Structure

This portion of the aft cargo compartment was located between B S 1600 and B S 1760. No significant observation was noted. There was no evidence to indicate characteristics of an explosion emanating from the aft cargo compartment.

An Inquiry into an investigation of a bombing could certainly inquire as to the unexplained discrepancy between two groups of experts declaring opposite opinions during the investigations after June 23, 1985.

I might add that the two documents which state the experts' opinions of an explosion in the forward cargo compartment are specifically suggested as source material for the Commission:

Terms of Reference: "...the Commissioner to conduct the Inquiry as he considers appropriate with respect to accepting as conclusive or giving weight to the findings of other examinations of the circumstances surrounding the bombing of Air India Flight 182, including
the report of the Honourable Mr. Justice B.N. Kirpal of the High Court of Delhi of February 26, 1986,
the Aviation Occurrence Report of the Canadian Aviation Safety Board into the crash involving Air India Flight 182 of January 22, 1986"

The Trial proceedings of Justice Josephson are noticeably absent which would imply they are outside the area of inquiry. In that case, sir, Justice Josephson's determination of a bomb does not preclude including discussion of an alternate explanation for the explosion in this inquiry.

4. My alternate theory may be correct but you do not know.

Reply: An honest statement expressing an open mind revealing an intellectual curiosity. I can remove your doubts, sir, if given the opportunity, by use of documents, charts, models, aircraft accident reports, and following strict rules of scientific exposition. I have

had the luxury of technological advancements such as the internet and the benefit of hindsight based on several similar accidents.

5. My explanation can not be considered as part of evidence because the Terms of Reference preclude its consideration.

Reply: You can grant standing sir, should you choose to do so. Your criteria is whether my explanation fits into Terms of Reference.

Terms of Reference. "2. the Commissioner to conduct the Inquiry specifically for the purpose of making findings and recommendations with respect to the following, namely...
2. if there were problems in the effective cooperation between government departments and agencies, including the Canadian Security Intelligence Service and the Royal Canadian Mounted Police, in the investigation of the bombing of Air India Flight 182, either before or after June 23, 1985,"

I can give one area of lack of effective cooperation between Canadian government agencies: A high ranking TSB Air official in June, 2002, Mr. Bill Tucker, officially requested (at my urging) photographs of the wreckage of Air India Flight 182 (photos held by the RCMP) to the RCMP Air India Task Force via Sgt. Bart Blachford who declined to cooperate and rejected the request thus keeping secret from Canadian aviation accident personnel important evidence of a Canadian aviation accident in which both agencies were interested. There was no cooperation between the RCMP Air India Task Force and the TSB Air investigators during a period after June 23, 1985. The history of Air India Flight 182 might very well have been different if the RCMP had given those vital photographs to TSB for evaluation as requested.

Terms of Reference. "7. whether further changes in practice or legislation are required to address the specific aviation security breaches associated with the Air India Flight 182 bombing, particularly those relating to the screening of passengers and their baggage;"

The meaning of the word 'security' probably means protection from human killers while the general meaning of 'security' is protection from natural hazards, human hazards, or machine hazards. Changes in practice are required to address a specific aviation security breach in that the airplane hazard of maintaining faulty wiring still exists today for Canadian air passengers. Air India Flight 182 was after all, an airplane crash, not a bank robbery. I was about to present an issue that affected and still affects the physical security of all Canadian citizens who fly in early model Boeing 747s, of which 500 are early models still in service which are similar to the model of Air India Flight 182. This security inclusion as a Term of Reference is a stretch but still fits in a general area of aviation security. If you are to err in discretion, Commissioner Major, please err on the side of too much inquiry, not too little.

My explanation is within the Terms of Reference in at least one area and probably two in addition to referring to a thing that has already been determined. My explanation thus can be considered as part of evidence should you choose to do so.

6. If you could grant me standing within the Rules, you would.

Reply: Sir, you can. Please do.

1. Your authority as directed by the Rules of Procedure:

D. STANDING

10. A person may be granted full or partial standing as a party by the Commissioner if the Commissioner is satisfied that the person is directly and substantially affected by the mandate of the Inquiry or portions thereof.

11. A person may be granted standing as an intervenor by the Commissioner if the Commissioner is satisfied that the person represents clearly ascertainable interests and perspectives essential to the Commissioner's mandate, which the Commissioner considers

ought
to be separately represented before the Inquiry, in which event
the
intervenor may participate in a manner to be determined by the
Commissioner.

14. The Commissioner will determine any special conditions
under
which a person may participate and those parts of the Inquiry in
which a person granted standing may participate.

15. From time to time, the Commissioner may, in his
discretion, at
any time grant to or rescind standing from a person, or modify
the
status or conditions of the standing of a person.

16. The Commissioner will determine on what terms and in which
parts of the Inquiry a party or intervenor may participate, and
the
nature and extent of such participation.

You may set special conditions, you may rescind standing, you may
narrow the area of standing, you may modify status or conditions
of
standing, you may determine the nature and extent of the
participation.

You can grant me standing sir, should you choose to do so.

I also have a unique perspective which would enhance the work of
the
Commission...I have actually been in a sudden fiery fatal jet
airplane crash and I would be talking about a sudden fiery fatal
jet
airplane crash. I would call that a unique perspective.

A brief description of this messenger/applicant is appropriate at
this time:

Commercial pilot, instrument rated, former FAA Part 135
certificate holder.

US Navy reconnaissance bombardier navigator, RA-5C 650 hours.

US Navy patrol crewman, P2V-5FS 2000 hours.

Air Intelligence Officer, US Navy

Retired US Army Major MSC

Owner Mooney M-20C, 1000 hours.

Survivor of sudden night fiery fatal jet plane crash in RA-5C

I am not employed by a manufacturer, any airline, attorneys,
family

groups, or government agencies. I am thus able to be detached and
objective.

On an informal note, Prime Minister Harper's concept of the
Commission of Inquiry is stated below in excerpts:

Speech - Prime Minister Harper announces inquiry into Air India

bombing

Ottawa, Ontario

Thank you Mr. Speaker.

On June 23, 1985, Air India Flight 182, on its way from Montreal to

London, England, exploded in mid-air near the coast of Ireland.

In January of the following year, the Canadian Aviation Safety Board

concluded that the destruction of this aircraft was caused by a bomb.

It is our duty as Canadians to do everything in our power to prevent

a similar tragedy from ever happening again,

A full public inquiry is required.

This inquiry will be launched immediately and led by an outstanding

Canadian, retired Supreme Court Justice John Major.

He has agreed to serve as Commissioner for this inquiry and I have

every confidence that he will conduct a thorough and compassionate

investigation into the events surrounding this tragedy.

This inquiry is about analyzing the evidence that has come to light

since 1985 and applying it to the world we live in today.'

Nice speech. Nice guidance. Let me condense some of them:

1. Exploded in mid-air.
2. Do everything in our power to prevent similar tragedy.
3. Full public inquiry.
4. Outstanding Canadian, retired Supreme Court Justice John Major.
5. Commissioner...will conduct a thorough investigation into the events surrounding this tragedy.
6. This inquiry is about analyzing the evidence since 1985 and applying it to today.

Those verbal suggestions from the Prime Minister are very broad and

make sense. You have great power, Commissioner, to do everything in

your power to conduct a thorough investigation into the events surrounding Flight 182 and to analyze the evidence since 1985 and apply it today. Your action to abruptly curtail my presentation was

bewildering until I read the transcript.

There is much official encouragement to allow me to proceed as I present an explanation for the tragedy based on a thorough investigation into Air India Flight 182 and uses several similar accidents of early model Boeing 747s in 1988, 1989, 1996, and 2003.

I wish now to address the most insidious lie/error of fact with such disastrous consequences I have run up against in my short sweet life of sixty two years:

Here it is:

From Prime Minister Harper's speech to Parliament 1 May 2006:
"In January of the following year, the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb."

From Letter for Application for Partial Standing from Air India,
"The Canadian Aviation Safety Board later determined that Air India Flight 182 and its passengers and crew had been the victims of an explosive device that was contained in baggage stowed in the aircraft's cargo compartment."

From website of The Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182, opening statement: "Yet, it was not until the following January that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb."

Wrong, wrong, wrong.

Here is the true and accurate statement from the Canadian Aviation Safety Board for Air India Flight 182:

The Canadian Aviation Safety Board respectfully submits as follows:

"4.1 Cause-Related Findings

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment."

That finding from CASB is absolutely correct.

Here is the terrible logical conclusion of the false premise:
Unwitting Prime Minister Harper again:

'In January of the following year, the Canadian Aviation Safety

Board
concluded that the destruction of this aircraft was caused by a
bomb.
Clearly, this was an act of terrorism - one that claimed hundreds
of
innocent lives."

That was a dangerous conclusion based upon a false premise and
off we
go to the 911 terrorists everywhere paranoia parade; "Take off
your
shoes, your belt, your jacket, empty your pockets and stick out
your
arms; this is clearly for your own safety sir, your fellow
passengers
may be stone cold suicidal killers and welcome aboard, we hope
you
enjoy your flight."

There were real terrorists on airplanes in 2001 but none was
present
sixteen years earlier with Air India Flight 182. There was no
bomb,
no bombers, no conspiracies, no crime and no criminals: A huge
machine exploded because a small part failed. The event was
investigated and now there is an inquiry into that investigation
which evaluated causes and locations of the already determined
explosion. I wish to contribute to that inquiry into the
investigation.

A good idea would be for the Commission to formally ask for an
updated supplemental opinion about the twenty one year old
Aviation
Occurrence Report of the CASB. The request to the Transportation
Safety Board of Canada, Air, investigators regarding Flight 182
would
give you a Crown respected opinion by air accident experts, not
criminal attorneys, and TSB might be flattered at the request but
need to be asked by competent authority which the Commission of
Inquiry certainly is.

I support the Canadian institutions of safety and justice and
inquiry. The Canadian Transport Safety Board represented by the
CASB
was correct, there was an explosion in the forward cargo
compartment.
The Canadian judicial system represented by Justice Josephson was
correct, the accused did not do it because nobody did it. I even
sympathize with the CSIS and the Gendarmerie royale du Canada.
They
could not catch anyone because there was no one to catch; they
were
chasing ghosts created by media and a foreign government for its

own
purposes.

In a court environment there is an adversarial relationship between the parties while a commission is less formal and should be more of a cooperative style with the goal being the gaining of knowledge and possibly truth. I did not complain too much at the start of my show when you told this dog to sit and keep the pony in the corral. I am not your adversary, Commissioner Major, I am on the side of the Canadian aviation accident experts, on the side of Canadian Justice Josephson, and the side of Canadian Prime Minister Harper's thorough inquiry; I agree with all three. And yet I am excluded from presenting evidence and those that doubt the institutions are given full exposure. That's not fair or reasonable, sir. Please correct the injustice by allowing my explanation time in the sun.

In California I was given a scant five days to prepare my oral presentation to you in Ottawa and I learned a lot: I learned that flights booked with less than seven days notice cost a whole lot more than those booked with more than seven days and I learned to never ever fly in an Airbus 319 again unless I lose ten inches in length, starting at my feet.

I used those five days to rehearse about four hours every day, revising and revising. After the first day of hearing adjourned I stood in front of the podium looking at the Canadian flags on poles behind the empty Commissioner's dais and honed my speech to fifteen minutes. On the morning of the actual presentation I came early and repeated the dress rehearsal. I had my plastic model of a Boeing 747 to use as a visual aid. I had a large color photo of the actual aircraft, "Kanishka" taken a few years before its explosion. I had a pun, "votre a decouvrir." I was not going to bumble through, wander off, or read by rote with head down as other applicants did; no, I was going to maintain eye contact, stick to the facts, present a

logical sequence of events, and not attempt to persuade you my explanation was correct but to persuade you my research had depth, I had done my homework, my facts were compelling and I was thus justified a granting of standing as a person before the Commission which would give me an opportunity to present my explanation in detail at a later time.

I was told you could not allow my standing by mandate, yet upon review you could. I was told my content was not in the Terms of Reference, but upon review it is. I was told I could submit written documents for consideration and in that case, please consider this letter, although full of chaff, as a substitute for the twelve minutes I did not get earlier. Is the jury still out on my application for standing, Your Honor?

THE COMMISSIONER: I should say we appreciate the time you've taken to come as far as you've come to make this point.

Reply: You're welcome, sir. Ottawa is full of varied pleasant people and my visit to the Air Museum outside of town was a highlight. Spitfire, Hurricane, Komet, Starfighter, and Vampire were magnificent to see first time and close up.

I empathize with the victim's families; their grief is real regardless of the cause of the explosion of the aircraft their loved ones were in. Any beliefs they hold to relieve grief are justified. I would hope that my alternative mechanical explanation will give them some consolation and closure by explaining clearly, completely, and in detail what happened to their family members. 'Who, what, where, when, how much, how, and why' questions are all answered by the shorted wiring/ruptured open forward cargo door/explosive decompression/inflight breakup explanation for Air India Flight 182.

You have a great opportunity, Commissioner Major, to solve a vexing problem that has haunted the Canadian consciousness for twenty one years. Physical mysteries are not resolved by closed minds based on stereotypes or raw emotions; they are solved by rules of science,

accumulation of data, questions based on conjecture, and rigorous application of logic. Air India Flight 182 was an airplane crash first and always.

I trust that you will do everything in your power as Commissioner to conduct a thorough investigation into the surrounding events and to analyze the evidence since 1985 and apply it today during the term of the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
safety@ntsb.org

From: "Dickerson, Ken" <kdickerson@majorcomm.ca>
Date: July 24, 2006 9:46:56 AM PDT
To: "John Barry Smith" <barry@johnbarrysmith.com>
Subject: RE: Please forward to Commissioner Major before 25 July deadline.

Mr. Smith,

I have forwarded this document to the Commissioner and counsel, just as with your other recent e-mail.

I have also pointed out your questions, so that counsel may consider them.

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

From: John Barry Smith [mailto:barry@johnbarrysmith.com]

Sent: Monday, July 24, 2006 11:19 AM

To: Dickerson, Ken

Subject: RE: Please forward to Commissioner Major before 25 July deadline.

Dear Mr. Dickerson, Monday, July 24, 2006

Thank you. I woke up this morning with a recollection that may be relevant and help my case but am not sure, what is your opinion?

I thought the Inquiry was into Air India Flight 182 but now I realize it's to inquire into the investigation.....of the bombing.....of Air India Flight 182..which held 329 people. What is the actual focus of the Inquiry? The investigation, or the bombing, or the airplane, or the victims? Or all four?

If it's the investigation then I omitted a crucial event:

In December 2001 an RCMP Air India Task Force Sergeant flew down from Vancouver to interview me. He investigated my shorted wiring/ruptured open forward cargo door/explosive decompression/inflight breakup explanation. I was part of that bombing investigation.

Also, a high ranking TSB official flew down from Ottawa to interview me on my explanation.

In a sense, those meetings might fit a Term of Reference, I was part of the bombing investigation and thus worthy of an inquiry.

Would you or commission counsel have an opinion on that? Would that incident justify a grant of standing? Should I include it in my letter to the Commissioner received by you this morning?

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
safety@ntsb.org

At 8:42 AM -0400 7/24/06, Dickerson, Ken wrote:
Mr. Smith,

I have forwarded your additional written submissions (received this morning, July 24) to Commissioner Major and commission counsel, advising them that you intend them to inform the Commissioner's decisions on applications for standing.

Thank you.

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

-----Original Message-----

From: John Barry Smith [mailto:barry@johnbarrysmith.com]

Sent: Monday, July 24, 2006 1:07 AM

To: Dickerson, Ken

Subject: Please forward to Commissioner Major before 25 July deadline.

Ken Dickerson

Public Affairs Officer / Agent des affaires publique

Dear Mr. Dickerson, Sunday, July 23, 2006

The Commissioner said he would accept written submissions from me to him. Below is a letter for the Commissioner regarding my fleeting time before him. I shall also send a hard copy to the Commission address. Can you print it out or email it to him, please?

I'm still trying for standing before the 25 July deadline, hope springs eternal.

Regards,

John Barry Smith
541 Country Club Drive

Carmel Valley, California 93924

Commission of Inquiry into the Investigation of the Bombing of Air
India Flight 182

Honourable John C. Major, Q.C. Commissioner

Sheila-Marie Cook, Executive Director and Commission Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

P.O. Box 1298, Station B
Ottawa, Ontario K1P 5R3
CANADA

Dear Commissioner John C. Major, Q.C. Sunday, July 23, 2006

This is John Barry Smith who appeared before you briefly on 19 July, 2006, at the hearings to consider grants of standing before the Commission.

Actually, I never got to the "John Barry Smith" part because you interrupted me after 60 seconds and said you would not listen to any of the remaining 14 minutes of my allotted 15 minutes because my content was not within the Terms of Reference which violated the Rules included in your Mandate.

As you can imagine, I was quite distraught when I was rejected only a few minutes into my presumed fifteen minute presentation. I'm over that now. I now understand your position and your reasons for my rejection. I hope by this last gasp letter before the 25 July deadline for standing to persuade you that your misgivings are unfounded.

Your kindly, patient demeanor indicated you regretted having to cut short my presentation but you had no choice as you were a loyal public servant just following your orders with rules. You do have a choice, sir.

Based upon the transcript of our few minutes of talking there are clear implications that:

1. You are persuaded I am worthy of being granted standing.
2. The Terms of Reference direct us to take into account those things that have already been determined.

3. Because Justice Josephson determined the cause of the explosion was a bomb any alternate explanation is moot.
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To refresh our memory: Transcript from 19 July 2006 Hearings on Standings before the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182.

"Mr. Smith: I have an alternate explanation for Air India 182. It's a mechanical explanation. I'll go into some detail during my presentation and my detail will not be to persuade you that my explanation is correct but to persuade you that my research has depth and is worthy of being granted standing.

THE COMMISSIONER: Well, I don't think, Mr. Smith, that you need 15 minutes to persuade me of that. Here's the difficulty. The Terms of Reference direct us to take into account those things that have already been determined. Justice Josephson in Vancouver determined that there was a bomb in a certain compartment of the airplane and it was the bomb that caused the explosion that resulted in the death of these people.

You have an alternate theory. The alternate theory may over time prove to be correct. I don't know. What I do know is that we cannot consider it as part of the evidence in this Inquiry but what I can do is permit you to file any written material that substantiates your view and it will be part of the Air India record. It will be there for examination by people who look at this Inquiry in future years, but the Terms of Reference preclude our considering whether or not

there was any cause for that explosion other than the bomb that is found by the Supreme Court of British Columbia.

So I can't do anything more for you than permit you to do what I have just suggested."

Reply today in this letter: Commissioner Major, it has already been determined that there was an investigation into the bombing of Air India Flight 182 and yet, there is an inquiry into that investigation. Following that logic, it was determined that during the investigations from 1985 to 2005 the cause of the explosion was determined to be a bomb by Justice Kirpal and thus an inquiry into that issue is justified.

It has also been determined that during those investigations there are discrepancies between agencies such as a Court, CASB, TSB, and the RCMP as to the cause of the explosion and the location of that explosion, and therefore an inquiry into those determinations is justified. The investigation into the bombing of Air India Flight 182 certainly included whether there was a bomb or not and where it was; therefore, an inquiry into the investigation of the bombing should allow discussion on those matters.

Imagine if the judicial courts were to reject reconsidering cold case files as closed and reject any reconsideration or appeal. Imagine if the judicial courts were to reject without discussion the technological advancements of DNA testing and the internet in resolving cases, new and old.

Air India Flight 182 is a cold case file. I used the internet to access official government websites on aviation safety available to the public and was able to see a pattern for several matching accidents for early model Boeing 747s that suffered an explosion in flight near and in the forward cargo compartment which left a sudden loud sound on the cockpit voice recorder followed by an abrupt power cut to the flight data recorders with more severe inflight damage on the starboard side. All were initially thought to have been bomb explosions. The DNA of those four accidents matches Air India Flight 182.

At this time, please let me address each point specifically which warrants my granting of standing and your authority to do so:

1. You are persuaded I am worthy of being granted standing.

Reply: Thank you, sir.

2. The Terms of Reference direct us to take into account those things that have already been determined.

Reply: Yes, sir, and it has already been determined by those that are most qualified to give an opinion about Air India Flight 182 that the cause was an explosion....in the forward cargo compartment....of unstated cause.

The Canadian Aviation Safety Board respectfully submits as follows:

"4.1 Cause-Related Findings

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment."

That finding from CASB is absolutely correct. It also does not conclude the destruction of the aircraft was caused by a bomb. It is specific on the location. There are several alternative explanations for that confirmed explosion, from fire in the cargo hold or hull rupture at a door, or bomb in baggage go boom. I agree there was an explosion in the forward cargo compartment, all the experts agreed on that point in 1986 for solid reasons. The cause and location of the explosion is now in disagreement between the Court, media, by the Indian government, the RCMP, the UK crash investigator, and me. All these disagreements occurred during the investigation of the bombing which is the subject of the inquiry.

The Canadian and United Kingdom government experts in aircraft accident investigation for Air India Flight 182 did not state the cause was a bomb and in fact, the UK expert stated in 1986 it was not a bomb and gave strong evidence for his conclusion.

Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified. It must be concluded that without positive evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident".

That 'other cause' was established by me in 1996 based on an event in 1989, UAL 811, plus other accidents. (And there is good reason why it is called an 'explosive' decompression. It is an explosion that mimics a bomb.)

The Canadian crash experts (CASB) called Air India Flight 182 a 'crash'. It was. The word 'bomb' was never used in relation with Air India Flight 182 in their entire CASB report. "Bomb" was used only once in reference to a different aircraft and event for comparison purposes. There was no match.

It has already been determined during the investigation there was an explosion and I wish to present in detail my explanation of that explosion. My discussion would take into account a thing already determined as part of a Term of Reference: An explosion in Air India Flight 182 was determined during the investigation into the bombing. An inquiry into the investigation should include discussion regarding the explosion and its location.

To repeat the logic: An 'Inquiry into the Investigation of the Bombing' should allow discussion of what, how, when, where, and why a bomb explosion was determined during the investigation of the bombing and why other explanations were ruled out, especially when there is so much official expert disagreement in the bombing conclusion from Canadian government air accident investigators.

3. Because Justice Josephson determined the cause of the explosion was a bomb any alternate explanation is moot.

Reply: Criminal court judges and criminal defense attorneys may be expert in the evils of human nature but not in the faults of machines. Regarding Justice Josephson's belief in a bomb caused event, the criminal defense attorney for the two accused never disputed the bomb cause and quibbled about the specific location, but only that his clients did not plant it. The issue of an alternative explanation or general location was never raised. I'm sure the accused believe Air India Flight 182 was blown out of the sky by a bomb someplace in the plane but they did not plant it. Justice Josephson did not 'determine' the cause was a bomb, it was essentially stipulated by a criminal defense attorney and a prosecutor.

Below from "Reasons for Judgment" by Justice Josephson regarding

Malik and Bagri.

I. OVERVIEW

[1] In the early morning hours of June 23, 1985, Air India Flight 182, carrying 329 people[1], was destroyed mid-flight by a bomb located in its rear cargo hold. Remnants of the plane and bodies of some of the victims were recovered from the Atlantic Ocean off the coast of Ireland. There were no survivors.

H. Conclusion [190] It is agreed amongst the experts that the Kanishka was destroyed by the detonation of an explosive device within its left aft fuselage. The sole issue is the precise location of that device.

Reply: Is the trial of the two accused eligible for inclusion in the "Investigation" which is part of the Inquiry into the Investigation....? If no, then Justice Josephson's finding is irrelevant and precludes nothing. If yes, then the discrepancies between the experts of 1986 in accident reports and 2005 during trial can be included and justify an inquiry into the details of the disagreements.

During trial here was never any consideration of an alternative for the holes and bulges they discovered. There was never any consideration of the location of the explosion being in the forward part of the aircraft which was 'agreed amongst the experts' in 1986. There was some quibbling in 2005 about a few feet of location but never any substantive argument of where and what caused the explosion. There was never any discussion of several similar Boeing 747s accidents which matched Air India Flight 182.

The agreement amongst the experts in Canada, UK, and India in 1986 stated the explosion occurred in the forward cargo compartment and yet in 2005 there was never any dispute about the cause being a bomb or its location nor any rebuttal to the experts of 1986.

From the 1986 CASB experts opinion: 2.11.6.5 Target 47 - Aft Cargo Compartment

No other significant observation was noted. There was no evidence to indicate characteristics of an explosion emanating from the aft cargo compartment.

From the 1986 Indian Kirpal report:

3.2.11.19 Target 47 - Aft Cargo Floor Structure

This portion of the aft cargo compartment was located between B S 1600 and B S 1760. No significant observation was noted. There was no evidence to indicate characteristics of an explosion emanating from the aft cargo compartment.

An Inquiry into an investigation of a bombing could certainly inquire as to the unexplained discrepancy between two groups of experts declaring opposite opinions during the investigations after June 23, 1985.

I might add that the two documents which state the experts' opinions of an explosion in the forward cargo compartment are specifically suggested as source material for the Commission:

Terms of Reference: "...the Commissioner to conduct the Inquiry as he considers appropriate with respect to accepting as conclusive or giving weight to the findings of other examinations of the circumstances surrounding the bombing of Air India Flight 182, including

the report of the Honourable Mr. Justice B.N. Kirpal of the High Court of Delhi of February 26, 1986,

the Aviation Occurrence Report of the Canadian Aviation Safety Board into the crash involving Air India Flight 182 of January 22, 1986"

The Trial proceedings of Justice Josephson are noticeably absent which would imply they are outside the area of inquiry. In that case, sir, Justice Josephson's determination of a bomb does not preclude including discussion of an alternate explanation for the explosion in this inquiry.

4. My alternate theory may be correct but you do not know.

Reply: An honest statement expressing an open mind revealing an intellectual curiosity. I can remove your doubts, sir, if given the opportunity, by use of documents, charts, models, aircraft accident reports, and following strict rules of scientific exposition. I have had the luxury of technological advancements such as the internet and the benefit of hindsight based on several similar accidents.

5. My explanation can not be considered as part of evidence because the Terms of Reference preclude its consideration.

Reply: You can grant standing sir, should you choose to do so. Your criteria is whether my explanation fits into Terms of Reference.

Terms of Reference. "2. the Commissioner to conduct the Inquiry specifically for the purpose of making findings and recommendations with respect to the following, namely...,

2. if there were problems in the effective cooperation between government departments and agencies, including the Canadian Security Intelligence Service and the Royal Canadian Mounted Police, in the investigation of the bombing of Air India Flight 182, either before or after June 23, 1985,"

I can give one area of lack of effective cooperation between Canadian government agencies: A high ranking TSB Air official in June, 2002, Mr. Bill Tucker, officially requested (at my urging) photographs of the wreckage of Air India Flight 182 (photos held by the RCMP) to the RCMP Air India Task Force via Sgt. Bart Blachford who declined to cooperate and rejected the request thus keeping secret from Canadian aviation accident personnel important evidence of a Canadian aviation accident in which both agencies were interested. There was no cooperation between the RCMP Air India Task Force and the TSB Air investigators during a period after June 23, 1985. The history of Air India Flight 182 might very well have been different if the RCMP had given those vital photographs to TSB for evaluation as requested.

Terms of Reference. "7. whether further changes in practice or legislation are required to address the specific aviation security breaches associated with the Air India Flight 182 bombing, particularly those relating to the screening of passengers and their baggage;"

The meaning of the word 'security' probably means protection from human killers while the general meaning of 'security' is protection from natural hazards, human hazards, or machine hazards. Changes in practice are required to address a specific aviation security breach in that the airplane hazard of maintaining faulty wiring still exists today for Canadian air passengers. Air India Flight 182 was after all, an airplane crash, not a bank robbery. I was about to present an issue that affected and still affects the physical security of all Canadian citizens who fly in early model Boeing 747s, of which 500 are early models still in service which are similar to the model of Air India Flight 182. This security inclusion as a Term of Reference is a stretch but still fits in a general area of aviation security. If you are to err in discretion, Commissioner Major, please err on

the side of too much inquiry, not too little.

My explanation is within the Terms of Reference in at least one area and probably two in addition to referring to a thing that has already been determined. My explanation thus can be considered as part of evidence should you choose to do so.

6. If you could grant me standing within the Rules, you would.

Reply: Sir, you can. Please do.

1. Your authority as directed by the Rules of Procedure:

D. STANDING

10. A person may be granted full or partial standing as a party by the Commissioner if the Commissioner is satisfied that the person is directly and substantially affected by the mandate of the Inquiry or portions thereof.

11. A person may be granted standing as an intervenor by the Commissioner if the Commissioner is satisfied that the person represents clearly ascertainable interests and perspectives essential to the Commissioner's mandate, which the Commissioner considers ought to be separately represented before the Inquiry, in which event the intervenor may participate in a manner to be determined by the Commissioner.

14. The Commissioner will determine any special conditions under which a person may participate and those parts of the Inquiry in which a person granted standing may participate.

15. From time to time, the Commissioner may, in his discretion, at any time grant to or rescind standing from a person, or modify the status or conditions of the standing of a person.

16. The Commissioner will determine on what terms and in which parts of the Inquiry a party or intervenor may participate, and the nature and extent of such participation.

You may set special conditions, you may rescind standing, you may narrow the area of standing, you may modify status or conditions of standing, you may determine the nature and extent of the participation.

You can grant me standing sir, should you choose to do so.

I also have a unique perspective which would enhance the work of the Commission...I have actually been in a sudden fiery fatal jet

airplane crash and I would be talking about a sudden fiery fatal jet airplane crash. I would call that a unique perspective.

A brief description of this messenger/applicant is appropriate at this time:
Commercial pilot, instrument rated, former FAA Part 135 certificate holder.
US Navy reconnaissance bombardier navigator, RA-5C 650 hours.
US Navy patrol crewman, P2V-5FS 2000 hours.
Air Intelligence Officer, US Navy
Retired US Army Major MSC
Owner Mooney M-20C, 1000 hours.
Survivor of sudden night fiery fatal jet plane crash in RA-5C
I am not employed by a manufacturer, any airline, attorneys, family groups, or government agencies. I am thus able to be detached and objective.

On an informal note, Prime Minister Harper's concept of the Commission of Inquiry is stated below in excerpts:

Speech - Prime Minister Harper announces inquiry into Air India bombing Ottawa, Ontario

Thank you Mr. Speaker.

On June 23, 1985, Air India Flight 182, on its way from Montreal to London, England, exploded in mid-air near the coast of Ireland.

In January of the following year, the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb.

It is our duty as Canadians to do everything in our power to prevent a similar tragedy from ever happening again,

A full public inquiry is required.

This inquiry will be launched immediately and led by an outstanding Canadian, retired Supreme Court Justice John Major.

He has agreed to serve as Commissioner for this inquiry and I have every confidence that he will conduct a thorough and compassionate investigation into the events surrounding this tragedy.

This inquiry is about analyzing the evidence that has come to light since 1985 and applying it to the world we live in today.'

Nice speech. Nice guidance. Let me condense some of them:

1. Exploded in mid-air.
2. Do everything in our power to prevent similar tragedy.
3. Full public inquiry.
4. Outstanding Canadian, retired Supreme Court Justice John Major.
5. Commissioner...will conduct a thorough investigation into the events surrounding this tragedy.

6. This inquiry is about analyzing the evidence since 1985 and applying it to today.

Those verbal suggestions from the Prime Minister are very broad and make sense. You have great power, Commissioner, to do everything in your power to conduct a thorough investigation into the events surrounding Flight 182 and to analyze the evidence since 1985 and apply it today. Your action to abruptly curtail my presentation was bewildering until I read the transcript.

There is much official encouragement to allow me to proceed as I present an explanation for the tragedy based on a thorough investigation into Air India Flight 182 and uses several similar accidents of early model Boeing 747s in 1988, 1989, 1996, and 2003.

I wish now to address the most insidious lie/error of fact with such disastrous consequences I have run up against in my short sweet life of sixty two years:

Here it is:

From Prime Minister Harper's speech to Parliament 1 May 2006: "In January of the following year, the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb."

From Letter for Application for Partial Standing from Air India, "The Canadian Aviation Safety Board later determined that Air India Flight 182 and its passengers and crew had been the victims of an explosive device that was contained in baggage stowed in the aircraft's cargo compartment."

From website of The Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182, opening statement: "Yet, it was not until the following January that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb."

Wrong, wrong, wrong.

Here is the true and accurate statement from the Canadian Aviation Safety Board for Air India Flight 182:

The Canadian Aviation Safety Board respectfully submits as follows:
"4.1 Cause-Related Findings

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment."

That finding from CASB is absolutely correct.

Here is the terrible logical conclusion of the false premise:
Unwitting Prime Minister Harper again:

'In January of the following year, the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb. Clearly, this was an act of terrorism - one that claimed hundreds of innocent lives."

That was a dangerous conclusion based upon a false premise and off we go to the 911 terrorists everywhere paranoia parade; "Take off your shoes, your belt, your jacket, empty your pockets and stick out your arms; this is clearly for your own safety sir, your fellow passengers may be stone cold suicidal killers and welcome aboard, we hope you enjoy your flight."

There were real terrorists on airplanes in 2001 but none was present sixteen years earlier with Air India Flight 182. There was no bomb, no bombers, no conspiracies, no crime and no criminals: A huge machine exploded because a small part failed. The event was investigated and now there is an inquiry into that investigation which evaluated causes and locations of the already determined explosion. I wish to contribute to that inquiry into the investigation.

A good idea would be for the Commission to formally ask for an updated supplemental opinion about the twenty one year old Aviation Occurrence Report of the CASB. The request to the Transportation Safety Board of Canada, Air, investigators regarding Flight 182 would give you a Crown respected opinion by air accident experts, not criminal attorneys, and TSB might be flattered at the request but need to be asked by competent authority which the Commission of Inquiry certainly is.

I support the Canadian institutions of safety and justice and inquiry. The Canadian Transport Safety Board represented by the CASB was correct, there was an explosion in the forward cargo compartment. The Canadian judicial system represented by Justice Josephson was correct, the accused did not do it because nobody did it. I even

sympathize with the CSIS and the Gendarmerie royale du Canada. They could not catch anyone because there was no one to catch; they were chasing ghosts created by media and a foreign government for its own purposes.

In a court environment there is an adversarial relationship between the parties while a commission is less formal and should be more of a cooperative style with the goal being the gaining of knowledge and possibly truth. I did not complain too much at the start of my show when you told this dog to sit and keep the pony in the corral. I am not your adversary, Commissioner Major, I am on the side of the Canadian aviation accident experts, on the side of Canadian Justice Josephson, and the side of Canadian Prime Minister Harper's thorough inquiry; I agree with all three. And yet I am excluded from presenting evidence and those that doubt the institutions are given full exposure. That's not fair or reasonable, sir. Please correct the injustice by allowing my explanation time in the sun.

In California I was given a scant five days to prepare my oral presentation to you in Ottawa and I learned a lot: I learned that flights booked with less than seven days notice cost a whole lot more than those booked with more than seven days and I learned to never ever fly in an Airbus 319 again unless I lose ten inches in length, starting at my feet.

I used those five days to rehearse about four hours every day, revising and revising. After the first day of hearing adjourned I stood in front of the podium looking at the Canadian flags on poles behind the empty Commissioner's dais and honed my speech to fifteen minutes. On the morning of the actual presentation I came early and repeated the dress rehearsal. I had my plastic model of a Boeing 747 to use as a visual aid. I had a large color photo of the actual aircraft, "Kanishka" taken a few years before its explosion. I had a pun, "votre a decouvrir." I was not going to bumble through, wander off, or read by rote with head down as other applicants did; no, I was going to maintain eye contact, stick to the facts, present a logical sequence of events, and not attempt to persuade you my explanation was correct but to persuade you my research had depth, I had done my homework, my facts were compelling and I was thus justified a granting of standing as a person before the Commission which would give me an opportunity to present my explanation in detail at a later time.

I was told you could not allow my standing by mandate, yet upon

review you could. I was told my content was not in the Terms of Reference, but upon review it is. I was told I could submit written documents for consideration and in that case, please consider this letter, although full of chaff, as a substitute for the twelve minutes I did not get earlier. Is the jury still out on my application for standing, Your Honor?

THE COMMISSIONER: I should say we appreciate the time you've taken to come as far as you've come to make this point.

Reply: You're welcome, sir. Ottawa is full of varied pleasant people and my visit to the Air Museum outside of town was a highlight. Spitfire, Hurricane, Komet, Starfighter, and Vampire were magnificent to see first time and close up.

I empathize with the victim's families; their grief is real regardless of the cause of the explosion of the aircraft their loved ones were in. Any beliefs they hold to relieve grief are justified. I would hope that my alternative mechanical explanation will give them some consolation and closure by explaining clearly, completely, and in detail what happened to their family members. 'Who, what, where, when, how much, how, and why' questions are all answered by the shorted wiring/ruptured open forward cargo door/explosive decompression/inflight breakup explanation for Air India Flight 182.

You have a great opportunity, Commissioner Major, to solve a vexing problem that has haunted the Canadian consciousness for twenty one years. Physical mysteries are not resolved by closed minds based on stereotypes or raw emotions; they are solved by rules of science, accumulation of data, questions based on conjecture, and rigorous application of logic. Air India Flight 182 was an airplane crash first and always.

I trust that you will do everything in your power as Commissioner to conduct a thorough investigation into the surrounding events and to analyze the evidence since 1985 and apply it today during the term of the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182.

Regards,

John Barry Smith
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Carmel Valley, California 93924

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1 831 241 0631 Cell
barry@johnbarrysmith.com
safety@ntsb.org

Content-Type: image/jpeg;
name="image001.jpg"
Content-ID: <image001.jpg@01C6AEFD.08DF2B00>
Content-Description: image001.jpg
Content-Location: image001.jpg

From: John Barry Smith <barry@johnbarrysmith.com>
Date: July 28, 2006 9:18:40 AM PDT
To: "Dickerson, Ken" <kdickerson@majorcomm.ca>
**Subject: Commission of Inquiry Smith Submission 1,
Grievous Error of Fact Detected**

Dear Mr. Dickerson, Friday, July 28, 2006

Well, we make do with what is given us. I was granted leave by the Commissioner to file materials I believe will be useful to the Commission.

"Disposition: Mr. Smith is denied standing. However, leave to file materials that he believes will be useful to the Commissioner is granted."

In that regard I wish at this time to file the material below to the Commission as 'Smith Submission 1, Grievous Error of Fact Detected'.

Regards,
John Barry Smith
Useful Material Creator

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Honourable John C. Major, Q.C. Commissioner

Sheila-Marie Cook, Executive Director and Commission
Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

Ken Dickerson, Public Affairs

Dear Commissioner Major, Friday, July 28, 2006

Thank you for granting me leave to file materials I believe will be useful to the Commission. The following material is herewith submitted as 'Smith Submission 1, Grievous Error of Fact Detected':

The decision to grant intervenor status to B'nai Brith by you is applauded. It appears you have taken the Prime Minister at his word when he stated he wished the Commissioner to conduct a thorough investigation into the events surrounding this tragedy which is about analyzing the evidence since 1985 and applying it to today. It's a broad mandate which can certainly include an organization such as B'nai Brith, Canada, which is the independent voice of the Jewish community, representing its interests nationwide to government, NGO's and the wider Canadian public.

"B'nai Brith Canada Request by B'nai Brith Canada:
B'nai Brith Canada sought standing, either as a party or as an intervenor, with respect to the mandate of the Inquiry.
Disposition: Intervenor status is granted..."

"John Barry Smith Request by John Barry Smith:

Mr. Smith sought standing to make submissions on issues of aviation safety as well as on his assessment of the facts as they relate to the cause of the explosion that resulted in the Air India Flight 182 tragedy.

Disposition: Mr. Smith is denied standing. However, leave to file materials that he believes will be useful to the Commissioner is granted."

One might ask why an organization: That had no members on Air India Flight 182, was not investigated, not involved with the bombing, did not advocate the creation of the Commission and is otherwise not expert in airplane crashes, was granted the privileged status of intervenor while a person (me) who actually was personally investigated by the RCMP, who was a military bombardier and knows about bombings, is extremely familiar about Air India Flight 182 and the type of aircraft it was, who has actually been in a sudden fatal fiery jet airplane crash, and who has met the family members of that fatality, was denied person of standing status in an inquiry into an investigation of a sudden fatal fiery jet airplane crash.

Possibly your inquiry could be called the Inquiry into the Emotions of Feelings of Persecution in Family Members of the Victims of Religious Discrimination and for Others Who Have Felt the Same Way.

We make do with what is given us, and in that regard your spoken words to me come back during that abbreviated oral submission period on 19 July 2006: "... what I can do is permit you to file any written material that substantiates your view and it will be part of the Air India record. It will be there for examination by people who look at this Inquiry in future

years,..."

Future years...in aviation safety, Commissioner, we don't have future years and often, not even future minutes. But...I make do with what is granted and that is leave to file any written material that substantiates my view to the Commission and thus become part of the Air India record.

I am doing so at this time, thank you for that consolation, Commissioner. Your verbal statement to me implies no member of the Commission will look at this material, only those people from the future. I hope they can read other than French or Punjabi because this is written in, well, like, uh, you know, Californian-American-English...dude.

My first point is to repeat my observation made to the Commission in writing and in person several weeks ago that a grievous error of fact persists every day in the Commission's Opening Statement on the official website: June 21, 2006, Background:

"Yet, it was not until the following January that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb."

Not so. Absolutely incorrect. Terribly misleading. That error leads to a hysterical rant such as the next statement by the Commission: "This massive murder was the most insidious episode of cowardice and inhumanity in our history at the time,..."

The Canadian Aviation Safety Board made no such bombing conclusion.

Aviation Occurrence Report of the Canadian Aviation Safety Board for Air India Flight 182 of January 22, 1986

"4.0 CONCLUSIONS

The Canadian Aviation Safety Board respectfully submits as follows:

4.1 Cause-Related Findings

1. At 0714 GMT, 23 June 1985, and without warning, Air India Flight 182 was subjected to a sudden event at an altitude of 31,000 feet resulting in its crash into the sea and the death of all on board.

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment. This evidence is not conclusive. However, the evidence does not support any other conclusion."

When an error as serious as the false statement about the Canadian accident experts calling the explosion a bomb is allowed to persist, the erroneous deductions are compounded over time. The Prime Minister even repeated the error to Parliament. There are several reasons with precedent for an explosion in the forward cargo compartment of a Boeing 747 with a bomb being a very unlikely cause and a mechanically caused explosive decompression very likely. To continue to misquote the Canadian Safety Board and call their conclusion a bombing is bewilderingly deceptive.

When the false statement (of bombing conclusion) is repeated while knowing that statement to be false, as the Commission has known for several weeks, that act is called perjury when under oath. I recommend, to uphold the highest integrity of the Commission, that the grievous error of fact be corrected as soon as possible and hopefully not years.

This completes "Smith Submission 1, Grievous Error of Fact Detected" of material that substantiates my view that Air India Flight 182 was caused by the shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation.

"Smith Submission 2 to follow: "Bombs Everywhere," (or Bomb, bomb, bomb, in the baggage, baggage, baggage, go boom, boom, boom: The Official Versions)".

Regards,

John Barry Smith
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safety@ntsb.org

From: John Barry Smith <barry@johnbarrysmith.com>
Date: August 1, 2006 8:41:12 AM PDT
To: "Dickerson, Ken" <kdickerson@majorcomm.ca>
Subject: Transcript 18 19 July 2006

Ken Dickerson
Public Affairs Officer / Agent des affaires publique

Dear Mr. Dickerson, Tuesday, August 1, 2006

May I please have an electronic copy of the transcripts for the two days of oral submissions?

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
safety@ntsb.org

From: "Dickerson, Ken" <kdickerson@majorcomm.ca>
Date: August 1, 2006 9:09:29 AM PDT
To: "John Barry Smith" <barry@johnbarrysmith.com>
Subject: RE: Transcript 18 19 July 2006

Mr. Smith,

Transcripts are attached as you requested.

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

-----Original Message-----

From: John Barry Smith [mailto:barry@johnbarrysmith.com]
Sent: Tuesday, August 01, 2006 11:41 AM
To: Dickerson, Ken
Subject: Transcript 18 19 July 2006

Ken Dickerson
Public Affairs Officer / Agent des affaires publique

Dear Mr. Dickerson, Tuesday, August 1, 2006

May I please have an electronic copy of the transcripts for the two days of oral submissions?

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
safety@ntsb.org

This message has the following attachments:

file://localhost/Users/barry/Library/Mail/Attachments/.DS_Store

file://localhost/Users/barry/Library/Mail/Attachments/.DS_Store

From: "Dickerson, Ken" <kdickerson@majorcomm.ca>

Date: August 1, 2006 11:19:18 AM PDT

To: "John Barry Smith" <barry@johnbarrysmith.com>

Subject: RE: Commission of Inquiry Smith Submission 1, Grievous Error of Fact Detected

Mr. Smith,

Just to confirm that I forwarded this submission to the Commissioner and the other three Commission officers you named.

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

-----Original Message-----

From: John Barry Smith [mailto:barry@johnbarrysmith.com]

Sent: Friday, July 28, 2006 12:19 PM

To: Dickerson, Ken

Subject: Commission of Inquiry Smith Submission 1, Grievous Error of Fact Detected

Dear Mr. Dickerson, Friday, July 28, 2006

Well, we make do with what is given us. I was granted leave by the Commissioner to file materials I believe will be useful to the Commission.

"Disposition: Mr. Smith is denied standing. However, leave to file materials that he believes will be useful to the Commissioner is granted."

In that regard I wish at this time to file the material below to the Commission as 'Smith Submission 1, Grievous Error of Fact Detected'.

Regards,
John Barry Smith
Useful Material Creator

Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182
Honourable John C. Major, Q.C. Commissioner
Sheila-Marie Cook, Executive Director and Commission Secretary
Mark J. Freiman, Commission's Lead Counsel
Michel Dorval, Commission's Co-Counsel
Ken Dickerson, Public Affairs

Dear Commissioner Major, Friday, July 28, 2006

Thank you for granting me leave to file materials I believe will be useful to the Commission. The following material is herewith submitted as 'Smith Submission 1, Grievous Error of Fact Detected':

The decision to grant intervenor status to B'nai Brith by you is applauded. It appears you have taken the Prime Minister at his word when he stated he wished the Commissioner to conduct a thorough investigation into the events surrounding this tragedy which is about analyzing the evidence since 1985 and applying it to today. It's a broad mandate which can certainly include an organization such as B'nai Brith, Canada, which is the independent voice of the Jewish community, representing its interests nationwide to government, NGO's

and the wider Canadian public.

"B'nai Brith Canada Request by B'nai Brith Canada:
B'nai Brith Canada sought standing, either as a party or as an
intervenor, with respect to the mandate of the Inquiry.
Disposition: Intervenor status is granted..."

"John Barry Smith Request by John Barry Smith:
Mr. Smith sought standing to make submissions on issues of
aviation
safety as well as on his assessment of the facts as they relate
to
the cause of the explosion that resulted in the Air India Flight
182
tragedy.
Disposition: Mr. Smith is denied standing. However, leave to
file
materials that he believes will be useful to the Commissioner is
granted."

One might ask why an organization: That had no members on Air
India
Flight 182, was not investigated, not involved with the bombing,
did
not advocate the creation of the Commission and is otherwise not
expert in airplane crashes, was granted the privileged status of
intervenor while a person (me) who actually was personally
investigated by the RCMP, who was a military bombardier and knows
about bombings, is extremely familiar about Air India Flight 182
and
the type of aircraft it was, who has actually been in a sudden
fatal
fiery jet airplane crash, and who has met the family members of
that
fatality, was denied person of standing status in an inquiry into
an
investigation of a sudden fatal fiery jet airplane crash.

Possibly your inquiry could be called the Inquiry into the
Emotions
of Feelings of Persecution in Family Members of the Victims of
Religious Discrimination and for Others Who Have Felt the Same
Way.

We make do with what is given us, and in that regard your spoken
words to me come back during that abbreviated oral submission
period
on 19 July 2006: "... what I can do is permit you to file any
written
material that substantiates your view and it will be part of the
Air
India record. It will be there for examination by people who
look at

this Inquiry in future years,..."

Future years...in aviation safety, Commissioner, we don't have future years and often, not even future minutes. But...I make do with what is granted and that is leave to file any written material that substantiates my view to the Commission and thus become part of the Air India record.

I am doing so at this time, thank you for that consolation, Commissioner. Your verbal statement to me implies no member of the Commission will look at this material, only those people from the future. I hope they can read other than French or Punjabi because this is written in, well, like, uh, you know, Californian-American-English...dude.

My first point is to repeat my observation made to the Commission in writing and in person several weeks ago that a grievous error of fact persists every day in the Commission's Opening Statement on the official website: June 21, 2006, Background:

"Yet, it was not until the following January that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb."

Not so. Absolutely incorrect. Terribly misleading. That error leads to a hysterical rant such as the next statement by the Commission:
"This massive murder was the most insidious episode of cowardice and inhumanity in our history at the time,..."

The Canadian Aviation Safety Board made no such bombing conclusion.

Aviation Occurrence Report of the Canadian Aviation Safety Board for

Air India Flight 182 of January 22, 1986

"4.0 CONCLUSIONS

The Canadian Aviation Safety Board respectfully submits as follows:

4.1 Cause-Related Findings

1. At 0714 GMT, 23 June 1985, and without warning, Air India Flight 182 was subjected to a sudden event at an altitude of 31,000 feet resulting in its crash into the sea and the death of all on

board.

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment. This evidence is not conclusive. However, the evidence does not support any other conclusion."

When an error as serious as the false statement about the Canadian accident experts calling the explosion a bomb is allowed to persist, the erroneous deductions are compounded over time. The Prime Minister even repeated the error to Parliament. There are several reasons with precedent for an explosion in the forward cargo compartment of a Boeing 747 with a bomb being a very unlikely cause and a mechanically caused explosive decompression very likely. To continue to misquote the Canadian Safety Board and call their conclusion a bombing is bewilderingly deceptive.

When the false statement (of bombing conclusion) is repeated while knowing that statement to be false, as the Commission has known for several weeks, that act is called perjury when under oath. I recommend, to uphold the highest integrity of the Commission, that the grievous error of fact be corrected as soon as possible and hopefully not years.

This completes "Smith Submission 1, Grievous Error of Fact Detected" of material that substantiates my view that Air India Flight 182 was caused by the shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation.

"Smith Submission 2 to follow: "Bombs Everywhere," (or Bomb, bomb, bomb, in the baggage, baggage, baggage, go boom, boom, boom: The Official Versions)".

Regards,

John Barry Smith
541 Country Club Drive
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1 831 241 0631 Cell
barry@johnbarrysmith.com

safety@ntsb.org

From: "Dickerson, Ken" <kdickerson@majorcomm.ca>
Date: August 8, 2006 9:06:24 AM PDT
To: "John Barry Smith" <barry@johnbarrysmith.com>
**Subject: RE: Commission of Inquiry Smith Submission 3:
The Official Versions:**

Mr. Smith,

I have forwarded this submission to the recipients you listed, as with your two submissions last week.

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

From: John Barry Smith [mailto:barry@johnbarrysmith.com]
Sent: Tuesday, August 08, 2006 11:53 AM
To: Dickerson, Ken
Subject: Commission of Inquiry Smith Submission 3: The Official Versions:

Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182

Ken Dickerson

Public Affairs Officer / Agent des affaires publique

Dear Mr. Dickerson, Tuesday, August 8, 2006

Below is Submission 3 for the Commissioner of the Commission. 'The Official Versions: Bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom.'

Commission of Inquiry Smith Submission 1, Grievous Error of Fact Detected, Filed 28 July, 2006. (Please correct Commission website.)

Commission of Inquiry Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006 (Please grant me standing.)

Commission of Inquiry Smith Submission 3: The Official Versions: Bomb, bomb,

bomb, in the baggage, baggage, baggage go boom, boom, boom. (Please ask TSB Air for their opinion to resolve official conflicts of type of explosion and where it occurred.) Filed Tuesday, August 8, 2006

Thanks and Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924

Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182

Honourable John C. Major, Q.C. Commissioner

Sheila-Marie Cook, Executive Director and Commission Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

Ken Dickerson, Public Affairs Officer / Agent des affaires publiques

Dear Commissioner Major, Tuesday, August 8, 2006

1. "Disposition: Mr. Smith is denied standing. However, leave to file materials that he believes will be useful to the Commissioner is granted."

2. Commissioner Major at hearing to Smith: "...what I can do is permit you to file any written material that substantiates your view and it will be part of the Air India record."

3. Commissioner at hearing: "The best I can do is to repeat the offer I made and invite you to file in as much as detail as you choose whatever it is that supports your theory and it will be part of this record."

4. Commissioner: "You're free, Mr. Smith, as you probably know, to add to your filed material should you choose."

Yes, sir, I can take a hint. Thank you for your urgings. I am submitting as fast as I can and will continue to file material I believe will be useful to you regarding the Inquiry, the investigation, the bombing, Air India Flight 182, what's it like to be a victim of a sudden fatal jet airplane crash, and the emotions when meeting the family members of that fatal victim.

The key focus is the crashed aircraft. If Air India Flight 182 had not crashed and landed safely, then there would be no grieving family members, no victims, no

bombing, no investigation, and no inquiry. The core is the airplane and why it crashed. If the official crash causes are confused and contradictory the inquiry conclusions will be also.

Thus enter the bomb bomb bomb explanations (not lies) provided by others who think they are pointing you...

There is one scenario that unites the five official versions: Bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom.

1. The first official determination is the Narita Event is from the Japanese police point of view.

"At 0541 GMT, 23 June 1985, CP Air Flight 003 arrived at Narita Airport, Tokyo, Japan, from Vancouver. At 0619 GMT a bag from this flight exploded on a baggage cart in the transit area of the airport within an hour of the Air India occurrence. Two persons were killed and four were injured... Baggage cart explodes in transit area... The explosion of a bag from CP 003 at Narita Airport, Tokyo, took place 55 minutes before the AI 182 accident...the site where the blast had taken place was inspected which gave some, though very vague, idea of the detonating power of the blast."

To sum up: "A bag from a Vancouver flight exploded on a baggage cart in a transit area from a vague power of a blast."

The Narita Event is officially determined by the police to be a bomb which caused the blast of vague power in a bag as part of the baggage on a baggage cart in a transit area of a major airport hub. The first official bomb in the baggage goes boom.

2. The next official determination of the Air India Flight 182 Event is from an Indian judge's point of view.

Kirpal Report: "4.10 After going through the entire record we find that there is circumstantial as well as direct evidence which directly points to the cause of the accident as being that of an explosion of a bomb in the forward cargo hold of the aircraft."

"All cargo doors were found intact and attached to the fuselage structure, except for the forward cargo door which had some fuselage and cargo floor attached. This door, located on the forward right side of the aircraft, was broken horizontally about one-quarter of the distance above the lower frame. The damage to the door and the fuselage skin near the door appeared to have been caused by an outward force. The fractured surface of the cargo door appeared to have been badly frayed.

Because the damage appeared to be different from that seen on other wreckage pieces,..."

The Air India Flight 182 Event is officially determined by an Indian judge to be caused by a bomb in the baggage in the forward cargo hold possibly on the right side. (No physical connection between the forward and aft cargo holds which are several hundred feet apart.) That is the second official bomb in the baggage go boom.

3. The next official determination of the Air India Flight 182 Event is from a Canadian judge's point of view.

Below from "Reasons for Judgment" by Justice Josephson regarding Malik and Bagri.

I. Overview [1] In the early morning hours of June 23, 1985, Air India Flight 182, carrying 329 people[1], was destroyed mid-flight by a bomb located in its rear cargo hold.

H. Conclusion [190] It is agreed amongst the experts that the Kanishka was destroyed by the detonation of an explosive device within its left aft fuselage.

The Air India Flight 182 Event is officially determined by a Canadian judge to be a bomb in the baggage in the aft cargo hold on the left side. That is the third official bomb in the baggage go boom.

4. The next official determination of the Air India Flight 182 Event is from the Canadian aviation accident investigators point of view:

The Canadian Aviation Safety Board respectfully submits as follows:

04.1 Cause-Related Findings

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment.0

"The forward cargo door which had some fuselage and cargo floor attached was located on the sea bed. The door was broken horizontally about one-quarter of the distance above the lower frame. The damage to the door and the fuselage skin near the door appeared to have been caused by an outward force and the fracture surfaces of the door appeared to be badly frayed. This damage was different from that seen on other wreckage pieces. A failure of this door in flight would explain the impact damage to the right wing areas. The door failing as an initial event would cause an explosive decompression leading to a downward force on the cabin floor as a result of the difference in pressure between the upper and lower portions of the aircraft."

The Air India Flight 182 Event is officially determined by Canadian aviation accident investigators to be an explosion of unknown cause in the forward cargo

compartment probably on the right side. Another explosion in the forward cargo compartment goes kaboom. (Bombs go boom, unknown caused explosive decompressions go kaboom.)

5. The next official determination for Air India Flight 182 is from the United Kingdom aircraft accident investigator point of view.

"Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified. It must be concluded that without positive evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident".

The Air India Flight 182 Event is officially determined by a British aviation accident investigator to be something, not a bomb, somewhere, causes an explosive decompression. That is the fifth explanation for an explosion go kaboom.

Those are the five official determinations of explosions related to Air India Flight 182 by five official investigations in three countries over two decades.

1. A vaguely powerful explosion of a bag on a baggage cart with bags in a major transit area hub airport determined by the Japanese police in 1985.
2. A very powerful explosion of a bomb in a bag in the baggage in the forward cargo hold, possibly on the right side, of Air India Flight 182 determined by the Indian Justice Kirpal in 1986.
3. A very powerful explosion of a bomb in a bag in the baggage in the aft cargo hold on the left side of Air India Flight 182 determined by the Canadian Justice Josephson, in 2005.
4. An explosion of unknown cause in the forward cargo compartment, probably on the right side, of Air India Flight 182 determined by the Canadian aircraft accident investigators of the Canadian Aviation Safety Board, CASB in 1986.
5. A very powerful explosive decompression, not a bomb, someplace in Air India Flight 182, determined by the British aircraft accident investigator R. A. Davis of U.K. Accidents Investigations Branch in 1986.

There is no consensus on any significant issue by any officials other than explosive events occurred on a baggage cart and on an airplane thousands of miles apart and within the hour.

There is official disagreement in the determinations of whether it was a bomb or something else, how many bombs were involved, where the bombs were loaded,

how powerful the bombs were, what container the bomb was in, which major section of the aircraft the bomb was placed, on what side of the aircraft the bomb was located, or what caused an explosive decompression that was not a bomb. (Not counted are the disagreements of who put the bombs there and why.)

There was no official direct evidence determined for bombs with three fuses, three bomb casings, three bomb residues, three shrapnel wounds, or three timers in any of the three locations stated as having bombs exploded which are the Narita airport and the aft and forward cargo compartments of Air India Flight 182.

There is one official cause to unite them all: Three bombs. Assuming that an explosion means only one thing and that is bomb explosion and assuming that official determinations after official investigations are correct the following scenario can explain what happened:

{Commissioner Major, please bear with me on this story telling, I did not make the contradictory determinations which require unification, well meaning officials did. Confusing statements ask for humor to diffuse the frustration. (My plausible straightforward mechanical explanation with precedent is contained in Submission 4: The shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation).}

The one scenario that unites the five official determinations: Bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom.

Two of the bombs were surreptitiously placed on two Boeing 747s at Vancouver airport on 22 June 1985, the day before they blew up. The third bomb was placed into one of the Boeing 747s at the Montreal airport later that same day.

The official versions united:

Bomb 1: One bomb was loaded on CP 003 which flew to Tokyo with no detonation of the bomb during the long flight across the Pacific. This bomb was then unloaded in a busy airport, put on a baggage cart which was wheeled through a 'transit' area with many other bags from many other flights, and only then did the vaguely powerful bomb detonate at 0619Z, not from an altimeter fuze but from a timing fuze which went off when it was not supposed to for an aircraft terrorist bombing. No fuze or parts of any bomb or the suitcase were reported to have been discovered. No match of any debris parts of this bomb were made to other bombs by same terrorist group. No claims of responsibility or confessions were obtained. (The Japanese police determined bomb.)

Bomb 2: At the same time the Narita bomb was loaded at Vancouver onto CP 003 on the afternoon of 22 June 1985, another bomb was loaded onto CP 060, also in

Vancouver, and successfully slipped past the extensive security of men, dogs, and machines. CP 060 then flew to Toronto without the bomb going off by timer or altimeter fuse. At Toronto, the bomb was then off loaded from CP 060 and sent, along with some passengers, to a different aircraft, a Boeing 747 which was Flight 181 which, after another flight to Montreal, would change to Flight 182. At Toronto, all the baggage from Vancouver on CP 060, including the bomb, was placed in the aft cargo hold of the Boeing 747. This aircraft, called Flight 181, took off and flew to Montreal with the bomb still not detonating by altimeter or timing fuze. The timer was set to go off at 0714Z. (The Judge Josephson determined bomb.)

Bomb 3: After the Boeing 747 called Flight 181 landed in Montreal with the bomb from Vancouver still in the aft cargo hold, the flight number of the same Boeing 747 changed to Air India Flight 182, and more passengers and baggage were put on board. All their baggage was placed into the forward cargo hold. A new aircraft bomb was thus loaded into the forward cargo compartment with the timer set to go off at 0714Z. (The Judge Kirpal determined bomb.)

There were many delays involved with loading parts of a large engine into the aft cargo compartment which did not set off the bomb in that compartment. Finally, the aft and forward cargo compartment bomb laden Boeing 747 now called Air India Flight 182 took off from Montreal for its third flight in many hours, flew for five hours across the Atlantic and then a fuze for the Montreal loaded bomb activated and exploded in the forward cargo compartment, not by an altimeter fuze because the aircraft was level at 31000 feet and had been so for hours, but by a timer fuze. The Vancouver bomb, first loaded in Vancouver and transferred to the aft cargo compartment of the doomed aircraft in Toronto, detonated at exactly the same time, 0714Z. The two bombs blew holes in the pressurized hull causing an explosive decompression.

Thus explains and unites the Japanese police bomb, the Justice Kirpal bomb, the Justice Josephson bomb, the CASB explosion, and the UK AIB explosive decompression events.

The official determinations assume inefficient ticketing agents, dull-witted security forces, and malfunctioning X ray machines in four large metropolitan airports in two industrialized nations. It assumes incompetent terrorists who can't set a bomb to go off on time. It assumes quiet bombs in an aircraft that leave no sound when they go off. It assumes three stealthy bombs that managed to slip through sniffing dogs, portable metal detectors, X-Ray machines, private security teams, and yet leave no trace of their fuzes, timers, explosive material, or containers.

Officially the terrorists were of two groups; one group in Vancouver to check the bomb in the baggage which was placed in the aft cargo compartment of Air India

Flight 182 to explode according to the Canadian judge. Another terrorist group in Montreal checked their bomb in baggage which was placed in the forward cargo compartment of Air India Flight 182 to explode there according to the Indian judge. The Vancouver terrorist group also checked in another bomb in the baggage of another aircraft to explode later on a baggage cart at Narita airport, according to the Indian judge.

Three bombs to explode: one at Narita airport, one in the forward cargo compartment and another in the aft cargo compartment of Air India Flight 182. (There is no physical connection between the two very far apart cargo compartments of a Boeing 747.)

The terrorists were stupid because:

1. The bombs did not go off when a real aircraft bomb usually goes off, shortly after takeoff climb on the initially loaded flight.
2. The fuzes were three timers set to go off at odd times such as 0619, 0714, and 0714 many hours later after being set.
3. They did not claim responsibility to advertise their cause.

The terrorists were smart because:

1. They were able to construct bombs which left no fuse, no casings, no timer evidence and were silent.
2. They were able to smuggle three bombs through tight security at four large airports in two countries.
3. They coordinated two bombs on the same aircraft loaded in different locations at two airports to go off at same time to ensure destruction.

The terrorists were lucky because;

1. The four takeoffs and landings and turbulence did not detonate the amateur improvised bombs.
2. The changing of two planes and movement of baggage from plane to transit area did not detonate the bombs.
3. Their bomb laden baggage was not misplaced or misdirected by the airline.
4. The many unexpected schedule delays and aircraft changes still allowed the bombs to go off to kill innocent people instead of in an unoccupied hangar or baggage storage area.

This is the official unified determination to explain the Narita airport transit area and Air India Flight 182 bombings: Revenge seeking terrorist groups managed to place three stealthy bombs in three aircraft and on one baggage cart through four airports in one day. Three bombs in three bags in three baggage areas go boom boom boom.

Commissioner Major, yes, it's a convoluted, illogical, bizarre story but then,

conspiracy stories usually are. When accepted as truth by wishful thinking noncritical listeners, the conspiracy stories are exciting, pleasing, and repeated; when examined by skeptics, the stories usually blow up in the tellers' faces, as the bomb, bomb, bomb determinations do.

The Canadian Transportation Safety Board Air has never given its official opinion in the probable cause of Air India Flight 182, the most famous airplane crash in Canadian history. Their specialized expert input is invaluable to the Commission. Will you please ask TSB Air to provide to the Commission an updated supplement to the twenty year old CASB accident report on Air India Flight 182, a request justified by several subsequent similar accidents since 1985 to similar Boeing 747s and to resolve the explosion location conflict created by Justice Josephson and Justice Kirpal?

My down to earth mechanical explanation follows in my next Submission to the Commission. The wiring/cargo door explanation applauds Justice Josephson's finding of not guilty, it confirms the Canadian aviation accident investigators' conclusion, it exonerates the RCMP's failure to catch Snidely Whiplash, and justifies the expense and time of this Commission of Inquiry into events surrounding Air India Flight 182.

Commission of Inquiry Smith Submission 1, Grievous Error of Fact Detected, Filed 28 July, 2006. (Please correct Commission website.)

Commission of Inquiry Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006 (Please grant me standing.)

Commission of Inquiry Smith Submission 3: The Official Versions: Bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom. (Please ask TSB Air for their opinion to resolve official conflicts of type of explosion and where it occurred.)

Respectfully,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
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montereypeninsulaairport.com

From: John Barry Smith <barry@johnbarrysmith.com>

Date: August 17, 2006 8:37:18 AM PDT

To: kdickerson@majorcomm.ca

Subject: Smith Submission 7. Dear People in Future Years:

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Ken Dickerson

Public Affairs Officer / Agent des affaires publique

Dear Mr. Dickerson, Thursday, August 17, 2006

Below is Smith Submission 7. Dear People in Future Years:
Predicting the Past. (The Major Doctrine.) Filed Thursday,
August 17, 2006

Smith Submission 1, Grievous Error of Fact Detected, Filed 28
July, 2006. (Please correct Commission website.)

Smith Submission 2: Inquiry into the Inquiry: Who, what, why,
and will you, Filed 3 August, 2006 (Please grant me standing.)

Smith Submission 3: The Official Versions: Bomb, bomb, bomb,
in the baggage, baggage, baggage go boom, boom, boom. (Please
ask TSB Air for their opinion to resolve official conflicts of type
of explosion and where it occurred.) Filed Tuesday, August 8,
2006

Smith Submission 4: The Unofficial Version: The shorted wiring/
ruptured open/forward cargo door/explosive decompression/
inflight breakup explanation. (Please consider a plausible,
reasonable, electrical cause with precedent) Filed Tuesday,
August 8, 2006.

Smith Submission 5: Substantiating the Unofficial Version: The
Layperson version. (It's not rocket science) Filed Friday, August
11, 2006

Smith Submission 6: Substantiating the Unofficial Version: The
DNA Match. (A match made in heaven) Filed Tuesday, August

15, 2006

Smith Submission 7. Dear People in Future Years: Predicting the Past. (The Major Doctrine.) Filed Thursday, August 17, 2006

At the request of the Guptas, I have ceased sending them my submissions.

Thanks and Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924

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Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Honourable John C. Major, Q.C. Commissioner

Sheila-Marie Cook, Executive Director and Commission
Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

Ken Dickerson Public Affairs Officer / Agent des affaires
publique

Dear Commissioner Major, Thursday, August 17, 2006

You to me: "You have an alternate theory. The alternate theory may over time prove to be correct. I don't know. What I do know is that we cannot consider it as part of the evidence in this Inquiry but what I can do is permit you to file any written material that substantiates your view and it will be part of the Air

India record. It will be there for examination by people who look at this Inquiry in future years,..."

Dear Person of the People in Future Years,

I figure you are probably a high school student here from some detention hall assignment doing a make work essay in early 21st century history. I was told a hundred years ago you might be examining my filed written material that substantiates my alternate theory for an airplane crash.

Well, where to start, my wayward student? What's it like in 2106 anyway? Still Scuba diving down to the tops of skyscrapers? Crowded on the high ground? Can you live on the wages of a solar mirror cleaner? I can only guess, but something tells me that travel between any two points more than a hundred miles apart will not require passports, ID papers, and strip searches as we had in 2006. Things will be better in 2106 and it's all because of a few brave men in high office.

What was it like in 2006 you ask? (Because you have to or you ain't leaving study hall?) It all started when a big airliner with 329 on board, called Air India Flight 182, blew up over the ocean and terrorists were blamed for putting a bomb on board. Exactly at what airport the bomb was loaded, where it was located in the plane, and how many bombs were facts in dispute by the various investigating agencies and everyone (except me) believed it was a bomb by terrorists and urgent, drastic actions needed to be taken to prevent another tragedy.

Of course real terrorists noticed all the tears, wailing, press coverage, expenses, disruptions, and political reaction and thought, "Hmmm....airplanes crashing really upsets our

enemy." And then another large airliner blew up in the air and terrorists were again blamed (wrongly, from my research) and more tears, hair pulling, and rants against foreigners. Trials and punishments occurred. This time the terrorists knew they were really onto something, a way to really disrupt and hurt the industrial society they blamed for corrupting their own culture.

Now the terrorists knew they did not bomb those big 747s out of the air but figured their brothers in arms had done it. Everybody (except me) 'knew' they were bombed and tried very hard to find the bombers. The suspects and the convicted all turned out, naturally, to be non English speaking, dark skinned, foreign looking men with funny hats.

Real terrorists plotted on causing airplanes to crash, since the effect was so great for such little effort and risk. And on September 11, 2001, they struck with not one, but four crashes. All the security measures from 1985 on including X ray machines, strip searches, dogs, private security staff, random baggage searches, profiles were to no avail and all four planes crashed and the world was never the same.

Travel became hell. All the passengers were disarmed before boarding. All water or other beverages were removed before flight. Delays, aborted flights, cancelled trips, scares, and evacuations were commonplace.

But you are not living in that fearful, suspicious, inconvenient world of 2006 are you, lucky student, a former world of the hysterical reaction to mass grief of 1985, 1988, and 1996 events which turned to anger, to hate, and to revenge against somebody, anybody. What changed the course of history? It was the judgments of a few brave men.

How did you come to this material on file to be examined by people in the future? Let me guess. You put "History 100 years ago" into a search engine which had indexed thirty trillion words in billions of websites. All the links you clicked on were "Server Busy" or "Error Page 404" except this material which was probably on an archived website deep in the Canadian Government basement of obsolete formatted filed material submitted for an Commission of Inquiry. And yet this filed material for people in future years has remained clear and available, why is that? It's because it is important.

Ah, 2006...there were two distinct types of people back then:

1. The Pie in the Skyers.
2. The Down to Earthers.

I was a Down to Earther or scientists as we called them. We looked at things we called reality such as twisted metal, broken parts, and recorded sounds. We detected patterns from which we made reasoned, logical conclusions. We conducted experiments to reconstruct the events for confirmation and invited others to replicate our experiments for objective observations to determine validity. Whether the conclusions or the implications of those conclusions gave us pleasure or pain was not our concern, only the explanation of reality. We wanted to know an accurate reality so we could plan ahead or to fix mistakes in the past. In my case it was to prevent other people dying in plane crashes since I had survived one myself and a plane crash is not a good thing even if you can walk away injured.

Then there were the Pie in the Skyers, or as I called them, The Bombs in the Skyers. They had different criteria for determining reality. Their main rules for validity of an idea were:

1. If it makes me feel good, it's right.
2. If it's right, it's true.
3. If someone tells me true things, he/she shall be rewarded with money and attention.
4. If it makes me feel bad, it's wrong.
5. If it's wrong, it's false.
6. If someone tells me a false thing, they are lying.
7. If someone lies to me, they shall be punished by rejection and scorn.

Emotion ruled the day! And Air India Flight 182 was the crash in 1985 that started it all.

The Bombs in the Sky guys loved the excitement of conspiracy stories with a Mr. X here and there, foreign countries, lots of airports, mistresses, lots of money changing hands, and political intrigue everywhere. How could the bomb stories not be correct? They made everybody happy: The manufacturer (it's not my fault) blamed the airport for letting the bombs get through. The airport (it's not my fault) blamed the terrorists. The airline (it's not my fault) blamed the bombers. The Government regulatory agency and safety boards (it's not my fault) blamed the crazy foreign religions. The family members (it's not my fault) blamed the evil in men's hearts. The newspapers and TV station (it's not my fault) sold the exciting story over and over again, adding bits and pieces here and there when necessary to keep the conflicting stories fresh.

The general belief of the public was, "Well, it's evil human nature, flying is still safer than driving, they are doing all they can (and it's not the officials' fault) to stop the bombers from doing it again, it's OK to fly, keep on buying tickets, put your seatback in an upright position, and enjoy your flight."

Everyone was acting in their own perceived best interest and that was, 'It's not my fault, it's his fault, over there, put him in jail'. There were no conspiracies by the major parties involved to keep the real explanation for the crash secret, they just preferred, along with everyone else, the conspiracy explanation of the bombs in the sky since it made them feel good.

The Pie in the Skyers were in the majority since being absolved of blame and responsibility of multiple tragedies made them feel good, which means it's right, which means it's true. Everyone from the TV, radio, newspaper, magazines, books, government officials, who repeated the true, right, good feeling stories were rewarded with promotions, pay raises, and desirable assignments.

And the reality of travel became more and more unpleasant. More time was spent in the car to the airport than in the airplane and more time was spent on the airplane on the ground taxiing or waiting for a gate than was spent in the air in the airplane.

But everyone knew it wasn't their fault and that made them feel good so it was true.

Except for those pesky Down to Earthers.

This Down to Earther looked at the actual evidence of the airplane crash such as twisted metal, loud recordings, wreckage debris pattern, inflight damage, history of previous or subsequent similar events and concluded that the cause of those bombed planes was not bombs but a mechanical systems fault such that the electrical system had failed, specifically the wiring had frayed and shorted on a motor that was supposed to stay off in flight.

Research showed bombs caused a tiny percentage of plane crashes. Bombs are a small part of a small subset of causes called 'Sabotage'. Pilot error and mechanical failures cause about 90% of plane crashes with mechanical contributing about 40%. Wiring failures caused literally hundreds of fires, many failed instruments, and a few cargo doors to open in flight.

The scientists called government aviation accident investigators who actually knew why planes crashed did not conclude it was a bomb, just an explosion and another aviation accident investigator said the cause was an explosion that was not a bomb. They were just doing their job as objective, detached, logical, non emotional, investigators.

But...the news that the plane crashes were caused by faulty wiring and not bombs did not make everyone feel good. The non bomb/bad wiring explanation meant that everyone was responsible in some small or large way and that realization made them feel very, very bad. Because they felt bad, they knew the mechanical wiring explanation was wrong. Because it was wrong, it was false. And anybody who told them falsehoods was lying to them. Therefore the liar must be punished by stifling, rejection, and scorn to make him stop giving the pain of a wrong explanation.

The larger issue was myth versus science; wishful thinking versus reality. The ignorant, fearful population turned to exciting stories that made them feel good by exposing and smiting enemies while glorifying themselves. The scientists were shunned, demoted, fired, or had funds cut off from their research. The politicians responded to the will of their citizens and told even more outrageous tales of heroism and sacrifice.

Wishful thinking ruled, reality lost. Myth won, science was trounced. Exciting stories were believed while boring details...well...bored.

The situation world wide was dangerous. Terrorists were everywhere. Relations among nations were on the cusp of a world war with all sides living myths and wanting to fight. Many politicians evened declared World War III had begun. Tensions were very high as local outbreaks of war kept on popping up, threatening to spread wider.

The rule of law was under attack as the belief was that only sissies hired attorneys and played the game of cross examination of witnesses, confronting the accuser, and disclosure of evidence, when everyone knew that real men got their guns and started shooting and loaded up with bombs and started bombing. The court system was considered a game for shoplifting cases while the only system that worked included secret armies, paid mercenaries, widespread eavesdropping, and secret prisons.

Investigators became prosecutors and decided on guilt. Prosecutors became judges and decided on punishment. Judges became politicians and decided what the people wanted to hear. Politicians became businessmen seeking profits. Businessmen became priests giving advice on how to live. Priests became military leaders defending their followers by shooting others. Military leaders became assassins with remotely controlled and armed drones. Everyone was doing the job of others while neglecting their own.

A new Dark Ages was appearing. Societies were splitting into smaller segregated groups based upon language, race, or

religious criteria. Residential communities became gated fortresses. Suspicion, distrust, anger, fear, hate, and vendettas become normal attitudes.

But this Down to Earth scientist kept on telling his reasonable, plausible explanation for the initial plane crash that started it all in letters, websites, interviews and an appearance in front of a Commission of Inquiry into one of the plane crashes.

The crash of Air India Flight 182 was blamed on revenge seeking terrorist putting one or two bombs to blow up the plane in the aft or forward cargo compartment. But the stories did not sound right, there were important discrepancies in the multiple bomb explanations. Suspects were accused, and tried. Law enforcement agencies bickered as they chased ghosts around the world. And then entered one of the three brave enlightened men: Justice Ian Josephson. He evaluated the evidence and acquitted the two accused. He found they did not plant the bombs and he was right, they didn't do it, nobody did it.

Outrage was everywhere. The outraged citizens who had looked forward to revenge were upset and wanted punishment against someone, anyone, even those in law enforcement.

And then entered the next of the three brave enlightened men: Prime Minister Stephen Harper. He created a Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182. He said "It is our duty as Canadians to do everything in our power to prevent a similar tragedy from ever happening again, A full public inquiry is required. This inquiry will be launched immediately and led by an outstanding Canadian, retired Supreme Court Justice John Major. He has agreed to serve as Commissioner for this inquiry and I have every confidence that

he will conduct a thorough and compassionate investigation into the events surrounding this tragedy. This inquiry is about analyzing the evidence that has come to light since 1985 and applying it to the world we live in today."

Prime Minister Harper did indeed want a full public inquiry which would be thorough, compassionate, and analyze the evidence and events surrounding the tragedy.

And he got it.

Enter the third brave enlightened man, retired Supreme Court Justice John Major. He is the Commissioner who told me I would be examined by you in the future. Commissioner Major said to me personally, "... I can do is permit you to file any written material that substantiates your view and it will be part of the Air India record. It will be there for examination by people who look at this Inquiry in future years,..."

Commissioner Major also stated, "The nature of this Commission was to be very broad in the evidence that it heard, in order to put to rest the various theories, rumours and neglect that have occurred since the explosion in 1985."

And it was.

Commissioner Major patiently listened to everyone as they gave their opinions about the investigation, the bombing, the aircraft, the victims, and the victims' families. He listened to representatives of various agencies explain why they did not get convictions of the accused terrorists, why information was lost, destroyed, or misplaced, turf battles, secret tapes, communication lapses, funding problems, and lack of cooperation among the

many agencies tracking suspected terrorists. Fingers were pointed in every which direction. The Commissioner listened to various religious groups give their opinions and complaints about discrimination against them by terrorists.

And the curious Commissioner listened to this independent aircraft accident investigator who had an interesting explanation for the crash that was different from the conventional wisdom held by all the others. This civilian said the cause was not a bomb explosion; there were no bombers, no conspiracies, no crimes, and no criminals.

Well, my young chipmunk, that alternative explanation caused a stir and everyone involved wanted this civilian investigator to shut up, sit down, and go away.

But Commissioner Major held firm to his principals and those of the Prime Minister who both wanted a very broad full, public, and thorough inquiry. The Commissioner stated he wanted to 'put to rest various theories' for the accident and to do that, he had to listen to them, not reject them out of hand. He was pressured to keep the inquiry narrow, short, and focused on specific already agreed upon conclusions.

But, he stayed true to his calling of justice through law, not emotion. So, he listened to this civilian investigator give his oral presentation with audio visual aids, textbooks, accident reports, diagrams, pictures, and schematics. The Commissioner then read the various text submissions of the civilian that documented in depth the evidence which led him to conclude the cause was not a bomb but the shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation.

The Commissioner sought other modern expert opinion so he tasked the premier aviation accident investigation government team in Canada for their evaluation of the probable cause of the crash. The Transportation Safety Board of Canada (Air) then evaluated the wiring/cargo door explanation and the evidence in 1989 of a similar accident, United Airlines Flight 811, and realized that the conspiracy stories of adulterous fraudulent terrorists were good stories but not grounded in fact, unlike the scientific explanation of the wiring/cargo door theory.

The TSB Air reported their findings to the Commissioner. He concluded that the earlier evaluation by the Canadian Safety Board was correct, that the police could not catch their culprits because there were no culprits, the prosecutors could not get a conviction because nobody did it, the judge who acquitted the accused followed the law and was vindicated, the family members rested easier knowing the details of the accident, and a clear danger to the flying public was removed when the faulty wiring was replaced and the design flaws in the cargo doors were fixed.

The anger, hate, and lust for revenge which had permeated Canadian attitudes for decades was removed. The hysteria about air travel and bombs was reduced somewhat. More attention was properly paid for training of pilots, maintenance of the aircraft, and safe design. Air travel was safer and more relaxed. The quality of life for millions of Canadian citizens and others worldwide improved.

And that is why the CN building in Toronto is called the "Harper Tower" and the route from the Atlantic Ocean to the Pacific Ocean through the Arctic archipelago of Canada is called "The Harper Passage."

The way of thinking that allowed for full, public, and thorough inquiries from many parties became normal, while the old style of fixed, predetermined, politically satisfying inquiry findings was rejected.

And that's why that way of thinking is called, "The Major Doctrine." Whenever mysteries and important events that demand explanation arise, the first response by the public is always, "Use the Major Doctrine!"

And that's why this filed material has been made clear and available to you, a person of a people in the future, so that you may marvel at the excessive fears and suspicions of the past, overcome any new fears, rely on scientific and fair inquiry into important reality events, coexist peacefully with spiritual neighbors, and act on conclusions based on reality, not good stories.

Smith Submission 1, Grievous Error of Fact Detected, Filed 28 July, 2006. (Please correct Commission website.)

Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006 (Please grant me standing.)

Smith Submission 3: The Official Versions: Bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom. (Please ask TSB Air for their opinion to resolve official conflicts of type of explosion and where it occurred.) Filed Tuesday, August 8, 2006

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Smith Submission 7. Dear People in Future Years: Predicting the Past. (The Major Doctrine.) Filed Thursday, August 17, 2006

Regards,

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From: John Barry Smith <barry@johnbarrysmith.com>
Date: August 19, 2006 8:37:51 PM PDT
To: kdickerson@majorcomm.ca
Subject: Smith Submission 12. Last Gasp: Clutching at a Straw.

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182
Ken Dickerson
Public Affairs Officer / Agent des affaires publique

Dear Mr. Dickerson,

Saturday, August 19, 2006

Smith Submission 12. Last Gasp: Grasping at a Straw. Filed

I have also sent copies of each submission to Mr. Brucker since he was so concerned about who is granted standing and all of the below are a result of my being denied standing.

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(Easy to see, hard to talk about) Filed Saturday, August 19, 2006
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standing: Try Try Again. (Never give up) Filed Saturday, August
19, 2006
Smith Submission 12. Last Gasp: Grasping at a Straw. (Throw
me a bone here, I'm dying) Filed Saturday, August 19, 2006

I will be sending relevant material to be filed that does not
require the attention of the Commissioner but is necessary for a
complete file. The items will be relevant accident reports from
government safety boards and communications with safety
officials. I hope my request is approved to post all the non
classified written material submitted by the public during the
public inquiry (including my submissions) on the Commission
website, <http://www.majorcomm.ca/en/index.asp> The public area
could be called the Public Docket.

Thanks and Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924

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Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182
Honourable John C. Major, Q.C. Commissioner
Sheila-Marie Cook, Executive Director and Commission
Secretary
Mark J. Freiman, Commission's Lead Counsel
Michel Dorval, Commission's Co-Counsel
Ken Dickerson Public Affairs Officer / Agent des affaires

publique

Dear Commissioner Major, Saturday, August 19, 2006

Smith Submission 12. Last Gasp: Grasping at a Straw. (Throw me a bone here, I'm dying) Filed Saturday, August 19, 2006

A cliché for every occasion: Grasping at straws 1. Having little or no options left. 2. Desperate.

It's hard being fair, if it were easy, everyone would be doing it. Instead, we have judges who are trained to be detached, objective, non emotional, rational, and fair.

It's easy to be biased, emotional, and unfair, it's why most people are. The narrow and closed minded are unwilling to consider alternatives that might alter their rigid internal belief structure. It's hard to change.

It's hard to defend someone when there is a lynch mob outside the jail screaming for revenge. Lesser principled officials give in to the popular will.

Justice Josephson upheld his professional principles and came to the correct conclusions when he acquitted the two accused all the while knowing what the popular will was.

After sixteen years of research on early model Boeing 747s that disintegrate in flight I have found that my wiring/cargo door explanation is met with these responses in sequence:

1. No.
2. You are wrong.

3. You are crazy.
4. Go away.
5. I'm ignoring you.
6. Attack.
7. Ask a real question to check it out.
8. Take action on new knowledge acquired.

Interestingly enough, the same sequence was followed by the family members of Air India Flight 182 and others upon hearing the verdict of Justice Josephson.

First they said to themselves, no, it can't be. Then, they said he was wrong. Then they said he must be nuts to acquit them. Then they want his career to end by claiming he is incompetent in his conclusions. Now they ignore him. And at last the family members want the Commission to punish those they believe betrayed them: Justice Josephson, the RCMP, the CSIS, and anybody else involved, even extending to an independent accident investigator. Public opinion will not get to stage seven and ask real questions about the crash.

The officials and family members apparently want the Commissioner to ask questions as long as they are hatchet questions to cast blame at inefficient and incompetent court and law enforcement systems. Then they want their revenge by a few demotions, firings, and forced early retirements of officials.

The basis for this sequence is fear. There is fear of change. All the parties have fear of change such that all their work of twenty years was in vain. There is a cliché for this: Barking up the wrong tree 1. Looking in the wrong place for the solution for a problem. 2. Thinking the answer is one thing when it is not. The hunter/prosecutors told the dogs/police to find the raccoon/

terrorists and the dogs spent years and think they treed the raccoon but they didn't. The correct tree/mechanical cause is far away with only this puppy/investigator barking up it.

I find myself in an upside down world where I am begging an inquirer leading an inquiry to actually inquire, which is to say, ask questions of me.

It is an inside out world where I am supporting Canadian institutions such as the CASB, Justice Josephson, the RCMP, the CSIS while a government Commission is involved with disputing their findings and looking to discredit their competence by accusing them of failure.

It is a backward world when I am the rational scientist with loads of data and corroborative facts who is stifled and regarded as looney while the government is full of conspiracies, suspicions, finger pointing, and stories that don't make sense when examined closely. I am the cooler head trying to prevail over hysterical elements of the government and media.

It is a strange world when I have to plead with the officials, who gain their authority through the power of doing what they say they are going to do, to actually do what they say they are going to do, that is, to hold a full, public, thorough, and broad inquiry to put to rest various theories.

It is a bewildering world when an official exclaims doubt by saying, "I don't know" and then rejects professional, specialized, Crown opinion that can allay his doubt and resolve serious contradictions in other reports.

It is a suspicious world when I point out an inflammatory and

prejudicial written error stated by the Commission about a finding of bomb and the error remains uncorrected.

It is confusing to me that I have to plead with an official to be fair who has spent his entire long and distinguished career being just that.

It is weird to me to have to try to persuade someone to do what he was trained to do, swore to do, paid to do, was encouraged to do, was ordered to do, and I think, what he really wants to do: Be fair, solve a mystery, establish justice, and protect his fellow citizens.

I'm not asking for special treatment, nor an exemption or waiver, or mercy, or compensation. I'm asking for the rules to be followed, for the inquiry to inquire, and for promises to be kept.

I have not ignored contrary reports, I have considered both sides. I did not pick and choose reports, I included all. I acted as an investigator, not a prosecutor. From Table of Contents of my Smith AAR for Air India Flight 182 below (Commission Exhibit S-18):

2. Premise Explanations for Air India Flight 182

2.1 Explosion in flight in the forward cargo compartment

2.1.1 Proponents

2.1.2 Analysis

2.1.3 Conclusion

2.2 Explosion of a bomb in the aft cargo compartment

2.2.1 Proponent

2.2.2 Analysis

2.2.3 Conclusion

2.3 Explosion in the forward cargo compartment with its cause

unstated

2.3.1 Proponent

2.3.2 Analysis

2.3.3 Conclusion

2.4 Explosion in the forward cargo compartment, inclusive of a bomb detonation

2.4.1 Proponent

2.4.2 Analysis

2.4.3 Conclusions

2.5 Explosion in the forward cargo compartment caused by explosive decompression of undetermined cause, exclusive of a bomb detonation

2.5.1 Proponent

2.5.2 Analysis

2.5.3 Conclusions

2.6 Explosion in the forward cargo compartment caused by explosive decompression caused by structural failure of ruptured open forward cargo door at one or both of the midspan latches caused by faulty electrical wiring

2.6.1 Proponent

2.6.2 Analysis

2.6.3 Conclusion

My conscience is clear; I have done the best I could to persuade authority that Air India Flight 182 was not a rare bomb event for a more common failing of a part, specifically a forward cargo door rupturing open in flight probably caused by a faulty electrical switch or wiring.

For persuasion I have of course ruled out threats, passed on wheedling and cajoling, and instead concentrated on corroborated expert opinions, rational, logical, a presentation of

facts, data, evidence modestly punctuated with brilliant sparks of wit.

I have also begged and pleaded. I shall again.

1. Please grant me standing to present my mechanical non conspiracy explanation to you in depth.
2. Please ask TSB Air to provide an aircraft accident report to you on the probable cause of Air India Flight 182.
3. Please correct the highly prejudicial error on Commission website that states the CASB concluded it was a bomb; they did not. ("Yet, it was not until the following January that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb.")
4. Please post all the non classified written material submitted to you by the public during the public inquiry (including my submissions) on the Commission website, <http://www.majorcomm.ca/en/index.asp> The public area could be called the Public Docket.

Commissioner Major, in an interview you said your concern was whether an event such as Air India Flight 182 could happen again. Well, sir, the answer is yes because the frayed wiring in the cargo door unlatch system still exists in the about five hundred early model Boeing 747s still in service today worldwide.

Have you ever wondered at the over reaction to the threat of an airplane crash? Many more people die weekly in car crashes than ever die yearly in airplane accidents and yet billions are spent in airline safety and security and relatively very little in vehicular safety. The answer is in the primitive responses of the brain at birth and infancy called reflexes. We are not born with the reflex to react to the smell of skidding rubber tires, of the feeling of a

broken bone, or even the pain of fire. All those fears are learned through experience.

We are born with the fears of suffocation, dehydration, loud sounds, and falling. All these fears are present when flying in airplanes and the psyche knows the dangers regardless of the movie that's playing, the number of pillows, or the quality of the meal.

Sucking Reflex: The sucking reflex is initiated when something touches the roof of an infant's mouth. Infants have a strong sucking reflex which helps to ensure they can latch onto a bottle or breast.

Startle Reflex: Infants will respond to sudden sounds or movements by throwing their arms and legs out, and throwing their heads back. Most infants will usually cry when startled and proceed to pull their limbs back into their bodies.

Breathing is the first reflex we have. As we get older we develop regulated breathing but we never lose our reflexive breathing. After the first breath comes the first cry.

Parachute Response: This is a protective response that protects an infant if he/she falls. Beginning at about 5-6 months, if an infant falls, he will extend his arms to try and 'catch' himself.

The thought of a loud bomb going off in an airplane which results in suffocating during a long fall while crying for help is a four fold horror nightmare at the basest levels of our personalities. Passengers will pay any amount of money and tolerate any restrictions on civil freedoms to reduce those four fears to manageable levels. Hysterical fear leading to panic is in

the back of the mind of many passengers who have a fear of flying. (I have a rational worry of flying and it's based on the realities of the common hazards, bad weather, pilot error and mechanical fault.)

I will tell you a good story you may well remember forever about Air India Flight 182. This was told to me at the beginning of my research for AI 182 about ten years ago.

When the Boeing 747 called Air India Flight 182 disintegrated in flight at 31000 feet over the ocean, some passengers stayed in their seats all the way down, some were probably sucked into engines, and some were blown free and floated down in a few minutes to the ocean surface. All the men, women, and children died.

There was one very pregnant woman who was blown free and as she was falling she delivered/ejected her baby. They both fell to the water. She died on impact but since the baby was lighter, the infant did not die, but floated for a bit on the water and then drowned. The baby died not from blunt trauma injuries but from salt water in the lungs.

Well, that image of a pregnant human female sensing imminent death and ejecting her baby from within herself as a last chance effort was very haunting to me. I recalled it perfectly.

As it turns out, about five years ago I had occasion to speak by telephone to Wing Commander Dr. I. R. Hill of the Accident Investigations Branch of the United Kingdom who contributed to the Air India Flight 182 reports. I asked Dr. Hill about the injuries to the passengers and any evidence of bomb damage. He replied, as he stated in the accident reports, that he found no

explosion by bomb evidence on anyone. He did find explosive decompression injuries and impact damage.

I asked him about the pregnant woman/baby story. He replied that he did not find any evidence of that event occurring; there were no babies that drowned. His interview statements corroborated his written statements of years earlier. (A lot can be deduced from the below Medical Examiner's observations but that would be for a later time.)

From the CASB AOR:

"2.9 Medical Evidence There were 30 children recovered and they showed less overall injury. The average severity of injury increases from Zone C to E and is significantly less in C than in Zones D and E.

Flail pattern injuries were exhibited by eight bodies. Five of these were in Zone E, one in Zone D, two in Zone C and one crew member. The significance of flail injuries is that it indicates that the victims came out of the aircraft at altitude before it hit the water.

There were 26 bodies that showed signs of hypoxia (lack of oxygen), including 12 children, 9 in Zones C, 6 in Zone D and 11 in Zone E. There were 25 bodies showing signs of decompression, including 7 children. They were evenly distributed throughout the zones, but with a tendency to be seated at the sides, particularly the right side (12 bodies).

Twenty-three bodies showed evidence of receiving injuries from a vertical force. They tended to be older, seated to the rear of the aircraft (4 in Zone C, 5 in Zone D, 11 in Zone E, 2 crew and 1 unknown), and 16 had little or no clothing.

Twenty-one bodies were found with no clothing, including three children. They tended to be seated to the rear and to the right (3 in Zone C, 5 in Zone D, 11 in Zone E and 2 unknown).

There were 49 cases showing signs of impact-type injuries, including 19 children (15 in Zone C, 15 in Zone D, 15 in Zone E, 1 crew member and 3 unknown).

There is a general absence of signs indicating the wearing of lap belts.

Pathological examination failed to reveal any injuries indicative of a fire or explosion."

The point, Commissioner Major, is that myth like tales are told about Air India Flight 182 and upon examination are totally false. There was no drowned in salt water infant. So it is with the bombs in several places tales that are the official versions of Air India Flight 182. They are just not true although they are wonderful, emotion evoking, awe inspiring, mysterious, and satisfying in very primitive ways.

Frayed wiring shorting on a motor is not myth like. It's mundane. It does not hold interest. But it is usual, reasonable, plausible, and it has a precedent/antecedent with United Airlines Flight 811.

I know with more certainty than some life and death decisions I have made in the air regarding me and my crew that Air India Flight 182 was not caused by a bomb explosion in any compartment. I know there were no bombs, no bombers, no conspiracies, no crime, and no criminals. I do know for certain that the forward cargo door blew out at initial event time that

caused the nose to come off leading to the inflight disintegration and the cause of that door rupture was probably an electrical switch or wiring based upon conclusions made regarding United Airlines Flight 811, TWA Flight 800, and Swiss Air 111.

I'm dead serious about airplane crashes, having survived a fatal one. Well, live and learn. When young and frustrated, we cry. When middle aged and outraged, we yell. And now, when old, at my age looking at foolishness, I laugh. Conspiracy nonsense is foolish.

I laugh at this fool who spent \$2500 and a week of travel to and from Ottawa for about twenty five seconds of original input to a Commission of Inquiry before being told my efforts were futile. That's a hundred dollars a second. I'm laughing.

John Major, this is Major John! I'm chuckling since I am a real Major John. I'm a retired US Army Major and my name is John Smith. I have written 'Major John' many hundreds of times as you, sir, have written 'John Major.' Completely irrelevant but, what the heck, clever play on words and it made this audience of one smile.

I have done my best and it's time to close up shop.

Please don't prod me with your sword to walk the plank into quiet oblivion...

Ready, Aim, ...no blindfold necessary and I reject the last cigarette, bad for my health, you see...

Get ready to throw that switch to fry my brains and wipe out all my memories....

Why is the hangman hooded, who is the bad guy here.....

Strap me down, slip the needle in, it's time for dreamless sleep anyway...

Do I hear the crushing of acid crystals in this small chamber...is that fog..<gasp>, my throat, <gasp>, <gasp>, I can't talk, <gasp>, <gasp>, <gasp>...no more, no more, <gasp>, Au Revoir.....

Regards,

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Smith Submission 12. Last Gasp: Grasping at a Straw. (Throw me a bone here, I'm dying) Filed Saturday, August 19, 2006

From: John Barry Smith <barry@johnbarrysmith.com>

Date: August 19, 2006 8:43:22 PM PDT

To: kdickerson@majorcomm.ca

Subject: Smith Submission 10: The Elephant and Emperor Kanishka

Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182

Ken Dickerson

Public Affairs Officer / Agent des affaires publique

Dear Mr. Dickerson, Saturday, August 19, 2006

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Thanks and Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924

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Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182
Honourable John C. Major, Q.C. Commissioner
Sheila-Marie Cook, Executive Director and Commission
Secretary
Mark J. Freiman, Commission's Lead Counsel
Michel Dorval, Commission's Co-Counsel
Ken Dickerson Public Affairs Officer / Agent des affaires
publique

Dear Commissioner Major, Saturday,
August 19, 2006

Smith Submission 10: The Elephant and Emperor Kanishka.
(Easy to see, hard to talk about) Filed Saturday, August 19, 2006

Elephant in the room: Illustrates a large issue with influence over
a discussion that is not mentioned by the participants. The
expression "elephant in the room" refers to a situation where
something major is going on, it's on everyone's mind and

impossible to ignore -- like an elephant in the room. But nobody talks about the "elephant" because nobody knows what to do about it.

Well, the elephant in the rotunda of the Commission hearing will be "No Bomb!"

During the commission hearings, there will be many speakers presenting their views. Many will know there is an elephant in the room: There exists a reasonable, plausible, mechanical alternative explanation for Air India Flight 182 with a solid precedent, United Airlines Flight 811. None will bring up the subject unless asked.

Various officials and citizens from the below agencies are aware of the shorted wiring/ruptured open/forward cargo door/ explosive decompression/inflight breakup explanation for Air India Flight 182.

Transportation Safety Board Canada
Terry Burtch, Bill Tucker (ret)
Director General,
Investigation Operations

Royal Canadian Mounted Police
Air India Task Force
Bart Blachford Sgt.
John Schnieder
Rich Spruel

Securitas branch of TSB
John Garstang

Air India Victims Families Association (AIVFA)
Susheel Gupta and Bal Gupta.

Globe and Mail Reporter
Robert Matas

Attorney for the accused Mr. Malik
Dave Crossin QC

Attorney for the accused Mr. Reyat
Ian Donaldson QC

The accused and acquitted:
Mr. Malik

A similar theme of the ignored elephant is "The emperor's new clothes." The emperor is naked but nobody wants to be the first to say so for fear of appearing different or stupid.

My revised version states Emperor Kanishka is not carrying a bomb under his clothes but his shoelaces are untied with the shoelaces representing the frayed wiring which represents a very real danger of tripping and falling while the imaginary bomb is not a threat. (Emperor Kanishka is the Air India name for Air India Flight 182.)

Emperor Kanishka's New Bomb
by Hans Christian Anderson and John Barry Smith

Once upon a time there lived a vain Emperor Kanishka whose only worry in life was to dress in elegant clothes and play with explosives which he carried around on him. He changed clothes and fired off explosives almost every hour and loved to show

them off to his people.

Word of the Emperor's strange habits spread over his kingdom and beyond. Two scoundrels who had heard of the Emperor's vanity decided to take advantage of it. They introduced themselves at the gates of the palace with a scheme in mind.

"We are two very good bomb makers and after many years of research we have invented an extraordinary method to create a bomb so light and powerful that it is beautiful and very loud. As a matter of fact it is invisible and soundless to anyone who is too stupid and incompetent to appreciate its quality. The wise and intelligent will see it and hear it when it goes off."

The chief of the guards heard the bombmakers' strange story and sent for the court chamberlain. The chamberlain notified the prime minister, who ran to the Emperor and disclosed the incredible news. Emperor Kanishka's curiosity got the better of him and he decided to see the two bombmakers.

"Besides being very loud, your Highness, this bomb will be woven in colors and patterns created especially for you." The emperor gave the two men a bag of gold coins in exchange for their promise to begin working on the bomb immediately.

"Just tell us what you need to get started and we'll give it to you." The two terrorists asked for a loom, silk, gold thread and then pretended to begin working. Emperor Kanishka thought he had spent his money quite well: in addition to getting a new extraordinary bomb, he would discover which of his subjects were ignorant and incompetent who could not see or hear it. A few days later, he called the old and wise prime minister, who was considered by everyone as a man with common sense.

"Go and see how the work is proceeding," Emperor Kanishka told him, "and come back to let me know."

The prime minister was welcomed by the two terrorists.

"We're almost finished, but we need a lot more gold thread. Here, Excellency! Admire the colors, feel the softness!" The old man bent over the loom and tried to see the bomb that was not there. He felt cold sweat on his forehead.

"I can't see anything," he thought. "If I see nothing, that means I'm stupid! Or, worse, incompetent!" If the prime minister admitted that he didn't see anything, he would be discharged from his office.

"What a marvelous bomb, he said then. "I'll certainly tell the Emperor." The two terrorists rubbed their hands gleefully. They had almost made it. More gold thread was requested to finish the work.

Finally, the Emperor received the announcement that the two bombmakers had come to show off the new big bomb.

"Come in," the Emperor ordered. Even as they bowed, the two terrorists pretended to be holding the large bomb.

"Here it is your Highness, the result of our labour," the terrorists said. "We have worked night and day but, at last, the most powerful bomb in the world is ready for you. Look at the colors and feel how fine it is." Of course the Emperor did not see any colors and could not feel any bomb between his fingers. He panicked and felt like fainting. But luckily the throne was right

behind him and he sat down. But when he realized that no one could know that he did not see the bomb, he felt better. Nobody could find out he was stupid and incompetent.

The farce continued as the two terrorists had foreseen it. Once they had taken the measurements, the two began cutting the air with screwdrivers while sewing with their needles an invisible bomb under the the emperor's clothes.

"Your Highness, you'll have to put this sweater over this big bomb." The two terrorists gave the new bomb to him to hold under his sweater and then held up a mirror. Emperor Kanishka was embarrassed to see no bulge but since none of his bystanders were embarrassed, he felt relieved.

"Yes, this is a beautiful bomb and it looks very good on me," Emperor Kanishka said trying to look comfortable. "You've done a fine job."

"Your Majesty," the prime minister said, "we have a request for you. The people have found out about this extraordinary bomb and they are anxious to see you explode it." The Emperor was doubtful showing himself holding no bomb to the people, but then he abandoned his fears. After all, no one would know about it except the ignorant and the incompetent.

"All right," he said. "I will grant the people this privilege." He summoned his carriage and the ceremonial parade was formed. A group of dignitaries walked at the very front of the procession and anxiously scrutinized the faces of the people in the street. All the people had gathered in the main square, pushing and shoving to get a better look. Applause welcomed the regal procession.

Emperor Kanishka stood at the edge of the bomb explosion pit, reached under his sweater and threw out the invisible and weightless bomb. The Emperor yelled, "Boom!" and everyone jumped back by the force of the word.

Everyone wanted to know how stupid or incompetent his or her neighbor was and, as Emperor Kanishka walked back from the bomb pit, a strange murmur rose from the crowd.

Everyone said, loud enough for the others to hear: "Look at the Emperor's new bomb explode. It was so powerful!"

"What a marvellous fuse, too!"

"And the colors! The colors of that beautiful bomb! I have never seen anything like it in my life!" They all tried to conceal their disappointment at not being able to see or hear the bomb, and since nobody was willing to admit his own stupidity and incompetence, they all behaved as the two terrorists had predicted.

However, an independent aviation accident investigator with thousands of hours of flight time and knew a lot about bombs, who had no official job. and could only see things as his eyes showed them and heard sounds as his ears heard them, went up to the carriage.

"My tape recorder recorded no sounds from the bomb, only the sound of Emperor's Kanishka's voice saying 'boom'. And I don't see any bomb. Emperor Kanishka, you have no bomb, and your shoelaces are untied, which is dangerous," the scientist investigator pilot said.

"Fool!" the court chamberlain reprimanded, running after him. "Don't talk nonsense!" He told the investigator to sit down. But the investigator's remark, which had been heard by the bystanders, was repeated over and over again until the kingdom's investigators cried:

"The scientist is right! Emperor Kanishka has no bomb and his shoelaces are untied! It's true!"

Emperor Kanishka realized that the people were right but could not admit to that. He thought it better to continue the procession under the illusion that anyone who couldn't see or hear his bomb was either stupid or incompetent.

Regards,

John Barry Smith
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Carmel Valley, California 93924
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The Original Version
The Emperor's New Suit
by
Hans Christian Andersen
(1837)

MANY, many years ago lived an emperor, who thought so much of new clothes that he spent all his money in order to obtain them; his only ambition was to be always well dressed. He did not care for his soldiers, and the theatre did not amuse him; the only thing, in fact, he thought anything of was to drive out and show a new suit of clothes. He had a coat for every hour of the

day; and as one would say of a king "He is in his cabinet," so one could say of him, "The emperor is in his dressing-room."

The great city where he resided was very gay; every day many strangers from all parts of the globe arrived. One day two swindlers came to this city; they made people believe that they were weavers, and declared they could manufacture the finest cloth to be imagined. Their colours and patterns, they said, were not only exceptionally beautiful, but the clothes made of their material possessed the wonderful quality of being invisible to any man who was unfit for his office or unpardonably stupid.

"That must be wonderful cloth," thought the emperor. "If I were to be dressed in a suit made of this cloth I should be able to find out which men in my empire were unfit for their places, and I could distinguish the clever from the stupid. I must have this cloth woven for me without delay." And he gave a large sum of money to the swindlers, in advance, that they should set to work without any loss of time. They set up two looms, and pretended to be very hard at work, but they did nothing whatever on the looms. They asked for the finest silk and the most precious gold-cloth; all they got they did away with, and worked at the empty looms till late at night.

"I should very much like to know how they are getting on with the cloth," thought the emperor. But he felt rather uneasy when he remembered that he who was not fit for his office could not see it. Personally, he was of opinion that he had nothing to fear, yet he thought it advisable to send somebody else first to see how matters stood. Everybody in the town knew what a remarkable quality the stuff possessed, and all were anxious to see how bad or stupid their neighbours were.

ÒI shall send my honest old minister to the weavers,Ó thought the emperor. ÒHe can judge best how the stuff looks, for he is intelligent, and nobody understands his office better than he.Ó

The good old minister went into the room where the swindlers sat before the empty looms. ÒHeaven preserve us!Ó he thought, and opened his eyes wide, ÒI cannot see anything at all,Ó but he did not say so. Both swindlers requested him to come near, and asked him if he did not admire the exquisite pattern and the beautiful colours, pointing to the empty looms. The poor old minister tried his very best, but he could see nothing, for there was nothing to be seen. ÒOh dear,Ó he thought, Òcan I be so stupid? I should never have thought so, and nobody must know it! Is it possible that I am not fit for my office? No, no, I cannot say that I was unable to see the cloth.Ó

ÒNow, have you got nothing to say?Ó said one of the swindlers, while he pretended to be busily weaving.

ÒOh, it is very pretty, exceedingly beautiful,Ó replied the old minister looking through his glasses. ÒWhat a beautiful pattern, what brilliant colours! I shall tell the emperor that I like the cloth very much.Ó

ÒWe are pleased to hear that,Ó said the two weavers, and described to him the colours and explained the curious pattern. The old minister listened attentively, that he might relate to the emperor what they said; and so he did.

Now the swindlers asked for more money, silk and gold-cloth, which they required for weaving. They kept everything for themselves, and not a thread came near the loom, but they continued, as hitherto, to work at the empty looms.

Soon afterwards the emperor sent another honest courtier to the weavers to see how they were getting on, and if the cloth was nearly finished. Like the old minister, he looked and looked but could see nothing, as there was nothing to be seen.

“Is it not a beautiful piece of cloth?” asked the two swindlers, showing and explaining the magnificent pattern, which, however, did not exist.

“I am not stupid,” said the man. “It is therefore my good appointment for which I am not fit. It is very strange, but I must not let any one know it;” and he praised the cloth, which he did not see, and expressed his joy at the beautiful colours and the fine pattern. “It is very excellent,” he said to the emperor.

Everybody in the whole town talked about the precious cloth. At last the emperor wished to see it himself, while it was still on the loom. With a number of courtiers, including the two who had already been there, he went to the two clever swindlers, who now worked as hard as they could, but without using any thread.

“Is it not magnificent?” said the two old statesmen who had been there before. “Your Majesty must admire the colours and the pattern.” And then they pointed to the empty looms, for they imagined the others could see the cloth.

“What is this?” thought the emperor, “I do not see anything at all. That is terrible! Am I stupid? Am I unfit to be emperor? That would indeed be the most dreadful thing that could happen to me.”

“Really,” he said, turning to the weavers, “your cloth has our

most gracious approval; Ó and nodding contentedly he looked at the empty loom, for he did not like to say that he saw nothing. All his attendants, who were with him, looked and looked, and although they could not see anything more than the others, they said, like the emperor, ÒIt is very beautiful.Ó And all advised him to wear the new magnificent clothes at a great procession which was soon to take place. ÒIt is magnificent, beautiful, excellent,Ó one heard them say; everybody seemed to be delighted, and the emperor appointed the two swindlers ÒImperial Court weavers.Ó

The whole night previous to the day on which the procession was to take place, the swindlers pretended to work, and burned more than sixteen candles. People should see that they were busy to finish the emperor's new suit. They pretended to take the cloth from the loom, and worked about in the air with big scissors, and sewed with needles without thread, and said at last: ÒThe emperor's new suit is ready now.Ó

The emperor and all his barons then came to the hall; the swindlers held their arms up as if they held something in their hands and said: ÒThese are the trousers!Ó ÒThis is the coat!Ó and ÒHere is the cloak!Ó and so on. ÒThey are all as light as a cobweb, and one must feel as if one had nothing at all upon the body; but that is just the beauty of them.Ó

ÒIndeed!Ó said all the courtiers; but they could not see anything, for there was nothing to be seen.

ÒDoes it please your Majesty now to graciously undress,Ó said the swindlers, Òthat we may assist your Majesty in putting on the new suit before the large looking-glass?Ó

The emperor undressed, and the swindlers pretended to put the new suit upon him, one piece after another; and the emperor looked at himself in the glass from every side.

«How well they look! How well they fit!» said all. «What a beautiful pattern! What fine colours! That is a magnificent suit of clothes!»

The master of the ceremonies announced that the bearers of the canopy, which was to be carried in the procession, were ready.

«I am ready,» said the emperor. «Does not my suit fit me marvellously?» Then he turned once more to the looking-glass, that people should think he admired his garments.

The chamberlains, who were to carry the train, stretched their hands to the ground as if they lifted up a train, and pretended to hold something in their hands; they did not like people to know that they could not see anything.

The emperor marched in the procession under the beautiful canopy, and all who saw him in the street and out of the windows exclaimed: «Indeed, the emperor's new suit is incomparable! What a long train he has! How well it fits him!» Nobody wished to let others know he saw nothing, for then he would have been unfit for his office or too stupid. Never emperor's clothes were more admired.

«But he has nothing on at all,» said a little child at last. «Good heavens! listen to the voice of an innocent child,» said the father, and one whispered to the other what the child had said. «But he has nothing on at all,» cried at last the whole people. That made a deep impression upon the emperor, for it seemed to him that

they were right; but he thought to himself, "Now I must bear up to the end." And the chamberlains walked with still greater dignity, as if they carried the train which did not exist.

From: "Dickerson, Ken" <kdickerson@majorcomm.ca>
Date: August 23, 2006 10:12:36 AM PDT
To: "John Barry Smith" <barry@johnbarrysmith.com>
Subject: **Your submissions #s 3-12**

Mr. Smith,

I have forwarded your submissions numbered 3 to 12 (received between August 8 and August 19, 2006) to the recipients you listed, as with your first three submissions.

To reconfirm, the following submissions by e-mail have been received and forwarded as you wished.

- Submission 1, Grievous Error of Fact Detected (Please correct Commission website.)
- Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, (Please grant me standing.)
- Submission 3: The Official Versions: Bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom. (Please ask TSB Air for their opinion to resolve official conflicts of type of explosion and where it occurred.)
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- Submission 11: Reconsideration of your denial of standing: Try Try Again. (Never give up)
- Submission 12. Last Gasp: Grasping at a Straw. (Throw me a bone here, I'm dying)

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

From: John Barry Smith <barry@johnbarrysmith.com>
Date: August 28, 2006 9:04:58 AM PDT
To: kdickerson@majorcomm.ca
Subject: Smith Submission 13: What is the fear? (Boo!)

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Ken Dickerson

Public Affairs Officer/Agent des affaires publique

Dear Mr. Dickerson,

Monday, August 28, 2006

Smith Submission 13: What is the fear? (Boo!) Filed Monday,
August 28, 2006

Smith Submission 1, Grievous Error of Fact Detected, Filed 28
July, 2006. (Please correct Commission website.)

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Thanks and Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924

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Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Honourable John C. Major, Q.C. Commissioner
Sheila-Marie Cook, Executive Director and Commission
Secretary
Mark J. Freiman, Commission's Lead Counsel
Michel Dorval, Commission's Co-Counsel
Ken Dickerson Public Affairs Officer/Agent des affaires publique

Dear Commissioner Major, Monday, August 28, 2006

In my previous Submission I said Au Revoir which literally means 'until the seeing again'....so, Bon Jour! Smith Submission 13: What is the fear?

Thank you for your 'Reasons for Rulings on Standings' recently posted on your website. <http://www.majorcomm.ca/en/reasonsforrulingsonstanding/> Since you only rejected three of the twenty two (plus late CLA) and I am one of the three, I felt you were writing directly to me. I believe I understand your rationale:

1. Commissioner Major states: Therefore... other groups or individuals must demonstrate a direct and substantial interest before party standing will be granted.

By implication, I have not demonstrated a direct and substantial interest.

2. Legal case law quote: "What does not constitute a valid reason for a participant's standing is mere concern about the issues to be examined, if the concern is not based upon the possible consequences to the personal interests of the person expressing the concern. "

By implication I have a concern but it is not a concern based upon consequences to my personal interests.

3. Legal case law quote: Mere concern about the issues to be canvassed at the inquest, however deep and genuine, is not enough to constitute direct and substantial interest.

By implication I do have a deep and genuine concern but that's not good enough for standing.

4. Legal case law quote: Neither is expertise in the subject matter of the inquest or the particular issues of fact that will arise.

By implication I do have expertise in the subject matter and the issues of fact that will arise but that is not good enough for standing.

5. Legal case law quote: It is not enough that an individual has a useful perspective that might assist the coroner.

By implication I do have a useful perspective that might assist the....the...huh? What are we talking about here, an Inquiry or an Inquest?

6. Commissioner Major states: Therefore, while the test for "substantial and direct" interest is not precise, applicants must in some way be directly affected by the conclusions reached in the Inquiry to be granted party standing.

By implication, although the test for 'substantial and direct' is not precise and the Commissioner is given wide latitude for his broad and full inquiry, I have not shown a 'direct' enough effect for standing.

(Cheap sarcasm alert) Commissioner Major, I now fully understand why you denied standing to B'nai Brith, Canada Canadian Civil Liberties Association (CCLA), Canadian Coalition Against Terror (C-CAT), Canadian Council on American Islamic Relations, Canadian Muslim Civil Liberties Association (CMCLA), Canadian Coalition for Democracies, and the Canadian Jewish Congress since those groups were not involved in the investigation of the bombing, were never victims of a sudden fatal jet crash, were not part of the flight crew, know very little about aircraft and even less about the aircraft called Air India Flight 182 and why it crashed, but instead attempted to use the Commission bully pulpit to publicize their various political and religious agenda.

I can understand why you would grant restricted intervenor standing to me who has been personally involved in the investigation into the bombing such that Sgt. Blachford of the Air India Task Force travelled a thousand miles to interview me; I do know of an issue of non cooperation between Canadian agencies, the TSB and the RCMP, in that information crucial to the actual aircraft wreckage was denied to safety investigators and the RCMP violated a law in doing so (Term of Reference); I have been in a sudden fatal jet airplane crash and have met the family members of the victim (unique perspective); I have researched and written extensively for ten years about the accident from a cold scientific point of view (expertise in subject matter) and not the conspiratorial, fear mongering, hate generating, revenge seeking attitude; and I support the verdict of Justice Josephson and the conclusions of the CASB and AAIB accident investigators instead of blaming them for incompetence.

Wait, I got that backwards, didn't I? The religious and political

groups were granted standing while I was denied. Now that is bewildering.

What is the fear of presenting the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation to you? Can not your legal mind debunk and put to rest a preposterous fantasy theory with a few well chosen questions and thus give credit to the Commission for fulfilling "The nature of this Commission was to be very broad in the evidence that it heard, in order to put to rest the various theories, rumours and neglect that have occurred since the explosion in 1985"?

What is the fear that Air India Flight 182 was not a terrorist bombing but in fact, a mechanical cause that has happened since with United Airlines Flight 811?

And that leads to the first part of this submission in which you state indirectly I was denied standing because I am not "...directly affected by the conclusions reached in the Inquiry to be granted party standing."

First, how can you know what are the 'conclusions reached' when the Commission has not yet begun its inquiry? You can't, unless the fix is in and I trust it's not. What is the purpose of an inquiry but to find answers to mysteries not yet solved? I trust the goal is not to confirm suspicions preordained.

Second, I am directly affected by the Inquiry conclusions, whatever they are, and so are you and all Canadian citizens who fly in passenger airliners with non plug cargo doors and old wiring.

My goal is to present my mechanical explanation at the Inquiry, try to get TSB (Air) to investigate Air India Flight 182 as is their duty, have the Crown crash experts conclude the cause was mechanical (if substantiated), have TSB and Transport Canada recommend to Boeing to replace the wiring and make the cargo door plug type; and thus the aircraft are safer, and passengers and crew and those under the flight path do not die when the wiring shorts on the unlatch motor and my task is accomplished. My issue is aviation safety and removing a clear danger of explosive decompression inflight which is a danger to all passengers. That hazard is present now and will be for years to come unless fixed.

That is the difference between me and the other groups you granted standing to; I wish to present my explanations for the good of all citizens not just a particular race, religion or political group. I am not seeking funding to do so. I do not ask for special favors for tardiness. I do not ask for exemptions. I do ask for the principles of a full, broad inquiry be put into action, for rules of procedure be obeyed by all, and a chance to be heard, as promised, even if only for fifteen minutes.

Canadian citizens are directly affected by my shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation because that is what happened to Air India Flight 182 and it did happen again with United Airlines Flight 811 and TWA Flight 800 and can happen again.

7. Commissioner Major states: Insofar as the Terms of Reference touch on issues that may affect or engage certain segments of Canadian society in unique and important ways, I should hear these voices and perspectives.

Yes, sir, you should. The important issue that will affect the certain segment of Canadian society called the flying public in a unique and important way is for that segment to avoid a fatal airplane crash, such as Air India Flight 182. You should hear this voice talk about that aircraft and my perspective why it crashed. The Term of Reference you should hear this voice talk about is the denial by RCMP of a request by TSB Air for visual evidence held by RCMP for evaluation by TSB Air. That evidence was originally obtained by TSB Air and Indian aviation authorities for their investigations not the RCMP.

Air India Flight 182 was the victim and the persons were peripheral, as cruel as it sounds. That Boeing 747-237B could have been a freighter with crew of three and it still would have crashed. The Boeing 747 was the victim and the cause of death should be given by professional Crown investigators. You quoted a coroner earlier, would you decline the opinion of a Crown physician to give a cause of death for a prominent citizen fatality by murder or natural causes? No, you would request the doctor's opinion. You should thus request the opinion of the professional Crown aircraft crash investigators for the death of Air India Flight 182. The TSB (Air) investigators are the ones to give you opinion you respect about the crash of that airplane. Their opinion trumps criminal law attorney opinion, police, or justices in Canada and India.

Since you mentioned a coroner and inquest, I shall mention autopsy. I have done the autopsy on Air India Flight 182. I dissected it and put it back together and discovered the cause of death and it was not murder by bomb but premature aging of wire insulation and the genetic defect of design flaw of non plug cargo doors. You can ask for confirmation of that scientific wiring/cargo door explanation by Crown scientists to resolve the

laypersons' conflicts about where the bomb was, who put it there, and why.

Let me sum up various official opinions as to the cause of Air India Flight 182:

A. The professional government aviation accident investigators:

1. The Canadian Aviation Safety Board respectfully submits as follows: 4.1 Cause-Related Findings: There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment.

2. Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified. It must be concluded that without positive evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident".

3. Below excerpt from the Campbells of New Zealand to me: "After lunch with them {NTSB investigators} I asked "In light of what we now know on UAL 811 do you still think that Air India was a bomb?" The reply was that we never thought that Air India was a bomb, in fact the video shows a cargo door exactly the same as 811." From Kirpal Report below on Air India Flight 182 assistance provided: Mr. J.F. Wildey II, National Transportation Safety Board USA.

4. Wing Commander Dr. I. R. Hill of the Accident Investigations Branch of the United Kingdom, "Pathological examination failed to reveal any injuries indicative of a fire or explosion."

The experts in air crash investigation from three countries, Canada, USA, and UK, never concluded it was a bomb although political pressure at the time was intense for them to rule it was a bomb explosion. The representatives from the UK AAIB and the USA NTSB ruled out a bomb based upon forensic and visual evidence.

The opinion of the crash experts in why Air India Flight 182 would explode in midair indicate the probable cause was an explosion in the forward cargo compartment by internal explosive decompression, the cause of which was yet to be established by one, bomb ruled out by two, and the same mechanical cause as United Airlines Flight 811 ruled in by one. I agree. That is my radical theory that needs to be put to rest, a probable cause of mine is agreed with, more or less, by several aviation crash experts from three countries.

B. The opinions for Air India Flight 182 of judges, attorneys, prosecutors, police, secret police, media, manufacturer, airline, and the public:

Bombs! Bomb on cart in Japan, bomb in forward cargo compartment, bomb in aft cargo compartment...by known terrorists for revenge who were set free by blind justice.

That is the opinion I refute. No bombs, no bombers, no conspiracies, no crime, no criminals. (Is that the fear? If no criminals, then no police, no attorneys, no courts and no judges?)

Air India Flight 182 is not an open and shut case; there is much serious disagreement between the police and judicial agencies involved as to who, what, where, when, and why. (No disagreement amongst the aviation crash investigators including me)

8. Commissioner Major states: Therefore, I cannot grant intervenor status unless applicants have ascertainable interests and perspectives that are essential to my mandate.

By implication I do not have the interests or perspectives, yet I do have ascertainable interests and perspectives that are essential to you sir. I know of non cooperation, in violation of Canadian law, between government agencies and I have the perspective of surviving a fatal jet airplane crash. I also notify you of a clear danger to the Canadian flying public that is present when they fly on early model Boeing 747s.

9. Commissioner Major states: Mr. John Barry Smith, ... applied for standing. I find that, as interesting as the perspectives of these individuals may be, their experience and perspectives are not directly applicable to the mandate of the Inquiry, nor are their specific interests directly and substantially affected by the mandate. Accordingly, these individuals should be denied standing. Having regard, however, to the effort they have expended in preparing materials, they should be at liberty to file written materials with the Inquiry. They are to have no additional rights or status.

10. Well there you have it, the money shot, denied standing. Conspiracy theory groups are given stature and standing; scientific explanation is told to take a walk and to leave a note for

somebody in the future if they wish. The inclusion criteria for them were loose and the exclusion criteria for me were tight. That's not fair.

You personally told me, Commissioner Major, I have a theory that may be correct; you then said you didn't know if it was correct, you write I have an interesting perspective...I have given written evidence to you of fulfilling a term of reference, I have complied with all the administrative rules for standing..and yet....denied standing...while granting it to others less qualified.

The only reason I can see for this reluctance to inquire is fear.

What is the fear of soliciting Crown expert opinion from TSB about the death of Air India Flight 182? Especially since events since 1985 are particularly relevant such as United Airlines Flight 811?

What is the fear of correcting an inflammatory and prejudicial error on the Commission website that states the Canadian Aviation Safety Board concluded the cause of Air India Flight 182 was the explosion of a bomb when they did not?

What is the fear of having Justice Josephson vindicated and the Canadian safety board investigators applauded for their caution and astuteness? My mechanical explanation is politically and technically correct. It can be corroborated by Crown experts.

What is the fear of having an exonerating explanation for the failure of the RCMP and the CSIS to prevent a terrorist bombing or convict the guilty when they did not fail?

Overcome the fears:

1. Please grant me standing as intervenor to present my mechanical non conspiracy explanation to you in depth.
2. Please ask TSB Air to provide an aircraft accident report to you on the probable cause of Air India Flight 182 and resolve the location contradiction of the explosion.
3. Please correct the highly prejudicial error on Commission website that states the CASB concluded it was a bomb; they did not. ("Yet, it was not until the following January that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb.")
4. Please post all the non classified written material submitted to you by the public during the public inquiry (including my submissions) on the Commission website, <http://www.majorcomm.ca/en/index.asp> The public area could be called the Public Docket. Daily transcripts of the Inquiry could be included also.

For every single reason you give for denying me standing, sir, I have rebutted with facts. I am more qualified than most to speak at the hearings. I fulfill a term of reference. I am directly affected. I do have expertise in the subject matter, deep concerns, interests, and I do have the unique perspective of actually being in a fatal airplane crash.

I am not the enemy. I am an ally. The enemy in this case is not human evil but time as machines wear out through age and the complexities of designing a high altitude high speed aircraft.

I read that the Prime Minister wants a full, thorough, and compassionate public inquiry into the events surrounding Air India Flight 182 by analyzing the evidence that has come to light since 1985. Yes, sir, me too!

I read that you state the nature of this Commission was to be very broad in the evidence that it heard, in order to put to rest the various theories, rumours and neglect that have occurred since the explosion in 1985. Yes, sir, good idea!

You both have put actions to your words by granting standing to B'nai Brith, Canada Canadian Civil Liberties Association, Canadian Coalition Against Terror, Canadian Council on American Islamic Relations, Canadian Muslim Civil Liberties Association, Canadian Coalition for Democracies, and the Canadian Jewish Congress.

And yet....you have denied standing as intervenor for this messenger and his rational scientific message. I shall now be rude. I have always tried to be polite, issue oriented, detached, factually based, and honest by giving both sides. Now I shall be emotional with one carefully chosen word.

I perceive you to be an attorney, a judge, and a senior justice in a law abiding society. You have devoted your distinguished career to sorting out the lies, separating exaggerations from fact, objectively making decisions based upon truth, reasonableness, and the rules of law to hack through the jungle of litigation on the path to fairness and justice as best as anyone can.

But...as Commissioner of this Inquiry and your reasons for action towards me, sir, you have been....disingenuous.

Regards,

John Barry Smith
541 Country Club Drive,

Carmel Valley, California 93924

831 659 3552

831 241 0631 cell

barry@johnbarrysmith.com

barry@ntsb.org

Commercial pilot, instrument rated, former FAA Part 135 certificate holder.

US Navy reconnaissance navigator, RA-5C 650 hours.

US Navy patrol crewman, P2V-5FS 2000 hours.

Air Intelligence Officer, US Navy

Retired US Army Major MSC

Owner Mooney M-20C, 1000 hours.

Survivor of sudden night fiery fatal jet plane crash in RA-5C

Smith Submission 1, Grievous Error of Fact Detected, Filed 28 July, 2006. (Please correct Commission website.)

Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006 (Please grant me standing.)

Smith Submission 3: The Official Versions: Bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom. (Please ask TSB Air for their opinion to resolve official conflicts of type of explosion and where it occurred.) Filed Tuesday, August 8, 2006

Smith Submission 4: The Unofficial Version: The shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation. (Please consider a plausible, reasonable, electrical cause with precedent) Filed Tuesday, August 8, 2006.

Smith Submission 5: Substantiating the Unofficial Version: The Layperson version. (It's not rocket science) Filed Friday, August 11, 2006

Smith Submission 6: Substantiating the Unofficial Version: The DNA Match. (A match made in heaven) Filed Tuesday, August

15, 2006

Smith Submission 7. Dear People in Future Years: Predicting the Past. (The Major Doctrine.) Filed Thursday, August 17, 2006

Smith Submission 8: Specific Term of Reference: Non Cooperation. (Sorry, no can do.) Filed Thursday, August 17, 2006

Smith Submission 9: The Crash and Meeting the Family. (It happens so fast) Filed Friday, August 18, 2006

Smith Submission 10: The Elephant and Emperor Kanishka. (Easy to see, hard to talk about) Filed Saturday, August 19, 2006

Smith Submission 11: Reconsideration of your denial of standing: Try Try Again. (Never give up) Filed Saturday, August 19, 2006

Smith Submission 12. Last Gasp: Grasping at a Straw. (Throw me a bone here, I'm dying) Filed Saturday, August 19, 2006

Smith Submission 13: What is the fear? (Boo!) Filed Monday, August 28, 2006

RULING ON STANDING

August 9, 2006

REASONS FOR RULINGS ON STANDING

1. INTRODUCTION

I received 21 applications for standing from groups or individuals. I have given each application due consideration and have appended to these Reasons the consequent ruling for each applicant.

Before I turn to a discussion of the merits of each application, I will review some of the principles and rules that have guided my decisions on standing.

2. GUIDING PRINCIPLES ON STANDING

The Terms of Reference and draft Rules of Procedure and Practice contemplate two types of standing in this Inquiry: that of parties and that of intervenors.

The Terms of Reference establishing this Inquiry give the Commissioner the authority:

1. ...to grant to the families of the victims of the Air India Flight 182 bombing an opportunity for appropriate participation in the Inquiry; and

1. ...to grant to any other person who satisfies him that he or she has a substantial and direct interest in the subject-matter of the Inquiry an opportunity for appropriate participation in the Inquiry.

The Terms of Reference also authorize the Commissioner:

1. ...to adopt any procedures and methods that he may consider expedient for the proper conduct of the Inquiry...

Pursuant to this latter authority, draft Rules of Procedure and Practice (the "Rules") have been issued.

Rule 10 provides:

A person may be granted full or partial standing as a party by the Commissioner if the Commissioner is satisfied that the person is directly and substantially affected by the mandate of the Inquiry or portions thereof.

Therefore, aside from family members and associations of family members who presumptively, pursuant to paragraph (f) of the Terms of Reference, have the requisite interest in participation in this Inquiry, other groups or individuals must demonstrate a direct and substantial interest before party standing will be granted.

Justice John Gomery, in his reasons with respect to standing before the Commission of Inquiry into the Sponsorship Program and Advertising Activities, explained the concept of "substantial and direct" interest as follows:

What constitutes a "substantial and direct interest in the subject matter of the Inquiry"? Based upon what has been decided in

comparable cases, the interest of the applicant may be the protection of a legal interest in the sense that the outcome of the Inquiry may affect the legal status or property interests of the applicant, or it may be as insubstantial as the applicant's sense of well-being or fear of an adverse effect upon his or her reputation. Even if such a fear proves to be unfounded, it may be serious and objectively reasonable enough to warrant party or intervenor standing in the Inquiry. What does not constitute a valid reason for a participant's standing is mere concern about the issues to be examined, if the concern is not based upon the possible consequences to the personal interests of the person expressing the concern. As was stated by Campbell J. in *Range Representative on Administrative Segregation Kingston Penitentiary v. Ontario* (1989), 39 Admin. L.R. at p. 13, dealing with a coroner's inquest:

Mere concern about the issues to be canvassed at the inquest, however deep and genuine, is not enough to constitute direct and substantial interest. Neither is expertise in the subject matter of the inquest or the particular issues of fact that will arise. It is not enough that an individual has a useful perspective that might assist the coroner.

Therefore, while the test for "substantial and direct" interest is not precise, applicants must in some way be directly affected by the conclusions reached in the Inquiry to be granted party standing.

However, the success of this Inquiry is also dependent on the participation of those individuals, groups and organizations that, while not affected directly by the mandate, can provide crucial perspectives in relation to the Terms of Reference.

In this regard, Rule 11 provides:

A person may be granted standing as an intervenor by the Commissioner if the Commissioner is satisfied that the person represents clearly ascertainable interests and perspectives essential to the Commissioner's mandate, which the Commissioner considers ought to be separately represented before the Inquiry, in which event the intervenor may participate in a manner to be determined by the Commissioner.

Insofar as the Terms of Reference touch on issues that may affect or engage certain segments of Canadian society in unique and important ways, I should hear these voices and perspectives.

However, my mandate and role must at all times be guided by the Terms of Reference and the Rules, and it is in the public interest that this Inquiry be focused and conducted as expeditiously as possible. Therefore, I cannot grant intervenor status unless applicants have ascertainable interests and perspectives that are essential to my mandate. It is not enough that an individual or organization has interests that overlap with the Inquiry or the desire to influence its outcome.

With these principles in mind, I now turn to my findings.

3. DISPOSITIONS

These applications can conveniently be broken out into a number of categories:

1) Family members and associations of family members

I received applications from the following groups representing family members of the victims of the bombing:

¥ Air India Cabin Crew Association (AICCA)

¥

¥

¥ Air India Victims Families Association (AIVFA)

¥

¥

¥ Family members of the crew member victims of Air India Flight 182, and India nationals (FMCMV/IN)

¥

¥

I also received applications from the following individuals who are family members:

¥ Mr. Sanjay Lazar

¥

¥

¥ Ms. Lata Pada

¥

¥

¥ Mr. Niraj Sinha

¥

¥

During the course of the hearing, I was advised that AICCA and FMCMV/IN intend to join forces and collaborate with each other, and that Mr. Lazar intends to join that group as well. AIVFA stated that it represents a large proportion of family members residing in North America, and is still gathering new applications for membership.

Ms. Pada stated that she is working with a number of family members residing in North America who are not members of AIVFA.

Mr. Sinha resides in India and has applied in writing.

All of the foregoing individuals and groups are entitled to participate pursuant to paragraph (f) of the Terms of Reference. They all have a direct and substantial interest in the subject matter of the Inquiry within the meaning of Rule 10 and should therefore be granted party status.

I find that the appropriate level of participation of these groups and individuals can be achieved on the following terms:

1. AICCA, FMCMV/IN, Mr. Lazar and Mr. Sinha all are or represent family members or groups of family members of victims of the bombing who reside in India or elsewhere outside

of North America. They form a natural grouping for the purposes of representation.

2.

3.

4. AIVFA represents a large and potentially growing number of family members of victims of the bombing who reside in North America. It forms a natural group for the purposes of representation.

5.

6.

7. Ms. Pada and other individuals who did not apply separately but are aligned with her form a natural grouping for the purposes of representation.

8.

9.

10. Each of the preceding three groups of family members should be granted status as parties for the purposes of participation in this Inquiry pursuant to the Rules.

11.

12.

13. Proper conduct of the Inquiry requires that repetition be minimized to the extent possible. Each group is therefore encouraged to cooperate and collaborate with other groups to the extent possible, and is expected to avoid repetition in its participation.

14.

15.

On that basis, party status is granted on the terms set out in the rulings attached to these reasons.

2) Government of Canada

The Department of Justice acts for the departments and agencies of the Government of Canada, as well as for the Government itself. The departments and agencies relevant to the Inquiry

include: RCMP, CSIS, Transport Canada, FINTRAC, Communications Security Establishment, Department of Foreign Affairs and International Trade, Department of Finance, and Canada Revenue Agency. Counsel for the Department of Justice indicated at the hearing that the Department of Justice had canvassed the issue of conflict and will address any conflict, should it arise, to ensure that there is no interruption in the proceedings of the Inquiry. The Government of Canada will "attempt to speak with one voice."

Departments and agencies of the Government of Canada clearly have a substantial and direct interest in the subject matter of the Inquiry. The conclusions of this Commission will have direct implications for their policies, legislation, protocols and activities. In addition, the historical portion of the mandate directly implicates a number of specific departments and agencies. The Attorney General of Canada should be granted status as a party to participate on the Government's behalf pursuant to the Rules.

3) Air India

Air India applied for standing as a party to participate in the Inquiry with respect to subparagraphs (b)(i), (ii), (iv), (vi) and (vii) of the Terms of Reference.

As set out in its application, Air India clearly has a substantial and direct interest in the subject matter of the Inquiry. It should therefore be given status as a party to participate, as set out in the Rules, with respect to those parts of the mandate of the Inquiry.

4) Groups, associations and organizations claiming special expertise

with respect to all or part of the mandate of the inquiry
The following groups, associations and organizations provided affidavit evidence as to their experience and expertise with respect to all or part of the mandate of the Inquiry:

1. B'nai Brith Canada

- 2.
- 3.
4. Canadian Civil Liberties Association (CCLA)
- 5.
- 6.
7. Canadian Coalition Against Terror (C-CAT)
- 8.
- 9.
10. Canadian Coalition for Democracies (CCD)
- 11.
- 12.
13. Canadian Council on American Islamic Relations and Canadian Muslim Civil Liberties Association (CAIR-CAN/CMCLA)
- 14.
- 15.
16. Canadian Jewish Congress (CJC)
- 17.
- 18.
19. Canadian Resource Centre for Victims of Crime (CRCVC)
- 20.
- 21.
22. World Sikh Organization of Canada (WSO)
- 23.
- 24.

On examination of the evidence, it is my view that none is affected in such a direct and substantial manner so as to qualify as a party pursuant to Rule 10, but that each qualifies, pursuant to the test set out in Rule 11, for participation as an intervenor. I find that the proper conduct of the Inquiry requires that in each case the participation of the intervenor should be limited to areas of demonstrated experience and expertise. On the basis of the

affidavit evidence, the proper scope of participation for each of the intervenors is that set out in the rulings appended hereto. I find further that, pursuant to paragraph (d) of the Terms of Reference and pursuant to Rule 11 of the draft Rules, the proper conduct of the Inquiry will be facilitated by restricting the participation of each intervenor at first instance to written submissions with respect to the areas of the Inquiry or portions of the mandate for which they were granted standing.

Individual intervenors may wish to extend their participation beyond written submissions. Different applicants in this group asked for specific extended rights of participation. Once they file their written submissions, intervenors are at liberty to apply for extended rights of participation, including the right to make a 10-minute opening statement, or other participation as envisaged by the Rules. Such applications should be made in writing, addressed to Commission Counsel, with a copy to the Registrar. I shall deal with each such application on the merits, subject to such additional process, if any, as will be determined at the time of application.

The Canadian Bar Association (CBA) applied in writing and asked for leave to extend the time to apply for standing as an intervenor. I hereby grant such leave, and upon review of the CBA's materials, also grant the CBA intervenor status in accordance with the terms set out above and with the rulings appended hereto.

5) Mr. Ripudaman Singh Malik

Mr. Malik was charged in connection with the bombing of Air India Flight 182. He was acquitted in proceedings reported as R. v. Malik, [2005] B.C.J. No. 521 (B.C.S.C.). Mr. Malik applied in writing for standing with respect to the mandate of the Inquiry. Paragraph (p) of the Terms of Reference prohibits the Commissioner from "expressing any conclusion or recommendation regarding the civil or criminal liability of any

person or organization." Mr. Malik has a substantial and direct interest in a finding regarding his civil or criminal liability or lack thereof with respect to the bombing, but that is not part of the mandate of the Inquiry. While Mr. Malik may have personal experience or evidence as to the impact on him of any alleged deficiencies in the conduct of the investigation into the bombing and of the conduct of the trial, such experience does not vest him with the special expertise with respect to the specific issues within the mandate of the Inquiry and about which I am to report. Mr. Malik's affidavit focuses largely on his interests in his reputation and on the possibilities he perceives for damage to those interests during the course of the Inquiry. In view of paragraph (p) of the Terms of Reference, there should be little if any relevant evidence that could have the impact on Mr. Malik's interests in his reputation that he fears. Nevertheless, a possibility does exist of such negative impact, and in light of the possibility, I find that Mr. Malik has, to that extent, an interest in the subject matter of the Inquiry, limited as that interest may be.

I find that, pursuant to Rule 11, the appropriate standing for Mr. Malik is as an intervenor, and that his interest in the subject matter of the Inquiry can be accommodated at first instance by participation in writing.

As with other intervenors, Mr. Malik is at liberty to apply in writing for expanded participation. The same rules that apply to the other intervenors should apply to Mr. Malik in this regard.

6) Other individuals who applied for standing

Mr. John Barry Smith, Mr. Arnold Guetta and Mr. Thomas Quiggin also applied for standing.

I find that, as interesting as the perspectives of these individuals may be, their experience and perspectives are not directly applicable to the mandate of the Inquiry, nor are their specific interests directly and substantially affected by the mandate. Accordingly, these individuals should be denied standing.

Having regard, however, to the effort they have expended in preparing materials, they should be at liberty to file written materials with the Inquiry. They are to have no additional rights or status.

4. CONCLUSION

The applications for standing will be dealt with in accordance with these Reasons and on the basis of the rulings appended hereto.

APPENDIX I: RULINGS ON STANDING

1. ATTORNEY GENERAL OF CANADA

1. Request by Applicant:

Applicant sought full party standing.

2.

3.

4. Disposition:

Party status is granted. The Attorney General of Canada may participate as provided by the Rules and Terms of Reference.

2. AIR INDIA

1. Request by Applicant:

Applicant sought partial party standing with respect to Terms of Reference b(i), b(ii), b(iv), b(vi), and b(vii).

2.

3.

4. Disposition:

Party status is granted on the following basis:

5.

6. The participation of Air India is to be in accordance with the Rules and is limited to issues arising with respect to

Terms of Reference b(i), b(ii), b(iv), b(vi) and b(vii).

3. AIR INDIA CABIN CREW ASSOCIATION (AICCA)

1. Request by Applicant:

Applicant sought full party standing.

2.

3.

4. Disposition:

Party status is granted on the following basis:

5.

6. The Applicant may participate as provided by the Rules and Terms of Reference with respect to the mandate of the Inquiry. Party status is granted on the understanding that the Applicant will collaborate and align with FMCMV/IN and with Sanjay Lazar. AICCA and persons aligned with it are also expected to avoid repetition and are encouraged, to the extent possible, to coordinate and collaborate with AIVFA and with Ms. Lata Pada and members of her group.

4. AIR INDIA VICTIMS FAMILIES ASSOCIATION (AIVFA)

1. Request by Applicant:

Applicant sought full party standing.

2.

3.

4. Disposition:

Party status is granted. AIVFA may participate as provided by the Rules and Terms of Reference. AIVFA is expected to avoid repetition and is encouraged to coordinate and collaborate, to the extent possible, with AICCA and persons aligned thereto, as well

as with Ms. Lata Pada and family members aligned with her.

5. B'NAI BRITH CANADA

1. Request by Applicant:

B'nai Brith Canada sought standing, either as a party or as an intervenor, with respect to the mandate of the Inquiry.

2.

3.

4. Disposition:

Intervenor status is granted on the following basis:

5.

6. B'nai Brith Canada may, in the first instance, provide written submissions with respect to the issues set out in the Terms of Reference.

6. THE CANADIAN BAR ASSOCIATION (CBA)

1. Request by Applicant:

CBA sought standing to participate as an intervenor with respect to the mandate of the Inquiry.

2.

3.

4. Disposition:

Intervenor status is granted on the following basis:

5.

6. CBA may, in the first instance, provide written submissions with respect to the mandate insofar as it touches on issues related to the administration of justice, promoting the rule of law, maintaining the independence of the legal profession and the judiciary, and the elimination of discrimination.

7. CANADIAN CIVIL LIBERTIES ASSOCIATION (CCLA)

1. Request by Applicant:

CCLA sought standing to make submissions with respect to civil liberty issues that are raised by the mandate of the Inquiry.

2.

3.

4. Disposition:

Written submissions were received on behalf of CCLA, but representatives did not appear before the Commission to make representations during the hearings on standing.

Based on the written application, intervenor status is granted on the following conditions:

5.

6. The participation of CCLA is limited, in the first instance, to written submissions with respect to the impact on civil liberties of existing and proposed anti-terrorism legislation and of existing and proposed (if any) rules of criminal procedure (as they relate to the Terms of Reference).

8. CANADIAN COALITION AGAINST TERROR (C-CAT)

1. Request by Applicant:

C-CAT sought standing as a party, or in the alternative as an intervenor, to make submissions with respect to Terms of Reference b)i), b)iii), b)iv), b)v), and b)vi).

2.

3.

4. Disposition:

Intervenor status is granted on the following basis:

5.

6. C-CAT is granted the right, in the first instance, to make written submissions with respect to Terms of Reference b)i), b)iii), b)iv), b)v), and b)vi).

9. CANADIAN COALITION FOR DEMOCRACIES (CCD)

1. Request by Applicant:

CCD sought standing as an intervenor with respect to the mandate of the Inquiry.

2.

3.

4. Disposition:

Intervenor status is granted on the following basis:

5.

6. The participation of CCD is limited, in the first instance, to written submissions with respect to issues of security and intelligence (as they relate to the mandate of the Inquiry) and to issues of terrorist financing.

10. CANADIAN COUNCIL ON AMERICAN ISLAMIC RELATIONS (CAIR-CAN)/

CANADIAN MUSLIM CIVIL LIBERTIES ASSOCIATION (CMCLA)

1. Request by Applicant:

CAIR-CAN/CMCLA sought full party standing or, in the alternative, status as a partial party or as an intervenor.

2.

3.

4. Disposition:

Written submissions were received on behalf of CAIR-CAN/CMCLA, but representatives did not appear before the Commission to make representations during the hearings on standing.

Based on the written application, intervenor status is granted on the following conditions:

5.

6. The participation of CAIR-CAN/CMCLA is limited, in the first instance, to providing written submissions with respect to anti-terrorist legislation and its impact.

11. CANADIAN JEWISH CONGRESS (CJC)

1. Request by Applicant:

CJC sought standing to participate as an intervenor with respect to Terms of Reference b)i) - b)v).

2.

3.

4. Disposition:

Intervenor status is granted on the following basis:

5.

6. CJC may, in the first instance, provide written submissions with respect to Terms of Reference b)i) - b)v).

12. CANADIAN RESOURCE CENTRE FOR VICTIMS OF CRIME (CRCVC)

1. Request by Applicant:

CRCVC sought standing to present written submissions in respect of Terms of Reference b)iv) as well as issues with respect to the relationship between the government and victims of

terrorism.

- 2.
- 3.
4. Disposition:

Written submissions were received on behalf of CRCVC, but representatives did not appear before the Commission to make representations during the hearings on standing.

Based on the written application, intervenor status is granted on the following conditions:

- 5.
6. The participation of CRCVC is limited to providing written submissions on matters involving the support of victims of terror including the role of victims of terror in the criminal justice system.

13. FAMILY MEMBERS OF THE CREW MEMBER VICTIMS OF AIR INDIA

FLIGHT 182, AND INDIA NATIONALS (FMCMV/IN)

1. Request by Applicant:

Applicant sought full party standing.

- 2.
- 3.
4. Disposition:

Party status is granted. FMCMV/IN may participate as provided by the Rules and Terms of Reference.

14. ARNOLD GUETTA

1. Request by Applicant:

Mr. Guetta sought standing to make submissions with respect to

alleged failures of the Air India Flight 182 investigation and judicial processes.

- 2.
- 3.
4. Disposition:

Mr. Guetta is denied standing. However, leave to file materials that he believes will be useful to the Commissioner is granted.

15. SANJAY LAZAR

1. Request by Applicant:

Applicant sought full party standing.

- 2.
- 3.
4. Disposition:

Party status is granted on the following basis:

- 5.
- 6.
- 7.
8. The Applicant may participate as provided by the Rules and Terms of Reference with respect to the mandate of the Inquiry. Party status is granted on the understanding that the Applicant will collaborate and align with AICCA as well as with FMCMV/IN.

16. RIPUDAMAN SINGH MALIK

1. Request by Applicant:

Mr. Malik sought standing to challenge any evidence that may impugn his character and to make submissions on flaws in criminal investigation and trial processes as they relate to his personal experience in the criminal justice system.

- 2.

- 3.
4. Disposition:

Written submissions were received on behalf of Mr. Malik but neither he nor his counsel appeared before the Commission to make representations on his right to standing. Nonetheless, his application having been filed will be considered, and on such consideration he is granted intervenor status on the following basis:

- 5.
- 6.
- 7.
8. Mr. Malik's participation is limited to responding to any evidence that directly and adversely affects his reputation. In the first instance such response is to be made through written submissions.

17. LATA PADA

1. Request by Applicant:

Applicant sought full party standing.

- 2.
- 3.
4. Disposition:

Party status is granted. Ms. Pada may participate as provided by the Rules and Terms of Reference.

Ms. Pada is encouraged to collaborate and align herself with other family members of victims of the bombing of Air India Flight 182, and will inform Commission counsel in writing, with a copy to the Registrar, of any additional family members of victims of the bombing of Air India Flight 182 with whom she is aligned, whether or not they have formally applied for standing.

All such additional family members will have party standing as members of Ms. Pada's group.

Ms. Pada and her group are expected to avoid repetition and are encouraged to coordinate and collaborate, to the extent possible, with AIVFA and with AICCA and persons aligned with those groups.

18. THOMAS QUIGGIN

1. Request by Applicant:

Mr. Quiggin sought standing to make submissions with respect to Terms of Reference b)i), b)iii), and b)iv).

2.

3.

4. Disposition:

Mr. Quiggin is denied standing. However, leave to file materials that he believes will be useful to the Commissioner is granted.

19. NIRAJ SINHA

1. Request by Applicant:

Applicant sought full party standing.

2.

3.

4. Disposition:

Party status is granted on the following basis:

5.

6.

7.

8. The Applicant may participate as provided by the Rules and the Terms of Reference. Party status is granted on the understanding that the Applicant will collaborate and align with

FMCMV/IN and persons aligned with that group.

20. JOHN BARRY SMITH

1. Request by Applicant:

Mr. Smith sought standing to make submissions on issues of aviation safety as well as on his assessment of the facts as they relate to the cause of the explosion that resulted in the Air India Flight 182 tragedy.

2.

3.

4. Disposition:

Mr. Smith is denied standing. However, leave to file materials that he believes will be useful to the Commissioner is granted.

21. WORLD SIKH ORGANIZATION OF CANADA (WSO)

1. Request by Applicant:

WSO sought:

¥ Standing to make opening submissions on all aspects of the Terms of Reference;

¥

¥

¥ The right to apply for leave to examine witnesses on the protocols and rules in place for Canadian officials engaged in the investigations of the bombing of Air India Flight 182;

¥

¥

¥ The right to apply for leave to make submissions on the scope of the Inquiry's mandate or other procedural matters; and

¥

¥

¥ The right to make closing submissions.

¥

¥

2. Disposition:

Intervenor status is granted on the following basis:

3.

4.

5.

6. The participation of WSO is limited, in the first instance, to written submissions on matters that affect the reputational interests of the Sikh community.

RULES APPLICABLE TO ALL INTERVENORS

The following rules apply to all intervenors who wish to apply for leave to assume a broader role beyond the filing of written submissions:

1. Following the filing of their written submissions, intervenors may apply for leave to make a 10-minute opening statement.

2.

3.

4. Any intervenor wishing to propose a witness to be called by Commission Counsel may make submissions in writing, with reference to Rules of Procedure and Practice 44 and 49, outlining the nature and importance of the anticipated evidence to be given by such witness.

5.

6.

7. Any intervenor wishing to participate in a manner beyond that envisioned in paragraphs 1 and 2 above, may apply in writing for leave, outlining the nature of the proposed additional participation and attaching submissions as to the unique and valuable contribution to the accomplishment of the mandate of the Commission that would result from such

additional participation.

8.

9.

10. All written submissions and applications are to be submitted in hard copy to Commission Counsel at the address of the Commission, with a copy to the Registrar.

11.

12.

From: "Tansey, Michael" <mtansey@majorcomm.ca>

Date: September 29, 2006 5:11:22 PM PDT

To: "John Barry Smith" <barry@johnbarrysmith.com>

**Subject: Out of Office AutoReply: Smith Submission 14:
Putative Facts and Unsubstantiated Opinions (Who Says?)**

Hi. I am out of the office until Monday October 2. If your e-mail is urgent, please re-send it to: michael@tancom.ca, or call me at (613) 487-3765.

Je serais absent du bureau jusqu'au lundi, 2 octobre. Si votre courrier-el est urgent, SVP renvoyer le de nouveau ✓ michael@tancom.ca, ou appeler moi au (613) 487-3765.

Merci/Thanks

From: John Barry Smith <barry@johnbarrysmith.com>

Date: October 30, 2006 6:28:26 AM PST

To: mtansey@majorcomm.ca

**Subject: Please acknowledge receipt and filing of this
material Smith Submission 15 resend 1**

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Ken Dickerson

Public Affairs Officer/Agent des affaires publique

Michael Tansey, Commission Spokesperson

Dear Mr. Dickerson or Mr. Tansey,
October 30, 2006

Monday,

"Disposition: Mr. Smith is denied standing. However, leave to file materials that he believes will be useful to the Commissioner is granted." And: Commissioner Major at hearing to Smith: "...what I can do is permit you to file any written material that substantiates your view and it will be part of the Air India record." And: The best I can do is to repeat the offer I made and invite you to file in as much as detail as you choose whatever it is that supports your theory and it will be part of this record." And: "You're free, Mr. Smith, as you probably know, to add to your filed material should you choose."

As given permission by the Commissioner to submit material:
Enclosed below is Smith Submission 15: Letter to PM, AG,
Commissioner, Minister of Transport, TSB, Securitas, RCMP
AITF.

Please acknowledge receipt and filing of this material as well as acknowledging receipt of Smith Submission 13 and Smith Submission 14 submitted on September 29, 2006. Do you require hard copy to be sent to you or are these electronic versions acceptable for submission? Has Mr. Dickerson moved on or should I continue to include him?

Please make sure the research section of the Inquiry gets my filed material, in particular, Commission Exhibit S-18, my Smith AAR for Air India Flight 182.

From Commission website:

Our Research Program Concurrent with the hearings, the Commission's research staff will study all of the documents, reports and evidence from the hearings to deal with all issues within our mandate. The research program will involve academics and other specialists from across Canada and elsewhere. They will provide studies that can be valuable when the Commission assesses the evidence and makes findings to be included in the final report.

Smith Submission 1, Grievous Error of Fact Detected, Filed 28 July, 2006. (Please correct Commission website.)

Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006 (Please grant me standing.)

Smith Submission 3: The Official Versions: Bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom. (Please ask TSB Air for their opinion to resolve official conflicts of type of explosion and where it occurred.) Filed Tuesday, August 8, 2006

Smith Submission 4: The Unofficial Version: The shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation. (Please consider a plausible, reasonable, electrical cause with precedent) Filed Tuesday, August 8, 2006.

Smith Submission 5: Substantiating the Unofficial Version: The Layperson version. (It's not rocket science) Filed Friday, August 11, 2006

Smith Submission 6: Substantiating the Unofficial Version: The DNA Match. (A match made in heaven) Filed Tuesday, August 15, 2006

Smith Submission 7. Dear People in Future Years: Predicting the Past. (The Major Doctrine.) Filed Thursday, August 17, 2006

Smith Submission 8: Specific Term of Reference: Non Cooperation. (Sorry, no can do.) Filed Thursday, August 17, 2006

Smith Submission 9: The Crash and Meeting the Family. (It happens so fast) Filed Friday, August 18, 2006

Smith Submission 10: The Elephant and Emperor Kanishka. (Easy to see, hard to talk about) Filed Saturday, August 19, 2006

Smith Submission 11: Reconsideration of your denial of standing: Try Try Again. (Never give up) Filed Saturday, August 19, 2006

Smith Submission 12. Last Gasp: Grasping at a Straw. (Throw me a bone here, I'm dying) Filed Saturday, August 19, 2006

Smith Submission 13: What is the fear? (Boo!) Filed Monday, August 28, 2006

Smith Submission 14: Putative Facts and Unsubstantiated Opinions. (Who Says?) Filed Friday, September 29, 2006

Smith Submission 15: Letter to PM, AG, Commissioner, Minister of Transport, TSB, Securitas, RCMP AITF. Filed Wednesday, October 25, 2006.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924

From: "Dickerson, Ken" <kdickerson@majorcomm.ca>

Date: October 31, 2006 12:28:50 PM PST
To: "John Barry Smith" <barry@johnbarrysmith.com>
Subject: Your submissions #13-15

Mr. Smith,

I have forwarded your submissions numbered 13, 14 and 15 (received between August 28, 2006 and October 25, 2006) to the recipients you listed. I apologize for the delay in sending you this confirmation. To be clear, I am referring to the following three submissions:

- Submission 13: What is the fear? (Boo!) - received August 28, 2006
- Submission 14: Putative Facts and Unsubstantiated Opinions. (Who Says?) – received September 29, 2006
- Submission 15: Letter to PM, AG, Commissioner, Minister of Transport, TSB, Securitas, RCMP AITF. - received October 25, 2006.

Please note that Sheila-Marie Cook has vacated the position of Commission Secretary. Her replacement, Laura Snowball, has all of the materials you have provided.

Your submissions (#s 1-15) have all been filed with the Registrar in the permanent record of the Commission, and as such are available to the Commission's research staff.

As Spokesperson, Michael Tansey does not have responsibility for written submissions. Please feel free to continue providing these materials electronically to my e-mail address. We do not require hard copies from you.

Thank you,

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

From: John Barry Smith <barry@johnbarrysmith.com>
Date: December 16, 2006 9:34:55 AM PST
To: kdickerson@majorcomm.ca
Subject: Smith Submission 16: Research This.

Commission of Inquiry into the Investigation of the Bombing of

Air India Flight 182
Ken Dickerson
Public Affairs Officer/Agent des affaires publique

Dear Mr. Dickerson,

Saturday, December 16, 2006

"You're free, Mr. Smith, as you probably know, to add to your filed material should you choose."

As given permission by the Commissioner to submit material:
Enclosed below is Smith Submission 16: Research This

From Commission website: "Our Research Program Concurrent with the hearings, the Commission's research staff will study all of the documents, reports and evidence from the hearings to deal with all issues within our mandate. The research program will involve academics and other specialists from across Canada and elsewhere. They will provide studies that can be valuable when the Commission assesses the evidence and makes findings to be included in the final report."

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Smith Submission 15: Letter to PM, AG, Commissioner, Minister of Transport, TSB, Securitas, RCMP AITF. Filed Wednesday, October 25, 2006.

Smith Submission 16: Research This. Filed Saturday, December 16, 2006

Thanks, Merry Christmas, and Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924

=====
=====

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Honourable John C. Major, Q.C. Commissioner
Sheila-Marie Cook, Executive Director and Commission
Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

Ken Dickerson, Public Affairs Officer / Agent des affaires
publiques

Michael Tansey, Commission Spokesperson

Research Staff

Dear Commissioner Major and specifically Commission
Research Staff, Saturday, December 16, 2006

Smith Submission 16: Research This. Filed Saturday, December
16, 2006

I'm sure my filed material and submissions, in particular,
Commission Exhibit S-18, the Smith AAR for Air India Flight
182, will be valuable to your researchers in your Research
Program as they assess the evidence.

MR. FREIMAN: Mr. Commissioner, I propose to
12 make the application and the supplementary materials

13 provided by Mr. Smith as Exhibit S-18.

14 --- EXHIBIT NO./PIÉCE No. S-18:

15 Documentary package from Mr. John Barry

16 Smith

17 THE COMMISSIONER: You're free, Mr. Smith,

18 as you probably know, to add to your filed material should

19 you choose.

Research strives for accuracy as conclusions are based upon those findings. In that regard there is a serious error in the Commission's basic fundamentals which has skewered the entire proceedings; here it is:

From Commission Website: "Yet, it was not until the following January that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb."

That statement is in error. It is wrong. It is misleading and prejudicial. The consequences of the error are severe. Assuming the error is innocent, research from the Research Staff can confirm the error and correct it.

From Commission Website: Our Research Program: Concurrent with the hearings, the Commission's research staff will study all of the documents, reports and evidence from the hearings to deal with all issues within our mandate. The research program will involve academics and other specialists from across Canada and elsewhere. They will provide studies that can be valuable when the Commission assesses the evidence and makes findings to be included in the final report.

The Canadian Aviation Safety Board did not conclude that the destruction of this aircraft was caused by a bomb. Here is what

they concluded:

CASB Aviation Occurrence Report on Air India Flight 182, 1986: "The Canadian Aviation Safety Board respectfully submits as follows:

4.1 Cause-Related Findings 5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment.

Note there are many alternative explanations for the explosion in the forward cargo compartment other than the rare event of a bomb explosion. The most common explanation is a hull rupture caused by structural failure, a mechanical event. Note the CASB Aviation Occurrence Report on Air India Flight 182, 1986, is specifically stated as a document for the Commission to consider in its deliberations.

Assuming the error is not innocent but a cunning lie to perpetuate the myth of mad terrorists with turbans killing hundreds of weak and innocent women and babies trapped in an airliner in order to increase budgets and staff, then...well, go back to checking with the police, the secret agents, the Mounties, the newspapers, and maybe some psychics for explanations for an airplane crash while ignoring those Crown aircraft accident investigators who actually know what they are talking about...such as the the CASB and UK investigators: "Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified. It must be concluded that without positive

evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident".

2.10.2 Analysis by Accidents Investigation Branch (AIB), United Kingdom

The AIB analysis was restricted to the CVR and the Shannon ATC tape. An analysis of the CVR audio found no significant very low frequency content which would be expected from the sound created by the detonation of a high explosive device. A comparison with CVRs recording an explosive decompression* on a DC-10, a bomb in the cargo hold of a B737, and a gun shot on the flight deck of a B737 was made. Considering the different acoustic characteristics between a DC-10 and a B747, the AIB analysis indicates that there were distinct similarities between the sound of the explosive decompression on the DC-10 and the sound recorded on the AI 182 CVR. *Explosive decompression is an aviation term used to mean a sudden and rapid loss of cabin pressurization.

(Please note the DC-10 explosive decompression above referenced in the Air India Flight 182 CVR analysis was certainly the Turkish Airlines DC-10 fatal event when the aft cargo door blew open causing an explosive decompression which destroyed the flight controls leading to the crash.)

Dear Research Staff of academics and other specialists from across Canada and elsewhere: Please be accurate, please correct a serious documented error, please evaluate an alternative explanation for Air India Flight 182, the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation as presented to you at the Commission Hearing, on file as Exhibit S-18 (Smith AAR

for Air India Flight 182) and Smith Submissions 1 to 16 sent and filed with the Commission.

I do not pray, I do not demand, I do not threaten; I'm a scientist and appeal to your reason and trust in facts, data, and evidence of which there is much in abundance for Air India Flight 182.

I've requested your aid for research on an error of fact of the Commission. I've said 'please, now let me implore you to act. Consider this email a petition for consideration. I appeal to your professionalism as researchers. I invite you to ask me questions, and I beg you to think.

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Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006 (Please grant me standing.)

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Smith Submission 16: Research This. Filed Saturday, December 16, 2006

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
<http://www.montereypeninsulaairport.com>

<http://www.ntsب.org>

References below:

From Commission website: "Many issues remain unresolved relating back to that 1985 terrorist attack on Air India flight 182 that began in Canada but never reached its destination. In the middle of the night, more than 300 Canadians, some of Indian ancestry, lost their lives in a senseless act of unprecedented violence over the skies of Ireland. Yet, it was not until the following January that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb. This massive murder was the most insidious episode of cowardice and inhumanity in our history at the time, and its death toll has been surpassed only by the September 11, 2001 attacks on the World Trade Centre in New York. The Air India destruction remains among the worst aviation disasters in Canadian and world history."

<http://www.majorcomm.ca/en/statements/openingstatement.asp>

OPENING STATEMENT

June 21, 2006

1. INTRODUCTION

Today, we begin the public proceedings of The Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182, which was established by Order in Council P.C. 2006-293, issued on May 1, 2006 pursuant to Part I of the Inquiries Act.

Following the Terms of Reference contained in the Order in Council, this Commission's mandate is to hold hearings, either in

public or in camera, anywhere inside or outside Canada in order to provide a report on the following questions:

- * The extent to which any systemic problems in the inter-agency cooperation in the investigation of the bombing of Air India Flight 182 have been resolved and any legislative and procedural changes that are still needed;

- * The question of whether further changes in practice or legislation are required to address the specific aviation security breaches associated with the Air India Flight 182 bombing, particularly those relating to the screening of passengers and their baggage.

Background

In announcing the launch of this Inquiry, the Prime Minister, the Right Honourable Stephen Harper, stated that a public inquiry is the only route left to obtaining answers to how the tragedy of June 23, 1985 occurred when Air India Flight 182 exploded over the Atlantic Ocean. The aircraft was flying at an altitude of 31,000 feet (9500 m) just south of Ireland, when all 329 on board were killed. Eighty-two of those victims were children and 280 were Canadian citizens.

Many issues remain unresolved relating back to that 1985 terrorist attack on Air India flight 182 that began in Canada but never reached its destination. In the middle of the night, more than 300 Canadians, some of Indian ancestry, lost their lives in a senseless act of unprecedented violence over the skies of Ireland. Yet, it was not until the following January that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb. This massive murder was the most insidious episode of cowardice and inhumanity in our

history at the time, and its death toll has been surpassed only by the September 11, 2001 attacks on the World Trade Centre in New York. The Air India destruction remains among the worst aviation disasters in Canadian and world history.

It is not possible to undo what happened in 1985. We can, however, attempt to understand how this happened and to recommend safeguards and systemic changes to prevent future threats to our national security and intrusions into the lives of so many innocent people.

The Inquiry

From Commission Website: Our Research Program: Concurrent with the hearings, the Commission's research staff will study all of the documents, reports and evidence from the hearings to deal with all issues within our mandate. The research program will involve academics and other specialists from across Canada and elsewhere. They will provide studies that can be valuable when the Commission assesses the evidence and makes findings to be included in the final report.

From: "Dickerson, Ken" <kdickerson@majorcomm.ca>
Date: December 18, 2006 7:13:35 AM PST
To: <barry@johnbarrysmith.com>
Subject: Your submission #16

Mr. Smith,

I have forwarded your submission #16, "Research This" (received December 16, 2006) to the recipients you listed and it will be filed with the Commission Registrar.

Thank you, Merry Christmas, and best wishes for 2007.

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

From: John Barry Smith <barry@johnbarrysmith.com>
Date: February 21, 2007 2:14:49 PM PST
To: kdickerson@majorcomm.ca
**Subject: Smith Submission 18: They won't talk to me either.
(I feel your pain.) Filed Wednesday, February 21, 2007**

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182
Ken Dickerson
Public Affairs Officer/Agent des affaires publique

Dear Mr. Dickerson, Wednesday, February 21, 2007

"You're free, Mr. Smith, as you probably know, to add to your
filed material should you choose."

As given permission by the Commissioner to submit material:
Enclosed below is Smith Submission 18: They won't talk to me
either. (I feel your pain.) Filed Wednesday, February 21, 2007

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July, 2006. (Please correct Commission website.)

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bomb, in the baggage, baggage, baggage go boom, boom, boom.
(Please ask TSB Air for their opinion to resolve official conflicts
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Smith Submission 16: Research This. Filed Saturday, December

16, 2006

Smith Submission 17: Myth vs. Reality. Filed Sunday, January 21, 2007

Smith Submission 18: They won't talk to me either. (I feel your pain.) Filed Wednesday, February 21, 2007

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
<http://www.montereypeninsulaairport.com>
<http://www.ntsbt.org>

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Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182
Honourable John C. Major, Q.C. Commissioner
Sheila-Marie Cook, Executive Director and Commission
Secretary
Mark J. Freiman, Commission's Lead Counsel
Michel Dorval, Commission's Co-Counsel
Ken Dickerson, Public Affairs Officer/Agent des affaires
publiques
Michael Tansey, Commission Spokesperson

Dear Commissioner Major and specifically Commission
Research Staff, Wednesday, February 21, 2007

They won't talk to me either. I feel your pain.

Press report: "Addressing a hushed hearing room Monday, former Supreme Court justice John Major said federal lawyers are insisting on such heavy censorship of written material that it makes the paper trail surrounding the 1985 bombing "meaningless."

Federal lawyer Barney Brucker said he hopes a solution can be found. But he insisted some evidence must be heard in private to avoid providing a "road map for terrorists" on how to circumvent security measures and stage future attacks."

Yes, Commissioner Major, being rejected by officials is anguish for those who care and have much to offer, such as you wanting to be heard by the families as you discuss official documents and me wanting to be heard by you as I discuss official documents. We share a common complaint.

The RCMP and the CSIS will not relent on the majority and certainly not on the important documents to declassify them. Those agencies did not want the Commission of Inquiry to be created and will relish you disbanding it. Maybe that is their goal, to censor you into 'meaningless.'

Those agencies know they look like fools in their pursuit and prosecution of the 'bombers' because there were no bombers. Air India Flight 182 was an accident, a mechanical problem, not conspiracies by revenge seeking turbaned terrorists. Anybody or any agency chasing ghosts is sure to look foolish, uncoordinated,

and unsuccessful. "Ghostbusters' the movie was a comedy, of course.

You do have an option, sir. Call me before you and let me discuss my shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation for Air India Flight 182. I use declassified reports which have been suggested in your mandate to consider, the CASB aviation occurrence report and the Kirpal Report. My mechanical explanation is science; it is not transcripts of tapped phone calls or testimony from disgruntled lovers. The wiring/cargo door explanation uses the solid precedent. The wiring/cargo door explanation is so powerful a persuader that it will smoke out those agencies into a response to attempt to rebut it. Only after my testimony will the RCMP and CSIS respond to your request to reveal and examine the 'paper trail.'

In strict observance of your mandate, Commissioner Major, you could also call me as a witness and I can detail my meeting with Sgt. Bart Blatchford of the RCMP Air India Task Force as he investigated the bombing of Air India Flight 182. Sgt. Blatchford interviewed me in detail in my house in California about my relations with the Sikhs, my mechanical explanation, and how it refuted their bombing explanation.

Why not request all the documents about me from the Air India Task Force of the RCMP, I authorize it on my end. Call me as a witness and I'll reveal the contents of the interview as the RCMP investigated the bombing of Air India Flight 182.

Use my presence and explanation to pursue your mandate to inquire into the investigation of the bombing of Air India Flight 182.

My safety concerns have been forwarded and I have been directed to the Attorney General by the Prime Minister's office and by the Minister of Transportation and yet have received no response from the Attorney General.

Salpie Stepanian, Assistant to the Prime Minister: "I have taken the liberty of forwarding your correspondence directly to the Minister of Justice and Attorney General of Canada, the Honourable Vic Toews, within whose responsibilities this matter falls."

Richard Stryde, Senior Special Assistant: "This being the case, I have taken the liberty of forwarding a copy of your correspondence to the office of the Honourable Vic Toews, Minister of Justice and Attorney General of Canada, for consideration."

All roads lead to Barney and Vic...and hit a dead end. What is their game? Why are they opposing Prime Minister Harper's dictates that you have "agreed to serve as Commissioner for this inquiry and I have every confidence that he will conduct a thorough and compassionate investigation into the events surrounding this tragedy. This inquiry is about analyzing the evidence that has come to light since 1985 and applying it to the world we live in today."?

Why is the Attorney General ignoring your concerns as he is ignoring mine even as the Prime Minister is encouraging both of us in our endeavours?

Why is the AG opposed to you hearing about police procedures twenty years ago and my six year old mechanical explanation

that would exonerate the police and intelligence agencies, confirm the wisdom of a Crown criminal judge, defuse the hate amongst the citizens, and give respect to the opinions of Canadian aircraft investigators of years ago?

What is your goal, Commissioner? To understand what happened to Air India Flight 182? I can tell you. I know what happened. You have the unclassified and freely offered scientific explanation before you.

I know a lot about Air India Flight 182 and the circumstances of its explosion. I was investigated. I can contribute. I fall within your mandate. Call me to speak before you and let me reveal my paper trail. Do not let them censor me too.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
<http://www.montereypeninsulaairport.com>
<http://www.ntsbt.org>

Smith Submission 1, Grievous Error of Fact Detected, Filed 28 July, 2006. (Please correct Commission website.)

Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006 (Please grant me standing.)

Smith Submission 3: The Official Versions: Bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom. (Please ask TSB Air for their opinion to resolve official conflicts)

of type of explosion and where it occurred.) Filed Tuesday, August 8, 2006

Smith Submission 4: The Unofficial Version: The shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation. (Please consider a plausible, reasonable, electrical cause with precedent) Filed Tuesday, August 8, 2006.

Smith Submission 5: Substantiating the Unofficial Version: The Layperson version. (It's not rocket science) Filed Friday, August 11, 2006

Smith Submission 6: Substantiating the Unofficial Version: The DNA Match. (A match made in heaven) Filed Tuesday, August 15, 2006

Smith Submission 7. Dear People in Future Years: Predicting the Past. (The Major Doctrine.) Filed Thursday, August 17, 2006

Smith Submission 8: Specific Term of Reference: Non Cooperation. (Sorry, no can do.) Filed Thursday, August 17, 2006

Smith Submission 9: The Crash and Meeting the Family. (It happens so fast) Filed Friday, August 18, 2006

Smith Submission 10: The Elephant and Emperor Kanishka. (Easy to see, hard to talk about) Filed Saturday, August 19, 2006

Smith Submission 11: Reconsideration of your denial of standing: Try Try Again. (Never give up) Filed Saturday, August 19, 2006

Smith Submission 12. Last Gasp: Grasping at a Straw. (Throw me a bone here, I'm dying) Filed Saturday, August 19, 2006

Smith Submission 13: What is the fear? (Boo!) Filed Monday, August 28, 2006

Smith Submission 14: Putative Facts and Unsubstantiated Opinions. (Who Says?) Filed Friday, September 29, 2006

Smith Submission 15: Letter to PM, AG, Commissioner, Minister of Transport, TSB, Securitas, RCMP AITF. Filed Wednesday, October 25, 2006.

Smith Submission 16: Research This. Filed Saturday, December 16, 2006

Smith Submission 17: Myth vs. Reality. Filed Sunday, January 21, 2007

Smith Submission 18: They won't talk to me either. (I feel your pain.) Filed Wednesday, February 21, 2007

Jim Brown, Canadian Press

Published: Monday, February 19, 2007

OTTAWA (CP) - The head of the Air India inquiry is threatening to shut down the investigation and close up shop unless the government relents on its claims that key documents and testimony must remain secret for national security reasons.

Addressing a hushed hearing room Monday, former Supreme Court justice John Major said federal lawyers are insisting on such heavy censorship of written material that it makes the paper trail surrounding the 1985 bombing "meaningless."

That in turn makes it difficult to question witnesses adequately in open hearings, said Major. And he doesn't want to move behind closed doors and cut off access by the families of the bomb victims and the media.

He's giving the government two weeks to confer with commission counsel and reach a deal that will allow more of the evidence to be made public. Unless the problem can be solved, he'll tell Prime Minister Stephen Harper he can't go on.

"If the documents remain, in a manner of speaking blacked out, there is no way I can carry out my mandate," said Major. "And if

this remains, I will communicate my view to the prime minister after assessing the state of affairs on March 5."

Major said the papers in question number in the thousands, and although he could launch court proceedings to declassify them that could take years of effort. If that were to happen, he said, the inquiry would "disappear into the quicksand of bureaucracy."

Federal lawyer Barney Brucker said he hopes a solution can be found. But he insisted some evidence must be heard in private to avoid providing a "road map for terrorists" on how to circumvent security measures and stage future attacks.

Brucker also argued that some of the sensitive material needed for the inquiry was provided by foreign governments, in confidence, and public release could compromise Canada's foreign relations.

That explanation didn't sit well with some relatives of the 329 people who lost their lives when Air India Flight 182 was downed by a terrorist bomb in June 1985.

"We are sick and tired of excuses and bureaucratic stonewalling," said Bal Gupta, head of the Air India Victims' Families Association. Although the group has campaigned for years for an inquiry, Gupta said he'd rather see it shut down than become a "charade" that can't get at the truth.

Jacques Shore, one of the lawyers for the association, appealed to Harper and Justice Minister Rob Nicholson to show political leadership and overrule the advocates of secrecy in the federal bureaucracy.

"It's time for us to know what's happened," said Shore.

The 1985 bombing was the work of militant Sikh separatists who used British Columbia as a base to campaign for an independent homeland in the Punjab region of northern India. The vast majority of the victims were Canadian citizens of Indian origin or descent.

Some of the key suspects were under surveillance by the Canadian Security Intelligence Service long before plane went down. But nobody pieced the puzzle together in time to thwart the plot, and the subsequent criminal investigation was hampered by turf wars between CSIS and the RCMP.

Only one man was ever convicted for his role in the bombing. Another left Canada after the attack and was shot dead by police in India in 1992. Two more were acquitted at a trial in Vancouver two years ago.

Major was appointed by Harper last year to look into the bombing, find out what went wrong with the investigation, and draw lessons that may still be relevant for counter-terrorist policy in the post-9/11 world.

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From: "Dickerson, Ken" <kdickerson@majorcomm.ca>

Date: February 22, 2007 12:16:24 PM PST

To: "John Barry Smith" <barry@johnbarrysmith.com>

Subject: Your submissions #17 and 18

Mr. Smith,

I have forwarded your submissions numbered 17 and 18 (received on January 21, 2007 and February 21, 2007) to the recipients you listed. To be clear, I am referring to the following submissions:

- Submission 17: Myth versus Reality - received January 21, 2007
- Submission 18: They won't talk to me either. (I feel your pain.) - received February 21, 2007

Your submissions have all been filed with the Registrar in the permanent record of the Commission, and as such are available to the Commission's research staff.

Thank you,

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

From: "Amardeep Kaur" <adkaur@gmail.com>
Date: March 8, 2007 1:20:19 AM PST
To: "John Barry Smith" <barry@johnbarrysmith.com>
Subject: **fwd: We'll press on, says Mountie in Air India probe**

We'll press on, says Mountie in Air India probe
Kim Bolan Vancouver Sun
Monday, March 05, 2007

The head of the B.C. RCMP told families of Air India victims in Toronto, Ottawa and Montreal this weekend that the loss of special provisions of the Anti-Terrorism Act will be devastating for the continuing police investigation.

But Deputy Commissioner Gary Bass also told them that his Air India

Task Force is committed to a successful resolution of "the most serious act of terrorism against Canada."

Opposition MPs last week voted down an extension of two parts of the

Anti-Terrorism Act, including investigative hearings, which police had been preparing for almost three years to hold in connection with the Air India case.

Bass said in an exclusive interview he was disappointed with "the apparent lack of understanding of the importance of this legislation with respect to the Air India investigation," especially given that investigative hearings were upheld by the Supreme Court of Canada.

"While I do not dispute that the vote on this critical issue involved perhaps valid considerations beyond the Air India investigation, without doubt, it represents a serious and damaging blow to the interests of the families in this case," Bass said.

Using the provision, the RCMP planned to question witnesses believed to have knowledge of the bombing suspects before a judge. Bass said hearings would have given those reluctant to come forward with the protection they needed to tell the truth about the Canada's biggest mass murder.

"The investigative hearing process offered the potential for individuals inclined to cooperate, but afraid of retribution, a vehicle to explain their cooperation within their community, by being able to explain that they had no choice but to testify truthfully," Bass said.

"In essence, that is the nature, and ultimately, the impact of terrorism; to make good citizens afraid to cooperate with

authorities.

We have now lost that ability, and without doubt, it will negatively impact the ongoing investigation."

Bass and other investigators with the Air India Task Force have regularly visited and briefed family members over the last several years. The weekend meetings, and one tonight in Vancouver, had been planned before the Anti-Terrorism Act vote.

Rob Alexander, who lost his father in the bombing, attended the Toronto meeting Saturday with about 20 other members of the Air India

Victims Families Association.

Alexander said while police at the meeting expressed disappointment

over the loss of the special hearings, they also told families "it is not fatal to the investigation."

Alexander said Air India relatives are frustrated by a series of setbacks in their quest for justice: first the acquittals two years ago of two accused men, then the delays in the judicial inquiry by a lack of disclosure of secret documents and now the loss of part of the

Anti-Terrorism Act.

"There always seems to be some sort of roadblock," said Alexander, who lives in Hamilton.

The judicial inquiry -- which is separate from the continuing police investigation -- is set to resume in Ottawa today with testimony about the formation of the Canadian Security Intelligence Service.

Negotiations between inquiry parties are continuing over access to secret government documents from both before and after the bombing.

A compromise is expected to be worked out later this week. Bass, who has worked on the Air India case for more than 12 years, urged all those with information about the 1985 bombings that killed 331 to come forward.

"We know that there are many individuals in the community who possess valuable information which could assist in bringing this case to conclusion and it is our hope that they will find the courage to come forward," Bass said.

"We recognize in saying so that no one has done a good job at protecting their interests, not the police and not the government." The RCMP first attempted to use investigative hearings in 2003 in the Air India case by calling Satnam Reyat, wife of the only man convicted in the plot, to testify. She challenged the legislation in Canada's highest court, but lost in June 2004.

Bass said that after the provision was upheld as constitutional, the

"Air India Task Force embarked on a significant investigative strategy involving a significant financial and personnel commitment which has continued for two and a half years, ending last week."

"The loss of the investigative hearing process is but the latest of disappointments for the victims of the Air India tragedy and

perhaps
for those who had a desire to come forward and do their part to
see

this end," Bass said.

But he said the RCMP "is committed to continuing this
investigation

until such time as it is either resolved or there is no reasonable
expectation that it can be."

kbolan@png.canwest.com

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digital edition.

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trial.

From: "Amardeep Kaur" <adkaur@gmail.com>

Date: March 8, 2007 1:22:42 AM PST

To: "John Barry Smith" <barry@johnbarrysmith.com>

Subject: **Fwd:Air India inquiry told of security failures**

Air India inquiry told of security failures

Peter O'Neil CanWest News Service

Monday, March 05, 2007

OTTAWA Ñ Canada's national security agencies, by coming so
close to

success, suffered the worst kind of intelligence failure prior to
the

1985 Air India bombings, an inquiry into Canada's deadliest
terrorist

incident heard Monday.

"We came close," said Wesley Wark, an expert on national security issues at the Munk Centre for International Studies at the University of Toronto.

But the failure to take advantage of wiretap surveillance and other information regarding B.C.-based Sikh extremists prior to the two bombings proved that "close wasn't good enough," Wark told the inquiry.

He said longstanding co-operation problems between the Canadian Security and Intelligence Service (CSIS), which was created in 1984, and the RCMP wasn't fully addressed until a new agreement was struck between the two feuding agencies last year.

Wark's testimony came after Inquiry Commissioner John Major expressed cautious optimism his probe into Canada's deadliest experience with terrorism won't sink into oblivion due to government secrecy.

Major, who threatened to shut down the inquiry last month because not enough internal documents were being made public, was responding to the government's commitment Monday to release more uncensored

documents to the commission and victims' families by the end of this week.

The government of India, Vancouver police, and a senior RCMP official involved in the Air India probe were consulted as Ottawa sought ways to release more information without compromising national security, government lawyer Barney Brucker told the inquiry on Monday.

But he warned excessive openness might be "potentially disastrous" by compromising important government sources in the fight against terrorism.

"It would be like switching off a light and attempting to defend ourselves in the dark," Brucker said.

Major said he's grateful the government is taking extra steps, though he said he's uncertain if bureaucrats are as willing to open up the process. "I will have some skepticism about the troops behind you being able to follow your command."

Major resisted a plea from a lawyer for the families of some of the 331 who died in 1985 as a result of the terror bombings orchestrated by Sikh extremists living in B.C. Jacques Shore said he'd like an extra two weeks to study documents once they are released by

Friday.

But Major said he will stick to next week's scheduled one-week adjournment unless the families, after seeing what the government releases to them later this week, provide a formal written request for more time.

Major said he still fears his probe could be jeopardized by continued delays.

"We've seen commissions sink below the water and accomplish nothing."

From: John Barry Smith <barry@johnbarrysmith.com>

Date: April 27, 2007 12:09:39 PM PDT

To: mtansey@majorcomm.ca

Subject: **Uh, dude, it would be remiss on my part**

Uh, dude, it would be remiss on my part if I did not point out that October 13, 2007 has not occurred...yet.

Maybe the Commission has already decided its findings before the full testimony of witnesses and knows the future...all the way to October 13th, 2007.

Regards, Friday, April 27, 2007

John Barry Smith
541 Country Club Drive

Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
<http://www.montereypeninsulaairport.com>
<http://www.ntsب.org>

It would be remiss on my part if I did not express thanks to family members who, with great sacrifice emotionally and physically, appeared to give evidence, to express some amazement that the families have managed to stay in substantial contact over many years of disappointment and grief. Their participation, I think, contributed to the knowledge of the Canadian people as to the immense nature of the tragedy. ÒWhat weÕve heard to date has been valuable to the Commission and to the country. It has promoted a better understanding of the tragedy experienced by the families and those who worked to recover the bodies lost in the bombing. The Commission is, of course, aware that while we now have a better understanding, only those persons who lived and continue to live the tragedy and its aftermath can truly feel the impact of this act of terrorism.Ó
< Commissioner John C. Major, at the conclusion of Stage One of the Inquiry, October 13, 2007

From: "Tansey, Michael" <mtansey@majorcomm.ca>
Date: April 27, 2007 12:12:40 PM PDT
To: "John Barry Smith" <barry@johnbarrysmith.com>
Subject: Out of Office AutoReply: Uh, dude, it would be remiss on my part

Hi. I currently out of the office until Monday April 30, 2007 . If your e-mail is urgent, please re-send it to: michael@tancom.ca, or call me at (613) 949-8477, or (613) 487-3765.

Je serais absent du bureau jusqu'au lundi 30 avril 2007. Si votre courriel est urgent, SVP envoyez-le de nouveau ✓ michael@tancom.ca, ou appelez-moi au (613) 949-8477 ou au (613) 487-3765.

Merci/Thanks

From: John Barry Smith <barry@johnbarrysmith.com>
Date: April 27, 2007 12:19:29 PM PDT
To: kdickerson@majorcomm.ca
Subject: Commission Website in error...again.

Dear Mr. Dickerson, Friday, April 27, 2007

I sent the below sarcastic Email to Mr. Tansey but he is, not surprisingly, out of his office.

To prevent further embarrassment to the Commission, I suggest the Communique on website be changed to reflect the reality of time.

And while you are at it, you might correct the prejudicial lie about the findings of the CASB which the Commission erroneously states the CASB determined it was a bomb which caused Air India Flight 182. The CASB did not. I suggest the website be changed to reflect the reality of quotes from the CASB.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrismith.com
<http://www.montereypeninsulaairport.com>
<http://www.ntsب.org>

To: mtansey@majorcomm.ca
From: John Barry Smith <barry@johnbarrismith.com>
Subject: Uh, dude, it would be remiss on my part
Cc:
Bcc:
X-Attachments:

Uh, dude, it would be remiss on my part if I did not point out that October 13, 2007 has not occurred...yet.

Maybe the Commission has already decided its findings before the full testimony of witnesses and knows the future...all the way to October 13th, 2007.

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< Commissioner John C. Major, at the
conclusion of Stage One of the Inquiry,
October 13, 2007

Subject: Out of Office AutoReply: Uh, dude, it would be remiss
on my part

Date: Fri, 27 Apr 2007 15:12:40 -0400

Thread-Topic: Uh, dude, it would be remiss on my part

Thread-Index: AceJAAZ8tUgHeaOhQfSVD/
mrAWmEZwAAAAGX

From: "Tansey, Michael" <mtansey@majorcomm.ca>

To: "John Barry Smith" <barry@johnbarrysmith.com>

X-Nospam: None

Hi. I currently out of the office until Monday April 30, 2007 . If
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or call me at (613) 949-8477, or (613) 487-3765.

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courriel est urgent, SVP envoyez-le de nouveau ✓
michael@tancom.ca, ou appelez-moi au (613) 949-8477 ou au
(613) 487-3765.

Merci/Thanks

From: "Tansey, Michael" <mtansey@majorcomm.ca>

Date: April 30, 2007 6:17:02 AM PDT

To: "John Barry Smith" <barry@johnbarrysmith.com>

Subject: **RE: Uh, dude, it would be remiss on my part**

Thank you for bringing this error to our attention. It will be

rectified.

mt

-----Original Message-----

From: John Barry Smith [mailto:barry@johnbarrysmith.com]

Sent: April 27, 2007 3:10 PM

To: Tansey, Michael

Subject: Uh, dude, it would be remiss on my part

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- Commissioner John C. Major, at the conclusion of Stage One of the Inquiry, October 13, 2007

From: barry@johnbarrysmith.com

Date: May 3, 2007 1:02:14 PM PDT

To: barry@johnbarrysmith.com

Subject: [FWD: RE: Uh, dude, it would be remiss on my part]

----- Original Message -----

Subject: RE: Uh, dude, it would be remiss on my part
From: "Tansey, Michael" <mtansey@majorcomm.ca>
Date: Mon, April 30, 2007 6:17 am
To: "John Barry Smith" <barry@johnbarrysmith.com>

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- Commissioner John C. Major, at the conclusion of Stage One of the Inquiry, October 13, 2007

From: "Tansey, Michael" <mtansey@majorcomm.ca>
Date: May 4, 2007 7:10:58 AM PDT
To: "John Barry Smith" <barry@johnbarrysmith.com>
Subject: **RE: Apology from me for 'Uh, dude, it would be remiss on my part'**

No offence taken. I'm glad you brought it to our attention, as it allowed us to correct the error before the newsletter went to print.

mt

-----Original Message-----

From: John Barry Smith [mailto:barry@johnbarrysmith.com]
Sent: May 3, 2007 11:32 PM
To: Tansey, Michael
Cc: Dickerson, Ken
Subject: Apology from me for 'Uh, dude, it would be remiss on my part'

Dear Mr. Tansey, Thursday, May 3, 2007

Thank you for your polite response to my note about a typo on your site. I note the error in date was corrected.

I apologize for my rude sarcastic tone in my notifying email to you.

It was inappropriate of me and not worthy of the high stature of the Commission.

Regards,

John Barry Smith
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Date: Mon, April 30, 2007 6:17 am
To: "John Barry Smith" <barry@johnbarrysmith.com>

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the families and those who worked to
recover the bodies lost in the bombing.

The Commission is, of course, aware that while we now have a better understanding, only those persons who lived and continue to live the tragedy and its aftermath can truly feel the impact of this act of terrorism."

- Commissioner John C. Major, at the conclusion of Stage One of the Inquiry, October 13, 2007

From: "Tansey, Michael" <mtansey@majorcomm.ca>

Date: May 21, 2007 5:08:27 PM PDT

To: "John Barry Smith" <barry@johnbarrysmith.com>

Subject: Out of Office AutoReply: Smith Submission 19: I respond to your appeal to contact you.

Hi. I currently out of the office until Tuesday May 22, 2007 . If your e-mail is urgent, please re-send it to: michael@tancom.ca, or call me at (613) 851-4587, or (613) 487-3765.

Je serais absent du bureau jusqu'au lundi 22 mai, 2007. Si votre courriel est urgent, SVP envoyez-le de nouveau √ michael@tancom.ca, ou appelez-moi au (613) 851-4587 ou au (613) 487-3765.

Merci/Thanks

From: "Dickerson, Ken" <kdickerson@majorcomm.ca>

Date: May 22, 2007 12:00:28 PM PDT

To: "John Barry Smith" <barry@johnbarrysmith.com>
Subject: RE: Smith Submission 19: I respond to your appeal to contact you.

Mr. Smith,

I have forwarded your submission number 19 ("Smith Submission 19: I respond to your appeal to contact you", received on May 21, 2007) to the recipients you listed.

I have also highlighted for Mr. Freiman, Mr. Dorval and other Commission counsel your offer to provide testimony.

Your submissions have all been filed with the Registrar in the permanent record of the Commission, and as such are available to the Commission's research staff.

Thank you,

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

-----Original Message-----

From: John Barry Smith [mailto:barry@johnbarrysmith.com]
Sent: Monday, May 21, 2007 8:05 PM
To: Dickerson, Ken; Tansey, Michael
Subject: Smith Submission 19: I respond to your appeal to contact you.

Commission of Inquiry into the Investigation of
the Bombing of Air India Flight 182
Tansey, Michael
Spokesperson
Ken Dickerson
Public Affairs Officer/Agent des affaires publique

Dear Mr. Dickerson and Mr. Tansey, Monday, May 21, 2007

"You're free, Mr. Smith, as you probably know, to add to your filed material should you choose."

As given permission by the Commissioner to submit material: Enclosed below is Smith Submission 19: I respond to your appeal to contact you. Filed

Monday, May 21, 2007 2007

Smith Submission 1: Grievous Error of Fact Detected, Filed 28 July, 2006. (Please correct Commission website.)

Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006 (Please grant me standing.)

Smith Submission 3: The Official Versions: Bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom. (Please ask TSB Air for their opinion to resolve official conflicts of type of explosion and where it occurred.)

Filed Tuesday, August 8, 2006

Smith Submission 4: The Unofficial Version: The shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation. (Please consider a plausible, reasonable, electrical cause with precedent)

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Smith Submission 5: Substantiating the Unofficial Version: The Layperson version. (It's not rocket science) Filed Friday, August 11, 2006

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Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
<http://www.montereypeninsulaairport.com>
<http://www.ntsbt.org>

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Commission of Inquiry into the Investigation of
the Bombing of Air India Flight 182
Honourable John C. Major, Q.C. Commissioner
Sheila-Marie Cook, Executive Director and Commission Secretary
Mark J. Freiman, Commission's Lead Counsel
Michel Dorval, Commission's Co-Counsel
Ken Dickerson, Public Affairs Officer/Agent des affaires
publiques
Michael Tansey, Commission Spokesperson

Dear Commissioner Major and specifically Mr. Mark
J. Freiman, Monday, May 21, 2007

>Mark Freiman, chief counsel to the inquiry, has
>not only welcomed the unexpected volunteers who
>have come knocking at his door to date, but has
>issued a public appeal for more.

>

>"We are continuing to hear from people who are
>coming forward," said Freiman. "This is one of
>the benefits of a public inquiry . . . I
>encourage people who have relevant information
>to contact the commission."

Mr. Freiman, I respond to your appeal to contact you.

I know a lot about Air India Flight 182 and the
circumstances of its explosion. I was

investigated by RCMP. I can contribute to the Commission. I fall within your mandate. Call me to speak before you and let me testify about my research and conclusions.

The Commission has shown that there is much to be gained by going over the past and bringing it up. Please be fair and consider all aspects of Air India Flight 182. Please respect science which can be confirmed as much as you respect conversations of twenty two years ago. Please review my shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation for Air India Flight 182. Please request update on Air India Flight 182 from TSB (Air), the Crown experts in aircraft crashes.

Please consider the preponderance of scientific evidence which rules out the bomb explanation in that Canadian aircraft accident investigators declined to state a bomb explosion while the UK aircraft accident investigator ruled it out:

Aviation Occurrence Report of the Canadian Aviation Safety Board for

Air India Flight 182 of January 22, 1986

"4.0 CONCLUSIONS

The Canadian Aviation Safety Board respectfully submits as follows:

4.1 Cause-Related Findings

1. At 0714 GMT, 23 June 1985, and without warning, Air India Flight 182 was subjected to a sudden event at an altitude of 31,000 feet resulting in its crash into the sea and the death of all on board.

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment. This evidence is not conclusive. However, the evidence does not support any other conclusion."

"Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K.

3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified. It must be concluded that without positive

evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident".

The UK aircraft accident expert officially states: "...there is no evidence of a high explosive device having detonated on AI 182."

He is correct. The Canadians are correct. Let their scientific conclusions be heard through me in front of your Commission. Be as fair to the science explanation as you are to the conspiracy explanations.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
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Flood of startling revelations transforms work of Air India inquiry

Jim Brown, Canadian Press
Published: Monday, May 21, 2007

OTTAWA (CP) - When John Major began his inquiry into the 1985 Air India bombing, cynics wondered how he could possibly discover anything new about a tragic event so far in the past.

The former Supreme Court judge and his staff of lawyers have since provided a dramatic answer to that question, as witnesses step forward to tell stories they had kept to themselves for more than two decades.

"In my heart of hearts I hoped we would have

that," says Jacques Shore, a lawyer for the families of the bombing victims. "When I spoke of that openly at the very beginning of the commission, people said I was being naive and maybe too hopeful."

In the last three weeks, however, the inquiry has heard startling testimony from:

-(at)Former diplomat James Bartleman, who says he shared intelligence with the RCMP before the bombing indicating that Air India was about to come under attack, only to be told by the Mounties that they already knew about the threat and didn't need his help to do their job.

-(at)Former Justice Department lawyer Graham Pinos, who says he heard Mel Deschenes, a top CSIS anti-terrorist officer, predict just days before the attack that Sikh extremists would bring down a plane sooner or later.

-(at)Former Quebec provincial policeman Serge Carignan, who says his sniffer dog never got a chance to check most of the baggage aboard Flight 182 because it took off before he arrived.

-(at)Former Burns Security guard Daniel Lalonde, who says Air India's security chief John D'Souza appeared anxious to get the plane off the ground for economic reasons, even if there hadn't been a full-scale luggage check.

Shore sees the flood of testimony as a kind of psychological cleansing for many of the witnesses.

"There was no place (until now) to unload the information that had been obviously sitting on these people's minds for so long. People had to clear their conscience but there wasn't an opportunity to do so."

He's hoping the trend will continue this week as the focus shifts to surveillance carried out by the Canadian Security Intelligence Service on Sikh militants in the months preceding the June 1985 attack.

It's known that CSIS had wiretapped most of the key suspects and had many of them under physical surveillance as well. The question has always been why nobody managed to piece the puzzle together in time to head off the bombing.

Mark Freiman, chief counsel to the inquiry, has not only welcomed the unexpected volunteers who have come knocking at his door to date, but has issued a public appeal for more.

"We are continuing to hear from people who are coming forward," said Freiman. "This is one of the benefits of a public inquiry . . . I encourage people who have relevant information to contact the commission."

It's a far cry from the course Major charted when he started his work. He thought then that most of the facts were long since on the public record, and his main task would be to draw lessons from them for future anti-terrorism policy.

From: "Dickerson, Ken" <kdickerson@majorcomm.ca>
Date: June 12, 2007 12:27:10 PM PDT
To: "John Barry Smith" <barry@johnbarrysmith.com>
Subject: **RE: Smith Submission 20: Show Trial. (Help to get subpoena to Air Canada)**

Mr. Smith,

I have forwarded your submission number 20 ["Smith Submission 20: Show Trial. (Help to get subpoena to Air Canada)"] to the recipients you listed.

I have also referred your e-mail to Commission Counsel, as it was addressed to Lead Counsel Mark Freiman.

Your submissions have all been filed with the Registrar in the permanent record of the Commission, and as such are available to the Commission's research staff.

Thank you,

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

From: John Barry Smith [mailto:barry@johnbarrysmith.com]
Sent: Wednesday, May 30, 2007 3:07 PM
To: Dickerson, Ken; Tansey, Michael
Subject: Smith Submission 20: Show Trial. (Help to get subpoena to Air Canada)

Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182

Michael Tansey,
Spokesperson

Ken Dickerson

Public Affairs Officer/Agent des affaires publique

Dear Mr. Dickerson and Mr. Tansey, Wednesday, May 30, 2007

"You're free, Mr. Smith, as you probably know, to add to your filed material should you choose."

As given permission by the Commissioner to submit material: Enclosed below is Smith Submission 20: Show Trial. Filed Wednesday, May 30, 2007

(Help provided in Submission 20 to procure subpoena to Air Canada to testify before the Commission)

Smith Submission 1, Grievous Error of Fact Detected, Filed 28 July, 2006.

(Please correct Commission website.)

Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006 (Please grant me standing.)

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Regards,

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Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182
Honourable John C. Major, Q.C. Commissioner
Sheila-Marie Cook, Executive Director and Commission Secretary
Mark J. Freiman, Commission's Lead Counsel
Michel Dorval, Commission's Co-Counsel
Ken Dickerson, Public Affairs Officer/Agent des affaires publiques
Michael Tansey, Commission Spokesperson
Dear Commissioner Major and specifically Mr. Mark J. Freiman, Wednesday,
May 30, 2007

"We are continuing to hear from people who are coming forward," said Freiman. "This is one of the benefits of a public inquiry . . . I encourage people who have relevant information to contact the commission."

Thank you, Mr. Freiman, for your most polite response to my offer to testify before the Commission in response to your request for public citizens with knowledge of Air India Flight 182 to come forward. (Scanned letter below)

I read that you coordinate evidence and testimony to be presented to the Commissioner in order to fulfill the Inquiry's mandate. Fine. I qualify to offer testimony to the Commissioner to fulfill the Inquiry's mandate. I repeat my offer to provide relevant information about Air India Flight 182 to you.

You state that matters I could assist with are covered by other evidence that is already available to the Commission. You mean someone else has provided you with an alternative explanation for the tragedy of Air India Flight 182? Who? And what evidence? You appear to state that because of this anonymous 'other evidence' my presence is not required. I do not believe you have 'other evidence' which covers 'other matters' because it's obvious that my previous submissions have not been considered by your research staff as I have received no inquiries as one would expect for a complex mechanical explanation for a controversial airplane accident.

It seems to me that if you listen to an airport 'cleaner' about his opinions about the causes of the crash of Air India Flight 182, you should be able to hear from an aviation professional who has been in a fatal jet crash, has been investigated by the RCMP Air India Task Force, who has written extensively about the event, and offers data, facts, and evidence to support an explanation which exonerates the RCMP, the CSIS, and Crown prosecutors for failing to secure convictions, and event which precipitated the formation of the Commission.

My mechanical wiring/cargo door explanation for Air India Flight 182 does the following:

RCMP vindicated. Ghosts, no criminals.

CSIS vindicated. Ghosts, no criminals.

Justice Josephson vindicated, correct verdict.

Canadian justice system correct in acquittal and appeals.

Commission of Inquiry Harper correct, open inquiry.

CASB correct, no bomb, unknown cause was correct for 1986.

Less hate amongst citizens. Not trying to kill each other.

Safer planes sell better, cargo doors fixed.

Better economy for Canadians, more planes sold in Seattle, near Vancouver.

Safer for Canadian flying public, less crashes.

Trust in government increased, proof that it is trying for public safety.
Airline vindicated. Not their fault.
Airports at Vancouver, Montreal, Toronto vindicated, no bombs through security.
Security services at airports vindicated. No terrorists slipped through.

As an attorney, Mr. Freiman, I'm sure you understand the adversary style of the law to determine the best account of events. You also understand the fairness of a Crown justice system that allows both sides of an issue to clearly present differing opinions using rules of evidence and established procedures. A prosecutor is not obligated to present evidence that helps the defence counsel and vice versa but both get a chance in front of the judge and jury and the public to present their opinions, as wacky as they may be.

You are not being fair, Mr. Freiman. Your prosecution, errrr...I mean, presentation of providing testimony to support the bomb explanation seems to be going well, sort of. You listen to cabin cleaners, reject offers from someone who knows more about Air India Flight 182 than most, and then get rejected by Air Canada. You have very loose standards for someone to offer testimony when it comes to supporting your prosecution but very tight standards when rejecting anyone who offers a contrary point of view. You are not conducting an Inquiry (sic) but a show trial. You ask me no questions but tell me to sit down long before my allotted fifteen minutes was up. Even when the rules allow some sparse minutes to an opposing side you violate procedures. Is that why you became an attorney at an Inquiry (sic), Mr. Freiman, to stack the cards, to fix the deck? Does it feel free to finally be able to project a point of view without the pesky restrictions of a court of law?

My position is the cause of Air India Flight 182 is a common cause, mechanical, which has happened since in an irrefutable matching accident, United Airlines Flight 811. My loyal position supports the Crown aviation crash experts and a Justice verdict.

Your position is that of a very very rare cause, a bomb involving conspiracy, perjury, and shootouts.

Your position causes sectarian hatreds among Canadian citizens to continue, it causes distrust of the public towards its police agencies, it instills fear in the flying public of the ability of the security and the airport to protect them from terrorists, it casts doubt on the judicial system represented by Justice Josephson with his verdict of acquittals, and it undercuts the credibility of Canadians in their aviation experts in the CASB who never concluded the cause was a bomb explosion even under intense pressure to do so.

There is a name for propaganda that undermines the public confidence in its

governmental institutions: Subversive.

What are you afraid of? What is so revolutionary in the wiring/cargo door explanation that impels you to violate rules of fairness and objectivity which your profession reveres and which I assume you believe you are a valued member of that fraternity?

I realize, Mr. Freiman, you are only doing the bidding of your client. Could you please persuade the Commissioner to be fair, respect science, and contribute to the peace of the citizenry by considering a common cause for airplane accidents and thus for Air India Flight 182?

I'm off in a week and a half to do further research in Scotland on Pan Am Flight 103 and then to Amsterdam to do research on El Al 1862, two more early model Boeing 747s that crashed under controversial circumstances. I see you've extended the Commission public hearings from the original schedule. I will be glad to testify when I get back from Europe on July 8th should you reconsider and grant my offer to provide an alternative, non conspiracy, mechanical explanation with precedent for Air India Flight 182, the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation.

By the way, you wish to hear testimony from Air Canada...well, sir, to help your cause for subpoena, Air Canada has a direct link to the Narita bombing event and to Air India Flight 182. CP Air 003 flew the alleged bomb from Vancouver to Narita. CP Air 060 flew the alleged bomb from Vancouver to Toronto to be loaded about Air India Flight 182. Canadian Pacific Air merged into Air Canada. Air Canada has the documents it inherited which would describe aviation safety in the time period you are interested in, 1985 and the present.

Article: In 1987, due to sporadic profits in the 1980s, CP decided to sell its airline to Pacific Western Airlines for \$300 million and assume the airline's debt of \$600 million. In April of 1987, PWA announced the new name of the merged airlines: Canadian Airlines International. In 2000 Canadian Airlines merged into Air Canada.

Thank you again for your polite response to my offer to present relevant testimony about Air India Flight 182.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552

1 831 241 0631 Cell
barry@johnbarrysmith.com
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Smith Submission 20: Show Trial. Filed Wednesday, May 30, 2007

Major slams Air Canada at Air India inquiry
Kim Bolan, CanWest News Service
Published: Wednesday, May 30, 2007

Air India commissioner John Major slammed Canada's largest airline Wednesday for refusing to participate in the inquiry into the bombing of Flight 182 in June 1985.

Major said it is Air Canada's "duty" to give evidence at the judicial inquiry and that he will issue subpoenas for senior officers if they do not cooperate.

Major was reacting after inquiry lawyer Brian Gover informed him that Air Canada had sent an email declining to send a witness to the inquiry.
Air India inquiry commissioner justice John Major.
Air India inquiry commissioner justice John Major.

The email, from a senior Air Canada lawyer, said: "We must advise that after consideration we will not be able to testify at the inquiry on the topics identified."

Major said it is surprising that the country's flag carrier has declined to participate in the work of the commission.

"That response to your request is unusual. Their attendance provides them and us with an opportunity to hear from Canada's largest airline which in turn would reassure its customers that safety is an important issue for the airline and the public they serve," Major said.

"Air Canada is our largest airline and one of the world's oldest and largest. It might be able to make recommendations. It should be able to make recommendations on improving air safety for travelers, for baggage and for other ancillary matters related to safety in the air and to confirm its observation of the rules and regulations."

Major said Air Canada should change its position quickly or it will have no choice.

"This subpoena can be avoided by Air Canada designating a representative knowledgeable in aviation safety to appear at this inquiry at a time of the inquiry's choosing," Major said.

The inquiry into the June 23, 1985 Air India bombing is now looking at the issue of airport security in Canada after a month reviewing the police response to the terrorist threat posed by Sikh extremists before the plot unfolded.

The inquiry was called in 2006 after renewed demands of victims' relatives after the March 2005 acquittals of two B.C. Sikh separatists. A third man, Inderjit Singh Reyat, pleaded guilty to manslaughter for his role in the bombing, which killed 329 people, mostly Canadian.

Vancouver Sun

From: John Barry Smith <barry@johnbarrysmith.com>

Date: July 7, 2007 4:37:03 PM PDT

To: kdickerson@majorcomm.ca

Subject: Smith Submission 21: Fairness, Prosecution, and Inquiry. Filed Saturday, July 7, 2007

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Michael Tansey,

Spokesperson

Ken Dickerson

Public Affairs Officer/Agent des affaires publique

Dear Mr. Dickerson and Mr. Tansey,
2007

Saturday, July 7,

"You're free, Mr. Smith, as you probably know, to add to your filed material should you choose."

As given permission by the Commissioner to submit material:
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and Inquiry. Filed Saturday, July 7, 2007

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Smith Submission 21: Fairness, Prosecution, and Inquiry. Filed Saturday, July 7, 2007

Regards,

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Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Honourable John C. Major, Q.C. Commissioner

Sheila-Marie Cook, Executive Director and Commission
Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

Ken Dickerson, Public Affairs Officer/Agent des affaires
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Roger Bilodeau

Legal Counsel

Francis Barragan

Nadine Blum

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Geneviðve Coutl/e

Teja Rachamalla

Louis S/v/no

Marisa Victor

Legal Coordinator

Yolanda Saito

Smith Submission 21: Fairness, Prosecution, and Inquiry.

Dear Commissioner Major and specifically Mr. Michel Dorval
and Legal Staff,

Saturday, July 7, 2007

Thank you, Mr. Dorval, for your polite letter of June 12, 2007, in which you politely state you do not anticipate that you will require my testimony. You also state you have received my Submissions, 1-20, which are available to Commission Staff and the public. Well, good; polite letters keep professional disagreements civil and productive. I shall endeavor to do the same.

The sticking point that jabs in my throat is that the Commission of Inquiry is not supposed to be a Commission of Prosecution of the Investigators of Air India Flight 182 but is ordered by the Prime Minister to be an Inquiry not a prosecution. You, sir, as a former prosecutor with a hammer of justice see Air India Flight 182 as a nail of crime. It's not. Air India Flight 182 was a machine reacting to physical laws of nature not to human whims of evil. One of the thousands of parts of that machine failed, a part failure happens every day to millions of machines with varying degrees of consequence.

A good start for an Inquiry would be: "Establish cause of death of victim." If a man is found dead on a sidewalk and a policeman said he was shot in head and a physician says he had a heart attack, who do you defer to? Do you require more evidence and opinion? Of course you do but what you don't do is to reject the physician's opinion and accept the policeman's opinion without question.

The next step is to consider the statistical history of the victim, in this case an early model Boeing 747.

1. Consider a mechanical problem, the usual problem in plane crashes, happened to Air India Flight 182 until ruled out.
2. Evaluate a precedent such as United Airlines Flight 811 for Air India Flight 182 until the match is ruled out.
3. Respect the opinion of Crown aircraft accident investigators before deferring to laymen in the press, police forces, or court system for their improbable and rare conspiracy explanation.
4. Consider very rare events such as a bomb explosion plotted by conspirators caused Air India Flight 182 only after the normal, usual, probable causes of mechanical failure, pilot error, or weather have been ruled out.
5. Trust unpleasant science reality before pleasing myth when seeking an explanation for machine crashes.

If you were prosecuting the bombing explanation in a fair trial, then you, as representing the government and law, would have to provide time for a defense against that accusation. You refuse. I ask for that time to rebut your assertion Air India Flight 182 suffered a bomb explosion and also provide you with a plausible alternative supported with precedent.

If an Inquiry, you would consider all explanations, especially those presented with facts and precedent. You refuse. I ask you to consider a reasonable explanation supported by hard evidence of twisted metal and recorders.

You have the best of both unfair worlds, Mr. Dorval, prosecution without rebuttal and inquiry without inquiring. And that is not fair. The law as written is fair, always allowing one side to rebut the other and vice versa. It's in the implementation of fairly written law that the system breaks down and injustice occurs.

Allow me the opportunity to rebut your bombing prosecution for Air India Flight 182. Allow me to answer questions to your inquiries as to the cause of the airplane crash. Those two actions by you would be fair.

As is my wont, I did some research:

The main participants are:

The Commissioner - The Honourable John C. Major

Commission Counsel - lawyers appointed by the Commissioner to assist him and to represent the interests of the Canadian public during the course of the Inquiry.

Witnesses - individuals who provide oral testimony.

Individuals and organizations with standing - usually represented by their own lawyers.

The lead counsel in the inquiry is Mark Freiman, a Toronto attorney and former deputy attorney general of Ontario.

Michel Dorval, a former Crown prosecutor for the attorney general of Quebec, will be co-counsel.

Mr. Dorval, do you believe you are representing the interests of the Canadian public during the course of the Inquiry by rejecting alternatives to the bomb explanation by refusing to grant me standing? My explanation slightly defuses the public hysteria about terrorism and it reveals mechanical problems which can be fixed. My research shows the Canadian flying public is at risk from another mechanical repeat of the cause that brought down Air India Flight 182, faulty wiring causing a forward cargo door to rupture open in flight causing an explosive decompression which mimics a bomb explosion.

Does fairness mean anything to you? It must since you have devoted your life to it. It does to me. In my Navy squadron I was the Legal Officer and as such acted in the capacity of Trial

Counsel, Defense Counsel, and Administrative Officer in various judicial events. I learned to be fair as I sometimes represented the Commanding Officer and sometimes the accused.

That is why in my SmithAAR for Air India Flight 182 I have evaluated all possible causes such as missile, bomb, lightning, cargo shift, center fuel tank explosion, and electrical. The Commission was given the hard copy of that AAR in person by me after my unfair abbreviated three minute presentation to achieve standing in July, 2006.

Where is the stereotypical Canadian caution, calmness and objectivity? It was present in 1986 in the CASB AAR. Today it is the government who is being hysterical like the weirdos claiming conspiracy everywhere. I'm not a conspiracy guy unlike most nowadays. It seems to me that everyone involved in Air India Flight 182 is acting independently in their own perceived best interests...and they are wrong. There are no conspiracies; there are machines with parts failures and persons who wish that it were not so and thus do not go down that investigative path when the easy pleasing path of blame shifting is available and encouraged.

I say the Canadian justice system got it right by acquitting the accused, they were not guilty, Justice Josephson was correct. I say the Mounties did not get a prosecution because no one caused the crash of Air India Flight 182. I say the Canadian aviation experts were correct by not concluding a bomb caused the crash. I am the calm, persistent fellow who uses facts and evidence to support conclusions which are based on normal causes for airplane crashes, mechanical, pilot error, and weather. The government is the one using unfair tactics and lies to support a very rare cause for a crash which is also disruptive to public

order and trust. I understand your zeal. Mr. Dorval, and that of your staff and the Commissioner, we all hate killers of innocent people but first establish a crime before looking for the perpetrators. Air India Flight 182 has not been established as a crime by the accident investigators, only by those that wish it to be a crime; the police, the media, defence counsel, and former prosecutors such as yourself and fellow counsel.

You are being unfair and you know it. You allow a serious error to be broadcast for a year in your website; "Yet, it was not until the following January that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb." That is a knowing false statement. The Canadian Aviation Safety Board did not conclude that the destruction of this aircraft was caused by a bomb although you say it did. You also allow that error as stated by the Prime Minister to continue without correction. If your website Opening Statement were under oath, that assertion would be perjury. Bad website, bad website.

You do not need to lie to support the bombing explanation for Air India Flight 182, you have the Vancouver Sun, the Globe and Mail, the Mounties, the acquitted defendants, prosecutors and millions of citizens to agree with you.

But you don't have the people with you who know best why airplanes crash. The Crown officials who dispute you are the actual few who know why airplanes break up in flight and specifically Air India Flight 182: The CASB and the UK AAIB officials, both of whom did not conclude it was a bomb although under intense pressure to say so. And me, an independent investigator. I know why airplanes fly and why they don't. I've been in a sudden fatal fiery jet airplane crash, I've been

investigated by the Air India Task Force, and I've written hundreds of pages on the Air India Flight 182 event. And yet you encourage the public testimony of a man who cleans toilets and seats of airplanes thus giving credibility and stature to his opinions while rejecting someone who knows more about a Boeing 747 called Air India Flight 182 than anyone you've heard from. You are prosecuting, not inquiring. You are not allowing rebuttal to your unsupported assertions of bombs in airliners (Air India Flight 182, CP Air Flight 60, and CP 003) and lapses in security that permitted them to be placed. You are not being fair. (You do realize you are asserting bombs in Flights 60 and 003, right?)

If you believe that airplane crashes are too technical for you to understand (they are not), then rely on the crash experts, not the news media or the police. The experts did not conclude it was a bomb. Period. That is indisputable. One expert even ruled a bomb explosion out based on hard evidence in the cockpit voice recorder, the only direct evidence and the best. He was correct. The benefit of hindsight now makes it clear the cause of that explosion, faulty wiring. Wonderful hindsight was not available in 1985 to the CASB or the Kirpal Investigators but is available to me and I used it. I analyzed the evidence that has come to light since 1985 and applied it to the world we live in today.

Article excerpt about the formation of your Inquiry: "The demand gained force after it was backed by former Ontario premier Bob Rae, who led a federal review that concluded in late 2005 that there should be an administrative inquiry, not a public one, which would not have the power of subpoena. The Liberal government accepted that recommendation in November 2005. After the Conservatives took power, however, Harper called a full, public judicial inquiry. When Harper called the inquiry, he

said: "This inquiry is not a matter of reprisal, nor is it intended to go back over the criminal trial. It is about finding answers to several key questions about the worst mass murder in Canadian history."

Mr. Dorval, 'finding answers' is not done by rejecting alternative explanations when those explanations are supported by aviation accident experts and supported by precedent. You are not implementing the Prime Minister Harper's wishes....although the Attorney General and the Prime Minister may in fact be telling you to stifle any non-bomb talk in back room conversations. But that is conspiracy nonsense and I would choose to believe the Prime Minister and Commissioner Major at face value when they state they want an open, complete and thorough Inquiry to answer questions.

I am replying to you today several weeks after your 12 June letter because I have just returned from three weeks in Europe where I researched Pan Am Flight 103 by going to the Lockerbie crash site and plotting where the actual pieces of wreckage landed from that inflight breakup of the early model Boeing 747 that created a sudden loud sound on the CVR followed by an abrupt power cut to the flight data recorder, just like Air India Flight 182, United Airlines Flight 811, and TWA Flight 800. Yes, I'm saying Pan Am Flight 103 was also not a bomb explosion but the same cause as Air India Flight 182 and the irrefutable electrical cause of United Airlines Flight 811.

The Scottish Criminal Courts Review Commission has just recently issued a news release (attached at end of this Submission) in which they refer back for retrial the conviction of the only person convicted in the 'bombing.' They say the conviction was a possible miscarriage of justice. As someone

who has said for ten years there was no bombing and thus no criminals for Air India Flight 182 and Pan Am Flight 103, the decision was a partial vindication for me.

Of interest to me is the broad and complete investigative techniques of the Boeing 747 crash of Pan Am Flight 103 the Commission pursued when considering the verdict.

From the SCCRC Commission: "We are neither pro-Crown nor pro-defence. Our role is to examine the grounds of review identified, either by the applicant, a third party or by our own investigations, and to decide whether any of the grounds meet our statutory test. I am satisfied that the Commission has vigorously and independently scrutinised the many grounds of review in this particular application, and has now produced a lengthy and detailed statement of reasons which I believe comprehensively deals with all of the issues raised."

The Commission for Pan Am Flight 103 did what the Prime Minister said the Commission for Air India Flight 182 was going to do:

Speech - Prime Minister Harper announces inquiry into Air India bombing Ottawa, Ontario

"Thank you Mr. Speaker. On June 23, 1985, Air India Flight 182, on its way from Montreal to London, England, exploded in mid-air near the coast of Ireland.

In January of the following year, the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb.

It is our duty as Canadians to do everything in our power to prevent a similar tragedy from ever happening again,

A full public inquiry is required.

This inquiry will be launched immediately and led by an

outstanding Canadian, retired Supreme Court Justice John Major. He has agreed to serve as Commissioner for this inquiry and I have every confidence that he will conduct a thorough and compassionate investigation into the events surrounding this tragedy.

This inquiry is about analyzing the evidence that has come to light since 1985 and applying it to the world we live in today."

Mr. Dorval, your Commission of Inquiry is not doing what it said it was going to do. That's not fair. The Commission of Inquiry is not examining grounds for review submitted by a third party or permitting that person to testify although clearly within the terms of reference. (I was personally investigated by a member of the Air India Task Force, who else have you interviewed who has actually been investigated? You say you are investigating into Crown agency activities but refuse to listen to someone who has actually been there.)

Well, the comparison is clear, one Crown Commission being fair, objective, comprehensive and the other Crown Commission being narrow minded, unfair, biased, and politically oriented.

Why not, Mr. Dorval, trust the Canadian justice system that usually gets it right, the accused for Air India Flight 182 were not guilty?

Why not, Mr. Dorval, trust the Crown aviation accident investigators who usually get it right, there was no bomb explosion in Air India Flight 182?

Why not believe in the rarest of causes for an airplane crash, a bomb, only after ruling out the usual, normal, mundane causes (mechanical failure, pilot error, or bad weather) that have

statistics and precedent on their side?

Why not trust in science first for machine crashes instead of human motives such as revenge?

Why not ask TSB Canada for an updated AAR to Air India Flight 182 based on the subsequent twenty years of accumulated knowledge of several similar Boeing 747 accidents that have come to light?

Why not do what the Prime Minister and Commissioner Major said they were going to do, conduct an open, thorough public, inquiry?

Why not be fair? Why not inquire?

Regards,

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Smith Submission 1, Grievous Error of Fact Detected, Filed 28 July, 2006. (Please correct Commission website.)

Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006 (Please grant me standing.)

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Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr.

Davis reported as follows :- "It is considered that from the CVR and

ATC recordings supplied for analysis, there is no evidence of a high

explosive device having detonated on AI 182. There is strong evidence

to suggest that a sudden explosive decompression occurred but the

cause has not been identified. It must be concluded that without positive evidence of an explosive device from either the wreckage or

pathological examinations, some other cause has to be established for the accident".

From the Commission website: "Opening Statement" June 21,

2006, Background,

"In announcing the launch of this Inquiry, the Prime Minister, the Right Honourable Stephen Harper, stated that a public inquiry is the only route left to obtaining answers to how the tragedy of June 23, 1985 occurred when Air India Flight 182 exploded over the Atlantic Ocean."

"Opening Statement" June 21, 2006, Background,

"Yet, it was not until the following January that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb."

Not so. Absolutely incorrect. Terribly misleading. The Canadian Aviation Safety Board made no such conclusion. The below is the actual conclusion in 4.1.5.

Aviation Occurrence Report of the Canadian Aviation Safety Board for Air India Flight 182 of January 22, 1986

"4.0 CONCLUSIONS

The Canadian Aviation Safety Board respectfully submits as follows:

4.1 Cause-Related Findings

1. At 0714 GMT, 23 June 1985, and without warning, Air India Flight 182 was subjected to a sudden event at an altitude of 31,000 feet resulting in its crash into the sea and the death of all on board.
2. The forward and aft cargo compartments ruptured before water impact.
3. The section aft of the wings of the aircraft separated from the forward portion before water impact.
4. There is no evidence to indicate that structural failure of the aircraft was the lead event in this occurrence.
5. There is considerable circumstantial and other evidence to

indicate that the initial event was an explosion occurring in the forward cargo compartment. This evidence is not conclusive. However, the evidence does not support any other conclusion."

From the SCCRC report:

26. The Commissioner may receive any evidence or information which he considers to be helpful in fulfilling his mandate whether or not such evidence or information would be admissible in court.

NEWS RELEASE

ABDELBASET ALI MOHMED AL MEGRAHI

28 June 2007

The Scottish Criminal Cases Review Commission (the Commission) has today referred the case of Abdelbaset Ali Mohmed Al Megrahi (the applicant) to the High Court of Justiciary. As a result of the Commission's decision the applicant is entitled to a further appeal against his conviction for the murder of 270 people who died following the bombing of Pam Am flight 103 over Lockerbie, Scotland on 21 December 1988.

In accordance with the Commission's statutory obligations, a statement of the reasons for its decision has been sent to the High Court, the applicant, his solicitor, and Crown Office. The Commission has no power under statute to make copies of its statements of reasons available to the public. However, given the worldwide interest in this case, and the fact that there has been a great deal of press and media speculation as to the nature of the grounds of review, the Commission has decided to provide a fuller news release than normal. Accordingly, a brief summary of some of the Commission's main findings in the case is given below.

As the full statement of reasons extends to over 800 pages and is

accompanied by a further thirteen volumes of appendices it is not possible to reflect the detail or complexity of the issues that have been addressed by the Commission. This news release is intended therefore merely to assist in an understanding of the nature of the Commission's main investigations and findings and does not form part of its decision in the case. Announcing the decision today, the Chairman of the Commission the Very Rev. Dr Graham Forbes CBE said: - "The Commission has a very special role within the Scottish Criminal Justice system, and has been given extensive statutory powers to enable it to carry out this role. The function of the Commission is not to decide upon the guilt or innocence of an applicant. We are neither pro-Crown nor pro-defence. Our role is to examine the grounds of review identified, either by the applicant, a third party or by our own investigations, and to decide whether any of the grounds meet our statutory test. I am satisfied that the Commission has vigorously and independently scrutinised the many grounds of review in this particular application, and has now produced a lengthy and detailed statement of reasons which I believe comprehensively deals with all of the issues raised."

Provost Forbes continued:- "It would have been impossible for us to have completed our investigation without the cooperation of other public and government bodies both at home and abroad, and we readily acknowledge this help. I would emphasise however that neither Scottish Ministers nor the Scottish Executive Justice Department, nor for that matter any other official body, has at any time sought to influence or interfere in the Commission's investigations; and all requests for appropriate grant aid to enable a full and comprehensive investigation and review have been properly met, without question.

This has been a difficult case to deal with. The Commission's enquiry team have worked tirelessly for over three years. Some

of what we have discovered may imply innocence; some of what we have discovered may imply guilt. However, such matters are for a court to decide. The Commission is of the view, based upon our lengthy investigations, the new evidence we have found and other evidence which was not before the trial court that the applicant may have suffered a miscarriage of justice. The place for that matter to be determined is in the appeal court, to which we now refer the case. Ó Gerard Sinclair, the Chief Executive of the Commission said today: - ÒThis has clearly been a unique case for the Commission in many ways, not least, in terms of the universal press and media interest. It has certainly been the longest, the most expensive and singularly most complex case we have had to investigate and review. I am pleased that after a full and thorough investigation we are now able to produce our statement of reasons. It has been difficult at times to ignore, and to refrain from commenting upon, the almost constant speculation regarding this review, much of which I have to say has been either inaccurate or simply incorrect. I hope however that the comprehensive statement of reasons which the Commission has now produced for the parties will answer the many questions which have been raised over the last 3 years. The Commission's involvement in the case is now at an end. It is a matter entirely for those representing the Crown and the defence at any future appeal to decide whether they wish to rely upon the conclusions reached by the Commission, or develop arguments of their own. Thereafter, it will be for the appeal court to decide whether there has been a miscarriage of justice in this case. Ó

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1.0 Background

1.1 On 31 January 2001, following a trial at the High Court of Justiciary sitting in the Netherlands (Òthe trial courtÓ), the applicant, a Libyan national, was convicted by three Scottish judges of murdering those who died as a result of the bombing of

PA103. A co-accused, Al Amin Khalifa Fhimah, also a Libyan, was found not guilty. The applicant's appeal against conviction was rejected by the High Court on 14 March 2002. Although appeals by both the Crown and the applicant in relation to the sentence are still ongoing, those proceedings are entirely separate from the Commission's role in the case which concerned only the conviction.

2.0 The Review

2.1 The applicant applied to the Commission for a review of his conviction on 23 September 2003. The application, which comprised 16 separate volumes of submissions and supporting materials, contained numerous grounds on which it was argued the case should be referred to the High Court. In February 2004 the Commission allocated the case to an investigative team consisting of a senior legal officer (Robin Johnston) and two legal officers (Andrew Beadsworth and Gordon Newall). An additional legal officer (Michael Walker) was involved in the case on a part time basis. 2.2 Throughout 2004 the firm of solicitors representing the applicant at that time lodged with the Commission a further five sets of submissions, the contents of which significantly broadened the scope of the initial application. The Commission also received and considered numerous submissions from other parties.

2.3 Correspondence was also received from the relatives of some of the victims who enquired mainly as to progress in the investigation. 2.4 During its investigation of the case the Commission had access to a wide range of materials including the following: ¥ the transcript of the evidence and submissions at trial; ¥ the Crown and defence productions at trial; ¥ all witness statements obtained by the police during its investigation including an electronic database of over 15,000 such statements; ¥ copies of all witness statements obtained by the Crown in preparation for the trial;

¥ the correspondence files prepared by the firm of solicitors which acted for the applicant at trial and in his appeal against conviction, and copies of all witness statements obtained by them from witnesses based in the United Kingdom;

¥ an electronic database consisting of all information held on the case by the firm of solicitors which acted for co-accused at trial.

4

2.5 As the custodians of much of the evidence in the case, Dumfries & Galloway Police were the Commission's principal source of additional information, receiving over 200 separate written requests for information from the Commission. In addition numerous visits were made to Dumfries police office where members of the enquiry team were given access to material held there. The Commission's enquiry team was also given access to materials held by the Forensic Explosives Laboratory at Fort Halstead, Kent, which dealt with the forensic examination of items during the police investigation. A substantial amount of information was also obtained from other agencies including Crown Office and the Security Service. 2.6 The Commission's further enquiries were wide-ranging and took place in the United Kingdom, Malta, Libya and Italy from 2004 onwards. As well as examining the information provided to it, the Commission interviewed a further 45 witnesses, including the applicant and his co accused Mr Fhimah. Many of these interviews were conducted over several days and a number of the witnesses required to be seen on more than one occasion. Enquiries in Malta and Italy also involved the recovery of official records from various bodies. 2.7 As the Commission's statutory powers do not extend beyond Scotland, some difficulties were encountered where witnesses living in other countries refused to be interviewed. In the majority of cases these difficulties were resolved through discussions with the individuals concerned, but in respect of several witnesses living in Malta this was not

possible. Accordingly at an early stage of the review an approach was made to the Attorney General of Malta to establish whether the Commission could make use of the provisions of Maltese law to obtain statements from the witnesses concerned. The Commission was advised by the Attorney General that in order to do so a written agreement between the United Kingdom and Malta would be required. Following a meeting with the Foreign and Commonwealth Office (ÒFCOÓ), in July 2005 the Commission drafted and sent such an agreement to the FCO which thereafter forwarded it to the Maltese authorities. After lengthy negotiations the agreement was signed by the United Kingdom and Maltese authorities in June 2006. The witnesses in question were interviewed by the Commission's enquiry team in August of that year. 2.8 The Commission continued to interview witnesses and examine productions during 2006 and 2007, and concluded its investigations in April 2007. Between the initial submissions and the additional submissions received during the course of the review, the Commission identified a total of 48 principal grounds for consideration and review by the Commission. In addition, as a result of our own investigations the Commission identified some further potential grounds of review. Many of the original grounds were the subject of numerous separate submissions and allegations submitted over many hundreds of pages. In relation to 45 of the original 48 grounds identified, the Commission has concluded that it does not believe that a miscarriage of justice has occurred. Of the remaining grounds, some of which resulted from the Commission's own investigations, the Commission has identified 6 grounds where it believes that a miscarriage of justice may have occurred and that it is in the interests of justice to refer the matter to the court of appeal.

3.0 The evidence at trial

3.1 In order to understand the Commission's findings in the case it is helpful to summarise the evidence on which the applicant's conviction is based.

3.2 The trial court found that the bomb which destroyed PA103 was contained within a Toshiba RT-SF16 radio cassette player which had been placed inside a brown hardshell Samsonite suitcase (known as 'the primary suitcase'). Also established to have been inside the primary suitcase were twelve items of clothing and an umbrella, a number of which were traced to a shop called Mary's House in Sliema, Malta. When interviewed by the police, the proprietor of Mary's House, Anthony Gauci, recalled selling many of the items to a man he described as Libyan.

3.3 It was established that the bomb had been triggered by a digital timer known as an MST-13 which was manufactured by a firm based in Switzerland named MEBO. The trial court accepted the evidence given by one of the partners in that firm, Edwin Bollier, that in 1985 and 1986 he had supplied 20 sample MST-13 timers to Libya.

3.4 The trial court also found that the primary suitcase had been placed on board Air Malta flight KM180 from Malta to Frankfurt where it was transferred via the baggage system to Pam Am flight 103A ('PA103A') from Frankfurt to Heathrow, and thereafter to PA103 itself.

3.5 The evidence relied upon by the trial court to convict the applicant was as follows:

¥ Anthony Gauci's evidence that the purchaser of the items resembled the applicant 'a lot'.

¥ Evidence from various sources that Mr Gauci sold the items on 7 December 1988, a date on which the applicant was proved to be in Malta staying in a hotel close to Mary's House.

¥ Evidence that on 20-21 December 1988 the applicant was in Malta travelling on a 'coded' passport (i.e. a passport in a false name issued by the Libyan passport authority); and that on 21

December 1988 he was at Luqa airport at a time when baggage for flight KM180 was being checked in.

¥ Evidence that in 1985 the applicant was a member of the Libyan intelligence service (ÒJSOÓ, later named ÒESOÓ) and until January 1987 was head of the airline security section of that organisation. 6

¥ Evidence of the applicant's association with Mr Bollier and with various members of the JSO and Libyan military who purchased MST-13 timers from him.

4.0 Main grounds that were rejected by the Commission 4.1 The following is a summary of some of the Commission's main findings on the grounds of review which were not accepted by the Commission, and accordingly do not form part of the grounds of referral. ¥ In the initial application to the Commission, reference was made to a former police officer who, it was alleged, worked at a senior level in the police investigation and could provide ÒsensitiveÓ information about the case. A number of the allegations made on behalf of the applicant were based on information apparently provided by this witness. The true identity of the witness was not disclosed in the application; instead, a pseudonym, Òthe GolferÓ, was used. The Commission's enquiry team interviewed the Golfer, a former detective sergeant, on three separate occasions during which he made a number of allegations concerning the conduct of the police investigation. As a result of its enquiries the Commission is satisfied that the Golfer was involved in the police investigation into the bombing of PA103. However, there was a vast array of inconsistencies and contradictions between, and sometimes within, his statements to the Commission. There were also inconsistencies between what he told the Commission and what the submissions alleged he had told the applicant's former legal representatives. In addition the Commission considered some of his allegations to be implausible when considered

alongside other evidence in the case, and unsupported or refuted when viewed in the context of the Commission's other findings (see below). In light of this the Commission has serious misgivings as to the credibility and reliability of this witness and was not prepared to accept his allegations.

¥ Many of the initial and additional submissions received on behalf of the applicant sought to challenge the origin of various items which the trial court accepted were within the primary suitcase. The items in question consisted of a Slalom-make shirt, a pair of Yorkie-make trousers, a babygro and the instruction manual relating to the Toshiba radio cassette player used to conceal the explosive device. To some extent the submissions were based upon allegations said to have been made by the Golfer. Underlying each of them was a suspicion about the conduct of the investigating authorities who, it was alleged, had manipulated, altered or fabricated statements, productions and other records in order to make out a case against the applicant. The Commission conducted extensive investigations into each of the allegations and is satisfied there is no proper basis for any of them. The allegations were further undermined by records recovered by the Commission from the Forensic Explosives Laboratory. 7

¥ The additional submissions also sought to cast doubt on the origin of a fragment of circuit board recovered by forensic scientists which the trial court accepted had been part of the MST-13 timer that triggered the bomb. Underlying those submissions was the allegation that evidence of the timer fragment had been fabricated in order to implicate Libya in the bombing. The Commission undertook extensive enquiries in this area but found nothing to support that allegation or to undermine the trial court's conclusions in respect of the fragment. ¥ Various materials were submitted to the Commission in connection with the evidence given at trial by Mr Allen Feraday,

one of the forensic scientists involved in the case. It was pointed out that the Court of Appeal in England had overturned a number of convictions which had been based, at least in part, on Mr Feraday's evidence. The Commission examined papers relating to each of the cases and is satisfied that the evidence given by Mr Feraday on those occasions was different in nature from that which he gave at the applicant's trial. Furthermore, Mr Feraday's evidence concerning the origins of the timer fragment was largely supported by experts instructed by the defence prior to the trial.

¶ A substantial number of allegations were made to the Commission regarding the manner in which the applicant was represented by the legal advisers who acted for him at his trial and his appeal against conviction. The allegations were wide-ranging and covered failures to prepare and present the applicant's defence and to advance legal argument on his behalf. As part of its investigations regarding these claims the Commission conducted lengthy interviews with several members of the applicant's former defence team. However, applying the tests which have been set down by the High Court in previous cases dealing with such matters, the Commission did not consider the allegations to be well-founded.

¶ The Commission also investigated claims that a former police officer who was involved in searches of the area around Lockerbie after the crash had found a "CIA badge" but had been told by colleagues that such items were not to be recorded as evidence. As part of its enquiries into this allegation the Commission interviewed the officer concerned. It also took statements from another officer who it was alleged had been present when the badge was found, and from the senior investigating officer at the time. Both of these witnesses disputed the officer's claims and the Commission's other enquiries established nothing that might support the claims. Accordingly

the Commission was not prepared to accept the officer's allegations. ¶ It was also alleged in the submissions that items found at the scene of the crash had been spirited away and that there had been unofficial CIA involvement in the recovery and examination of these. One such item was a suitcase belonging to one of the passengers on PA103, 8 Major Charles McKee. Despite extensive enquiries the Commission found no evidence to suggest that anyone other than Scottish police officers came into contact with Major McKee's suitcase at the scene of the crash. The Commission also found no evidence to support the allegation that a hole had been cut in Major McKee's suitcase in order to gain access to its contents. ¶ Since the time of the bombing numerous allegations have circulated concerning the possible involvement of Khaled Jaafar, a passenger on PA103 who boarded PA103A at Frankfurt. A number of those allegations were repeated in submissions made to the Commission. The results of the Commission's enquiries in this connection provide no support for the claim that Mr Jaafar was involved, wittingly or unwittingly, in the bombing.

5.0 Grounds of referral

5.1 The following is a brief summary of some of the Commission's main findings on the grounds of review which formed the basis of the grounds of referral:

¶ A number of the submissions made on behalf of the applicant challenged the reasonableness of the trial court's verdict, based on the legal test contained in section 106(3)(b) of the Criminal Procedure (Scotland) Act 1995. The Commission rejected the vast majority of those submissions. However, in examining one of the grounds, the Commission formed the view that there is no reasonable basis in the trial court's judgment for its conclusion that the purchase of the items from Mary's House, took place on 7 December 1988. Although it was proved that the applicant was in Malta on several occasions in December 1988, in terms of the

evidence 7 December was the only date on which he would have had the opportunity to purchase the items. The finding as to the date of purchase was therefore important to the trial court's conclusion that the applicant was the purchaser. Likewise, the trial court's conclusion that the applicant was the purchaser was important to the verdict against him. Because of these factors the Commission has reached the view that the requirements of the legal test may be satisfied in the applicant's case. ¶ New evidence not heard at the trial concerned the date on which the Christmas lights were illuminated in the area of Sliema in which Mary's House is situated. In the Commission's view, taken together with Mr Gauci's evidence at trial and the contents of his police statements, this additional evidence indicates that the purchase of the items took place prior to 6 December 1988. In other words, it indicates that the purchase took place at a time when there was no evidence at trial that the applicant was in Malta.

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¶ Additional evidence, not made available to the defence, which indicates that four days prior to the identification parade at which Mr Gauci picked out the applicant, he saw a photograph of the applicant in a magazine article linking him to the bombing. In the Commission's view evidence of Mr Gauci's exposure to this photograph in such close proximity to the parade undermines the reliability of his identification of the applicant at that time and at the trial itself. ¶ Other evidence, not made available to the defence, which the Commission believes may further undermine Mr Gauci's identification of the applicant as the purchaser and the trial court's finding as to the date of purchase.

6.0 Interests of justice test

6.1 Before referring a case to the High Court the Commission must be satisfied not only that a miscarriage of justice may have occurred but also that it is in the interests of justice that a

reference be made. 6.2 In determining whether it was in the interests of justice to refer the case the Commission considered a range of matters. These included the various statements which the applicant gave to his legal representatives before the trial in which he set out his position in respect of the allegations against him. It also included the statements which the applicant gave to the Commission. Although there were a number of inconsistencies and contradictions in these accounts, the Commission did not consider the contents of these statements justified the refusal of the case in the interests of justice. 6.3 The Commission also took into account a letter submitted by Libya to the United Nations Security Council in 2003 in which it accepted "responsibility for the actions of its officials" in the "Lockerbie incident". However, as the Commission did not view the letter as amounting to confirmation by Libya of the applicant's guilt, it did not believe that its terms justified refusing his case in the interests of justice. 6.4 Accordingly, the Commission has now referred the case of the applicant to the High Court of Justiciary.

7.0 Media Speculation over the last 3 years 7.1 The Commission has refrained from commenting publicly upon the many articles and stories which have appeared in the press and media during the time of its review of this case. It is fair to say however that much of the information that has been written about the Commission's investigations has been either inaccurate or incorrect. This can only have been upsetting to many of the parties involved in this matter, including the applicant, witnesses at the trial and the families of the victims. 10

7.2 As recently as within the last week there has been a great deal of media speculation about what is contained within the Commission's statement of reasons, and the reasons for a referral. The Commission is satisfied that the confidentiality of both its enquiries, and the content of its statement of reasons have remained entirely secure during the whole of the review

period, and that there has been no leakage of information from within the organisation. Many of the press reports published during the review have simply involved a repetition of certain of the original defence submissions received by the Commission at the beginning of its review, and which have formed the basis of a large part of the Commission's investigation. As indicated in this release, the Commission has concluded after full and proper investigation that these submissions are unsubstantiated and without merit. In particular the Commission has found no basis for concluding that evidence in the case was fabricated by the police, the Crown, forensic scientists or any other representatives of official bodies or government agencies. 7.3 The Commission hopes that, by providing additional information in its short summary of some of the grounds of review and of the conclusions reached, this will end some of these inaccurate reports. The statement of reasons obviously deals with all of these matters in substantially greater detail.

Other information

8.0 The total cost of reviewing the case to date has been £1,108,536. The majority of costs have been in relation to office accommodation, investigation costs including travel, staff salaries and fees of Board members. The breakdown of cost on an annual basis is as follows: Year Cost

2003-04 £41,000

2004-05 £274,892

2005-06 £361,562

2006-07 £369,785

2007-08 (Anticipated) £61,297

Total £1,108,536

Please note: no further comment will be made by the Commission on the case.

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NOTES FOR EDITORS

When issuing a press release the Commission normally attaches a brief background note on the work of the Commission for the benefit of editors. As this case is likely to attract additional media interest beyond the Scottish media, the Commission has prepared this expanded note, which is provided for your assistance. In addition to the news release, although the Commission will not be giving any interviews regarding its decision, stock video footage of the Commission's offices will be available from BBC Scotland at no cost by contacting the Planning Department, telephone 0141 338 2760, email scottish.planning@bbc.co.uk. You may also wish to note that the Commission's annual report for the year 2006/07 will be published and available on the Commission's website from the beginning of July 2007.

9.0 The Commission

9.1 Background

The Commission is an independent, public body which was established in 1999 by section 194A of the Criminal Procedure (Scotland) Act 1995 as amended. It has responsibility for reviewing alleged miscarriages of justice in Scotland.

Under section 194B of the 1995 Act, the Commission has the power to refer to the High Court of Justiciary any conviction or sentence passed on a person, whether or not an appeal against the conviction or sentence has been heard and determined previously. The consequence of a reference is that the High Court hears an appeal in the case.

Section 194C of the Act provides the statutory test that the Commission must apply in reviewing a case. This test, which is different from the test applied by the CCRC in England, provides that the Commission may refer a case where it believes that:-

(a) a miscarriage of justice may have occurred; and (b) it is in the interests of justice that a reference should be made. N.B. The Commission do not assess whether a conviction is 'unsafe', as this is an English test.

Details of the tests, and how they may be applied, can be found on the Commission's website, www.sccrc.org.uk.

The Commission has a statutory obligation to provide statements of reasons for its decisions. In referral cases the statement of reasons is sent to the High Court, the applicant concerned (and his representatives, if any) and Crown 12

Office. In cases in which the Commission decides not to refer a case, its statement of reasons is sent only to the applicant and any representatives. A decision by the Commission to refer a case to the High Court does not guarantee the success of the subsequent appeal. A reference is simply an indication to the court that a miscarriage of justice may have occurred and that it is in the interests of justice for the court to consider the case. Once a decision is made by the Commission to refer a case its role in the matter is at an end and it is the responsibility of the applicant or his legal representatives to decide upon and formulate the grounds of appeal and thereafter to present the appeal.

In order to assist in its investigation of cases the Commission has the power to apply for an order from the High Court for the production of documents held by a person or public body. In addition, where a witness refuses to provide a statement the Commission may apply to a sheriff for a warrant compelling that person to do so. During 2006-07 the Commission did not require to use either of these powers.

The Commission operates under statutory non-disclosure provisions whereby, subject to certain statutory exceptions, it is a criminal offence for any Member of the Board or employee to disclose information obtained by the Commission in the exercise of any of its functions. The Commission's governing legislation is posted on its website, www.sccrc.org.uk.

9.2 The Review Process

The Board of the Commission is responsible for deciding whether or not cases should be referred to the High Court. All

applications received by the Commission are initially considered by the Chief Executive before a recommendation is made to the Board on whether or not to accept, reject or continue the case for further information. If accepted for full review, the case is allocated to one or more Legal Officers and the investigation process commences in accordance with the Commission's case handling procedures. These procedures are set out in full on the Commission's website, www.sccrc.org.uk. The main focus of reviews carried out by the Commission is the grounds presented by the applicant, although the Commission may investigate cases more widely if it considers this appropriate. If the Commission decides not to refer a case to the High Court, an interim statement of reasons will be issued to the applicant and his representatives. The applicant is then given a period of 21 days in which to submit any further representations to the Commission. Any requests to extend this period will be considered by the Board of the Commission. If no further representations are 13

submitted, a letter will be issued after the 21 day period has expired stating that the Commission has decided finally not to refer the case. If further representations are submitted these are considered by the Commission which may decide to carry out further enquiries. If the Board of the Commission is of the view that no further issues have been raised which cause it to believe that a miscarriage of justice may have occurred then a supplementary statement of reasons is issued. This details any additional enquiries undertaken since the issue of the interim statement of reasons and confirms the decision not to refer the case to the High Court. Where the Board of the Commission considers that the further representations suggest that a miscarriage of justice may have occurred, it may reverse its interim decision and refer the case to the High Court. 10.0 Case Statistics

10.1 Summary

As at 31 March 2007, the Commission had reviewed 841 cases, of which 67 were referred to the High Court. As at that date the Commission had received a total of 887 cases since its establishment in April 1999.

10.2 High Court Referrals

As at 31 March 2007, the Commission had referred a total of 67 cases to the High Court, 39 of which have so far been determined. Of these, 25 appeals have been granted, 11 rejected and 3 abandoned.

11.0 Board Members

The Board of the Commission currently operates with eight Members, one of whom is the Chair, all of whom are appointed by Royal Warrant on the advice of Scottish Ministers. Board Member appointments are made in line with the Code of Practice issued by the Commissioner for Public Appointments in Scotland.

The Chair of the Commission is the Very Reverend Graham Forbes CBE, Provost of St Mary's Cathedral, Edinburgh. Board Membership currently comprises: Sir Gerald Gordon Q.C. CBE; Sheriff Ruth Anderson Q.C.; Professor Peter Duff, Professor of Criminal Justice at Aberdeen University; Mr David Belfall, retired senior civil servant (Mr Belfall was not involved in the review of Mr Megrahi's case); Mr James MacKay, retired Deputy Chief Constable of Tayside Police; Mr Graham Bell Q.C.; and Mr Robert Anthony Q.C., who was appointed on 26 March 2007. During 2006-07, a further 3 new Board Members were appointed in order to replace three outgoing Board Members in 2007-08. Professor Brian Caddy, 14 Mr Stewart Campbell and Mr Gerard McClay will all take up their appointments from 1 July 2007.

12.0 Staff

The Commission's full time staff complement consists of a chief executive (Mr Gerard Sinclair), a director of administration (Mr Chris Reddick), a senior legal officer (Mr Robin Johnston), 8

legal officers and 3 administrative support staff. Staffing levels are monitored closely in line with case volumes on an ongoing basis.

For any general information about the Commission please contact Mr Chris Reddick, Director of Administration, SCCRC, 5th Floor Portland House, 17 Renfield Street, Glasgow, Tel: 0141 270 7030, e-mail: creddick@sccrc.org.uk or visit the Commission's website at www.sccrc.org.uk

Air Accidents Investigation Branch Aircraft Accident Report No 2/90 (EW/C1094) Report on the accident to Boeing 747-121, N739PA at Lockerbie, Dumfriesshire, Scotland on 21 December 1988 state that in the 'bomb' explosion area on the port side:

"1.12.2.1 Fuselage Where these panels formed the boundary of the shatter zone, the metal in the immediate locality was ragged, heavily distorted, and the inner surfaces were pitted and sooted - rather as if a very large shotgun had been fired at the inner surface of the fuselage at close range.

8. Analysis. With the two container reconstructions placed together it became apparent that a relatively mild blast had exited container 4041 through the rear lower face to the left of the curtain and impinged at an angle on the forward face of container 7511. This had punched a hole, Figure F-10, approximately 8 inches square some 10 inches up from its base and removed the surface of this face inboard from the hole for some 50 inches.:

2.12.1.1 Shock wave propagation The force of the explosion breaking out of the container would therefore have been directed downwards and rearwards."

The actual Crown examiners of the evidence in the wreckage

reported that the 'explosion' in the baggage compartment was mild, directed, and not heard on the cockpit voice recorder. There was no bomb explosion because a bomb has to be loud, spherical, and powerful. There was instead a secondary firing of a 'shotgun' type device, possibly in embassy courier bags, after the huge explosive decompression on the starboard side at the forward cargo door which left matching evidence to the irrefutable forward cargo door event of United Airlines Flight 811.

From: "Dickerson, Ken" <kdickerson@majorcomm.ca>
Date: July 31, 2007 11:05:04 AM PDT
To: "John Barry Smith" <barry@johnbarrysmith.com>
**Subject: Out of Office AutoReply: Smith Submission 23:
Please do what you said you are going to do.**

I will be away from the office on July 23 to August 8, 2007, and unable to reply to your e-mail until August 9. For urgent matters, please telephone the main Commission line: 613-992-1834.

Thank you.

From: "Tansey, Michael" <mtansey@majorcomm.ca>
Date: July 31, 2007 11:11:38 AM PDT
To: "John Barry Smith" <barry@johnbarrysmith.com>
**Subject: Out of Office AutoReply: Smith Submission 23:
Please do what you said you are going to do.**

Hi. I currently out of the office until Monday Sept 10, 2007 . If your e-mail is urgent, please re-send it to: michael@tancom.ca, or call me at (613) 487-3765 or (613) 851-4587.

Je serais absent du bureau jusqu'au lundi 10 septembre, 2007. Si votre courriel est urgent, SVP envoyez-le de nouveau ✓ michael@tancom.ca, ou appelez-moi au (613) 487-3765 ou au (613) 851-4587.

Merci/Thanks

From: John Barry Smith <barry@johnbarrysmith.com>
Date: August 19, 2007 9:54:04 AM PDT
To: kdickerson@majorcomm.ca, mtansey@majorcomm.ca
Subject: Smith Submission 24:ÊKidders. Sunday, August 19, 2007

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182
Michael Tansey,
Spokesperson
Ken Dickerson
Public Affairs Officer/Agent des affaires publique

Dear Mr. Tansey and Mr. Dickerson, Sunday, August 19,
2007

"YouÕre free, Mr. Smith, as you probably know, to add to your
filed material should you choose."

As given permission by the Commissioner to submit material:
Enclosed below is Smith Submission 24:ÊKidders. Sunday,
August 19, 2007.

Smith Submission 1, Grievous Error of Fact Detected, Filed 28 July, 2006. (Please correct Commission website.)

Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006 (Please grant me standing.)

Smith Submission 3: The Official Versions: Bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom. (Please ask TSB Air for their opinion to resolve official conflicts of type of explosion and where it occurred.) Filed Tuesday, August 8, 2006

Smith Submission 4: The Unofficial Version: The shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation. (Please consider a plausible, reasonable, electrical cause with precedent) Filed Tuesday, August 8, 2006.

Smith Submission 5: Substantiating the Unofficial Version: The Layperson version. (It's not rocket science) Filed Friday, August 11, 2006

Smith Submission 6: Substantiating the Unofficial Version: The DNA Match. (A match made in heaven) Filed Tuesday, August 15, 2006

Smith Submission 7. Dear People in Future Years: Predicting the Past. (The Major Doctrine.) Filed Thursday, August 17, 2006

Smith Submission 8: Specific Term of Reference: Non Cooperation. (Sorry, no can do.) Filed Thursday, August 17, 2006

Smith Submission 9: The Crash and Meeting the Family. (It happens so fast) Filed Friday, August 18, 2006

Smith Submission 10: The Elephant and Emperor Kanishka. (Easy to see, hard to talk about) Filed Saturday, August 19, 2006

Smith Submission 11: Reconsideration of your denial of standing: Try Try Again. (Never give up) Filed Saturday, August 19, 2006

Smith Submission 12. Last Gasp: Grasping at a Straw. (Throw me a bone here, I'm dying) Filed Saturday, August 19, 2006

Smith Submission 13: What is the fear? (Boo!) Filed Monday, August 28, 2006

Smith Submission 14: Putative Facts and Unsubstantiated Opinions. (Who Says?) Filed Friday, September 29, 2006

Smith Submission 15: Letter to PM, AG, Commissioner, Minister of Transport, TSB, Securitas, RCMP AITF. Filed Wednesday, October 25, 2006

Smith Submission 16: Research This. Filed Saturday, December 16, 2006

Smith Submission 17: Myth vs. Reality. Filed Sunday, January 21, 2007

Smith Submission 18: They won't talk to me either. (I feel your pain.) Filed Wednesday, February 21, 2007

Smith Submission 19: I respond to your appeal to contact you. Filed Monday, May 21, 2007

Smith Submission 20: Show Trial. Filed Wednesday, May 30, 2007

Smith Submission 21: Fairness, Prosecution, and Inquiry. Filed Saturday, July 7, 2007

Smith Submission 22: Relevant, material, and timely. Filed Saturday, July 14, 2007

Smith Submission 23: Please do what you said you are going to do. Filed Tuesday, July 31, 2007

Smith Submission 24: Kidders. Filed Sunday, August 19, 2007

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell

barry@johnbarrysmith.com
<http://www.montereypeninsulaairport.com>
<http://www.ntsب.org>

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Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Honourable John C. Major, Q.C. Commissioner

Sheila-Marie Cook, Executive Director and Commission
Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

Ken Dickerson, Public Affairs Officer/Agent des affaires
publiques

Michael Tansey, Commission Spokesperson
Senior Counsel

Brian Gover

Anil Kapoor

Roger Bilodeau

Legal Counsel

Francis Barragan

Nadine Blum

Fr/d/rick Carle

Geneviðve Cout/e

Teja Rachamalla

Louis S/v/no

Marisa Victor

Legal Coordinator

Yolanda Saito

Smith Submission 24:Kidders. Filed Sunday, August 19, 2007.

Dear Commissioner Major, Lead and Co-Counsel, Legal Staff,
Public Affairs, Spokesperson, and Research Staff, Sunday,
August 19, 2007

From your website: "No new information has been posted to this
site within the last 7 days."

Kidders right? You guys must be a bunch of kidders.

From elsewhere on your website recently about schedule for
public hearings:

"2007

February 19, 2007

March 5 - 7, 9

April 30, May 1, 3 - 4

May 7 - 9

May 14 - 17

May 22 - 25

May 28 - June 1

June 4 - 6

June 13 - 14

June 18, 20

September 17-21

September 24-28"

You did add new information. You added two weeks of public
hearings. Good for you. That new confession (sic) should be
worth some print columns and more hate. (Dynamite! In a plane!
That's soooooo 1960's.)

The webmaster must be kidding about 'no new information

posted,' about the newly added hearings since there was new important information. Maybe he meant no 'new information' to him. Maybe the new hearings are secret. Maybe the left hand does not know what the right hand is doing.

Just as the Inquiry Commission website misstates the CASB concluding the cause of Air India Flight 182 was a bomb...absolutely incorrect but, hey, it's a joke, I can take a joke, I hope the public can too. Canadians have a world renowned sense of humour, list of comedians attached.

Now about your comment from Mr. Dorval in his letter of June 12, 2007, that my Submissions are available to the public...well, where...and how? I do not see them available on the website. Do you mean my Smith Submissions 1-XX are available to anyone who can fly to Ottawa, present themselves during the week during working hours to the guards, show proof of identity, pass the terrorist computer database screening, strip down to underwear, open all bags and pockets, and find the office where the documents are stored in some sort of format which can be viewed on a computer which happens to work right?

So maybe you are kidding about my Submissions being available to the general public but available to a rich masochistic good sport fool while placating and poking fun at me.

Now about that official public statement by Mr. Harper about the Inquiry being thorough and analyzing evidence that has come to light since 1985 and applying it today...

The Prime Minister was just kidding, right. He's a funny guy. He actually meant a narrow investigation with preordained conclusions based on pre-1986 hysterical speculation.

About the AG Representative Mr. Brucker testifying he wants a thorough and efficient Inquiry...

Just jesting, I'm sure. Not to be taken seriously, I mean, really, he's an attorney, after all, they'll say anything, right?

And Commissioner Major, the 'outstanding Canadian', to quote the Prime Minister, stating during hearings the nature of the Commission was to be very broad in the evidence it heard to put to rest various theories...

I'm laughing, I think I get the travesty and it's on me. I pay thousands of dollars to fly up to Ottawa and stay in small room for three minutes of presentation out of an authorized fifteen minutes and then told to stop. Tricked! I was duped! Like a man who offers a handshake to me and pulls his hand back at last second and says, "Gotcha!" I'm blushing. What a fool I was.

The Lead Counsel Mr. Freiman encourages people who have relevant information to 'come forward'....

Yes, come forward and then promptly get turned away with pat on head...ha, ha. ha, *Barry chuckling.

The Commission Spokesperson Mr. Tansey stating the Commission will explore other allegations when the hearings resume in the fall....

Explore...explore...does that mean 'stifle'? I don't think so. Is he teasing me? Must be an inside joke, I don't get it, I must be unwitting, dim witted, surrounded by wittiness.

Well, I can't say I'm rolling on the floor laughing holding my stomach begging to stop with the jests, teases, and tickles.

But I'm trying. When young and frustrated when trying to tell someone in authority like a parent that something is true and important but ignored and rejected, we cry.

When middle aged and frustrated by trying to tell someone in authority like a government investigative agency that something is true and important but ignored and rejected, we yell.

When old and frustrated as I try to tell someone in authority like a Commission of Inquiry that something is true and important but ignored and rejected, we laugh.

"After two days in hospital, I took a turn for the nurse," a joke told by seventy year old man who is a member of a Men's Group my father belongs to who invited me to speak to them last week about the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation for Air India Flight 182, Pan Am Flight 103, United Airlines Flight 811, and TWA Flight 800. It turns out that one member was a retired airline pilot who actually flew TWA Flight 800 a year before it exploded in flight off Long Island in 1996. He was a Missile Guy. We had a nice talk.

For those four Boeing 747 events including Air India Flight 182, there are the Bomb Guys (that's you), the Missile Guys, the Improper Latching Guys, the Meteor Guys, and the Electrical Wiring Guy, (that's me.) I bring United Airlines Flight 811 to the table for my probable cause, the only indisputable, irrefutable explanation for the cause of an early model Boeing 747 exploding in flight leaving a sudden loud sound on the CVR, an

abrupt power cut to the FDR, more severe damage on the starboard leading edge of wing and starboard horizontal stabilizer, anomalies in engine number three, split longitudinal forward cargo door from outward force while the identical aft cargo door is latched and intact, and several more significant matches of hard evidence of United Airlines Flight 811 to Air India Flight 182. If United Airlines Flight 811 were a bomb then all three would be a bomb caused event, the matches are so compelling. United Airlines Flight 811 was an electrical switch or wiring event.

NTSB 92/02: "The National Transportation Safety Board determines that the probable cause of this accident was the sudden opening of the forward lower lobe cargo door in flight and the subsequent explosive decompression. The door opening was attributed to a faulty switch or wiring in the door control system which permitted electrical actuation of the door latches toward the unlatched position after initial door closure and before takeoff."

Well, enough of those dry technicalities, not much humor there, hey?

If only you as persons in authority and responsibility would do what you said you were going to do, I pine wistfully. I guess it's too much to ask for public officials to do what they said they were going to do, were trained to do, swore to do, were paid to do, and are entrusted to do: Inquire about Air India Flight 182, analyze the hard evidence of the wreckage, hear various theories to explain the evidence, explore different trains of thought, evaluate subsequent similar accidents, appreciate benefits of hindsight, and make conclusions based on a comprehensive overview.

And like the naive butt of a joke who just doesn't get it, I'm still willing to testify in front of the Commission but I need to have my request granted. Here's how I see your risk:

1. Do you grant my request to pay all my own expenses and testify under oath for an hour at your hearing regarding a reasonable, plausible, mechanical explanation with documented precedent for the crash of Air India Flight 182 and risk diluting the bomb explanation holding sway for twenty years or;
2. Do you reject my request to answer questions raised at your Inquiry and have a subsequent similar accident to an early model Boeing 747 reveal that the mechanical cause for that crash also caused Air India Flight 182?

As a survivor of a sudden fatal jet airplane crash, I find it hard to laugh at crashes, but I'm trying:

1. "Canada's worst air disaster: Canada's worst air disaster occurred today when a small two-seater Cessna crashed into a cemetery early this afternoon in central Newfoundland. Newfie search and rescue workers have recovered 826 bodies so far and expect that number to climb as digging continues into the evening."

2. "A doctor, a lawyer, a little boy scout and a pastor were out for a Sunday afternoon flight on a small private plane. Suddenly, the plane developed engine trouble. In spite of the best efforts of the pilot, the plane started to go down. Finally, the pilot grabbed a parachute, yelled to the passengers that they had better jump, and bailed out.

Unfortunately there were only three parachutes remaining.

The doctor grabbed one and said "I'm a doctor, I save lives, so I must live," and jumped out.

The lawyer then said "I'm the smartest man in the world, I deserve to live!" He grabbed a parachute and jumped, also.

The pastor looked at the little boy scout and said, "My son, I've lived a long and full life. You are young and have your whole life ahead of you. Take the last parachute and live in peace."

The little boy scout handed the parachute back to the pastor and said "Not to worry, Preacher. 'The smartest man in the world' just jumped out with my back pack."

3. "Abe and Esther are flying to Australia for a two-week vacation to celebrate their 40th anniversary. Suddenly, over the public address system, the Captain announces, "Ladies and Gentlemen, I am afraid I have some very bad news. Our engines have ceased functioning and we will attempt an emergency landing. Luckily, I see an uncharted island below us and we should be able to land on the beach. However, the odds are that we may never be rescued and will have to live on the island for the rest of our lives!"

Thanks to the skill of the flight crew, the plane lands safely on the island. An hour later Abe turns to his wife and asks, "Esther, did we pay our \$5,000 PBS pledge check yet?"

"No, sweetheart," she responds.

Abe, still shaken from the crash landing, then asks, "Esther, did we pay our American Express card yet?"

"Oh, no! I'm sorry. I forgot to send the check," she says.

"One last thing, Esther. Did you remember to send checks for the Visa and MasterCard this month?" he asks.

"Oy, forgive me, Abie," begged Esther. "I didn't send that one, either."

Abe grabs her and gives her the biggest kiss in 40 years. Esther pulls away and asks him, "What was that for?"

Abe answers, "They'll find us!"

4. "Aunt Bessie loved to visit her nieces and nephews. However, she had relatives all over the country. The problem was that no matter how much she enjoyed seeing them, she hated flying. No matter how safe people told her it was, she was always worried that someone would have a bomb on the plane. She read books about how safe it was and listened to the stewardess demonstrate all the safety features. But she still worried herself silly every time a visit was coming up.

Finally, the family decided that maybe if she saw the statistics she'd be convinced. So they sent her to a friend of the family who was an actuary.

"Tell me," she said suspiciously, "what are the chances that someone will have a bomb on a plane?"

The actuary looked through his tables and said, "A very small chance. Maybe one in five hundred thousand."

She nodded, then thought for a moment. "So what are the odds of

two people having a bomb on the same plane?"

Again he went through his tables.

"Extremely remote," he said. "About one in a billion."

Aunt Bessie nodded and left his office.

And from that day on, every time she flew, she took a bomb with her."

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
<http://www.montereypeninsulaairport.com>
<http://www.ntsbt.org>

Attachments:

2007

February 19, 2007

March 5 - 7, 9

April 30, May 1, 3 - 4

May 7 - 9

May 14 - 17

May 22 - 25

May 28 - June 1

June 4 - 6

June 13 - 14

June 18, 20

September 17-21

September 24-28

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Smith Submission 24: Kidders. Sunday, Filed Sunday, August 19, 2007

Canadian Comedians

¥ Aykroyd, Dan: Comedian, Actor. "Saturday Night

Live", "The Blues Brothers"

¥ Candy, John: Comedian, Actor. "SCTV"

¥ Carrey, Jim: Comedian, Actor. "The Mask", "Ace Ventura: Pet Detective", "The Truman Show"

¥ Chong, Thomas: Comedian. Half of Cheech and Chong

¥ Dressler, Marie: Actress, Comedienne. "Tillie's Punctured Romance", "Anna Christie", "Min and Bill" (AA), "Dinner at Eight"

¥ Foley, David: Comedian, Actor. "Kids in the Hall", "News Radio"

¥ Green, Tom: Comedian. "The Tom Green Show"

¥ Harron, Don: Actor, Comedian, Author, a.k.a.: Charlie Farquharson, "Hee Haw".

¥ Hartman, Phil: Actor, Comedian. "Saturday Night Live", "News Radio"

¥ Leacock, Stephen: Author, Humourist. "Literary Lapses"

¥ Levy, Eugene: Comedian, Actor. "SCTV"

¥ Little, Rich: Impressionist.

¥ McCulloch, Bruce: Comedian. "Kids in the Hall"

¥ McDonald, Kevin: Comedian. "Kids in the Hall"

¥ MacDonald, Norm: Comedian, Actor: "Saturday Night Live"

¥ McKinney, Mark: Comedian. "Kids in the Hall", "Saturday Night Live"

¥ Mandel, Howie: Comedian, Actor. "St. Elsewhere"

¥ Martin, Andrea: Comedienne, Actress. "SCTV", "Star Trek: DS9"

¥ Michaels, Lorne: Producer, Writer. "Saturday Night Live"

¥ Moranis, Rick: Comedian, Actor. "SCTV", "Honey, I Shrank the Kids"

¥ Myers, Mike: Comedian, Actor. a.k.a.: Wayne Campbell

on "Saturday Night Live"

¥ O'Hara, Catherine: Actress. "SCTV" "Beetlejuice",
"Home Alone"

¥ Sahl, Mort: Comedian, Actor

¥ Sennett, Mack: Director, Comedian, Actor, Producer.
the Keystone Kops, "Tillie's Punctured Romance"

¥ Short, Martin: Comedian, Actor. "SCTV", "Saturday
Night Live", "Clifford"

¥ Shuster, Frank: Comedian. Wayne and Shuster made the
most guest appearances on the "Ed Sullivan Show"

¥ Smith, Steve: Comedian, Actor. "The Red Green Show"

¥ Steinberg, David: Comedian, Actor, Director.
"Designing Women"

¥ Thomas, Dave: Comedian. "SCTV", "Strange Brew",
"Grace Under Fire"

¥ Thompson, Scott: Comedian Actor. "Kids in the Hall"

¥ Wayne, Johnny: Comedian, Wayne and Shuster made
the most guest appearances on the "Ed Sullivan Show"

From: "Tansey, Michael" <mtansey@majorcomm.ca>

Date: February 15, 2008 9:39:56 AM PST

To: "John Barry Smith" <barry@johnbarrysmith.com>

**Subject: Out of Office AutoReply: Smith Submission 26:
"Everything has come out in the open." Filed Friday,
February 15, 2008**

Hi. Please re-send your e-mail to me at michael@tancom.ca, or call me
at (613) 487-3765 or (613) 851-4587. I will no longer be monitoring this
e-mail account.

SVP envoyez-moi votre courrier-el de nouveau ✓ michael@tancom.ca,
ou appelez-moi au (613) 487-3765 ou au (613) 851-4587. Je ne peux
plus acceder au courriers-els envoy/s ✓ cette adresse.

Merci/Thanks

From: John Barry Smith <barry@johnbarrysmith.com>
Date: February 15, 2008 9:54:08 AM PST
To: michael@tancom.ca
Subject: Smith Submission 26: "Everything has come out in the open." Filed Friday, February 15, 2008

At 12:39 PM -0500 2/15/08, Tansey, Michael wrote:
Hi. Please re-send your e-mail to me at michael@tancom.ca, or call me at (613) 487-3765 or (613) 851-4587. I will no longer be monitoring this e-mail account.

Merci/Thanks

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182
Michael Tansey,
Spokesperson
Ken Dickerson
Public Affairs Officer/Agent des affaires publique

Dear Mr. Tansey and Mr. Dickerson, Friday, February 15,
2008

"You're free, Mr. Smith, as you probably know, to add to your
filed material should you choose."

As given permission by the Commissioner to submit material:

Enclosed below is Smith Submission 26: "Everything has come out in the open." Filed Friday, February 15, 2008

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Regards,

John Barry Smith
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Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182
Honourable John C. Major, Q.C. Commissioner
Sheila-Marie Cook, Executive Director and Commission
Secretary
Mark J. Freiman, Commission's Lead Counsel
Michel Dorval, Commission's Co-Counsel
Ken Dickerson, Public Affairs Officer/Agent des affaires
publiques
Michael Tansey, Commission Spokesperson
Senior Counsel
Brian Gover
Anil Kapoor
Roger Bilodeau
Legal Counsel
Francis Barragan
Nadine Blum
Fr/d/rick Carle

Geneviðve Cout/e
Teja Rachamalla
Louis S/v/no
Marisa Victor
Legal Coordinator
Yolanda Saito

Smith Submission 26: "Everything has come out in the open."
Filed Friday, February 15, 2008

Dear Commissioner Major, Lead and Co-Counsel, Legal Staff,
Public Affairs, Spokesperson, Research Staff, Commission
Sources, and the Insider, Friday, February 15, 2008

"Everything has come out in the open." Pervez Madon.

Oh, impossible to satirize. But let me try, I enjoy a challenge.
How about, "....", nope, can't do it. Defeated. 'Everything has
come out in the open' during a year and a half inquiry is too
funny...for those that actually know about why that particular
Boeing 747-200 flew and why it didn't.

Well, as we all know, there was something that did not come out
in the open during the inquiry into the investigation. There was
the event where Sergeant Blachford of the Air India Task Force
of the RCMP while investigating the bombing of Air India Flight
182 found the information about the shorted wiring/unlatch
motor on/ruptured open forward cargo door/explosive
decompression/inflight breakup explanation so intriguing he flew
down from Vancouver BC to the USA to interview me for a day
on a two day trip to the Monterey Peninsula. That must have cost
a pretty penny of taxpayer money. I wonder if his after action
debrief reports are still in the files.... Probably not, as shown by

the rejection by the Access to Information Office of requests for the video tapes of the wreckage of Flight 182. No testimony from me, no access to video tapes of wreckage, ignoring an investigator's interview...what are you all hiding?

But, hey, Mission Accomplished: Surviving family members mollified, Canadian security agencies still dysfunctional with squabbling, minority citizens still hating each other, high levels of fear of mystery Mr. X terrorists maintained, science based investigations still being trumped by emotionally laden political opinion, and taxpayer money still being squandered....and the hazard of defective wiring killing passengers and crew in airliners still present.

It's now time for one last surge of influencing public opinion with your 'Final Report'.

Regards,

John Barry Smith
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News article below:

Air India public inquiry resumes Thursday

By Gurmukh Singh

Toronto, Feb 13 (IANS) The Air India public inquiry commission begins two days of public hearings Thursday. The commission is

looking into the 1985 bombing of AI Flight 182, which killed 329 people.

After these public hearings, inquiry commissioner John major will start working on the final report, likely to be submitted this spring.

Those whom Major will hear include the Royal Canadian Mounted Police (RCMP), the Canadian Intelligence Security Service (CSIS) and Toronto University professor Sherene Razack.

Though some relatives of the Air India bombing victims were also expected to make their submissions, they decided against it. Vancouver-based Pervez Madon, whose husband was among the 329 victims of Flight 182 bombed mid-air on June 23, 1985, told IANS that her family would not attend the public hearings.

"We are very pleased with the way inquiry commissioner John major has conducted the probe. Everything has come out in the open. He has addressed our all long-pending grievances. So we have nothing more to present before him. We commend his work," said Madon, who, along with her daughter Natasha, has been in the forefront of the fight for justice for the families of the victims.

No Toronto-based family of the victims confirmed whether they would be present at the final hearings.

A spokesperson for the inquiry commission in Ottawa also confirmed that the panel has received no fresh submissions from the families.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552

1 831 241 0631 Cell

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<http://www.montereypeninsulaairport.com>

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Smith Submission 26: "Everything has come out in the open."

Filed Friday, February 15, 2008

From: "Godbout, Gail" <ggodbout@majorcomm.ca>
Date: July 10, 2008 1:36:21 PM PDT
To: "John Barry Smith" <barry@johnbarrysmith.com>
Subject: Out of Office AutoReply: Smith Submission 27. My submissions will be part of the Air India record according to the Commissioner.

I am no longer working for the Air India Inquiry. Please contact Julie Duquette at 613-995-3528.
e-mail: jduquette@majorcomm.ca

From: John Barry Smith <barry@johnbarrysmith.com>
Date: July 10, 2008 1:31:47 PM PDT
To: jduquette@majorcomm.ca
Subject: Smith Submission 27. My submissions will be part of the Air India record according to the Commissioner.

Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182

Honourable John C. Major, Q.C. Commissioner
Sheila-Marie Cook, Executive Director and Commission Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

Ken Dickerson, Public Affairs Officer/Agent des affaires publiques

Michael Tansey, Commission Spokesperson

Senior Counsel

Brian Gover

Anil Kapoor
Roger Bilodeau
Legal Counsel
Francis Barragan
Nadine Blum
Fr/d/rick Carle
Geneviðve Coutl/e
Teja Rachamalla
Louis S/v/no
Marisa Victor
Legal Coordinator
Yolanda Saito

Dear Commissioner and Members, Thursday, July 10, 2008 at
1:15 PM

THE COMMISSIONER: The alternate theory may over time
prove to be correct. I don't know.
What I do know is that we cannot consider it as part of the
evidence in this Inquiry but what I can
do is permit you to file any written material that substantiates
your view and it will be part of the Air
India record. It will be there for examination by people who look
at this Inquiry in future years, but
the Terms of Reference preclude our considering whether or not
there was any cause for that
explosion other than the bomb that is found by the Supreme
Court of British Columbia. So I can't do anything more for you
than permit you to do what I have just suggested."

Commissioner: "...but what I can do is permit you to file any
written material that substantiates your view and it will be part
of the Air India record."

I note today that the public Air India record of submissions released by the Commission omits all of my twenty seven submissions over a two year span. Why is that? Mistake? Administrative error? On purpose? Irrelevant? Something to hide? Cover up? Why would the Commissioner betray his own promise to me personally given at a hearing?

John Barry Smith
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www.ntsbt.org
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Commercial pilot, instrument rated, former FAA Part 135 certificate holder.

US Navy reconnaissance navigator, RA-5C 650 hours.

US Navy patrol crewman, P2V-5FS 2000 hours.

Air Intelligence Officer, US Navy

Retired US Army Major MSC

Owner Mooney M-20C, 1000 hours.

Survivor of sudden night fiery fatal jet plane crash in RA-5C

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Smith Submission 27: My submissions will be part of the Air India record according to the Commissioner. Filed Thursday, July 10, 2008

From: "Amardeep Kaur" <adkaur@gmail.com>

Date: July 11, 2008 2:46:46 AM PDT

To: "John Barry Smith" <barry@johnbarrysmith.com>

Subject: Re: There never will be a perjury trial.

u're right of course.

they impounded his passport hence no flight risk. just that he's been in jail over 20 years so happy for interim for this small

reprieve.....

"He's been in jail a long time," his lawyer, Ian Donaldson, said outside the court after Wednesday's decision.

"He doesn't know yet, but I'm sure that he'll be pleased when he hears."

Reyat will have several conditions attached to his release, but they have not been made public. His trial on the perjury charges is scheduled for next January.

On 10/07/2008, **John Barry Smith**

<barry@johnbarrysmith.com> wrote:

At 4:53 PM +0800 7/10/08, Amardeep Kaur wrote:

thats great news no !!??

It is for Reyat, for me, not so much. He was not released on bail because he did not not do it but because he was not judged a flight risk. Sikhs are still blamed for something they did not do. The injustice remains.

From: "Amardeep Kaur" <adkaur@gmail.com>

Date: July 11, 2008 2:55:10 AM PDT

To: "John Barry Smith" <barry@johnbarrysmith.com>

Subject: Air India inquiry submissions made public

No date has been set for Major to deliver his final report but it's expected before the end of this year.

Last Updated: Thursday, July 10, 2008 | 12:37 PM ET

[CBC News](#)

The judicial inquiry into the Air India tragedy has released nearly 1,600 pages of written submissions, covering 18 months of public hearings and testimony about the federal government's handling of the 1985 bombing.

The inquiry, headed by retired Supreme Court justice John Major, held its last public hearings in February but the documents were only posted to the probe's website Thursday because the federal government needed time to translate its submissions into Canada's two official languages, according to a news release.

A commission spokesman said the released documents cover all the oral and written material received by the inquiry from principal parties like the government and Air India and those who asked to intervene, such as the Canadian Civil Liberties Association and the World Sikh Organization.

Air India Flight 182 went down in the Atlantic Ocean near Ireland on June 23, 1985, killing all 329 people on board, many of them Canadians.

The Boeing 747 was blown apart in flight by a bomb planted in a suitcase.

On the same day, a bomb explosion in a cargo area of Tokyo's Narita airport killed two baggage handlers.

Both suitcases contained similar bombs and were checked in at

Vancouver airport.

From the beginning, the investigation focused on militant Sikh separatists living in B.C.

Only one conviction in case

Only one man, Inderjit Singh Reyat, the bomb maker, has ever been convicted in the cases.

The suspected mastermind of the plot, Talminder Singh Parmar, died in Indian police custody in 1992 and the Crown's two chief suspects were acquitted in 2005 of involvement after an elaborate, high security trial in Vancouver.

Victims' family members have been harshly critical of the RCMP, CSIS and the federal government for their response to the bombings.

The government of Prime Minister Stephen Harper called a full judicial inquiry on May 1, 2006, and hearings began just over a month later.

The inquiry's main focus is on the federal government and its agencies, and how they handled surveillance of militant suspects before the bombing, and whether changes in law are necessary to cope with current threats from terror organizations.

As well, Major was supposed to find out whether the authorities at the time of the bomb plot took the threat of militant Sikh separatism seriously.

Families want apology

Lawyers for the victims' families have called for a formal apology from the prime minister, given what they say is a litany of intelligence, policing and regulatory failures surrounding the worst mass murder in Canadian history.

"The government not only failed to protect [the families'] loved ones, it also failed to successfully investigate and prosecute those responsible for this heinous crime," Jacques Shore, a lawyer for victims' families, said in his written submission.

Families also asked that the federal government reconsider the issue of financial compensation, although that was not part of the inquiry's mandate.

No date has been set for Major to deliver his final report but it's expected before the end of this year.

From: John Barry Smith <barry@qp6.com>

Date: September 5, 2009 11:46:53 PM PDT

To: barry@qp6.com

Subject: commission application

Commission of Inquiry into the Investigation of the Bombing
of Air India Flight 182

Honourable John C. Major, Q.C. Commissioner

Sheila-Marie Cook, Executive Director and Commission
Secretary

Mark J. Freiman, Commission's Lead Counsel
Michel Dorval, Commission's Co-Counsel

P.O. Box 1298, Station B
Ottawa, Ontario K1P 5R3
CANADA

Dear Commissioner Honourable John C. Major, Q.C. and
esteemed Staff, Sunday, June 25, 2006

As required by the Rules of Procedure and Practice I hereby
apply for standing as a 'person' by way of this motion supported
by affidavit.

1. John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
barry@ntsb.org
<http://www.montereypeninsulaairport.com>

2. I seek standing as a person for a portion of the mandate of the
Inquiry.

3. The areas in which I have a clearly ascertainable interest and
perspective which would enhance the work of the Commissioner
and the reasons in support thereof are:

a. Aviation Safety in general. I am a survivor of a sudden fiery
fatal jet airplane crash which has motivated me to become an
independent aviation accident investigator to prevent similar
accidents. In that role I have reviewed over a thousand aviation
accident reports and hundreds in detail. My perspective is that of
one who has been on scene before, during, and after the event,
heard the explosions, felt the fires, suffered the injury, witnessed

the fatality, smelled the ashes, and experienced the emotions caused by a sudden fiery fatal jet airplane crash.

b. Air India Flight 182 in specific. My ascertainable interest is demonstrated by my Smith AAR (Aviation Accident Report) for Air India Flight 182, a 249 page exhaustive evaluation of the facts, data, and evidence regarding that event. The AAR is a result of ten years of research and will be presented, if standing is granted, at Stage 2 of the inquiry. (Available upon request)

4. If required, I will make an oral submission in mid July in Ottawa.

Dear Commission Members, please permit me at this time to direct you to a significant error in the basic premise for the establishment of the Commission of Inquiry which, if I may be so bold to suggest, should be corrected as soon as possible to prevent undermining the credibility of your Commission.

1. Please note that the Prime Minister states that the public inquiry is a route to obtain answers to the tragedy of Air India Flight 182. He does not limit the inquiry to investigating any one cause, such as a bombing, but rightfully calls it a tragedy and implies any reasonable explanation will be considered as there are several non-bombing reasons for an aircraft to explode in flight.

From the Commission website: "Opening Statement" June 21, 2006, Background,

"In announcing the launch of this Inquiry, the Prime Minister, the Right Honourable Stephen Harper, stated that a public inquiry is the only route left to obtaining answers to how the tragedy of June 23, 1985 occurred when Air India Flight 182 exploded over the Atlantic Ocean."

2. The above is correct and yet several sentences later the grievous error is stated:

"Opening Statement" June 21, 2006, Background,

"Yet, it was not until the following January that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb."

Not so. Absolutely incorrect. Terribly misleading. The Canadian Aviation Safety Board made no such conclusion. The below is the actual conclusion in 4.1.5.

Aviation Occurrence Report of the Canadian Aviation Safety Board for Air India Flight 182 of January 22, 1986

"4.0 CONCLUSIONS

The Canadian Aviation Safety Board respectfully submits as follows:

4.1 Cause-Related Findings

1. At 0714 GMT, 23 June 1985, and without warning, Air India Flight 182 was subjected to a sudden event at an altitude of 31,000 feet resulting in its crash into the sea and the death of all on board.

2. The forward and aft cargo compartments ruptured before water impact.

3. The section aft of the wings of the aircraft separated from the forward portion before water impact.

4. There is no evidence to indicate that structural failure of the aircraft was the lead event in this occurrence.

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment. This evidence is not conclusive.

However, the evidence does not support any other conclusion."

Dear Commission Members, the above Canadian accident expert

opinion is correct. There was an explosion in the forward cargo compartment. The cause is left unstated and, in fact, the internal text of the report generally rules out a bomb as the cause of the explosion and suggests a mechanically caused explosive decompression.

The Indian Report, on the other hand:

Report of the Honourable Mr. Justice B.N. Kirpal of the High Court of Delhi of February 26, 1986:

"Analysis and Conclusions

4.1 From the evidence which is available what has now to be determined is as to what caused the accident.

4.5 It is evident that an event had occurred at 31,000 feet which had brought down 'Kanishka'. What could have possibly happened to it? The aircraft was apparently incapacitated and this was due either to it having been hit from outside; or due to some structural failure; or due to the detonation of an explosive device within the aircraft.

4.9 Thus we are left with only two of the possibilities viz., structural failure or accident having been caused due to a bomb having been placed inside the aircraft.

4.10 After going through the entire record we find that there is circumstantial as well as direct evidence which directly points to the cause of the accident as being that of an explosion of a bomb in the forward cargo hold of the aircraft. At the same time there is complete lack of evidence to indicate that there was any structural failure."

Dear Commission Members, a Canadian Commission of Inquiry should use the Canadian aviation accident experts' opinions as a starting frame of reference, not that of an Indian Judge's opinion, (a criminal judge with no aviation accident investigation experience.) To claim that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a

bomb is absolutely incorrect and injects a dangerous bias into the supposedly objective proceedings so much so that the title is even incorrect: "Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182". The title could be corrected to "Commission of Inquiry into the Investigation of the Tragedy of Air India Flight 182".

(The bombing statement error is understandable after twenty years of constant media and police opinions about terrorists everywhere and desires for grieving family members for revenge. However, there are no conspiracies to hide any truths, just passionate persons acting in their own perceived best interests.)

Please note that both of the quotes from the documents referenced above are specifically allowed by the Commission's Terms of Reference:

Terms of Reference: "...the Commissioner to conduct the Inquiry as he considers appropriate with respect to accepting as conclusive or giving weight to the findings of other examinations of the circumstances surrounding the bombing of Air India Flight 182, including

the report of the Honourable Mr. Justice B.N. Kirpal of the High Court of Delhi of February 26, 1986,

the Aviation Occurrence Report of the Canadian Aviation Safety Board into the crash involving Air India Flight 182 of January 22, 1986"

The points for my presentation at the Inquiry shall be:

1. The Canadian Aviation Safety Board conclusion of 1986 was correct and the Indian finding was wrong.
2. The verdict in the Canadian trial of the two accused as not guilty was correct. The criminal justice system did not fail the families or all Canadians. There were no bombs, no bombers, no

conspiracies, no crimes, no criminals, no guilt.

3. Based upon the benefit of 20 years of hindsight and several similar early model Boeing 747 accidents and in particular United Airlines Flight 811, the actual probable cause of Air India Flight 182 is the shorted wiring/ruptured open forward cargo door/explosive decompression/inflight breakup explanation.

4. A request by the Commission to the Transportation Safety Board (Air) for an updated version of the Aviation Occurrence Report for Air India Flight 182 would be prudent and wise. The older report is now over twenty years old. Safety related explanations are constantly being updated after new accidents. There have subsequently been several similar early model Boeing 747s that have suffered a fatal inflight explosive decompression in the forward cargo compartment after a sudden loud sound on the cockpit voice recorder followed by an abrupt power cut to the flight recorders.

In summary:

I apply for standing in the Inquiry as a person with an ascertainable interest and perspective. I have demonstrated with this letter a review of the Commission's mandates, a close observation of its premises, the detection of a serious error of fact, a suggested correction, provided confirming documentation quotes, and referenced supporting documents. I will do the same in principle at the Inquiry for the wiring/cargo door explanation.

From the Commission Opening Statement of Commissioner John Major:

"We can, however, attempt to understand how this happened and to recommend safeguards and systemic changes to prevent future threats to our national security and intrusions into the lives of so many innocent people."

Yes, sir, we certainly can, and must, attempt to understand how

this {Air India Flight 182} happened, recommend safeguards and changes to prevent future threats and intrusions. Please assign me as a person with standing the opportunity to explain how.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
barry@ntsb.org
<http://www.montereypeninsulaairport.com>

Attached below:

Relevant excerpts from the Commission's website,
Relevant excerpts from Canadian and Indian AAR for Air India Flight 182.

OPENING STATEMENT

June 21, 2006

In announcing the launch of this Inquiry, the Prime Minister, the Right Honourable Stephen Harper, stated that a public inquiry is the only route left to obtaining answers to how the tragedy of June 23, 1985 occurred when Air India Flight 182 exploded over the Atlantic Ocean. The aircraft was flying at an altitude of 31,000 feet (9500 m) just south of Ireland, when all 329 on board were killed. Eighty-two of those victims were children and 280 were Canadian citizens.

Yet, it was not until the following January that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb.

STANDING

10. A person may be granted full or partial standing as a party by the Commissioner if the Commissioner is satisfied that the person is directly and substantially affected by the mandate of the Inquiry or portions thereof.

12. Any person wishing to be granted standing must apply by way of a motion in writing supported by affidavit on or before July 7, 2006, or at the discretion of the Commissioner at any other date, which must include the following information:

1. name, address, telephone and fax numbers, and e-mail addresses of the person;

2. whether the person seeks standing as a party or as an intervenor for all or a portion of the mandate of the Inquiry;

3. the areas and issues where the person is directly and substantially affected or where the person has a clearly ascertainable interest or perspective which would enhance the work of the Commissioner and the reasons in support thereof;

13. Applicants for standing will be permitted to make oral submissions not exceeding 15 minutes at a public standing hearing in Ottawa, on July 18-20, 2006 at the Bytown Pavilion, Victoria Hall, 111 Sussex Drive, Ottawa, Ontario, or at the discretion of the Commissioner at any other date.

14. The Commissioner will determine any special conditions under which a person may participate and those parts of the Inquiry in which a person granted standing may

B. DEFINITIONS

2. In the Rules, unless otherwise provided, the following words mean:

10. Person: an individual, group, government or agency or

other entity.

EVIDENCE

26. The Commissioner may receive any evidence or information which he considers to be helpful in fulfilling his mandate whether or not such evidence or information would be admissible in court.

* . Testimony in Stage 2 of the Inquiry

1. Preparation of Documentary Evidence

30. As soon as possible after being granted standing, parties and intervenors shall provide to the Commission all documents having any bearing on the subject matter of the Inquiry.

Commission of Inquiry into the Investigation of the
Bombing of Air India Flight 182

P.O. Box 1298, Station B

Ottawa, Ontario K1P 5R3

CANADA

Telephone: (613) 992-1834

Fax: (613) 995-3506

TERMS OF REFERENCE

the Commissioner to conduct the Inquiry as he considers appropriate with respect to accepting as conclusive or giving weight to the findings of other examinations of the circumstances surrounding the bombing of Air India Flight 182, including

the report of the Honourable Mr. Justice B.N. Kirpal of the High Court of Delhi of February 26, 1986,

the Aviation Occurrence Report of the Canadian Aviation Safety Board into the crash involving Air India Flight 182 of January 22, 1986,

that the Commissioner be authorized to grant to any other person who satisfies him that he or she has a substantial and direct interest in the subject-matter of the Inquiry an opportunity for appropriate participation in the Inquiry;

To conclude only that the criminal justice system has to date failed the families of Air India victims falls short of the problem. It failed all Canadians. The system failed all Canadians.

It is not possible to undo what happened in 1985. We can, however, attempt to understand how this happened and to recommend safeguards and systemic changes to prevent future threats to our national security and intrusions into the lives of so many innocent people.

AAR for Air India Flight 182 excerpts:

"4.0 CONCLUSIONS

The Canadian Aviation Safety Board respectfully submits as follows:

4.1 Cause-Related Findings

1. At 0714 GMT, 23 June 1985, and without warning, Air India Flight 182 was subjected to a sudden event at an altitude of 31,000 feet resulting in its crash into the sea and the death of all on board.
2. The forward and aft cargo compartments ruptured before water impact.
3. The section aft of the wings of the aircraft separated from the forward portion before water impact.

4. There is no evidence to indicate that structural failure of the aircraft was the lead event in this occurrence.
5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment. This evidence is not conclusive. However, the evidence does not support any other conclusion."

Kirpal Report:

ANALYSIS AND CONCLUSIONS

4.1 From the evidence which is available what has now to be determined is as to what caused the accident.

4.5 It is evident that an event had occurred at 31,000 feet which had brought down 'Kanishka'. What could have possibly happened to it? The aircraft was apparently incapacitated and this was due either to it having been hit from outside; or due to some structural failure; or due to the detonation of an explosive device within the aircraft.

4.9 Thus we are left with only two of the possibilities viz., structural failure or accident having been caused due to a bomb having been placed inside the aircraft.

4.10 After going through the entire record we find that there is circumstantial as well as direct evidence which directly points to the cause of the accident as being that of an explosion of a bomb in the forward cargo hold of the aircraft. At the same time there is complete lack of evidence to indicate that there was any structural failure.

From: John Barry Smith <safety@ntsb.org>

Date: September 5, 2009 11:46:53 PM PDT

To: "Dickerson, Ken" <kdickerson@majorcomm.ca>

Subject: Re: Application for standing

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques

Dear Mr. Dickerson, Thursday, July 13, 2006

Thank you for your acknowledgement of my application for standing.

Standing by for further inquiries.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
safety@ntsb.org
barry@johnbarrysmith.com

At 11:33 AM -0400 7/13/06, Dickerson, Ken wrote:
Mr. John Barry Smith
541 Country Club Drive
Carmel Valley, CA 93924
USA

e-mail: barry@ntsb.org

Dear Mr. Smith :

On behalf of the Honourable John C. Major, Commissioner, I hereby acknowledge receipt of your application for standing at the public hearings of the Commission of Inquiry into the

Investigation of the Bombing of Air India Flight 182.

Written acknowledgement will follow, by letter to the address above.

You will be contacted shortly to inquire as to whether you intend to also present an oral submission on July 18, 2006 in Ottawa.

Yours truly,

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

for Sheila-Marie Cook
Executive Director

From: John Barry Smith <safety@ntsb.org>
Date: September 5, 2009 11:46:53 PM PDT
To: kdickerson@majorcomm.ca
Subject: Re: Application for standing

Dear Mr. Dickerson, Thursday, July 13, 2006

Thank you for your recent telephone call in which I confirmed I would be presenting at the application for standing hearing on 18-19 July in Ottawa.

I shall drive instead of flying.

Can I be scheduled for 19 July, Wednesday, since the trip shall be a long one?

13. Applicants for standing will be permitted to make oral submissions not exceeding 15 minutes at a public standing hearing in Ottawa, on July 18–20, 2006 at the Bytown Pavilion, Victoria Hall, 111 Sussex Drive, Ottawa, Ontario, or at the discretion of the Commissioner at any other date.

I shall prepare for my full 15 minutes at the Bytown Pavilion.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
barry@johnbarrysmith.com
safety@ntsb.org

At 11:33 AM -0400 7/13/06, Dickerson, Ken wrote:

Mr. John Barry Smith
541 Country Club Drive
Carmel Valley, CA 93924
USA

e-mail: barry@ntsb.org

Dear Mr. Smith :

On behalf of the Honourable John C. Major, Commissioner, I hereby acknowledge receipt of your application for standing at the public hearings of the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182.

Written acknowledgement will follow, by letter to the address above.

You will be contacted shortly to inquire as to whether you intend to also present an oral submission on July 18, 2006 in Ottawa.

Yours truly,

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

for Sheila-Marie Cook
Executive Director

From: John Barry Smith <safety@ntsb.org>
Date: September 5, 2009 11:46:53 PM PDT
To: "Dickerson, Ken" <kdickerson@majorcomm.ca>
Subject: RE: Application for standing

Dear Mr. Dickerson, Thursday, July 13, 2006

I leave tomorrow for Ottawa by car and my intention is to be at Bytown Pavilion before 9:30 AM on Wednesday, July 19, 2006

for my 15 minute presentation.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
safety@ntsb.org

At 7:03 PM -0400 7/13/06, Dickerson, Ken wrote:

Mr. Smith,

Please note that oral submissions concerning your application for standing will be heard on Wednesday, July 19, 2006. Hearings commence at 9:30 a.m. Please arrive by that time.

Commission hearings are held at the Bytown Pavilion, 111 Sussex Drive, Ottawa, Canada.

Let me reconfirm that the Commissioner will consider your application as submitted, whether or not you provide an oral submission on July 19.

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

From: John Barry Smith [mailto:safety@ntsb.org]
Sent: Thursday, July 13, 2006 12:43 PM
To: Dickerson, Ken
Subject: Re: Application for standing

Dear Mr. Dickerson, Thursday, July 13, 2006

Thank you for your recent telephone call in which I confirmed I would be presenting at the application for standing hearing on 18-19 July in Ottawa.

I shall drive instead of flying.

Can I be scheduled for 19 July, Wednesday, since the trip shall be a long one?

13. Applicants for standing will be permitted to make oral submissions not exceeding 15 minutes at a public standing hearing in Ottawa, on July 18-20, 2006 at the Bytown Pavilion, Victoria Hall, 111 Sussex Drive, Ottawa, Ontario, or at the discretion of the Commissioner at any other date.

I shall prepare for my full 15 minutes at the Bytown Pavilion.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924

1 831 659 3552
barry@johnbarrysmith.com
safety@ntsb.org

At 11:33 AM -0400 7/13/06, Dickerson, Ken wrote:

Mr. John Barry Smith
541 Country Club Drive
Carmel Valley, CA 93924
USA

e-mail: barry@ntsb.org

Dear Mr. Smith :

On behalf of the Honourable John C. Major, Commissioner, I hereby acknowledge receipt of your application for standing at the public hearings of the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182.

Written acknowledgement will follow, by letter to the address above.

You will be contacted shortly to inquire as to whether you intend to also present an oral submission on July 18, 2006 in Ottawa.

Yours truly,

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques

tel.: 613-992-1834

for Sheila-Marie Cook
Executive Director

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From: John Barry Smith <barry@johnbarrysmith.com>

Date: September 5, 2009 11:46:53 PM PDT

To: "Dickerson, Ken" <kdickerson@majorcomm.ca>

**Subject: RE: Please forward to Commissioner Major before
25 July deadline.**

Dear Mr. Dickerson, Monday, July 24, 2006

Thank you. I woke up this morning with a recollection that may be relevant and help my case but am not sure, what is your opinion?

I thought the Inquiry was into Air India Flight 182 but now I realize it's to inquire into the investigation.....of the bombing.....of Air India Flight 182..which held 329 people. What is the actual focus of the Inquiry? The investigation, or the bombing, or the airplane, or the victims? Or all four?

If it's the investigation then I omitted a crucial event:

In December 2001 an RCMP Air India Task Force Sergeant flew down from Vancouver to interview me. He investigated my shorted wiring/ruptured open forward cargo door/explosive decompression/inflight breakup explanation. I was part of that bombing investigation.

Also, a high ranking TSB official flew down from Ottawa to interview me on my explanation.

In a sense, those meetings might fit a Term of Reference, I was part of the bombing investigation and thus worthy of an inquiry.

Would you or commission counsel have an opinion on that?
Would that incident justify a grant of standing? Should I include it in my letter to the Commissioner received by you this morning?

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrismith.com
safety@ntsb.org

At 8:42 AM -0400 7/24/06, Dickerson, Ken wrote:

Mr. Smith,

I have forwarded your additional written submissions (received this morning, July 24) to Commissioner Major and commission counsel, advising them that you intend them to inform the Commissioner's decisions on applications for standing.

Thank you.

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

-----Original Message-----

From: John Barry Smith [mailto:barry@johnbarrysmith.com]

Sent: Monday, July 24, 2006 1:07 AM

To: Dickerson, Ken

Subject: Please forward to Commissioner Major before 25 July deadline.

Ken Dickerson

Public Affairs Officer / Agent des affaires publique

Dear Mr. Dickerson, Sunday, July 23, 2006

The Commissioner said he would accept written submissions from me to him. Below is a letter for the Commissioner regarding my fleeting time before him. I shall also send a hard copy to the Commission address. Can you print it out or email it to him, please?

I'm still trying for standing before the 25 July deadline, hope springs eternal.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924

Commission of Inquiry into the Investigation of the Bombing of
Air

India Flight 182

Honourable John C. Major, Q.C. Commissioner

Sheila-Marie Cook, Executive Director and Commission
Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

P.O. Box 1298, Station B
Ottawa, Ontario K1P 5R3
CANADA

Dear Commissioner John C. Major, Q.C. Sunday, July 23, 2006

This is John Barry Smith who appeared before you briefly on 19

July,
2006, at the hearings to consider grants of standing before the
Commission.

Actually, I never got to the "John Barry Smith' part because you
interrupted me after 60 seconds and said you would not listen to
any
of the remaining 14 minutes of my allotted 15 minutes because
my
content was not within the Terms of Reference which violated
the
Rules included in your Mandate.

As you can imagine, I was quite distraught when I was rejected
only a
few minutes into my presumed fifteen minute presentation. I'm
over
that now. I now understand your position and your reasons for
my
rejection. I hope by this last gasp letter before the 25 July
deadline for standing to persuade you that your misgivings are
unfounded.

Your kindly, patient demeanor indicated you regretted having to
cut
short my presentation but you had no choice as you were a loyal
public servant just following your orders with rules. You do have
a
choice, sir.

Based upon the transcript of our few minutes of talking there are
clear implications that:

1. You are persuaded I am worthy of being granted standing.
2. The Terms of Reference direct us to take into account those things that have already been determined.
3. Because Justice Josephson determined the cause of the explosion was a bomb any alternate explanation is moot.
4. My alternate theory may be correct but you do not know.
5. My explanation can not be considered as part of evidence because the Terms of Reference preclude its consideration.
6. If you could grant me standing within the Rules, you would.

Commissioner Major, permit me to demonstrate you can grant me standing because:

1. My explanation is within the Terms of Reference for at least one and possibly two Terms.
2. It has already been determined the cause of Air India Flight 182 was an explosion with cause not stated and can be taken into account.
2. Justice Josephson did not determine the cause was a bomb because the bomb cause was never disputed by the defense.
3. I can remove your doubts about my explanation being correct.
4. You can grant me standing based on grounds stated in the Terms and verbal suggestions from the Prime Minister.

To refresh our memory: Transcript from 19 July 2006 Hearings on Standings before the Commission of Inquiry into the

Investigation of the Bombing of Air India Flight 182.

"Mr. Smith: I have an alternate explanation for Air India 182. It's a mechanical explanation. I'll go into some detail during my presentation and my detail will not be to persuade you that my explanation is correct but to persuade you that my research has depth and is worthy of being granted standing.

THE COMMISSIONER: Well, I don't think, Mr. Smith, that you need 15 minutes to persuade me of that. Here's the difficulty. The Terms of Reference direct us to take into account those things that have already been determined. Justice Josephson in Vancouver determined that there was a bomb in a certain compartment of the airplane and it was the bomb that caused the explosion that resulted in the death of these people.

You have an alternate theory. The alternate theory may over time prove to be correct. I don't know. What I do know is that we cannot consider it as part of the evidence in this Inquiry but what I can do is permit you to file any written material that substantiates your view and it will be part of the Air India record. It will be there for examination by people who look at this Inquiry in future years, but the Terms of Reference preclude our considering whether or

not
there was any cause for that explosion other than the bomb that is
found by the Supreme Court of British Columbia.

So I can't do anything more for you than permit you to do what I
have
just suggested."

Reply today in this letter: Commissioner Major, it has already
been
determined that there was an investigation into the bombing of
Air
India Flight 182 and yet, there is an inquiry into that
investigation. Following that logic, it was determined that during
the investigations from 1985 to 2005 the cause of the explosion
was
determined to be a bomb by Justice Kirpal and thus an inquiry
into
that issue is justified.

It has also been determined that during those investigations there
are discrepancies between agencies such as a Court, CASB, TSB,
and
the RCMP as to the cause of the explosion and the location of
that
explosion, and therefore an inquiry into those determinations is
justified. The investigation into the bombing of Air India Flight
182
certainly included whether there was a bomb or not and where it
was;
therefore, an inquiry into the investigation of the bombing should
allow discussion on those matters.

Imagine if the judicial courts were to reject reconsidering cold case files as closed and reject any reconsideration or appeal. Imagine if the judicial courts were to reject without discussion the technological advancements of DNA testing and the internet in resolving cases, new and old.

Air India Flight 182 is a cold case file. I used the internet to access official government websites on aviation safety available to the public and was able to see a pattern for several matching accidents for early model Boeing 747s that suffered an explosion in flight near and in the forward cargo compartment which left a sudden loud sound on the cockpit voice recorder followed by an abrupt power cut to the flight data recorders with more severe inflight damage on the starboard side. All were initially thought to have been bomb explosions. The DNA of those four accidents matches Air India Flight 182.

At this time, please let me address each point specifically which warrants my granting of standing and your authority to do so:

1. You are persuaded I am worthy of being granted standing.

Reply: Thank you, sir.

2. The Terms of Reference direct us to take into account those

things
that have already been determined.

Reply: Yes, sir, and it has already been determined by those that are most qualified to give an opinion about Air India Flight 182 that the cause was an explosion....in the forward cargo compartment....of unstated cause.

The Canadian Aviation Safety Board respectfully submits as follows:

"4.1 Cause-Related Findings

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment."

That finding from CASB is absolutely correct. It also does not conclude the destruction of the aircraft was caused by a bomb. It is specific on the location. There are several alternative explanations for that confirmed explosion, from fire in the cargo hold or hull rupture at a door, or bomb in baggage go boom. I agree there was an explosion in the forward cargo compartment, all the experts agreed on that point in 1986 for solid reasons. The cause and location of the explosion is now in disagreement between the Court, media, by the Indian government, the RCMP, the UK crash investigator, and me. All these disagreements occurred during the investigation of the

bombing
which is the subject of the inquiry.

The Canadian and United Kingdom government experts in aircraft accident investigation for Air India Flight 182 did not state the cause was a bomb and in fact, the UK expert stated in 1986 it was not a bomb and gave strong evidence for his conclusion.

Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr.

Davis reported as follows :- "It is considered that from the CVR and

ATC recordings supplied for analysis, there is no evidence of a high

explosive device having detonated on AI 182. There is strong evidence

to suggest that a sudden explosive decompression occurred but the

cause has not been identified. It must be concluded that without positive evidence of an explosive device from either the wreckage or

pathological examinations, some other cause has to be established for the accident".

That 'other cause' was established by me in 1996 based on an event in 1989, UAL 811, plus other accidents. (And there is good reason why it is called an 'explosive' decompression. It is an explosion that

mimics a bomb.)

The Canadian crash experts (CASB) called Air India Flight 182 a 'crash'. It was. The word 'bomb' was never used in relation with Air India Flight 182 in their entire CASB report. "Bomb" was used only once in reference to a different aircraft and event for comparison purposes. There was no match.

It has already been determined during the investigation there was an explosion and I wish to present in detail my explanation of that explosion. My discussion would take into account a thing already determined as part of a Term of Reference: An explosion in Air India Flight 182 was determined during the investigation into the bombing. An inquiry into the investigation should include discussion regarding the explosion and its location.

To repeat the logic: An 'Inquiry into the Investigation of the Bombing' should allow discussion of what, how, when, where, and why a bomb explosion was determined during the investigation of the bombing and why other explanations were ruled out, especially when there is so much official expert disagreement in the bombing conclusion from Canadian government air accident investigators.

3. Because Justice Josephson determined the cause of the explosion was a bomb any alternate explanation is moot.

Reply: Criminal court judges and criminal defense attorneys may be expert in the evils of human nature but not in the faults of machines. Regarding Justice Josephson's belief in a bomb caused event, the criminal defense attorney for the two accused never disputed the bomb cause and quibbled about the specific location, but only that his clients did not plant it. The issue of an alternative explanation or general location was never raised. I'm sure the accused believe Air India Flight 182 was blown out of the sky by a bomb someplace in the plane but they did not plant it. Justice Josephson did not 'determine' the cause was a bomb, it was essentially stipulated by a criminal defense attorney and a prosecutor.

Below from "Reasons for Judgment" by Justice Josephson regarding Malik and Bagri.

I. OVERVIEW

[1] In the early morning hours of June 23, 1985, Air India Flight 182, carrying 329 people[1], was destroyed mid-flight by a bomb located in its rear cargo hold. Remnants of the plane and bodies of some of the victims were recovered from the Atlantic Ocean off the coast of Ireland. There were no survivors.

H. Conclusion [190] It is agreed amongst the experts that the Kanishka was destroyed by the detonation of an explosive device within its left aft fuselage. The sole issue is the precise location of that device.

Reply: Is the trial of the two accused eligible for inclusion in the "Investigation" which is part of the Inquiry into the Investigation....? If no, then Justice Josephson's finding is irrelevant and precludes nothing. If yes, then the discrepancies between the experts of 1986 in accident reports and 2005 during trial can be included and justify an inquiry into the details of the disagreements.

During trial here was never any consideration of an alternative for the holes and bulges they discovered. There was never any consideration of the location of the explosion being in the forward part of the aircraft which was 'agreed amongst the experts' in 1986.

There was some quibbling in 2005 about a few feet of location but never any substantive argument of where and what caused the explosion. There was never any discussion of several similar Boeing 747s accidents which matched Air India Flight 182.

The agreement amongst the experts in Canada, UK, and India in 1986 stated the explosion occurred in the forward cargo compartment

and
yet in 2005 there was never any dispute about the cause being a
bomb
or its location nor any rebuttal to the experts of 1986.

From the 1986 CASB experts opinion: 2.11.6.5 Target 47 - Aft
Cargo Compartment

No other significant observation was noted. There was no
evidence to
indicate characteristics of an explosion emanating from the aft
cargo
compartment.

From the 1986 Indian Kirpal report:

3.2.11.19 Target 47 - Aft Cargo Floor Structure

This portion of the aft cargo compartment was located between B
S

1600 and B S 1760. No significant observation was noted. There
was no
evidence to indicate characteristics of an explosion emanating
from
the aft cargo compartment.

An Inquiry into an investigation of a bombing could certainly
inquire
as to the unexplained discrepancy between two groups of experts
declaring opposite opinions during the investigations after June
23,
1985.

I might add that the two documents which state the experts'
opinions
of an explosion in the forward cargo compartment are

specifically
suggested as source material for the Commission:

Terms of Reference: "...the Commissioner to conduct the Inquiry as he considers appropriate with respect to accepting as conclusive or giving weight to the findings of other examinations of the circumstances surrounding the bombing of Air India Flight 182, including
the report of the Honourable Mr. Justice B.N. Kirpal of the High Court of Delhi of February 26, 1986,
the Aviation Occurrence Report of the Canadian Aviation Safety Board into the crash involving Air India Flight 182 of January 22, 1986"

The Trial proceedings of Justice Josephson are noticeably absent which would imply they are outside the area of inquiry. In that case, sir, Justice Josephson's determination of a bomb does not preclude including discussion of an alternate explanation for the explosion in this inquiry.

4. My alternate theory may be correct but you do not know.

Reply: An honest statement expressing an open mind revealing an intellectual curiosity. I can remove your doubts, sir, if given the opportunity, by use of documents, charts, models, aircraft

accident reports, and following strict rules of scientific exposition. I have had the luxury of technological advancements such as the internet and the benefit of hindsight based on several similar accidents.

5. My explanation can not be considered as part of evidence because the Terms of Reference preclude its consideration.

Reply: You can grant standing sir, should you choose to do so. Your criteria is whether my explanation fits into Terms of Reference.

Terms of Reference. "2. the Commissioner to conduct the Inquiry specifically for the purpose of making findings and recommendations with respect to the following, namely...,
2. if there were problems in the effective cooperation between government departments and agencies, including the Canadian Security Intelligence Service and the Royal Canadian Mounted Police, in the investigation of the bombing of Air India Flight 182, either before or after June 23, 1985,"

I can give one area of lack of effective cooperation between Canadian government agencies: A high ranking TSB Air official in June, 2002, Mr. Bill Tucker, officially requested (at my urging) photographs

of
the wreckage of Air India Flight 182 (photos held by the RCMP)
to the
RCMP Air India Task Force via Sgt. Bart Blachford who
declined to
cooperate and rejected the request thus keeping secret from
Canadian
aviation accident personnel important evidence of a Canadian
aviation
accident in which both agencies were interested. There was no
cooperation between the RCMP Air India Task Force and the
TSB Air
investigators during a period after June 23, 1985. The history of
Air
India Flight 182 might very well have been different if the
RCMP had
given those vital photographs to TSB for evaluation as requested.

Terms of Reference. "7. whether further changes in practice or
legislation are required to address the specific aviation security
breaches associated with the Air India Flight 182 bombing,
particularly those relating to the screening of passengers and
their
baggage;"

The meaning of the word 'security' probably means protection
from
human killers while the general meaning of 'security' is
protection
from natural hazards, human hazards, or machine hazards.
Changes in
practice are required to address a specific aviation security
breach

in that the airplane hazard of maintaining faulty wiring still exists today for Canadian air passengers. Air India Flight 182 was after all, an airplane crash, not a bank robbery. I was about to present an issue that affected and still affects the physical security of all Canadian citizens who fly in early model Boeing 747s, of which 500 are early models still in service which are similar to the model of Air India Flight 182. This security inclusion as a Term of Reference is a stretch but still fits in a general area of aviation security. If you are to err in discretion, Commissioner Major, please err on the side of too much inquiry, not too little.

My explanation is within the Terms of Reference in at least one area and probably two in addition to referring to a thing that has already been determined. My explanation thus can be considered as part of evidence should you choose to do so.

6. If you could grant me standing within the Rules, you would.

Reply: Sir, you can. Please do.

1. Your authority as directed by the Rules of Procedure:

D. STANDING

10. A person may be granted full or partial standing as a party by the Commissioner if the Commissioner is satisfied that the person is

directly and substantially affected by the mandate of the Inquiry or portions thereof.

11. A person may be granted standing as an intervenor by the Commissioner if the Commissioner is satisfied that the person represents clearly ascertainable interests and perspectives essential to the Commissioner's mandate, which the Commissioner considers ought to be separately represented before the Inquiry, in which event the intervenor may participate in a manner to be determined by the Commissioner.

14. The Commissioner will determine any special conditions under which a person may participate and those parts of the Inquiry in which a person granted standing may participate.

15. From time to time, the Commissioner may, in his discretion, at any time grant to or rescind standing from a person, or modify the status or conditions of the standing of a person.

16. The Commissioner will determine on what terms and in which parts of the Inquiry a party or intervenor may participate, and the nature and extent of such participation.

You may set special conditions, you may rescind standing, you may narrow the area of standing, you may modify status or conditions of standing, you may determine the nature and extent of the participation.

You can grant me standing sir, should you choose to do so.

I also have a unique perspective which would enhance the work of the Commission...I have actually been in a sudden fiery fatal jet airplane crash and I would be talking about a sudden fiery fatal jet airplane crash. I would call that a unique perspective.

A brief description of this messenger/applicant is appropriate at this time:

Commercial pilot, instrument rated, former FAA Part 135 certificate holder.

US Navy reconnaissance bombardier navigator, RA-5C 650 hours.

US Navy patrol crewman, P2V-5FS 2000 hours.

Air Intelligence Officer, US Navy

Retired US Army Major MSC

Owner Mooney M-20C, 1000 hours.

Survivor of sudden night fiery fatal jet plane crash in RA-5C

I am not employed by a manufacturer, any airline, attorneys, family

groups, or government agencies. I am thus able to be detached and objective.

On an informal note, Prime Minister Harper's concept of the Commission of Inquiry is stated below in excerpts:

Speech - Prime Minister Harper announces inquiry into Air India bombing
Ottawa, Ontario

Thank you Mr. Speaker.

On June 23, 1985, Air India Flight 182, on its way from Montreal to

London, England, exploded in mid-air near the coast of Ireland.

In January of the following year, the Canadian Aviation Safety Board

concluded that the destruction of this aircraft was caused by a bomb.

It is our duty as Canadians to do everything in our power to prevent

a similar tragedy from ever happening again,

A full public inquiry is required.

This inquiry will be launched immediately and led by an outstanding

Canadian, retired Supreme Court Justice John Major.

He has agreed to serve as Commissioner for this inquiry and I have

every confidence that he will conduct a thorough and compassionate

investigation into the events surrounding this tragedy.

This inquiry is about analyzing the evidence that has come to light

since 1985 and applying it to the world we live in today.'

Nice speech. Nice guidance. Let me condense some of them:

1. Exploded in mid-air.
2. Do everything in our power to prevent similar tragedy.
3. Full public inquiry.
4. Outstanding Canadian, retired Supreme Court Justice John Major.
5. Commissioner...will conduct a thorough investigation into the events surrounding this tragedy.

6. This inquiry is about analyzing the evidence since 1985 and applying it to today.

Those verbal suggestions from the Prime Minister are very broad and make sense. You have great power, Commissioner, to do everything in your power to conduct a thorough investigation into the events surrounding Flight 182 and to analyze the evidence since 1985 and apply it today. Your action to abruptly curtail my presentation was bewildering until I read the transcript.

There is much official encouragement to allow me to proceed as I present an explanation for the tragedy based on a thorough investigation into Air India Flight 182 and uses several similar accidents of early model Boeing 747s in 1988, 1989, 1996, and 2003.

I wish now to address the most insidious lie/error of fact with such disastrous consequences I have run up against in my short sweet life of sixty two years:

Here it is:

From Prime Minister Harper's speech to Parliament 1 May 2006:
"In January of the following year, the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a

bomb."

From Letter for Application for Partial Standing from Air India,
"The
Canadian Aviation Safety Board later determined that Air India
Flight
182 and its passengers and crew had been the victims of an
explosive
device that was contained in baggage stowed in the aircraft's
cargo
compartment."

From website of The Commission of Inquiry into the
Investigation of
the Bombing of Air India Flight 182, opening statement: "Yet, it
was
not until the following January that the Canadian Aviation Safety
Board concluded that the destruction of this aircraft was caused
by a
bomb."

Wrong, wrong, wrong.

Here is the true and accurate statement from the Canadian
Aviation
Safety Board for Air India Flight 182:

The Canadian Aviation Safety Board respectfully submits as
follows:

"4.1 Cause-Related Findings

5. There is considerable circumstantial and other evidence to
indicate that the initial event was an explosion occurring in the
forward cargo compartment."

That finding from CASB is absolutely correct.

Here is the terrible logical conclusion of the false premise:
Unwitting Prime Minister Harper again:

'In January of the following year, the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb. Clearly, this was an act of terrorism - one that claimed hundreds of innocent lives.'

That was a dangerous conclusion based upon a false premise and off we go to the 911 terrorists everywhere paranoia parade; "Take off your shoes, your belt, your jacket, empty your pockets and stick out your arms; this is clearly for your own safety sir, your fellow passengers may be stone cold suicidal killers and welcome aboard, we hope you enjoy your flight."

There were real terrorists on airplanes in 2001 but none was present sixteen years earlier with Air India Flight 182. There was no bomb, no bombers, no conspiracies, no crime and no criminals: A huge machine exploded because a small part failed. The event was investigated and now there is an inquiry into that investigation

which evaluated causes and locations of the already determined explosion. I wish to contribute to that inquiry into the investigation.

A good idea would be for the Commission to formally ask for an updated supplemental opinion about the twenty one year old Aviation Occurrence Report of the CASB. The request to the Transportation Safety Board of Canada, Air, investigators regarding Flight 182 would give you a Crown respected opinion by air accident experts, not criminal attorneys, and TSB might be flattered at the request but need to be asked by competent authority which the Commission of Inquiry certainly is.

I support the Canadian institutions of safety and justice and inquiry. The Canadian Transport Safety Board represented by the CASB was correct, there was an explosion in the forward cargo compartment. The Canadian judicial system represented by Justice Josephson was correct, the accused did not do it because nobody did it. I even sympathize with the CSIS and the Gendarmerie royale du Canada. They could not catch anyone because there was no one to catch; they were chasing ghosts created by media and a foreign government for its own purposes.

In a court environment there is an adversarial relationship between the parties while a commission is less formal and should be more of a cooperative style with the goal being the gaining of knowledge and possibly truth. I did not complain too much at the start of my show when you told this dog to sit and keep the pony in the corral. I am not your adversary, Commissioner Major, I am on the side of the Canadian aviation accident experts, on the side of Canadian Justice Josephson, and the side of Canadian Prime Minister Harper's thorough inquiry; I agree with all three. And yet I am excluded from presenting evidence and those that doubt the institutions are given full exposure. That's not fair or reasonable, sir. Please correct the injustice by allowing my explanation time in the sun.

In California I was given a scant five days to prepare my oral presentation to you in Ottawa and I learned a lot: I learned that flights booked with less than seven days notice cost a whole lot more than those booked with more than seven days and I learned to never ever fly in an Airbus 319 again unless I lose ten inches in length, starting at my feet.

I used those five days to rehearse about four hours every day, revising and revising. After the first day of hearing adjourned I stood in front of the podium looking at the Canadian flags on

poles
behind the empty Commissioner's dais and honed my speech to
fifteen
minutes. On the morning of the actual presentation I came early
and
repeated the dress rehearsal. I had my plastic model of a Boeing
747
to use as a visual aid. I had a large color photo of the actual
aircraft, "Kanishka" taken a few years before its explosion. I had
a
pun, "votre a decouvrir." I was not going to bumble through,
wander
off, or read by rote with head down as other applicants did; no, I
was going to maintain eye contact, stick to the facts, present a
logical sequence of events, and not attempt to persuade you my
explanation was correct but to persuade you my research had
depth, I
had done my homework, my facts were compelling and I was
thus
justified a granting of standing as a person before the
Commission
which would give me an opportunity to present my explanation
in
detail at a later time.

I was told you could not allow my standing by mandate, yet upon
review you could. I was told my content was not in the Terms of
Reference, but upon review it is. I was told I could submit
written
documents for consideration and in that case, please consider this
letter, although full of chaff, as a substitute for the twelve
minutes I did not get earlier. Is the jury still out on my
application for standing, Your Honor?

THE COMMISSIONER: I should say we appreciate the time you've taken to come as far as you've come to make this point.

Reply: You're welcome, sir. Ottawa is full of varied pleasant people and my visit to the Air Museum outside of town was a highlight. Spitfire, Hurricane, Komet, Starfighter, and Vampire were magnificent to see first time and close up.

I empathize with the victim's families; their grief is real regardless of the cause of the explosion of the aircraft their loved ones were in. Any beliefs they hold to relieve grief are justified. I would hope that my alternative mechanical explanation will give them some consolation and closure by explaining clearly, completely, and in detail what happened to their family members. 'Who, what, where, when, how much, how, and why' questions are all answered by the shorted wiring/ruptured open forward cargo door/explosive decompression/inflight breakup explanation for Air India Flight 182.

You have a great opportunity, Commissioner Major, to solve a vexing problem that has haunted the Canadian consciousness for twenty one years. Physical mysteries are not resolved by closed minds based on

stereotypes or raw emotions; they are solved by rules of science, accumulation of data, questions based on conjecture, and rigorous application of logic. Air India Flight 182 was an airplane crash first and always.

I trust that you will do everything in your power as Commissioner to conduct a thorough investigation into the surrounding events and to analyze the evidence since 1985 and apply it today during the term of the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrismith.com
safety@ntsb.org

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From: John Barry Smith <barry@johnbarrysmith.com>
Date: September 5, 2009 11:46:53 PM PDT
To: "Dickerson, Ken" <kdickerson@majorcomm.ca>
Subject: RE: Please forward to Commissioner Major before 25 July deadline.

Dear Mr. Dickerson, Monday, July 24, 2006

I'm gasping and grasping at straws here as the deadline looms and you are being very fair in giving me every chance. I thank you sir.

Regards,

John Barry Smith

At 12:46 PM -0400 7/24/06, Dickerson, Ken wrote:
[Mr. Smith,](#)

[I have forwarded this document to the Commissioner and counsel, just as with your other recent e-mail.](#)

[I have also pointed out your questions, so that counsel may consider them.](#)

[Ken Dickerson](#)

[Public Affairs Officer / Agent des affaires publiques](#)

tel.: 613-992-1834

From: John Barry Smith [mailto:barry@johnbarrysmith.com]
Sent: Monday, July 24, 2006 11:19 AM
To: Dickerson, Ken
Subject: RE: Please forward to Commissioner Major before 25 July deadline.

Dear Mr. Dickerson, Monday, July 24, 2006

Thank you. I woke up this morning with a recollection that may be relevant and help my case but am not sure, what is your opinion?

I thought the Inquiry was into Air India Flight 182 but now I realize it's to inquire into the investigation.....of the bombing.....of Air India Flight 182..which held 329 people. What is the actual focus of the Inquiry? The investigation, or the bombing, or the airplane, or the victims? Or all four?

If it's the investigation then I omitted a crucial event:

In December 2001 an RCMP Air India Task Force Sergeant flew down from Vancouver to interview me. He investigated my shorted wiring/ruptured open forward cargo door/explosive decompression/inflight breakup explanation. I was part of that bombing investigation.

Also, a high ranking TSB official flew down from Ottawa to interview me on my explanation.

In a sense, those meetings might fit a Term of Reference, I was part of the bombing investigation and thus worthy of an inquiry.

Would you or commission counsel have an opinion on that? Would that incident justify a grant of standing? Should I include it in my letter to the Commissioner received by you this morning?

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
safety@ntsb.org

At 8:42 AM -0400 7/24/06, Dickerson, Ken wrote:
Mr. Smith,

I have forwarded your additional written submissions (received this morning, July 24) to Commissioner Major and commission counsel, advising them that you intend them to inform the Commissioner's decisions on applications for standing.

Thank you.

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

-----Original Message-----

From: John Barry Smith [mailto:barry@johnbarrysmith.com]

Sent: Monday, July 24, 2006 1:07 AM

To: Dickerson, Ken

Subject: Please forward to Commissioner Major before 25 July
deadline.

Ken Dickerson

Public Affairs Officer / Agent des affaires publique

Dear Mr. Dickerson, Sunday, July 23, 2006

The Commissioner said he would accept written submissions
from me to
him. Below is a letter for the Commissioner regarding my
fleeting
time before him. I shall also send a hard copy to the Commission
address. Can you print it out or email it to him, please?

I'm still trying for standing before the 25 July deadline, hope
springs eternal.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924

Commission of Inquiry into the Investigation of the Bombing of
Air
India Flight 182
Honourable John C. Major, Q.C. Commissioner
Sheila-Marie Cook, Executive Director and Commission
Secretary
Mark J. Freiman, Commission's Lead Counsel
Michel Dorval, Commission's Co-Counsel

P.O. Box 1298, Station B
Ottawa, Ontario K1P 5R3
CANADA

Dear Commissioner John C. Major, Q.C. Sunday, July 23, 2006

This is John Barry Smith who appeared before you briefly on 19
July,
2006, at the hearings to consider grants of standing before the
Commission.

Actually, I never got to the "John Barry Smith" part because you
interrupted me after 60 seconds and said you would not listen to
any
of the remaining 14 minutes of my allotted 15 minutes because
my
content was not within the Terms of Reference which violated

the
Rules included in your Mandate.

As you can imagine, I was quite distraught when I was rejected only a few minutes into my presumed fifteen minute presentation. I'm over that now. I now understand your position and your reasons for my rejection. I hope by this last gasp letter before the 25 July deadline for standing to persuade you that your misgivings are unfounded.

Your kindly, patient demeanor indicated you regretted having to cut short my presentation but you had no choice as you were a loyal public servant just following your orders with rules. You do have a choice, sir.

Based upon the transcript of our few minutes of talking there are clear implications that:

1. You are persuaded I am worthy of being granted standing.
2. The Terms of Reference direct us to take into account those things that have already been determined.
3. Because Justice Josephson determined the cause of the explosion was a bomb any alternate explanation is moot.
4. My alternate theory may be correct but you do not know.
5. My explanation can not be considered as part of evidence because

the Terms of Reference preclude its consideration.

6. If you could grant me standing within the Rules, you would.

Commissioner Major, permit me to demonstrate you can grant me standing because:

1. My explanation is within the Terms of Reference for at least one and possibly two Terms.

2. It has already been determined the cause of Air India Flight 182 was an explosion with cause not stated and can be taken into account.

2. Justice Josephson did not determine the cause was a bomb because the bomb cause was never disputed by the defense.

3. I can remove your doubts about my explanation being correct.

4. You can grant me standing based on grounds stated in the Terms and verbal suggestions from the Prime Minister.

To refresh our memory: Transcript from 19 July 2006 Hearings on

Standings before the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182.

"Mr. Smith: I have an alternate explanation for Air India 182. It's a mechanical explanation. I'll go into some detail during my presentation and my detail will not be to persuade you that my explanation is correct but to persuade you that my research has depth and is worthy of being granted standing.

THE COMMISSIONER: Well, I don't think, Mr. Smith, that you need 15 minutes to persuade me of that. Here's the difficulty. The Terms of Reference direct us to take into account those things that have already been determined. Justice Josephson in Vancouver determined that there was a bomb in a certain compartment of the airplane and it was the bomb that caused the explosion that resulted in the death of these people.

You have an alternate theory. The alternate theory may over time prove to be correct. I don't know. What I do know is that we cannot consider it as part of the evidence in this Inquiry but what I can do is permit you to file any written material that substantiates your view and it will be part of the Air India record. It will be there for examination by people who look at this Inquiry in future years, but the Terms of Reference preclude our considering whether or not there was any cause for that explosion other than the bomb that is found by the Supreme Court of British Columbia.

So I can't do anything more for you than permit you to do what I have just suggested."

Reply today in this letter: Commissioner Major, it has already been

determined that there was an investigation into the bombing of Air India Flight 182 and yet, there is an inquiry into that investigation. Following that logic, it was determined that during the investigations from 1985 to 2005 the cause of the explosion was determined to be a bomb by Justice Kirpal and thus an inquiry into that issue is justified.

It has also been determined that during those investigations there are discrepancies between agencies such as a Court, CASB, TSB, and the RCMP as to the cause of the explosion and the location of that explosion, and therefore an inquiry into those determinations is justified. The investigation into the bombing of Air India Flight 182 certainly included whether there was a bomb or not and where it was; therefore, an inquiry into the investigation of the bombing should allow discussion on those matters.

Imagine if the judicial courts were to reject reconsidering cold case files as closed and reject any reconsideration or appeal. Imagine if the judicial courts were to reject without discussion the technological advancements of DNA testing and the internet in resolving cases, new and old.

Air India Flight 182 is a cold case file. I used the internet to access official government websites on aviation safety available

to
the public and was able to see a pattern for several matching
accidents for early model Boeing 747s that suffered an explosion
in
flight near and in the forward cargo compartment which left a
sudden
loud sound on the cockpit voice recorder followed by an abrupt
power
cut to the flight data recorders with more severe inflight damage
on
the starboard side. All were initially thought to have been bomb
explosions. The DNA of those four accidents matches Air India
Flight
182.

At this time, please let me address each point specifically which
warrants my granting of standing and your authority to do so:

1. You are persuaded I am worthy of being granted standing.

Reply: Thank you, sir.

2. The Terms of Reference direct us to take into account those
things
that have already been determined.

Reply: Yes, sir, and it has already been determined by those that
are
most qualified to give an opinion about Air India Flight 182 that
the
cause was an explosion....in the forward cargo compartment....of
unstated cause.

The Canadian Aviation Safety Board respectfully submits as follows:

"4.1 Cause-Related Findings

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment."

That finding from CASB is absolutely correct. It also does not conclude the destruction of the aircraft was caused by a bomb. It is specific on the location. There are several alternative explanations for that confirmed explosion, from fire in the cargo hold or hull rupture at a door, or bomb in baggage go boom. I agree there was an explosion in the forward cargo compartment, all the experts agreed on that point in 1986 for solid reasons. The cause and location of the explosion is now in disagreement between the Court, media, by the Indian government, the RCMP, the UK crash investigator, and me. All these disagreements occurred during the investigation of the bombing which is the subject of the inquiry.

The Canadian and United Kingdom government experts in aircraft accident investigation for Air India Flight 182 did not state the cause was a bomb and in fact, the UK expert stated in 1986 it was not a bomb and gave strong evidence for his conclusion.

Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr.

Davis reported as follows :- "It is considered that from the CVR and

ATC recordings supplied for analysis, there is no evidence of a high

explosive device having detonated on AI 182. There is strong evidence

to suggest that a sudden explosive decompression occurred but the

cause has not been identified. It must be concluded that without positive evidence of an explosive device from either the

wreckage or

pathological examinations, some other cause has to be

established for

the accident".

That 'other cause' was established by me in 1996 based on an event in

1989, UAL 811, plus other accidents. (And there is good reason why it

is called an 'explosive' decompression. It is an explosion that mimics a bomb.)

The Canadian crash experts (CASB) called Air India Flight 182 a 'crash'. It was. The word 'bomb' was never used in relation with Air

India Flight 182 in their entire CASB report. "Bomb" was used only

once in reference to a different aircraft and event for comparison purposes. There was no match.

It has already been determined during the investigation there was an explosion and I wish to present in detail my explanation of that explosion. My discussion would take into account a thing already determined as part of a Term of Reference: An explosion in Air India Flight 182 was determined during the investigation into the bombing. An inquiry into the investigation should include discussion regarding the explosion and its location.

To repeat the logic: An 'Inquiry into the Investigation of the Bombing' should allow discussion of what, how, when, where, and why a bomb explosion was determined during the investigation of the bombing and why other explanations were ruled out, especially when there is so much official expert disagreement in the bombing conclusion from Canadian government air accident investigators.

3. Because Justice Josephson determined the cause of the explosion was a bomb any alternate explanation is moot.

Reply: Criminal court judges and criminal defense attorneys may be expert in the evils of human nature but not in the faults of machines. Regarding Justice Josephson's belief in a bomb caused event, the criminal defense attorney for the two accused never disputed the bomb cause and quibbled about the specific

location, but only that his clients did not plant it. The issue of an alternative explanation or general location was never raised. I'm sure the accused believe Air India Flight 182 was blown out of the sky by a bomb someplace in the plane but they did not plant it. Justice Josephson did not 'determine' the cause was a bomb, it was essentially stipulated by a criminal defense attorney and a prosecutor.

Below from "Reasons for Judgment" by Justice Josephson regarding Malik and Bagri.

I. OVERVIEW

[1] In the early morning hours of June 23, 1985, Air India Flight 182, carrying 329 people[1], was destroyed mid-flight by a bomb located in its rear cargo hold. Remnants of the plane and bodies of some of the victims were recovered from the Atlantic Ocean off the coast of Ireland. There were no survivors.

H. Conclusion [190] It is agreed amongst the experts that the Kanishka was destroyed by the detonation of an explosive device within its left aft fuselage. The sole issue is the precise location of that device.

Reply: Is the trial of the two accused eligible for inclusion in the "Investigation" which is part of the Inquiry into the Investigation....? If no, then Justice Josephson's finding is

irrelevant and precludes nothing. If yes, then the discrepancies between the experts of 1986 in accident reports and 2005 during trial can be included and justify an inquiry into the details of the disagreements.

During trial here was never any consideration of an alternative for the holes and bulges they discovered. There was never any consideration of the location of the explosion being in the forward part of the aircraft which was 'agreed amongst the experts' in 1986.

There was some quibbling in 2005 about a few feet of location but never any substantive argument of where and what caused the explosion. There was never any discussion of several similar Boeing 747s accidents which matched Air India Flight 182.

The agreement amongst the experts in Canada, UK, and India in 1986 stated the explosion occurred in the forward cargo compartment and yet in 2005 there was never any dispute about the cause being a bomb or its location nor any rebuttal to the experts of 1986.

From the 1986 CASB experts opinion: 2.11.6.5 Target 47 - Aft Cargo Compartment
No other significant observation was noted. There was no evidence to indicate characteristics of an explosion emanating from the aft

cargo
compartment.

From the 1986 Indian Kirpal report:

3.2.11.19 Target 47 - Aft Cargo Floor Structure

This portion of the aft cargo compartment was located between B
S

1600 and B S 1760. No significant observation was noted. There
was no
evidence to indicate characteristics of an explosion emanating
from
the aft cargo compartment.

An Inquiry into an investigation of a bombing could certainly
inquire

as to the unexplained discrepancy between two groups of experts
declaring opposite opinions during the investigations after June
23,
1985.

I might add that the two documents which state the experts'
opinions

of an explosion in the forward cargo compartment are
specifically

suggested as source material for the Commission:

Terms of Reference: "...the Commissioner to conduct the Inquiry
as he

considers appropriate with respect to accepting as conclusive or
giving weight to the findings of other examinations of the
circumstances surrounding the bombing of Air India Flight 182,
including

the report of the Honourable Mr. Justice B.N. Kirpal of the

High
Court of Delhi of February 26, 1986,
the Aviation Occurrence Report of the Canadian Aviation
Safety
Board into the crash involving Air India Flight 182 of January
22,
1986"

The Trial proceedings of Justice Josephson are noticeably absent
which would imply they are outside the area of inquiry. In that
case,
sir, Justice Josephson's determination of a bomb does not
preclude
including discussion of an alternate explanation for the explosion
in
this inquiry.

4. My alternate theory may be correct but you do not know.

Reply: An honest statement expressing an open mind revealing
an
intellectual curiosity. I can remove your doubts, sir, if given the
opportunity, by use of documents, charts, models, aircraft
accident
reports, and following strict rules of scientific exposition. I have
had the luxury of technological advancements such as the
internet and
the benefit of hindsight based on several similar accidents.

5. My explanation can not be considered as part of evidence
because
the Terms of Reference preclude its consideration.

Reply: You can grant standing sir, should you choose to do so.
Your
criteria is whether my explanation fits into Terms of Reference.

Terms of Reference. "2. the Commissioner to conduct the
Inquiry
specifically for the purpose of making findings and
recommendations
with respect to the following, namely...,
2. if there were problems in the effective cooperation between
government departments and agencies, including the Canadian
Security
Intelligence Service and the Royal Canadian Mounted Police, in
the
investigation of the bombing of Air India Flight 182, either
before
or after June 23, 1985,"

I can give one area of lack of effective cooperation between
Canadian
government agencies: A high ranking TSB Air official in June,
2002,
Mr. Bill Tucker, officially requested (at my urging) photographs
of
the wreckage of Air India Flight 182 (photos held by the RCMP)
to the
RCMP Air India Task Force via Sgt. Bart Blachford who
declined to
cooperate and rejected the request thus keeping secret from
Canadian
aviation accident personnel important evidence of a Canadian
aviation
accident in which both agencies were interested. There was no

cooperation between the RCMP Air India Task Force and the TSB Air investigators during a period after June 23, 1985. The history of Air India Flight 182 might very well have been different if the RCMP had given those vital photographs to TSB for evaluation as requested.

Terms of Reference. "7. whether further changes in practice or legislation are required to address the specific aviation security breaches associated with the Air India Flight 182 bombing, particularly those relating to the screening of passengers and their baggage;"

The meaning of the word 'security' probably means protection from human killers while the general meaning of 'security' is protection from natural hazards, human hazards, or machine hazards. Changes in practice are required to address a specific aviation security breach in that the airplane hazard of maintaining faulty wiring still exists today for Canadian air passengers. Air India Flight 182 was after all, an airplane crash, not a bank robbery. I was about to present an issue that affected and still affects the physical security of all Canadian citizens who fly in early model Boeing 747s, of which 500 are early models still in service which are similar to the model of Air India Flight 182. This security inclusion as a Term of Reference

is a stretch but still fits in a general area of aviation security. If you are to err in discretion, Commissioner Major, please err on the side of too much inquiry, not too little.

My explanation is within the Terms of Reference in at least one area and probably two in addition to referring to a thing that has already been determined. My explanation thus can be considered as part of evidence should you choose to do so.

6. If you could grant me standing within the Rules, you would.

Reply: Sir, you can. Please do.

1. Your authority as directed by the Rules of Procedure:

D. STANDING

10. A person may be granted full or partial standing as a party by the Commissioner if the Commissioner is satisfied that the person is directly and substantially affected by the mandate of the Inquiry or portions thereof.

11. A person may be granted standing as an intervenor by the Commissioner if the Commissioner is satisfied that the person represents clearly ascertainable interests and perspectives essential to the Commissioner's mandate, which the Commissioner considers ought to be separately represented before the Inquiry, in which event

the
intervenor may participate in a manner to be determined by the
Commissioner.

14. The Commissioner will determine any special conditions
under
which a person may participate and those parts of the Inquiry in
which a person granted standing may participate.

15. From time to time, the Commissioner may, in his
discretion, at
any time grant to or rescind standing from a person, or modify
the
status or conditions of the standing of a person.

16. The Commissioner will determine on what terms and in
which
parts of the Inquiry a party or intervenor may participate, and the
nature and extent of such participation.

You may set special conditions, you may rescind standing, you
may
narrow the area of standing, you may modify status or conditions
of
standing, you may determine the nature and extent of the
participation.

You can grant me standing sir, should you choose to do so.

I also have a unique perspective which would enhance the work
of the
Commission...I have actually been in a sudden fiery fatal jet
airplane crash and I would be talking about a sudden fiery fatal
jet
airplane crash. I would call that a unique perspective.

A brief description of this messenger/applicant is appropriate at this time:

Commercial pilot, instrument rated, former FAA Part 135 certificate holder.

US Navy reconnaissance bombardier navigator, RA-5C 650 hours.

US Navy patrol crewman, P2V-5FS 2000 hours.

Air Intelligence Officer, US Navy

Retired US Army Major MSC

Owner Mooney M-20C, 1000 hours.

Survivor of sudden night fiery fatal jet plane crash in RA-5C

I am not employed by a manufacturer, any airline, attorneys, family

groups, or government agencies. I am thus able to be detached and

objective.

On an informal note, Prime Minister Harper's concept of the Commission of Inquiry is stated below in excerpts:

Speech - Prime Minister Harper announces inquiry into Air India bombing

Ottawa, Ontario

Thank you Mr. Speaker.

On June 23, 1985, Air India Flight 182, on its way from Montreal to

London, England, exploded in mid-air near the coast of Ireland.

In January of the following year, the Canadian Aviation Safety Board

concluded that the destruction of this aircraft was caused by a bomb.

It is our duty as Canadians to do everything in our power to prevent

a similar tragedy from ever happening again,
A full public inquiry is required.
This inquiry will be launched immediately and led by an
outstanding
Canadian, retired Supreme Court Justice John Major.
He has agreed to serve as Commissioner for this inquiry and I
have
every confidence that he will conduct a thorough and
compassionate
investigation into the events surrounding this tragedy.
This inquiry is about analyzing the evidence that has come to
light
since 1985 and applying it to the world we live in today.'

Nice speech. Nice guidance. Let me condense some of them:

1. Exploded in mid-air.
2. Do everything in our power to prevent similar tragedy.
3. Full public inquiry.
4. Outstanding Canadian, retired Supreme Court Justice John Major.
5. Commissioner...will conduct a thorough investigation into the events surrounding this tragedy.
6. This inquiry is about analyzing the evidence since 1985 and applying it to today.

Those verbal suggestions from the Prime Minister are very broad
and
make sense. You have great power, Commissioner, to do
everything in
your power to conduct a thorough investigation into the events
surrounding Flight 182 and to analyze the evidence since 1985
and

apply it today. Your action to abruptly curtail my presentation was bewildering until I read the transcript.

There is much official encouragement to allow me to proceed as I present an explanation for the tragedy based on a thorough investigation into Air India Flight 182 and uses several similar accidents of early model Boeing 747s in 1988, 1989, 1996, and 2003.

I wish now to address the most insidious lie/error of fact with such disastrous consequences I have run up against in my short sweet life of sixty two years:

Here it is:

From Prime Minister Harper's speech to Parliament 1 May 2006:
"In January of the following year, the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb."

From Letter for Application for Partial Standing from Air India,
"The Canadian Aviation Safety Board later determined that Air India Flight 182 and its passengers and crew had been the victims of an explosive device that was contained in baggage stowed in the aircraft's cargo

compartment."

From website of The Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182, opening statement: "Yet, it was not until the following January that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb."

Wrong, wrong, wrong.

Here is the true and accurate statement from the Canadian Aviation Safety Board for Air India Flight 182:

The Canadian Aviation Safety Board respectfully submits as follows:

"4.1 Cause-Related Findings

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment."

That finding from CASB is absolutely correct.

Here is the terrible logical conclusion of the false premise:
Unwitting Prime Minister Harper again:

'In January of the following year, the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb.

Clearly, this was an act of terrorism - one that claimed hundreds of innocent lives."

That was a dangerous conclusion based upon a false premise and off we go to the 911 terrorists everywhere paranoia parade; "Take off your shoes, your belt, your jacket, empty your pockets and stick out your arms; this is clearly for your own safety sir, your fellow passengers may be stone cold suicidal killers and welcome aboard, we hope you enjoy your flight."

There were real terrorists on airplanes in 2001 but none was present sixteen years earlier with Air India Flight 182. There was no bomb, no bombers, no conspiracies, no crime and no criminals: A huge machine exploded because a small part failed. The event was investigated and now there is an inquiry into that investigation which evaluated causes and locations of the already determined explosion. I wish to contribute to that inquiry into the investigation.

A good idea would be for the Commission to formally ask for an updated supplemental opinion about the twenty one year old Aviation Occurrence Report of the CASB. The request to the Transportation Safety Board of Canada, Air, investigators regarding Flight 182

would
give you a Crown respected opinion by air accident experts, not
criminal attorneys, and TSB might be flattered at the request but
need to be asked by competent authority which the Commission
of
Inquiry certainly is.

I support the Canadian institutions of safety and justice and
inquiry. The Canadian Transport Safety Board represented by the
CASB

was correct, there was an explosion in the forward cargo
compartment.

The Canadian judicial system represented by Justice Josephson
was

correct, the accused did not do it because nobody did it. I even
sympathize with the CSIS and the Gendarmerie royale du
Canada. They

could not catch anyone because there was no one to catch; they
were

chasing ghosts created by media and a foreign government for its
own

purposes.

In a court environment there is an adversarial relationship
between

the parties while a commission is less formal and should be more
of a

cooperative style with the goal being the gaining of knowledge
and

possibly truth. I did not complain too much at the start of my
show

when you told this dog to sit and keep the pony in the corral. I
am

not your adversary, Commissioner Major, I am on the side of the Canadian aviation accident experts, on the side of Canadian Justice Josephson, and the side of Canadian Prime Minister Harper's thorough inquiry; I agree with all three. And yet I am excluded from presenting evidence and those that doubt the institutions are given full exposure. That's not fair or reasonable, sir. Please correct the injustice by allowing my explanation time in the sun.

In California I was given a scant five days to prepare my oral presentation to you in Ottawa and I learned a lot: I learned that flights booked with less than seven days notice cost a whole lot more than those booked with more than seven days and I learned to never ever fly in an Airbus 319 again unless I lose ten inches in length, starting at my feet.

I used those five days to rehearse about four hours every day, revising and revising. After the first day of hearing adjourned I stood in front of the podium looking at the Canadian flags on poles behind the empty Commissioner's dais and honed my speech to fifteen minutes. On the morning of the actual presentation I came early and repeated the dress rehearsal. I had my plastic model of a Boeing 747 to use as a visual aid. I had a large color photo of the actual aircraft, "Kanishka" taken a few years before its explosion. I had a

pun, "votre a decouvrir." I was not going to bumble through, wander off, or read by rote with head down as other applicants did; no, I was going to maintain eye contact, stick to the facts, present a logical sequence of events, and not attempt to persuade you my explanation was correct but to persuade you my research had depth, I had done my homework, my facts were compelling and I was thus justified a granting of standing as a person before the Commission which would give me an opportunity to present my explanation in detail at a later time.

I was told you could not allow my standing by mandate, yet upon review you could. I was told my content was not in the Terms of Reference, but upon review it is. I was told I could submit written documents for consideration and in that case, please consider this letter, although full of chaff, as a substitute for the twelve minutes I did not get earlier. Is the jury still out on my application for standing, Your Honor?

THE COMMISSIONER: I should say we appreciate the time you've taken to come as far as you've come to make this point.

Reply: You're welcome, sir. Ottawa is full of varied pleasant people and my visit to the Air Museum outside of town was a highlight. Spitfire, Hurricane, Komet, Starfighter, and Vampire were magnificent

to see first time and close up.

I empathize with the victim's families; their grief is real regardless of the cause of the explosion of the aircraft their loved ones were in. Any beliefs they hold to relieve grief are justified. I would hope that my alternative mechanical explanation will give them some consolation and closure by explaining clearly, completely, and in detail what happened to their family members. 'Who, what, where, when, how much, how, and why' questions are all answered by the shorted wiring/ruptured open forward cargo door/explosive decompression/inflight breakup explanation for Air India Flight 182.

You have a great opportunity, Commissioner Major, to solve a vexing problem that has haunted the Canadian consciousness for twenty one years. Physical mysteries are not resolved by closed minds based on stereotypes or raw emotions; they are solved by rules of science, accumulation of data, questions based on conjecture, and rigorous application of logic. Air India Flight 182 was an airplane crash first and always.

I trust that you will do everything in your power as Commissioner to conduct a thorough investigation into the surrounding events and to

analyze the evidence since 1985 and apply it today during the term of the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
safety@ntsb.org

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From: John Barry Smith <barry@johnbarrysmith.com>

Date: September 5, 2009 11:46:53 PM PDT
To: "Dickerson, Ken" <kdickerson@majorcomm.ca>
Subject: RE: Transcript 18 19 July 2006

Thank you sir, fast and efficient, as always. I greatly appreciate it. Transcripts are so much better than faulty memories.

Barry

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
safety@ntsb.org

At 12:09 PM -0400 8/1/06, Dickerson, Ken wrote:
Mr. Smith,

Transcripts are attached as you requested.

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

-----Original Message-----

From: John Barry Smith [mailto:barry@johnbarrysmith.com]

Sent: Tuesday, August 01, 2006 11:41 AM

To: Dickerson, Ken

Subject: Transcript 18 19 July 2006

Ken Dickerson

Public Affairs Officer / Agent des affaires publique

Dear Mr. Dickerson, Tuesday, August 1, 2006

May I please have an electronic copy of the transcripts for the two days of oral submissions?

Regards,

John Barry Smith

541 Country Club Drive

Carmel Valley, California 93924

1 831 659 3552

1 831 241 0631 Cell

barry@johnbarrysmith.com

safety@ntsb.org

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This message has the following attachments:

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file://localhost/Users/barry/Library/Mail/Attachments/.DS_Store

From: John Barry Smith <barry@johnbarrysmith.com>

Date: September 5, 2009 11:46:53 PM PDT

To: "Dickerson, Ken" <kdickerson@majorcomm.ca>

**Subject: RE: Commission of Inquiry Smith Submission 1,
Grievous Error of Fact Detected**

At 2:19 PM -0400 8/1/06, Dickerson, Ken wrote:

Mr. Smith,

Just to confirm that I forwarded this submission to the
Commissioner and the other three Commission officers you

named.

Thanks for confirmation, Mr. Dickerson. That was Submission 1. Submission 2 is in fourth draft stage and will be sent this week. Sub 3, 4, 5, and 6 are in early rough draft conditions. Research takes time; accuracy is everything when dealing with technical issues such as why an aircraft would come apart in the air.

I am very encouraged by the Commissioner's remarks at 18 July hearing transcript excerpt below:

THE COMMISSIONER: "Yes. Well, I will confirm that. The nature of this Commission was to be very broad in the evidence that it heard, in order to put to rest the various theories, rumours and neglect that have occurred since the explosion in 1985."

Put me to rest!

Cheers,
Barry

John Barry Smith
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safety@ntsb.org

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

-----Original Message-----

From: John Barry Smith [mailto:barry@johnbarrysmith.com]

Sent: Friday, July 28, 2006 12:19 PM

To: Dickerson, Ken

Subject: Commission of Inquiry Smith Submission 1, Grievous
Error of Fact Detected

Dear Mr. Dickerson, Friday, July 28, 2006

Well, we make do with what is given us. I was granted leave by
the
Commissioner to file materials I believe will be useful to the
Commission.

"Disposition: Mr. Smith is denied standing. However, leave to
file
materials that he believes will be useful to the Commissioner is
granted."

In that regard I wish at this time to file the material below to the
Commission as 'Smith Submission 1, Grievous Error of Fact
Detected'.

Regards,
John Barry Smith
Useful Material Creator

Commission of Inquiry into the Investigation of the Bombing of
Air
India Flight 182
Honourable John C. Major, Q.C. Commissioner
Sheila-Marie Cook, Executive Director and Commission
Secretary
Mark J. Freiman, Commission's Lead Counsel
Michel Dorval, Commission's Co-Counsel
Ken Dickerson, Public Affairs

Dear Commissioner Major, Friday, July 28, 2006

Thank you for granting me leave to file materials I believe will
be
useful to the Commission. The following material is herewith
submitted as 'Smith Submission 1, Grievous Error of Fact
Detected':

The decision to grant intervenor status to B'nai Brith by you is
applauded. It appears you have taken the Prime Minister at his
word
when he stated he wished the Commissioner to conduct a
thorough
investigation into the events surrounding this tragedy which is
about
analyzing the evidence since 1985 and applying it to today. It's a
broad mandate which can certainly include an organization such
as
B'nai Brith, Canada, which is the independent voice of the

Jewish
community, representing its interests nationwide to government,
NGO's
and the wider Canadian public.

"B'nai Brith Canada Request by B'nai Brith Canada:
B'nai Brith Canada sought standing, either as a party or as an
intervenor, with respect to the mandate of the Inquiry.
Disposition: Intervenor status is granted..."

"John Barry Smith Request by John Barry Smith:
Mr. Smith sought standing to make submissions on issues of
aviation
safety as well as on his assessment of the facts as they relate to
the cause of the explosion that resulted in the Air India Flight
182
tragedy.
Disposition: Mr. Smith is denied standing. However, leave to file
materials that he believes will be useful to the Commissioner is
granted."

One might ask why an organization: That had no members on
Air India
Flight 182, was not investigated, not involved with the bombing,
did
not advocate the creation of the Commission and is otherwise not
expert in airplane crashes, was granted the privileged status of
intervenor while a person (me) who actually was personally
investigated by the RCMP, who was a military bombardier and
knows
about bombings, is extremely familiar about Air India Flight 182
and
the type of aircraft it was, who has actually been in a sudden fatal

fiery jet airplane crash, and who has met the family members of that fatality, was denied person of standing status in an inquiry into an investigation of a sudden fatal fiery jet airplane crash.

Possibly your inquiry could be called the Inquiry into the Emotions of Feelings of Persecution in Family Members of the Victims of Religious Discrimination and for Others Who Have Felt the Same Way.

We make do with what is given us, and in that regard your spoken words to me come back during that abbreviated oral submission period on 19 July 2006: "... what I can do is permit you to file any written material that substantiates your view and it will be part of the Air India record. It will be there for examination by people who look at this Inquiry in future years,..."

Future years...in aviation safety, Commissioner, we don't have future years and often, not even future minutes. But...I make do with what is granted and that is leave to file any written material that substantiates my view to the Commission and thus become part of the Air India record.

I am doing so at this time, thank you for that consolation,

Commissioner. Your verbal statement to me implies no member of the Commission will look at this material, only those people from the future. I hope they can read other than French or Punjabi because this is written in, well, like, uh, you know, Californian-American-English...dude.

My first point is to repeat my observation made to the Commission in writing and in person several weeks ago that a grievous error of fact persists every day in the Commission's Opening Statement on the official website: June 21, 2006, Background:

"Yet, it was not until the following January that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb."

Not so. Absolutely incorrect. Terribly misleading. That error leads to a hysterical rant such as the next statement by the Commission:

"This massive murder was the most insidious episode of cowardice and inhumanity in our history at the time,..."

The Canadian Aviation Safety Board made no such bombing conclusion.

Aviation Occurrence Report of the Canadian Aviation Safety Board for

Air India Flight 182 of January 22, 1986

"4.0 CONCLUSIONS

The Canadian Aviation Safety Board respectfully submits as follows:

4.1 Cause-Related Findings

1. At 0714 GMT, 23 June 1985, and without warning, Air India Flight 182 was subjected to a sudden event at an altitude of 31,000

feet resulting in its crash into the sea and the death of all on board.

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment. This evidence is not conclusive.

However,

the evidence does not support any other conclusion."

When an error as serious as the false statement about the Canadian

accident experts calling the explosion a bomb is allowed to persist,

the erroneous deductions are compounded over time. The Prime Minister

even repeated the error to Parliament. There are several reasons with

precedent for an explosion in the forward cargo compartment of a

Boeing 747 with a bomb being a very unlikely cause and a mechanically

caused explosive decompression very likely. To continue to misquote

the Canadian Safety Board and call their conclusion a bombing is bewilderingly deceptive.

When the false statement (of bombing conclusion) is repeated while knowing that statement to be false, as the Commission has known for several weeks, that act is called perjury when under oath. I recommend, to uphold the highest integrity of the Commission, that the grievous error of fact be corrected as soon as possible and hopefully not years.

This completes "Smith Submission 1, Grievous Error of Fact Detected" of material that substantiates my view that Air India Flight 182 was caused by the shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation.

"Smith Submission 2 to follow: "Bombs Everywhere," (or Bomb, bomb, bomb, in the baggage, baggage, baggage, go boom, boom, boom: The Official Versions)".

Regards,

John Barry Smith
541 Country Club Drive
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barry@johnbarrysmith.com
safety@ntsb.org

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From: John Barry Smith <barry@johnbarrysmith.com>

Date: September 5, 2009 11:46:53 PM PDT

To: kdickerson@majorcomm.ca

Subject: Smith Submission 2: Inquiry into the Inquiry:

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Ken Dickerson

Public Affairs Officer / Agent des affaires publique

Dear Mr. Dickerson, Thursday, August 3, 2006

Below is Submission 2 for the Commissioner of the
Commission.

Smith Submission 2: Inquiry into the Inquiry: Who, what, why,
and will you.

Thanks and Regards,

John Barry Smith
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Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182
Honourable John C. Major, Q.C. Commissioner
Sheila-Marie Cook, Executive Director and Commission
Secretary
Mark J. Freiman, Commission's Lead Counsel
Michel Dorval, Commission's Co-Counsel
Ken Dickerson, Public Affairs

Dear Commissioner Major,
Thursday, August 3, 2006

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182... the words are a mouthful for sure. Permit
me to examine them closely as words are our tools to
understanding and the more precise they are, the deeper the
understanding. I am inquiring about the inquiry, but first,
research.

"Disposition: Mr. Smith is denied standing. However, leave to
file materials that he believes will be useful to the Commissioner
is granted."

Smith Submission 2: Inquiry into the Inquiry: Who, what, why,
and will you.

1. commission [n.]

1. A fee for services rendered based on a percentage of an amount received or collected or agreed to be paid (as distinguished from a salary); "he works on commission."
2. A formal statement of a command or injunction to do something; SYN. charge, direction.
3. An official document issued by a government and conferring on the recipient the rank of an officer in the armed forces; SYN. military commission.
4. The act of granting authority to undertake certain functions; SYN. commissioning.
5. The state of being in good working order and ready for operation; "put the ships into commission"; "the motor was out of commission."

It appears that definition 2 and 4 fit the best. The Commission has a command to do something with authority.

2. inquiry [n.]

1. A search for knowledge; SYN. enquiry, research.
2. A systematic investigation of a matter of public interest; SYN. enquiry.
3. A legal investigation into a crime or wrongdoing; "the police have opened an inquiry"; SYN. enquiry.

It appears that all three definitions fit. The Commission has a command and the authority to search for knowledge and conduct a systematic investigation of a matter of public interest.

3. investigation [n.]

1. The work of inquiring into something thoroughly and systematically; SYN. investigating

An investigation appears to be an inquiry. The Commission has a command and the authority to search for knowledge and conduct an inquiry into an inquiry.

4. bombing [n.]

An attack by dropping bombs; SYN. bombardment.

bomb [n.]

1. An explosive device fused to denote under specific conditions.
2. A film or play that is a resounding failure; "that movie was a real bomb."

The Commission has a command and the authority to search for knowledge and conduct an inquiry into an investigation of an explosive device. (The Inquiry shall not bomb during its performances.)

5. Air India Flight 182.

Not in the dictionary so let's use my definition: Air India Flight 182 was a Boeing 747-237B assigned to the airline Air India, registration VT-EFO, first flight on 19 June 1978, construction number was 21473, and line number 330. It was on a flight from Mirabel to London when it disappeared from the radar scope at a position of latitude 51°O'N and longitude 12°50'W at 0714 Greenwich Mean Time (GMT), 23 June 1985, and crashed into the ocean about 110 miles west of Cork, Ireland. There were no survivors among the 329 passengers and crew members.

Basic Specifications of a Boeing 747:

Wing Span 211 feet 5 inches (64.44 m)

Overall Length 231 feet 10.25 inches (70.66 m)

Tail Height 63 feet 8 inches (19.41 m)

Body Width

Outside 21 feet 4 inches (6.5 m)

Inside 20 feet (6.1 m)

The Commission has a command and the authority to search for knowledge and conduct an investigation into an investigation of an explosive device which affected a Boeing 747.

6. Unstated focus of the Commission 1:

victim [n.]

FORMS: victims

1. A person who is tricked or swindled; SYN. dupe.
2. An unfortunate person who suffers from some adverse circumstance.

The Commission has a command and the authority to search for knowledge and conduct an inquiry into an investigation of an explosive device which affected a Boeing 747 and the unfortunate persons who died in it.

7. Unstated focus of the Commission 2:

family [n.]

FORMS: families

1. Primary social group; parents and children; "he wanted to have a good job before starting a family"; SYN. family unit.
2. People descended from a common ancestor; "his family had lived in Massachusetts since the Mayflower"; SYN. family line, folk, kinfolk, kinsfolk,
3. A social unit living together; "he moved his family to Virginia"; SYN. household, house, home, menage.
4. An association of people who share common beliefs or activities; "the message was addressed not just to employees but to every member of the company family"; SYN. fellowship.

The Commission has a command and the authority to search for knowledge and conduct an inquiry into an investigation of an explosive device which affected a Boeing 747 and the unfortunate persons who died in it and the emotional consequences upon the surviving people who share a common belief and activities.

Inquiry question 1: What is the focus and number one inquiry priority of the Commission? The investigation, the bombing, the aircraft, the victims, or the family members? What has the last priority?

Speech excerpts - Prime Minister Harper announces inquiry into Air India bombing

"A full public inquiry is required. This inquiry will be launched immediately and led by an outstanding Canadian, retired Supreme Court Justice John Major. He has agreed to serve as Commissioner for this inquiry and I have every confidence that he will conduct a thorough and compassionate investigation into the events surrounding this tragedy. This inquiry is about analyzing the evidence that has come to light since 1985 and applying it to the world we live in today."

The Prime Minister desires a full, thorough, and compassionate public inquiry into the events surrounding Air India Flight 182 by analyzing the evidence that has come to light since 1985.

Your own words, Commissioner Major, reflect that guidance, from transcript of 18 July 2006, Hearing on Standing:

THE COMMISSIONER: "Yes. Well, I will confirm that. The nature of this Commission was to be very broad in the evidence that it heard, in order to put to rest the various theories, rumours

and neglect that have occurred since the explosion in 1985."

The direction for the Commission is pointed by the two leading authorities to be full, thorough, and broad, but earlier statements that morning had taken a darker turn.

"MR. BRUCKER: I just wanted to indicate to you, Commissioner, that I have provided this morning to Mrs. Cook and to Commission counsel a brief submission that we had prepared just on the general test for standing and issues that we submit you will be taking into account.

THE COMMISSIONER: You can't do much better than get standing, though, can you?

MR. BRUCKER: No, we can't, but we are concerned about the focus of the Inquiry. When I attended here and listened to your Opening Statement I was struck by one comment that you made and I will paraphrase that, perhaps not accurately, but what I took from your comments was that you intended to conduct a thorough but efficient inquiry and that an efficient inquiry does not mean that it has to take a great deal of time. We have, in my submission to you, a very compressed time schedule in which we have to get things done and my submissions simply highlight that in that environment, a matter which is of interest to all Canadians, that there should be some judicious consideration of who will get standing and who won't or who may be an intervenor and who won't, and that to ensure that the process is thorough and efficient I have offered some general principles that I submit might be of assistance to you.

THE COMMISSIONER: Thank you. That's been filed and will be looked at."

Commissioner Major, forgive me my suspicions but now I see

why those excluded from a public inquiry begin to think of skullduggery afoot. The Prime Minister and you both proclaim publicly your intentions for a broad, full, and thorough inquiry to put to rest the various theories, rumours, and neglect that have occurred since the explosion in 1985. And yet...I read that the Attorney General representative is indicating time is short and your inquiry does not need a great deal of time. He even generously offers principles and a general test to assist you in some judicious consideration of who will get standing and who won't or who may be an intervenor and who won't. It appears he's not concerned about himself being granted standing but is concerned about others. Apparently he's trying to influence the direction of the inquiry by guiding your decisions on who presents before you.

It appears to me he is afraid that you, sir, in fact, will conduct a broad, full, and thorough inquiry and is trying to make it narrow and short by controlling who is given standing and who is not. Out of nineteen applicants who 'demandes de participation', sixteen were granted and three denied of which I am one, sad to say. I did not demand, I applied and am still applying.

My better reasoning self tells me that the Attorney General representative of Canada can not possibly concern himself with this wacko from California with a zany theory about Air India Flight 182 being mechanical and whose application of standing, available to read by all, describes the theory. And yet...who else among the applicants is controversial? The World Sikh Organization? B'nai Brith? Who is the AG representative referring to in his 'general test' of inclusion or exclusion for standing? How did I fail a test of inclusion when I did not know the test questions?

It also appears that Mr. Brucker is trying to assist your decision

in whether to ask Transport Canada Air for an updated aviation accident report on the twenty one year old crash by claiming time is short, efficiency does not need time and implies his agencies such as Transport Canada have a busy schedule. Press reports state the final report is due September 2007; a year is ample time to listen for an hour or two to me and my theory as well as Transport Canada to squeeze in some aviation accident investigation update time for the most famous aviation event in Canadian history. Let TSB Air resolve the glaring discrepancy between Justice Kirpal's forward cargo compartment location for the explosion and Justice Josephson's determination of the aft cargo compartment. Two bombs going off at the same time would explain away the anomaly....or something else.

Will you please ask TSB Air to provide to the Commission an updated supplement to the twenty one year old accident report on Air India Flight 182 based on several subsequent similar accidents to similar Boeing 747s since 1985 and resolve the explosion location conflict?

My friends told me, when the Commission was announced, that it was just another government whitewash to get and keep votes by placating irate citizens. I demurred and trusted in the open minded and fairness of the Canadian reputation as shown by the CASB report of Air India Flight 182 and Justice Josephson's findings in acquitting the two accused. I might have to apologize to my friends for doubting their political astuteness while acknowledging my own naivete.

I am perplexed. My mechanical explanation supports Canadian institutions.

1. The CASB was correct, there was an explosion and they did

not yet understand the cause because the answer only became apparent four years later with United Airlines Flight 811.

2. Justice Josephson was correct, the two accused did not put a bomb on board, nobody did.

3. There were no lapses in security that led to Air India Flight 182's bombing that need to be rectified because there was no bombing.

4. The Mounties did not get their man because there were no men to get.

5. There will be closure for the families when they can clearly understand through science what happened and why.

6. A divisive issue of anger, hate, and revenge will be removed from the Canadian psyche.

7. This Commission of Inquiry can examine and put to rest the various theories, rumours and neglect that have occurred since the explosion in 1985 if it is very broad in the evidence it hears.

Why would the Canadian government not welcome an explanation for Air India Flight 182 that is reasonable, plausible, with precedent and confirms the intelligence and wisdom of Canadian aviation, law enforcement, and justice institutions?

And yet...it appears that I am to be denied an opportunity to present my detailed analysis with supporting documents to the Commission of Inquiry. I've already been cut off after a few minutes of oral submission and can only resort to supplemental text to be filed with the record such as this plaint. There is to be no cross examination of my points, no questioning of my reasoning for my conclusions, and no public debate.

I'm even more confused when such peripheral organizations such as religious groups are granted standing while I, who has been investigated in the bombing of Air India Flight 182, who has

written extensively about the crash, who has survived a fatal jet crash, and who fits a Term of Reference for personal knowledge of agency non cooperation, am denied.

If religious groups are willingly caught in the wide net of a broad investigation, please let the small fishes of scientists like myself, Transport Canada, and the Transportation Safety Board (Air) be ensnared also. Air India Flight 182 was an airplane crash not an exorcism, after all.

The words of promise of 'public, full, thorough, broad' inquiry are empty when it comes to actually implementing them in my case and I don't know why. As a flight crewmember I put my life in the hands of my pilot. There were many men who looked like pilots, talked like pilots, and thought they were good pilots, but I judge always on performance. I was often surprised when the most unlikely looking men and women turned out to be the best pilots. Many men talk a good game but fall down during play. I assume you have also been surprised at the performance of some attorneys before you in court. I'm trusting the Commission fulfills its high ideals as stated by Prime Minister Harper and yourself, sir, in its performance.

My Inquiry into the Inquiry asks questions:

1. What is the focus and number one priority of the Commission of Inquiry? The investigation, the bombing, the aircraft, the victims, or the family members?
2. Why was I denied standing when I was qualified when others less qualified were granted standing?
3. Are you going to do a full, broad, and thorough inquiry as you have stated or are you going to do a short, narrow, efficient one as suggested by Mr. Brucker?
4. What were the 'general principles' and the 'general test' Mr.

Brucker offered to you to "ensure the process (granting standing) is thorough and efficient"?

5. Why would the Canadian government not welcome an explanation for Air India Flight 182 that is reasonable, plausible, with precedent and confirms the intelligence and wisdom of Canadian aviation, law enforcement, and justice institutions as well as bringing peace of mind to many of its citizens?

6. Will you please ask TSB Air to provide to the Commission an updated supplement to the twenty one year old accident report on Air India Flight 182 based on several subsequent similar accidents to similar Boeing 747s since 1985 and resolve the discrepancy of explosion location?

7. Will you reconsider and use the authority given to you in Rules of Procedure to grant me standing as a person of unique perspective who can enhance the work of the Commission? (15. From time to time, the Commissioner may, in his discretion, at any time grant to or rescind standing from a person, or modify the status or conditions of the standing of a person.)

Summary of Submissions:

Submission 1, Grievous Error of Fact Detected Filed 28 July, 2006. Canadians did not conclude it was a bomb. TSB Air should be asked for their opinion.

Submission 2: Inquiry into the Inquiry: Who, what, why, and will you. Filed Thursday, August 3, 2006 Wiring/cargo door explanation should be fully considered.

Upcoming:

Submission 3: Bomb explanations are contradictory.

Submission 4: Correct probable cause is the wiring/cargo door explanation.

Submission 5: Clear and present danger exists to Canadian and other passengers flying in early model Boeing 747s.

Submission 6: Action should be taken now, not later, to fix design and manufacturing problems.

Respectfully,

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From: John Barry Smith <barry@johnbarrysmith.com>

Date: September 5, 2009 11:46:53 PM PDT

To: kdickerson@majorcomm.ca

Subject: Commission of Inquiry Smith Submission 3: The Official Versions:

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Ken Dickerson

Public Affairs Officer / Agent des affaires publique

Dear Mr. Dickerson, Tuesday, August 8, 2006

Below is Submission 3 for the Commissioner of the
Commission. 'The Official Versions: Bomb, bomb, bomb, in the
baggage, baggage, baggage go boom, boom, boom.'

Commission of Inquiry Smith Submission 1, Grievous Error of
Fact Detected, Filed 28 July, 2006. (Please correct Commission
website.)

Commission of Inquiry Smith Submission 2: Inquiry into the

Inquiry: Who, what, why, and will you, Filed 3 August, 2006
(Please grant me standing.)

Commission of Inquiry Smith Submission 3: The Official
Versions: Bomb, bomb, bomb, in the baggage, baggage, baggage
go boom, boom, boom. (Please ask TSB Air for their opinion to
resolve official conflicts of type of explosion and where it
occurred.) Filed Tuesday, August 8, 2006

Thanks and Regards,

John Barry Smith
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Carmel Valley, California 93924

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Honourable John C. Major, Q.C. Commissioner

Sheila-Marie Cook, Executive Director and Commission
Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

Ken Dickerson, Public Affairs Officer / Agent des affaires
publiques

Dear Commissioner Major, Tuesday, August 8, 2006

1. "Disposition: Mr. Smith is denied standing. However, leave to
file materials that he believes will be useful to the Commissioner
is granted."

2. Commissioner Major at hearing to Smith: "...what I can do is permit you to file any written material that substantiates your view and it will be part of the Air India record."

3. Commissioner at hearing: "The best I can do is to repeat the offer I made and invite you to file in as much as detail as you choose whatever it is that supports your theory and it will be part of this record."

4. Commissioner: "You're free, Mr. Smith, as you probably know, to add to your filed material should you choose."

Yes, sir, I can take a hint. Thank you for your urgings. I am submitting as fast as I can and will continue to file material I believe will be useful to you regarding the Inquiry, the investigation, the bombing, Air India Flight 182, what's it like to be a victim of a sudden fatal jet airplane crash, and the emotions when meeting the family members of that fatal victim. The key focus is the crashed aircraft. If Air India Flight 182 had not crashed and landed safely, then there would be no grieving family members, no victims, no bombing, no investigation, and no inquiry. The core is the airplane and why it crashed. If the official crash causes are confused and contradictory the inquiry conclusions will be also.

Thus enter the bomb bomb bomb explanations (not lies) provided by others who think they are pointing you...

There is one scenario that unites the five official versions: Bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom.

1. The first official determination is the Narita Event is from the

Japanese police point of view.

"At 0541 GMT, 23 June 1985, CP Air Flight 003 arrived at Narita Airport, Tokyo, Japan, from Vancouver. At 0619 GMT a bag from this flight exploded on a baggage cart in the transit area of the airport within an hour of the Air India occurrence. Two persons were killed and four were injured... Baggage cart explodes in transit area... The explosion of a bag from CP 003 at Narita Airport, Tokyo, took place 55 minutes before the AI 182 accident...the site where the blast had taken place was inspected which gave some, though very vague, idea of the detonating power of the blast."

To sum up: "A bag from a Vancouver flight exploded on a baggage cart in a transit area from a vague power of a blast."

The Narita Event is officially determined by the police to be a bomb which caused the blast of vague power in a bag as part of the baggage on a baggage cart in a transit area of a major airport hub. The first official bomb in the baggage goes boom.

2. The next official determination of the Air India Flight 182 Event is from an Indian judge's point of view.

Kirpal Report: "4.10 After going through the entire record we find that there is circumstantial as well as direct evidence which directly points

to the cause of the accident as being that of an explosion of a bomb in the forward cargo hold of the aircraft."

"All cargo doors were found intact and attached to the fuselage structure, except for the forward cargo door which had some fuselage and cargo floor attached. This door, located on the

forward right side of the aircraft, was broken horizontally about one-quarter of the distance above the lower frame. The damage to the door and the fuselage skin near the door appeared to have been caused by an outward force. The fractured surface of the cargo door appeared to have been badly frayed. Because the damage appeared to be different from that seen on other wreckage pieces,..."

The Air India Flight 182 Event is officially determined by an Indian judge to be caused by a bomb in the baggage in the forward cargo hold possibly on the right side. (No physical connection between the forward and aft cargo holds which are several hundred feet apart.) That is the second official bomb in the baggage go boom.

3. The next official determination of the Air India Flight 182 Event is from a Canadian judge's point of view.

Below from "Reasons for Judgment" by Justice Josephson regarding Malik and Bagri.

I. Overview [1] In the early morning hours of June 23, 1985, Air India Flight 182, carrying 329 people[1], was destroyed mid-flight by a bomb located in its rear cargo hold.

H. Conclusion [190] It is agreed amongst the experts that the Kanishka was destroyed by the detonation of an explosive device within its left aft fuselage.

The Air India Flight 182 Event is officially determined by a Canadian judge to be a bomb in the baggage in the aft cargo hold on the left side. That is the third official bomb in the baggage go boom.

4. The next official determination of the Air India Flight 182

Event is from the Canadian aviation accident investigators point of view:

The Canadian Aviation Safety Board respectfully submits as follows:

4.1 Cause-Related Findings

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment.

"The forward cargo door which had some fuselage and cargo floor attached was located on the sea bed. The door was broken horizontally about one-quarter of the distance above the lower frame. The damage to the door and the fuselage skin near the door appeared to have been caused by an outward force and the fracture surfaces of the door appeared to be badly frayed. This damage was different from that seen on other wreckage pieces. A failure of this door in flight would explain the impact damage to the right wing areas. The door failing as an initial event would cause an explosive decompression leading to a downward force on the cabin floor as a result of the difference in pressure between the upper and lower portions of the aircraft."

The Air India Flight 182 Event is officially determined by Canadian aviation accident investigators to be an explosion of unknown cause in the forward cargo compartment probably on the right side. Another explosion in the forward cargo compartment goes kaboom. (Bombs go boom, unknown caused explosive decompressions go kaboom.)

5. The next official determination for Air India Flight 182 is from the United Kingdom aircraft accident investigator point of view.

"Mr. R.A. Davis, Head, Flight Recorder Section, Accidents

Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified. It must be concluded that without positive evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident".

The Air India Flight 182 Event is officially determined by a British aviation accident investigator to be something, not a bomb, somewhere, causes an explosive decompression. That is the fifth explanation for an explosion go kaboom.

Those are the five official determinations of explosions related to Air India Flight 182 by five official investigations in three countries over two decades.

1. A vaguely powerful explosion of a bag on a baggage cart with bags in a major transit area hub airport determined by the Japanese police in 1985.
2. A very powerful explosion of a bomb in a bag in the baggage in the forward cargo hold, possibly on the right side, of Air India Flight 182 determined by the Indian Justice Kirpal in 1986.
3. A very powerful explosion of a bomb in a bag in the baggage in the aft cargo hold on the left side of Air India Flight 182 determined by the Canadian Justice Josephson, in 2005.
4. An explosion of unknown cause in the forward cargo compartment, probably on the right side, of Air India Flight 182 determined by the Canadian aircraft accident investigators of the Canadian Aviation Safety Board, CASB in 1986.
5. A very powerful explosive decompression, not a bomb,

someplace in Air India Flight 182, determined by the British aircraft accident investigator R. A. Davis of U.K. Accidents Investigations Branch in 1986.

There is no consensus on any significant issue by any officials other than explosive events occurred on a baggage cart and on an airplane thousands of miles apart and within the hour.

There is official disagreement in the determinations of whether it was a bomb or something else, how many bombs were involved, where the bombs were loaded, how powerful the bombs were, what container the bomb was in, which major section of the aircraft the bomb was placed, on what side of the aircraft the bomb was located, or what caused an explosive decompression that was not a bomb. (Not counted are the disagreements of who put the bombs there and why.)

There was no official direct evidence determined for bombs with three fuses, three bomb casings, three bomb residues, three shrapnel wounds, or three timers in any of the three locations stated as having bombs exploded which are the Narita airport and the aft and forward cargo compartments of Air India Flight 182.

There is one official cause to unite them all: Three bombs. Assuming that an explosion means only one thing and that is bomb explosion and assuming that official determinations after official investigations are correct the following scenario can explain what happened:

{Commissioner Major, please bear with me on this story telling, I did not make the contradictory determinations which require unification, well meaning officials did. Confusing statements ask for humor to diffuse the frustration. (My plausible

straightforward mechanical explanation with precedent is contained in Submission 4: The shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation).}

The one scenario that unites the five official determinations: Bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom.

Two of the bombs were surreptitiously placed on two Boeing 747s at Vancouver airport on 22 June 1985, the day before they blew up. The third bomb was placed into one of the Boeing 747s at the Montreal airport later that same day.

The official versions united:

Bomb 1: One bomb was loaded on CP 003 which flew to Tokyo with no detonation of the bomb during the long flight across the Pacific. This bomb was then unloaded in a busy airport, put on a baggage cart which was wheeled through a 'transit' area with many other bags from many other flights, and only then did the vaguely powerful bomb detonate at 0619Z, not from an altimeter fuze but from a timing fuze which went off when it was not supposed to for an aircraft terrorist bombing. No fuze or parts of any bomb or the suitcase were reported to have been discovered. No match of any debris parts of this bomb were made to other bombs by same terrorist group. No claims of responsibility or confessions were obtained. (The Japanese police determined bomb.)

Bomb 2: At the same time the Narita bomb was loaded at Vancouver onto CP 003 on the afternoon of 22 June 1985, another bomb was loaded onto CP 060, also in Vancouver, and

successfully slipped past the extensive security of men, dogs, and machines. CP 060 then flew to Toronto without the bomb going off by timer or altimeter fuse. At Toronto, the bomb was then off loaded from CP 060 and sent, along with some passengers, to a different aircraft, a Boeing 747 which was Flight 181 which, after another flight to Montreal, would change to Flight 182. At Toronto, all the baggage from Vancouver on CP 060, including the bomb, was placed in the aft cargo hold of the Boeing 747. This aircraft, called Flight 181, took off and flew to Montreal with the bomb still not detonating by altimeter or timing fuze. The timer was set to go off at 0714Z. (The Judge Josephson determined bomb.)

Bomb 3: After the Boeing 747 called Flight 181 landed in Montreal with the bomb from Vancouver still in the aft cargo hold, the flight number of the same Boeing 747 changed to Air India Flight 182, and more passengers and baggage were put on board. All their baggage was placed into the forward cargo hold. A new aircraft bomb was thus loaded into the forward cargo compartment with the timer set to go off at 0714Z. (The Judge Kirpal determined bomb.)

There were many delays involved with loading parts of a large engine into the aft cargo compartment which did not set off the bomb in that compartment. Finally, the aft and forward cargo compartment bomb laden Boeing 747 now called Air India Flight 182 took off from Montreal for its third flight in many hours, flew for five hours across the Atlantic and then a fuze for the Montreal loaded bomb activated and exploded in the forward cargo compartment, not by an altimeter fuze because the aircraft was level at 31000 feet and had been so for hours, but by a timer fuze. The Vancouver bomb, first loaded in Vancouver and transferred to the aft cargo compartment of the doomed aircraft

in Toronto, detonated at exactly the same time, 0714Z. The two bombs blew holes in the pressurized hull causing an explosive decompression.

Thus explains and unites the Japanese police bomb, the Justice Kirpal bomb, the Justice Josephson bomb, the CASB explosion, and the UK AIB explosive decompression events.

The official determinations assume inefficient ticketing agents, dull-witted security forces, and malfunctioning X ray machines in four large metropolitan airports in two industrialized nations. It assumes incompetent terrorists who can't set a bomb to go off on time. It assumes quiet bombs in an aircraft that leave no sound when they go off. It assumes three stealthy bombs that managed to slip through sniffing dogs, portable metal detectors, X-Ray machines, private security teams, and yet leave no trace of their fuzes, timers, explosive material, or containers.

Officially the terrorists were of two groups; one group in Vancouver to check the bomb in the baggage which was placed in the aft cargo compartment of Air India Flight 182 to explode according to the Canadian judge. Another terrorist group in Montreal checked their bomb in baggage which was placed in the forward cargo compartment of Air India Flight 182 to explode there according to the Indian judge. The Vancouver terrorist group also checked in another bomb in the baggage of another aircraft to explode later on a baggage cart at Narita airport, according to the Indian judge.

Three bombs to explode: one at Narita airport, one in the forward cargo compartment and another in the aft cargo compartment of Air India Flight 182. (There is no physical connection between the two very far apart cargo compartments of a Boeing 747.)

The terrorists were stupid because:

1. The bombs did not go off when a real aircraft bomb usually goes off, shortly after takeoff climb on the initially loaded flight.
2. The fuzes were three timers set to go off at odd times such as 0619, 0714, and 0714 many hours later after being set.
3. They did not claim responsibility to advertise their cause.

The terrorists were smart because:

1. They were able to construct bombs which left no fuse, no casings, no timer evidence and were silent.
2. They were able to smuggle three bombs through tight security at four large airports in two countries.
3. They coordinated two bombs on the same aircraft loaded in different locations at two airports to go off at same time to ensure destruction.

The terrorists were lucky because;

1. The four takeoffs and landings and turbulence did not detonate the amateur improvised bombs.
2. The changing of two planes and movement of baggage from plane to transit area did not detonate the bombs.
3. Their bomb laden baggage was not misplaced or misdirected by the airline.
4. The many unexpected schedule delays and aircraft changes still allowed the bombs to go off to kill innocent people instead of in an unoccupied hangar or baggage storage area.

This is the official unified determination to explain the Narita airport transit area and Air India Flight 182 bombings: Revenge seeking terrorist groups managed to place three stealthy bombs in three aircraft and on one baggage cart through four airports in one day. Three bombs in three bags in three baggage areas go

boom boom boom.

Commissioner Major, yes, it's a convoluted, illogical, bizarre story but then, conspiracy stories usually are. When accepted as truth by wishful thinking noncritical listeners, the conspiracy stories are exciting, pleasing, and repeated; when examined by skeptics, the stories usually blow up in the tellers' faces, as the bomb, bomb, bomb determinations do.

The Canadian Transportation Safety Board Air has never given its official opinion in the probable cause of Air India Flight 182, the most famous airplane crash in Canadian history. Their specialized expert input is invaluable to the Commission. Will you please ask TSB Air to provide to the Commission an updated supplement to the twenty year old CASB accident report on Air India Flight 182, a request justified by several subsequent similar accidents since 1985 to similar Boeing 747s and to resolve the explosion location conflict created by Justice Josephson and Justice Kirpal?

My down to earth mechanical explanation follows in my next Submission to the Commission. The wiring/cargo door explanation applauds Justice Josephson's finding of not guilty, it confirms the Canadian aviation accident investigators' conclusion, it exonerates the RCMP's failure to catch Snidely Whiplash, and justifies the expense and time of this Commission of Inquiry into events surrounding Air India Flight 182.

Commission of Inquiry Smith Submission 1, Grievous Error of Fact Detected, Filed 28 July, 2006. (Please correct Commission website.)

Commission of Inquiry Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006

(Please grant me standing.)

Commission of Inquiry Smith Submission 3: The Official Versions: Bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom. (Please ask TSB Air for their opinion to resolve official conflicts of type of explosion and where it occurred.)

Respectfully,

John Barry Smith
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From: John Barry Smith <barry@johnbarrysmith.com>
Date: September 5, 2009 11:46:53 PM PDT
To: "Dickerson, Ken" <kdickerson@majorcomm.ca>
**Subject: RE: Commission of Inquiry Smith Submission 3:
The Official Versions:**

Thank you.
Barry

At 12:06 PM -0400 8/8/06, Dickerson, Ken wrote:

Mr. Smith,

I have forwarded this submission to the recipients you listed, as

with your two submissions last week.

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

From: John Barry Smith <barry@johnbarrysmith.com>
Date: September 5, 2009 11:46:54 PM PDT
To: kdickerson@majorcomm.ca
Subject: Commission of Inquiry Smith Submission 4: The Unofficial Version:

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Ken Dickerson

Public Affairs Officer / Agent des affaires publique

Dear Mr. Dickerson, Tuesday, August 8, 2006

Below is Submission 4 for the Commissioner of the
Commission: Smith Submission 4: The Unofficial Version: The
shorted wiring/ruptured open/forward cargo door/explosive
decompression/inflight breakup explanation

Commission of Inquiry Smith Submission 1, Grievous Error of
Fact Detected, Filed 28 July, 2006. (Please correct Commission
website.)

Commission of Inquiry Smith Submission 2: Inquiry into the
Inquiry: Who, what, why, and will you, Filed 3 August, 2006
(Please grant me standing.)

Commission of Inquiry Smith Submission 3: The Official

Versions: Bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom. (Please ask TSB Air for their opinion to resolve official conflicts of type of explosion and where it occurred.) Filed Tuesday, August 8, 2006

Commission of Inquiry Smith Submission 4: The Unofficial Version: The shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation. (Please consider a plausible, reasonable, electrical cause with precedent) Filed Tuesday, August 8, 2006.

Thanks and Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Honourable John C. Major, Q.C. Commissioner

Sheila-Marie Cook, Executive Director and Commission
Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

Ken Dickerson, Public Affairs Officer / Agent des affaires
publiques

Dear Commissioner Major, Tuesday, August 8, 2006

Smith Submission 4: The Unofficial Version: The shorted wiring/
ruptured open/forward cargo door/explosive decompression/
inflight breakup explanation.

Below is the scientific explanation for Air India Flight 182 in

narrative form based on direct, circumstantial, tangible, deduced, historical, and inferred evidence obtained through government aircraft accident reports and testimony under oath, 1953-2006. All statements of fact can be corroborated as having occurred in Air India Flight 182 or other similar Boeing 747s under similar circumstances.

Pressurized hulls of jet airliners have been blowing up since 1953 with the Comet.

03/03/1953

location: Karachi, Pakistan

carrier: Canadian Pacific flight:

aircraft: comet registry:

aboard: fatal: 11 ground:

details: First fatal crash of a commercial jet aircraft

05/02/1953

location: near Jagallogori West Bengal, India

carrier: British Overseas Airlines flight: 783/057

aircraft: De Havilland comet 1 registry: g-alyv

aboard: 43 fatal: 43 ground:

details: broke up in flight during a violent thunderstorm. Metal fatigue due to design flaw.

01/10/1954

location: Elba, Italy

carrier: British Overseas Airlines flight:

aircraft: De Havilland comet 1 registry:

aboard: fatal: 35 ground:

details: broke up in flight. Metal fatigue due to design flaw.

04/08/1954

location: stromboli, italy
carrier: South African Airways flight:
aircraft: De Havilland comet 1 registry:
aboard: fatal: 21 ground:
details: broke up in flight. Metal fatigue due to design flaw.

Hull ruptures in flight leading to sudden explosive decompressions have occurred in over fifty airliners over the years. The causes can be bombs, metal fatigue, cargo shifts, inadvertent door openings from improperly latched to electrical faults, cockpit windows being broken by bird strikes, fuel tank explosion, missile hits, corrosion, faulty repair of damaged bulkhead, midair collisions, thunderstorms, and improperly fitted pressure relief valves.

Air India Flight 182 fits into one of those categories, the shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup one.

There are literally hundreds of pressurization problems that occur in airliners that are not sudden explosions but slow failures. These events rarely lead to fatalities while the sudden loud events usually do.

In an historical and statistical sense Air India Flight 182 was a normal aircraft accident: The cause was mechanical and not unusual. There have been several subsequent explosive decompressions in Boeing 747s similar to Air India Flight 182 that left similar evidence.

The forward cargo door of Air India Flight 182 opened inadvertently in flight for certain, the cause of that opening was probably faulty wiring.

Regards,

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Sequence of Destruction for Air India Flight 182:

Background:

On 18 July, 1984 a high lift vehicle damaged the fuselage skin near the forward cargo door of a Boeing 747-237B, construction number 330, operated by Air India airlines. The fuselage skin had wiring routed on the inside which became bent from the impact and subsequently cracked to bare wire, a characteristic of the polyimide type insulated Poly X wiring installed in the aircraft. The forward cargo door had non-steel locking sectors to keep the bottom eight latching cams from being back driven which would allow the door to open in flight causing explosive decompression which would be a catastrophic event well known to aircraft designers.

In June of 1986 several passengers changed their flight plans and their baggage routing for various flights through Canada to overseas destinations probably from Vancouver.

On 22 June, 1986, two aircraft had baggage loaded aboard them at the Vancouver B. C. airport; one flight was called CP 003

and the other CP 060. Flight 003 took off and flew uneventfully to the extremely busy Narita airport near Tokyo, Japan. After the baggage was unloaded from the flight, it was put on a baggage cart which was wheeled through a transit area of many other baggage carts containing many other bags from many other flights. An explosion of unspecified cause, unknown fuzing, unknown container, and unknown material occurred on the baggage cart which killed two people and injured others. The airport had high security because of previous terrorist attacks on it resulting in fatalities over the years.

The other flight, CP 060, flew uneventfully to Toronto Airport. The baggage was unloaded from CP 060 and those bags continuing on to London on Air India Flight 181/182 were loaded into the aft cargo compartment of the Boeing 747-237B, construction number 330. The flight, now called Air India Flight 181, then flew uneventfully to Mirabel Airport in Montreal. After landing, some baggage of the departing passengers was unloaded from the aft compartment. Parts of a broken engine were placed in the aft cargo compartment for ferry back to India. New passengers and new baggage from Montreal for the next flight of the same aircraft, construction number 330 and now called Air India Flight 182, were loaded with all the new baggage going into the forward baggage compartment. The baggage from Vancouver on CP 060 and reloaded at Toronto remained in the aft cargo compartment of the Boeing 747-237B now called Air India Flight 182.

The forward cargo compartment was filled with summer night air, warm and moist. When flying at altitude the air would be cooled by the air conditioning and the very cold outside air would cool the fuselage skin thus condensing out moisture along the inside of the compartment which would run through the wiring bundles and down into the cargo door bilge.

Air India Flight 182 took off from Montreal for London at 0218 Z on 23 June 1985 and flew uneventfully for about five hours and while at 31000 feet at 296 knots and about 115 miles west of Ireland a tragic sequence of events began at 0714 Z. The pressure differential between outside and inside air was at its maximum design limit, 8.9 pounds per square inch.

The Event:

Water may have met the cracked insulated wire which may have been previously damaged by the high lift accident to the cargo door area. The now exposed and bare wire shorted against the metal fuselage. The electricity then flowed around safety cutout switches and powered on the cargo door actuator unlatch electric motor which attempted to rotate all ten cam sectors to unlocked positions around their ten latching pins. The eight lower cam sectors may have been prevented from unlatching around the latching pins because of the bottom eight locking sectors. However, the two midspan latches had no locking sectors to prevent the inadvertent rotation of the midspan latching cams around the midspan latching pins.

The lower eight cams probably overcame the weaker locking sectors to just turn past center and allow the door to unlatch in flight, a defect known years later in two other Boeing 747 flights, Pan Am Flight 125 and United Airlines Flight 811. The midspan cams turned just past center with no locking sectors to prevent the backdriving of the cams, an operation only supposed to be allowed on the ground. Possibly other factors such as an out of rig cargo door, a poor repair job on the door area, the slack in bellcranks, torque tubes, and worn latch pins may have contributed to have allowed the two midspan latches to rotate just past center permitting the almost 100,000 pounds of

internal pressure on the 99 inch by 110 inch door to rupture outward inflight relieving the maximum pressure differential on the internal fuselage.

The nine foot by eight foot squarish forward cargo door would have instantly burst open at the midspan and bottom latches sending the latches, door material, and large pieces of fuselage skin spinning away. The forward cargo compartment would have spewed its contents outward onto the starboard side of the fuselage. It was as if a huge mylar balloon had popped. The severe explosion of explosive decompression caused the forward cargo door to be fractured and shattered into a few large pieces and many small pieces which gave a frayed appearance from an outward force. Many small bits of metal from the explosion were embedded into the cargo door area metal fuselage structure.

The top part of the door swung outward and upward on its hinge and then separated taking large vertical pieces of fuselage skin with it, exposing stringers and bulkheads. The very lower part of the door sill with its eight bottom latches may have stuck to fuselage skin. The resulting damage zone appeared as a huge rectangle of shattered door, skin, and stringers. Some pieces of the door and fuselage skin flew directly aft and impacted the leading edge of the right wing, the vertical stabilizer and the right horizontal stabilizer inflight.

This explosion of explosive decompression blew out a large hole about thirty feet wide and forty feet high on the starboard side of the nose forward of the wing. It looked as if a bomb had gone off inside the forward cargo hold. Fuselage skin was peeled outward at various places on the starboard side of the nose.

The forward cargo door had some fuselage and cargo floor attached. This door, located on the forward starboard side of the aircraft, was broken horizontally about one-quarter of the distance above the lower frame. The damage to the door and the fuselage skin near the door appeared to have been caused by an outward force. The fractured surface of the cargo door appeared to have been badly frayed. The cargo door pieces and the adjacent skin had holes, flaps, fractures, inward concavity, tears, deformities, outward bent petals, curls, missing pieces, cracks, separations, curved fragments, spikes, and folds. The fast and powerful explosion of the explosive decompression would have caused a metallurgical effect called *ÖtwinningÕ* on a few fragments of pieces of wreckage.

The now uncompressed air molecules rushed out of the huge hole equalizing the high pressure inside the fuselage to the low pressure outside the aircraft while making a sudden very loud audible sound. This sudden rushing outward air was recorded on the Cockpit Voice Recorder as a sudden loud sound. The sound did not accurately match any bomb explosion sounds on other aircraft but did match the explosive decompression sound on another wide body airliner, a DC-10 cargo door open event.

The tremendous explosive force in the forward cargo hold severely disrupted the adjacent main equipment compartment which housed power cables and abruptly shut off power to the Flight Data Recorders. The resulting data tapes showed a sudden loud audible sound followed by an abrupt power cut to the flight data recorder, the cockpit voice recorder and transponder.

The number three engine and cowling, closest to the forward cargo compartment, were damaged by inflight debris from material ejected from the now exposed compartment and cabin

above, debris which also damaged the number four engine cowling by a displaced turbine blade from number three engine. The resulting vibration from the internal damage to engine number three caused the nacelle and engine to fall away from the wing, as designed, and land apart from the other three engines.

The floor beams above the forward cargo hold were sucked downward, and were fractured and broken from the sudden decompression. The floor panels were stationary but gave the appearance of separating upward by the suddenly moving downward floor beams.

The flight attitude of the aircraft was askew to the left from reaction of explosive decompression from the right. Air rushed into the large hole and weakened other skin and frames thus peeling skin further outward and rupturing the aft part of the aircraft to include the aft cargo compartment and the aft pressure bulkhead. There was no evidence of an explosion of any source in the aft cargo compartment.

The 296 knots of wind force pressed upon the weakened airframe and broke it in half amidships. This wind force was larger than any wind force the surface of the earth had ever experienced. The nose portion and wings tore off and landed in a dense debris heap apart from the debris field of the aft part.

The rest of the plane without the forward section suddenly decelerated from 296 knots and caused whiplash injuries to passengers. After the breakup, the passengers who were not wearing their seatbelts were scattered to far distances. They suffered explosion type injuries such as pieces of metal embedded in them from flying debris in the cabin. They were not burned because there was no fire nor explosion from a bomb explosion. The passengers had no other bomb explosion

evidence. The passengers and crew were ejected from the disintegrating aircraft to tumble to the water and suffer upward impact physical damage to their bodies. Some remained in their seats and were trapped in the fuselage underwater. Some had decompression type injuries of hypoxia from the high altitude aircraft breakup.

The passengers fell to the sea and some floated and some sank. The baggage from Vancouver passengers and loaded into the aft cargo compartment fell to the sea and some floated and some sank. The baggage from Montreal passengers and loaded into the forward cargo compartment fell to the sea and some floated and some sank. The aircraft fell in pieces and some pieces floated and some sank.

The pilots may have been conscious for a few seconds and adjusted the trim controls out of habit. The communications radio may have been activated by the disturbances in the cockpit and transmitted for a few seconds to air traffic control.

The port side forward of the wing was relatively smooth and undamaged from inflight debris while the starboard side forward of the wing was shattered, torn, and frayed at the ruptured cargo door area.

A few local fires appeared on the surface of the ocean from the jet kerosene fuel and singed some seat cushions and floating passengers.

All was quiet as the ground controllers tried to contact Air India Flight 182 as the flight crew did not respond to radio calls. Rescue teams were sent. Authorities became aware of the tragedy of 329 men, women, and children dying in a sudden plane crash.

Aftermath:

Explanations were sought as to what happened. Immediately the suggestion was made by authorities that a bomb explosion had caused the accident because of the sudden and catastrophic nature of the immediate evidence.

The Canadian aviation accident investigation authorities became involved since the aircraft had taken off from Canada and had many Canadian citizens aboard. Indian authorities became involved since the airline, Air India, has government ties. The Indian authorities quickly dismissed their aviation experts and assigned a Judge of the Court to oversee the investigation.

After a period of investigation, much of which was conducted to confirm the bomb explosion explanation and identify the culprits, the Indian judge made a finding in 1986 that a bomb in the forward cargo compartment had caused the inflight breakup of Air India Flight 182 and ruled out any type of explosion in the aft cargo compartment.

After a period of investigation, during which the opinion of the UK Air Accidents Investigation Branch representative of an explosive decompression not caused by a bomb but a cause as yet to be determined was given, the Canadian Aviation Safety Board made a conclusion in 1986 that an explosion of unstated cause in the forward cargo compartment had caused the inflight breakup of Air India Flight 182 while also ruling out any explosion of any type in the aft cargo compartment.

The immediate finding by the Indians of a bomb explosion in the forward cargo compartment was accepted and remained the probable cause for Air India Flight 182 twenty one years later although subsequent accidents of a similar type aircraft in similar

circumstances leaving similar evidence now resolutely contradicted that finding although confirming the Indian finding of an explosion on the starboard side of the forward cargo compartment and no explosion in the aft.

The Canadian probable cause of an explosion in the forward cargo compartment of an undetermined cause has been proven to be correct by subsequent accidents of a similar type aircraft in similar circumstances leaving similar evidence which do reveal the cause of the explosion: faulty wiring causing the forward cargo door to rupture open inflight at the latches leading to a tremendous explosion of explosive decompression causing Air India Flight 182 to totally breakup in flight.

In 2001 three men were arrested for involvement in the unproved bombing. One pled guilty on a bomb making charge and went to prison while denying any involvement with Air India Flight 182.

In 2005 two of the accused were found not guilty by a Canadian judge in British Columbia. The other man remains in prison and charged with perjury in that trial. The Canadian judge determined that an explosion occurred in the aft cargo compartment in the left side and the cause was a bomb. No explanations were offered to rebut the original findings of explosion in the forward cargo compartment on the right side and no explosion of any source in the aft cargo compartment.

In 2006 a Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182 was appointed. The shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation was presented to the Commissioner at an open hearing on 19 July, 2006. Excerpts

below:

Application for Standing presented by Mr. Smith: Mr. Smith: Thank you, Commissioner Major, for allowing me to supplement my written application for standing...I have an alternate explanation for Air India 182. It's a mechanical explanation. I'll go into some detail during my presentation and my detail will not be to persuade you that my explanation is correct but to persuade you that my research has depth and is worthy of being granted standing.

The Commissioner: Well, I don't think, Mr. Smith, that you need 15 minutes to persuade me of that. Here's the difficulty...You have an alternate theory. The alternate theory may over time prove to be correct. I don't know...but the Terms of Reference preclude our considering whether or not there was any cause for that explosion other than the bomb that is found by the Supreme Court of British Columbia.

Hindsight:

In 1985, when Air India Flight 182 suffered an inflight breakup from an explosion, it was believed that an explosive decompression in an early model Boeing 747 could not cause an abrupt power cut to the data flight recorders. That belief was cited by the Indian Kirpal Report as a reason to reject the explosive decompression explanation because, in fact, Air India Flight 182 had suffered an abrupt power cut to the data recorders. The Indian Kirpal Reports states: "It was not possible that any rapid decompression caused by a structural failure could have disrupted the entire electrical power supply from the MEC compartment." The later event of United Airlines Flight 811 showed that it was possible, and indeed, did happen, that an explosive decompression caused by a structural failure could and

did cause an abrupt electrical cutoff to the recorders.

The reason for the Indians in 1986 to rule out explosive decompression by structural failure was negated by the reality of United Airlines Flight 811 in 1989. If the Indians had the foreknowledge of United Airlines Flight 811 and the explosive decompression which cut off abruptly the power to the recorders, it is most probable they would have sustained the findings of the Canadians and the British who said that an explosion in the forward cargo compartment occurred and all would have then known the solution to the mystery posed by the AAIB investigator: "...but the cause has not been identified." The cause was identified in 1989 and demonstrated by United Airlines Flight 811 in NTSB AAR 92/02: The National Transportation Safety Board determines that the probable cause of this accident was the sudden opening of the forward lower lobe cargo door in flight and the subsequent explosive decompression.'

The evidence that was unavailable to the Air India Flight 182 CASB, AAIB, and Indian accident investigators in 1985 that became available in the ensuing 16 years that would have been invaluable in assisting them in determining the probable cause was:

- A. Evidence that an explosive decompression could cause an abrupt power cut to the data recorders.
- B. Evidence that floor panels can appear to separate upwards when in fact the floor beneath were pulled down.
- C. Testimony that twinning can occur in explosions other than bombs, such as an aviation fuel explosion, or explosive decompression.
- D. Evidence that the type of wiring installed, Poly-X, was defective in that it cracked to bare wire easily, especially in the presence of moisture.

E. Visible ruptures in flight in forward cargo doors of other early model Boeing 747s that suffered the same events in flight.

F. Several Airworthiness Directives for defects in and around the forward cargo doors of Boeing 747s that if uncorrected could lead to inadvertent opening of the cargo door in flight leading to catastrophic explosive decompression.

The evidence that was available to the Air India Flight 182 CASB, AAIB, and Indian accident investigators in 1985 was such to lead them to conclude that an explosion had taken place on the starboard side in the forward cargo compartment which was picked up by the cockpit voice recorder and cut off the electrical power in the adjacent main electrical equipment compartment. The cause of the explosion was given as either unknown, structural failure of explosive decompression, or a bomb explosion. Since the event in 1989 with United Airlines Flight 811 had not happened yet, the understandable decision of the Indians, based on three assumptions later proven unreliable, was to state the cause of the explosion in the forward cargo compartment a bomb whilst the cautious Canadian CASB and the British AAIB left the cause unstated or unidentified.

From: John Barry Smith <barry@johnbarrysmith.com>

Date: September 5, 2009 11:46:54 PM PDT

To: kdickerson@majorcomm.ca

**Subject: Submission 5: Substantiating the Unofficial Version:
The Layperson Explanation**

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Ken Dickerson

Public Affairs Officer / Agent des affaires publique

Dear Mr. Dickerson, Sunday, August 13, 2006

Below is Submission 5 for the Commissioner of the
Commission: Smith Submission 5: Substantiating the Unofficial
Version: The Layperson Explanation

Commission of Inquiry Smith Submission 1, Grievous Error of
Fact Detected, Filed 28 July, 2006. (Please correct Commission
website.)

Commission of Inquiry Smith Submission 2: Inquiry into the
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occurred.) Filed Tuesday, August 8, 2006

Commission of Inquiry Smith Submission 4: The Unofficial
Version: The shorted wiring/ruptured open/forward cargo door/
explosive decompression/inflight breakup explanation. (Please
consider a plausible, reasonable, electrical cause with precedent)
Filed Tuesday, August 8, 2006.

Commission of Inquiry Submission 5: Substantiating the
Unofficial Version: The Layperson Explanation (It's not rocket
science) Filed Sunday, August 13, 2006

Thanks and Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924

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Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Honourable John C. Major, Q.C. Commissioner

Sheila-Marie Cook, Executive Director and Commission
Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

Ken Dickerson Public Affairs Officer / Agent des affaires
publique

Dear Commissioner

Major,

Sunday, August 13, 2006

Submission 5: Substantiating the Unofficial Version: The
Layperson Explanation

One excuse I am given by those unwilling to evaluate the hard
evidence that supports the shorted wiring/ruptured open/forward
cargo door/explosive decompression/inflight breakup explanation
for Air India Flight 182 is that it is 'too technical'.

Well, it's not too technical; below is the explanation for
laypersons who have a basic education in science. If a person
knows why lightning strikes, why balloons pop, the power of
wind, and why gravity pulls, then that person can understand
what happened to Air India Flight 182.

Lightning Strikes

Balloon Pops

Wind Power

Gravity Pulls

Lightning strikes because of an imbalance between the negative electrically charged particles and the further away positively charged particles. When sufficient negative and positive charges gather, and when the electric field becomes sufficiently strong, an electrical discharge (the bolt of lightning) occurs within clouds or between clouds and the ground. Lightning occurs because the bottom of a thundercloud becomes negatively charged. The ground becomes positively charged. Simple physics says that opposite charges attract, so boom, the lightning takes a one way trip to the closest positively charged item- usually a tree, phone pole, or other high object.

In a Boeing 747 the opening and closing of the cargo doors is done by an electric current through a latching or unlatching motor controlled by a switch. When the switch is open/off, there is no current to turn the motor which would turn the latching cams around the latching pins. When the switch is closed/on the circuit between the negatively charged particles and the positively charged is closed and current flows through the resistive motor which turns torque tubes which turn cams to surround pins which closes and holds the door tight against the fuselage.

When the aircraft is airborne a switch is opened/off which prevents any current from inadvertently turning on the cargo door unlatch motor. There is no way to turn on the unlatch motor to open the cargo door from inside the cockpit.

However, when faulty wiring such as Poly X type, which was used in Air India Flight 182, chafes and cracks to bare wire to

short on the metal fuselage, the voltage has a path to complete the circuit and the lightning strikes; that is, the safety feature of a switch is bypassed and the now flowing current turns on the cargo door unlatch motor. The imbalance between the charged electrons which was held steady by the safety switch is now allowed to discharge/equalize through the shorted wire through the resistive motor which turns on as it is supposed to do when receiving current. The latching cams now turn around the latching pins into the unlock/unlatch direction thus releasing their hold on the closed cargo door. The faulty wire which allowed the motor to turn on when it was supposed to stay off was installed during manufacture of the aircraft. The defective wiring is a manufacturing error.

The bare wire shorted on the cargo door unlatch motor which turned the cams to the unlatch position. Lightning struck and the unlatch motor turned on and started to allow the cargo door to open in flight.

Balloon pops:

Air tends to move in a straight line from a high-pressure area to a low pressure area. As balloons reach maximum expansion they get to a point where the latex runs out of stretch and gets stiff and resists further stretching. This is obvious in a fresh, over inflated balloon. It will become stiffer and get very rigid as all the latex molecules all become oriented in the tensile stress directions. This increase in stiffness will cause balloons, unlike soap bubbles, to increase in internal air pressure just before bursting.

Even small balloons like nine inch rounds can produce a very big bang if they are strong high quality balloons and are blown up to the limit. They can develop fantastically high tensions. Of course

a larger balloon blown up to a similar extreme tension all over would make an even bigger bang.

The hull of a Boeing 747 such as Air India Flight 182 can be considered a huge balloon when pressurized. As the aircraft climbs the air molecules outside are further apart and have less pressure than those that were inside the aircraft at takeoff. If the aircraft is not pressurized, the air molecules inside and outside the aircraft are the same and there is no differential. The hull is not inflated and there would be no inside high pressure trying to equalize with the outside lower pressure.

But the hull of the Boeing 747 in flight with crew and passengers aboard can not remain unpressurized as the air would be too thin to sustain life so oxygenated air is pumped into the hull and the balloon/hull inflates. There now exists a distance difference between the air molecules inside the aircraft to those outside of the airplane. There is an imbalance. There is now pressure to equalize the air molecules but the sealed metal fuselage skin prevents the equalization. The hull stays inflated.

As the plane climbs higher, the pressure inside is kept constant at a comfortable level for the passengers while the pressure outside continues to decline the higher the aircraft goes. When the aircraft is about 20000 feet, the pressure on the inside of the fuselage is about 3.5 PSI or pounds per square inch. At cruise altitude of about 31000 feet, the pressure on each square inch on the inside of the inflated balloon called the hull is 8.9 PSI.

The Boeing 747 has two cargo doors 110 by 99 inches in size. The pressure on the cargo doors of Air India Flight 182 when cruising at 31000, when the initial event occurred, was 96921 pounds pressing on each of the nine foot by eight foot doors held

in place only by a long hinge, eight rotating lower latching cams around latching pins and two midspan rotating latching cams around latching pins.

An analogy: Imagine a large under inflated balloon with no holes in it. Then cut six small holes in the balloon and two large square holes. Then, if you could, put patches over the six small holes from the inside of the balloon so that when the balloon is inflated, the inside high pressure would press the patch tighter into the balloon and seal the hole tighter. That is called a 'plug type' patch. But....then put patches over the two large square cut holes on the outside of the balloon so that when the balloon is inflated, the high air pressure inside the balloon presses against the outside patch to push it outward. That is called a 'non plug type' patch.

Another analogy for the patch is a band aid wound dressing on an arm. The arm has the cut hole/wound and the patch is the band aid to stop the bleeding wound. A band aid on the inside of the arm would be more effective but impractical so band aids are put on the outside of the arm and often are pulled off inadvertently.

Air India Flight 182 has those several small holes cut into the pressurized hull and then patched from the inside. They are called plug type passenger doors. When airborne and at altitude, those passenger entry and exit doors can not be opened in flight because the inside air pressure presses them tight against the metal fuselage. Only if the pilot depressurizes the inside of the hull can those doors be opened, such as on the ground. The

wounds are small and the band aid is sufficient to stop the bleeding since the patch is in the inside and the blood pressure actually prevents bleeding.

However, the two huge cargo doors which were cut from the metal fuselage and then patched back are non-plug type. It's as if they are patched from the outside so that as the inside pressure grows higher and the outside pressure goes lower, the pressure differential increases and about 97000 pounds of air presses on the eight by nine foot door to burst it open. The door does not press on the inside of the fuselage tighter because it is not a plug type. The only things holding the door closed are the hinge and the ten latches around the ten latch pins. The latch cams are not told to unlatch in flight because there is no current to the unlatch motor. The non plug cargo doors are a design error; they should be plug type. The wounds are large and the band aid is not sticky enough to stop the bleeding as the blood pressure pushes outward.

A hull rupture in flight can be a catastrophic event so safety efforts are made to prevent its occurrence. As the cams are turned around the pins, a locking sector is then manually placed against the latch pin to prevent the inadvertent unlatching should electrical current turn the unlatch motor on. The locking sector would stop the cam from turning to the open position and the unlatch motor would burn itself out trying.

However, while the lower eight latches have eight locking sectors as a safety measure, the two midspan latches have no locking sectors at all. That is another design error; the midspan latches need locking sectors similar to the eight lower ones. The band aid over the wound was too small.

(As it turns out, years after Air India Flight 182 crashed, it was shown that the eight locking sectors themselves were too weak to stop the cams from unlatching when the unlatch motor did in fact inadvertently receive power and unlatched in flight. The eight locking sectors were then strengthened but the midspan latches had no locking sectors to strengthen.)

For Air India Flight 182, the faulty bare wire shorted on the power for the cargo door unlatch motor which turned the cams to the unlatch position after bypassing the safety switch. The eight lower latching cams overrode the weak lower eight locking sectors. Just past dead center of the pins the 97000 pounds of internal pressure finally popped the balloon of a pressurized hull at the forward cargo door. The result was an explosive decompression which occurred in an instant. Explosive decompression is an aviation term used to mean a sudden and rapid loss of cabin pressurization.

The sudden and powerful rushing out of the higher pressure air inside the pressurized hull of Air India Flight 182 mimicked a bomb in sound and fury. The sound of the explosion was so loud it was picked up on the cockpit voice recorder. The forward cargo door split into two parts and burst apart as it tore out and up taking further fuselage skin with it. The contents of the forward cargo hold were blown out and into the nearby starboard engines number three and four causing foreign object damage to the nacelles and turbine blades inside the engines. The ensuing hole in the starboard side of the fuselage forward of the wing centered around the forward cargo door of Air India Flight 182 in the wreckage reconstruction below was now about thirty feet tall and twenty feet wide, target 204 and cross hatch skin above it.

The manufacturing flaw of installing defective wiring had exploited the design flaw of a non plug door coupled with the design flaw of no locking sectors on the mid span latches allowing the door to inadvertently open in flight causing a massive explosive decompression which created a huge hole in the nose of Air India Flight 182.

Lightning struck and the unlatch motor turned on. The balloon popped when the forward cargo door unlatched and ruptured open.

Wind Power:

From the CVR and DFDR, AI 182 was proceeding normally en route from Montreal to London at an altitude of 31,000 feet and an indicated airspeed of 296 knots when the cockpit area microphone detected a sudden loud sound: 296 knots is 341 miles per hour or 549 km/h.

If the newly created huge hole in the nose of Air India Flight 182 had occurred while the aircraft were motionless in the calm air, the nose would have stayed on and the aircraft would not have broken up in flight. However, the wind force on the now compromised formerly streamlined hull was higher than any natural wind on earth.

Category V Hurricane, Catastrophic >155 mph

Shrubs and trees blown down and uprooted; considerable damage to roofs of all buildings; all signs down. Very severe and extensive damage to windows and doors. Complete failure of roofs on several residences and industrial buildings. Extensive shattering of glass from pressure variation and blown debris.

Some complete building failures. Smaller buildings are overturned or destroyed. Complete destruction of mobile homes. F3 Tornado, Fujita Scale 3 158-206 mph, strongly built schools, homes, and businesses have outside walls blown away; weaker homes completely swept away,
F4 Tornado, Fujita Scale 4 207-260 mph, strongly built homes have all interior and exterior walls blown apart; cars thrown 300 yards or more in the air
F5 Tornado, Fujita Scale 5 261-318 mph, strongly built homes are completely blown away

An intact egg is strong when pressed on its small end but after the shell is cracked, the strength is gone and it crumbles. So it was with Air India Flight 182.

The wind force of 341 miles per hour tore the gashed nose off which fell first in the debris pattern on the ocean floor. The wind force tore into the rest of the tubular, now unpressurized hull, and ruptured open the rest of the fuselage and other compartments. The debris was blown aft and hit the starboard wing and stabilizer causing inflight damage. The engines and wings came off and mixed with the rest of the disintegrating aircraft.

Lightning struck and the unlatch motor turned on. The balloon popped when the forward cargo door unlatched and ruptured open. The enormous wind power tore the nose off and disintegrated the rest of the aircraft.

Gravity grabs.

Gravity is one of four known fundamental forces of nature. Gravity is by far the weakest of the four, yet it dominates on the scale of large space objects. Gravity cannot be shielded in any

way. Intervening objects, whatever their make-up, have no effect whatsoever on the attraction between two separated objects.

If Air India Flight 182 were in far outer space the thousands of broken parts would just float around but those debris pieces were affected by the gravity of Earth and caused the aircraft parts to flutter down to the sea and further down to the ocean floor 6500 feet under the water surface.

Lightning struck and the unlatch motor turned on. The balloon popped when the forward cargo door unlatched and ruptured open. The enormous wind tore the nose off and disintegrated the rest. Gravity pulled the pieces downward to the bottom of the ocean.

Lightning Struck
Balloon Popped
Wind Powered
Gravity Pulled

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August 8, 2006.

Smith Submission 5: Substantiating the Unofficial Version: The Layperson Explanation. (It's not rocket science) Filed Sunday, August 13, 2006

Respectfully,

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From: John Barry Smith <barry@johnbarrismith.com>
Date: September 5, 2009 11:46:54 PM PDT
To: barry@johnbarrismith.com
Subject: Submission 6: Substantiating the Unofficial Version: The DNA Match

Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182

Ken Dickerson

Public Affairs Officer / Agent des affaires publique

Dear Mr. Dickerson, Tuesday, August 15, 2006

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Commission of Inquiry into the Investigation of the Bombing of
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Sheila-Marie Cook, Executive Director and Commission
Secretary

Mark J. Freiman, Commission's Lead Counsel
Michel Dorval, Commission's Co-Counsel
Ken Dickerson Public Affairs Officer / Agent des affaires
publique

Dear Commissioner Major, Tuesday, August 15, 2006

Commissioner to me: "You're free, Mr. Smith, as you probably know, to add to your filed material should you choose."

I'm adding sir, I'm adding! I will continue to add material I believe will be useful to you regarding the Inquiry, the investigation, the bombing, Air India Flight 182, what's it like to be a victim of a sudden fatal jet airplane crash, and the emotions when meeting the family members of that fatal victim.

Commission of Inquiry Smith Submission 6: Substantiating the Unofficial Version: The DNA Match.

DNA forms genes, the hereditary material of the cell. DNA is a macromolecule present in the cells of all living beings. All the cells of an individual contain the same DNA, creating a specific identity for the individual. When cells divide, DNA produces an identical copy of itself. A gene is a part of an individual's DNA.

The Emperor Kanishka had no bombs concealed in his clothes.

If the DNA can be used as an analogy for specific evidence discovered for one event and that specific evidence is matched in another event, it can be said the DNA matches. The DNA of Air India Flight 182 was first and last an airplane that crashed:

1. An early model Boeing 747,
2. Did not have the Section 41 retrofit,

3. Had Poly X wiring installed.
4. Had previous problems with the cargo door.
5. Experienced hull rupture explosive decompression forward of the wing on right side in cargo door area.
6. Damaged engine number three and engine number four fan cowl.
7. Sudden sound on Cockpit Voice Recorder.
8. Loud sound on Cockpit Voice Recorder.
9. Sudden loud sound is not a bomb explosion sound.
10. Sudden loud sound was quickly followed by an abrupt power cut the other flight data recorders.
11. There was outward peeled skin in the forward cargo door area.
12. Had more inflight damage on the starboard side of aircraft.
13. Had at least nine never recovered bodies.
14. Had vertical fuselage tear lines forward of the wing and aft of cargo door.
15. Forward cargo door metal skin was frayed and shattered outward.
16. Forward cargo door split longitudinally.
17. Attempts to retrieve forward cargo door made because of its uniqueness.
18. Identical aft cargo door intact and latched.
19. Bomb in forward cargo hold initially suspected.

And all of the above specific evidence is present in United Airlines Flight 811, another early model Boeing 747 that came apart in flight leading to fatalities but was able to land mostly intact so its DNA evidence could be examined and indisputably stated:

"Executive Summary from USA NTSB AAR 92/02 of March 1992:

On February 24, 1989, United Airlines flight 811, a Boeing 747-122, experienced an explosive decompression as it was climbing between 22,000 and 23,000 feet after taking off from Honolulu, Hawaii, en route to Sydney, Australia with 3 flightcrew, 15 flight attendants, and 337 passengers aboard.

The airplane made a successful emergency landing at Honolulu and the occupants evacuated the airplane. Examination of the airplane revealed that the forward lower lobe cargo door had separated in flight and had caused extensive damage to the fuselage and cabin structure adjacent to the door. Nine of the passengers had been ejected from the airplane and lost at sea.

A year after the accident, the Safety Board was uncertain that the cargo door would be located and recovered from the Pacific Ocean. The Safety Board decided to proceed with a final report based on the available evidence without the benefit of an actual examination of the door mechanism. The original report was adopted by the Safety Board on April 16, 1990, as NTSB/AAR-90/01.

Subsequently, on July 22, 1990, a search and recovery operation was begun by the U.S. Navy with the cost shared by the Safety Board, the Federal Aviation Administration, Boeing Aircraft Company, and United Airlines. The search and recovery effort was supported by Navy radar data on the separated cargo door, underwater sonar equipment, and a manned submersible vehicle. The effort was successful, and the cargo door was recovered in two pieces from the ocean floor at a depth of 14,200 feet on

September 26 and October 1, 1990.

Before the recovery of the cargo door, the Safety Board believed that the door locking mechanisms had sustained damage in service prior to the accident flight to the extent that the door could have been closed and appeared to have been locked, when in fact the door was not fully latched. This belief was expressed in the report and was supported by the evidence available at the time. However, upon examination of the door, the damage to the locking mechanism did not support this hypothesis. Rather, the evidence indicated that the latch cams had been backdriven from the closed position into a nearly open position after the door had been closed and locked. The latch cams had been driven into the lock sectors that deformed so that they failed to prevent the back-driving.

Thus, as a result of the recovery and examination of the cargo door, the Safety Board's original analysis and probable cause have been modified. This report incorporates these changes and supersedes NTSB/AAR-90/01.

The issues in this investigation centered around the design and certification of the B-747 cargo doors, the operation and maintenance to assure the continuing airworthiness of the doors, cabin safety, and emergency response.

The National Transportation Safety Board determines that the probable cause of this accident was the sudden opening of the forward lower lobe cargo door in flight and the subsequent explosive decompression. The door opening was attributed to a faulty switch or wiring in the door control system which permitted electrical actuation of the door latches toward the unlatched position after initial door closure and before takeoff. Contributing to the cause of the accident was a deficiency in the

design of the cargo door locking mechanisms, which made them susceptible to deformation, allowing the door to become unlatched after being properly latched and locked. Also contributing to the accident was a lack of timely corrective actions by Boeing and the FAA following a 1987 cargo door opening incident on a Pan Am B-747. As a result of this investigation, the Safety Board issued safety recommendations concerning cargo doors and other nonplug doors on pressurized transport category airplanes, cabin safety, and emergency response."

Commissioner Major, please note above that the first probable cause was incorrect so the NTSB issued another AAR based upon new evidence. The same can be done by TSB Air for Air India Flight 182 based upon the subsequent new evidence. I have had the benefit of hindsight to research all Boeing 747 hull losses for matches to the evidence retrieved regarding Air India Flight 182. There have been five matches, including Air India Flight 182. All are controversial while United Airlines Flight 811 is the only aircraft that was able to land after the shorted switch or wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup occurred. The DNA evidence and probable cause for United Airlines Flight 811 is irrefutable.

In none of the five official investigations for Air India Flight 182 listed in Smith Submission 3 was United Airlines Flight 811 considered. For four of those investigations, United Airlines Flight 811 had not occurred yet; for the fifth, the attorneys and law enforcement agencies chose not to refer to it.

For the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182, this Submission 6: Substantiating the Unofficial Version: The DNA Matches, is the first to consider the match between Air India Flight 182 and

United Airlines Flight 811.

What happened to Air India Flight 182 happened to United Airlines Flight 811 and others. The cause of United Airlines Flight 811 is the same cause for Air India Flight 182. The sequence is the shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation.

The linchpin DNA match to all five Boeing 747 accidents is the sudden loud sound on the Cockpit Voice Recorder followed by the abrupt power cut to the Flight Data Recorder. The CVR and FDR data is the only direct evidence available and it is the best.

NTSB AAR, United Airlines Flight 811:

"The CVR revealed normal communication before the decompression. At 0209:09:2 HST, a loud bang could be heard on the CVR. The loud bang was about 1.5 seconds after a "thump" was heard on the CVR for which one of the flightcrew made a comment. The electrical power to the CVR was lost for approximately 21.4 seconds following the loud bang. NTSB Accident Report 92-02 Page 25

CASB AOR, Air India Flight 182:

"From the CVR and DFDR, AI 182 was proceeding normally en route from Montreal to London at an altitude of 31,000 feet and an indicated airspeed of 296 knots when the cockpit area microphone detected a sudden loud sound. The sound continued for about 0.6 seconds, and then almost immediately, the line from the cockpit area microphone to the cockpit voice recorder at the rear of the pressure cabin was most probably broken. This was followed by a loss of electrical power to the recorder." Canadian Aviation Safety Board Air India 23 June 1985, page 21

Kirpal Report: "Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified. It must be concluded that without positive evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident"

Premise Explanation for Air India Flight 182: Explosion in the forward cargo compartment caused by explosive decompression caused by structural failure of ruptured open forward cargo door at one or both of the midspan latches caused by faulty electrical wiring:

Analysis: There is close agreement with the opinions of the two aviation authorities (CASB and AAIB), the judicial finding of Judge Kirpal, and this independent aircraft accident investigator in the specific location in the aircraft and consequences of the explosion with the only difference being the cause of the explosion on the starboard side of the forward cargo compartment of Air India Flight 182:

A. CASB: There was an explosion, which could have been a bomb explosion, on the starboard side of the forward cargo compartment near the forward cargo door which caused the inflight breakup of Air India Flight 182.

B. AAIB: There was an explosion, cause not identified but not a bomb explosion, which caused the inflight breakup of Air India Flight 182.

C. Justice Kirpal: There was an explosion, a bomb

explosion, on the starboard side of the forward cargo compartment near the forward cargo door which caused the inflight breakup of Air India Flight 182.

D. Justice Josephson: There was an explosion, a bomb explosion, on the port side of the aft cargo compartment opposite the aft cargo door which caused the inflight breakup of Air India Flight 182.

E. John Barry Smith: There was an explosion, an explosive decompression when faulty wiring shorted on the forward cargo door unlatch motor which allowed one or both of the midspan latches to rupture open in the forward cargo door on the starboard side of the forward cargo compartment, which caused the inflight breakup of Air India Flight 182.

F. Transportation Safety Board of Canada (Air): Yet to be asked for opinion.

To determine the pattern in early model Boeing 747 accidents that suffered breakups in flight, it was necessary to evaluate carefully all the official accident reports concerning them. A pattern was detected of similar significant evidence among only five of the over forty hull damages or losses, two of which are Air India Flight 182 and United Airlines Flight 811.

Summary of specific matching evidence between Air India Flight 182 and United Airlines Flight 811: (The DNA evidence listed below applies to both aircraft)

- A. Boeing 747
- B. Early model
- C. Polyimide wiring (Poly X type)
- D. Sudden airframe breakup in flight
- E. Breakup occurs forward of the wing
- F. Section 41 retrofit not done

- G. At least medium flight time
- H. At least medium aged airframe
- I. Previous maintenance problems with forward cargo door
- J. Initial event at about 300 knots while proceeding normally in all parameters
- K. Initial event involves hull rupture in or near forward cargo door area
- L. Initial event starts with sudden sound
- M. Initial event sound is loud
- N. Initial event sound is audible to humans
- O. Initial event followed immediately by abrupt power cut to data recorders
- P. Initial event sound not matched to explosion of bomb sound
- Q. Initial event sound is matched to explosive decompression sound in wide body airliner
- R. Torn off skin on fuselage above forward cargo door area
- S. Evidence of explosion in forward cargo compartment
- T. Foreign object damage to engine or cowling of engine number three
- U. Foreign object damage to engine or cowling of engine number four
- V. Right wing leading edge damaged in flight
- W. Vertical stabilizer damaged in flight
- X. Right horizontal stabilizer damaged in flight
- Y. More severe inflight damage on starboard side than port side
- Z. Port side relatively undamaged by inflight debris
- AA. Vertical fuselage tear lines just aft and forward of the forward cargo door
- AB. Fracture/tear/rupture at a midspan latch of forward cargo door
- AC. Midspan latching status of forward cargo door not reported as latched
- AD. Airworthiness Directive 88-12-04 not implemented

(stronger lock sectors)

- AE. Outwardly peeled skin on upper forward fuselage
- AF. Rectangular shape of shattered area around forward cargo door
- AG. Forward cargo door fractured in two longitudinally
- AH. Status of aft cargo door as latched
- AI. Passengers suffered decompression type injuries
- AJ. At least nine missing and never recovered passenger bodies
- AK. Initial official determination of probable cause as bomb explosion.
- AL. Initial official determination modified from bomb explosion
- AM. Structural failure considered for probable cause
- AN. Inadvertently opened forward cargo door considered for probable cause
- AO. Takeoff after sunset on fatal flight
- AP. Takeoff after scheduled takeoff time on fatal flight

A few of the above matches may be common, trivial, or irrelevant but most are rare and critical.

The important DNA matches that determine the certainty that both aircraft:

1. Were similar model and type of early model Boeing 747s..
2. Had the same appearance for each longitudinally fractured forward cargo doors
3. Had sudden loud sounds which were an explosive decompression sound and not a bomb explosion sound.
4. Had an abrupt power cut to the flight data recorders after the sudden loud sound.
5. Had the same damaged areas around the forward cargo door.
6. Had relatively smooth fuselage skin on port side opposite the

shattered starboard cargo door side.

7. Had similar inflight damage to the starboard engines and flight surfaces.

8. Had at least nine never recovered bodies.

9. Had explosions in the forward cargo compartment which were initially thought to have been bombs but the opinions were later somewhat modified.

There are many reasonable possible explanations for an explosion or explosive decompression near the forward cargo door of an early model Boeing 747, only one of which is a rare bomb explosion:

A. Bomb explosion. (Considered for both, ruled out in one, should be ruled out for both.)

B. Crew or passenger error. (Ruled out for both flights.)

C. Electrical fault in switch or wiring. (Ruled in for one.)

D. Pneumatic overpressure. (Ruled out for both flights.)

E. Cargo shift. (Ruled out for both flights.)

F. Compressed air tank explosion. (Ruled out for both flights.)

G. Fire. (Ruled out for both flights.)

H. Missile strike. (Ruled out for both flights.)

I. Midair collision. (Ruled out for both flights.)

J. Fuel tank explosion. (Ruled out for both flights.)

K. Stowaway. (Ruled out for both flights.)

L. Electromagnetic interference. (Ruled out for both flights.)

M. Comet or meteor. (Ruled out for both flights.)

N. Space debris. (Ruled out for both flights.)

O. Turbulence. (Ruled out for both flights.)

P. Out of rig door. (Ruled out for both flights.)

Q. Lightning. (Ruled out for both flights.)

R. Metal fatigue. (Ruled out for both flights.)

S. Improperly latched. (Initially accepted for one flight, then

ruled out for both flights.)

T. Design error. (Accepted for one flight)

U. Repair error. (Ruled out for both flights.)

V. Maintenance error. (Ruled out for both flights.)

General Conclusion: Based upon the indisputable probable cause of electrical fault for United Airlines Flight 811 and the many matches of evidence to Air India Flight 182, the discovered common cause for United Airlines Flight 811 and Air India Flight 182 is the shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation which is a mechanical explanation for an explosion on the starboard side in the forward cargo compartment of explosive decompression when the forward cargo door ruptured open in flight, probably at one or both of the midspan latches and probably caused by faulty wiring inadvertently turning on the door unlatch motor.

Specific Conclusions for Air India Flight 182:

These conclusions are based on evidence available after 1985.

A. While proceeding normally, an inflight breakup of Air India Flight 182 occurred suddenly and catastrophically at 0714Z at 31000 feet at 300 knots TAS about 110 miles west of Cork, Ireland on 23 June, 1985. There were no survivors.

B. The breakup was caused by an explosion in the forward cargo compartment.

C. The explosion was a severe and sudden explosive decompression.

D. The explosive decompression was caused by the suddenly ruptured open forward cargo door probably at one or both of the midspan latches.

E. The ruptured open forward cargo door was probably caused by faulty wiring which turned on the door unlatch motor which unlatched the latching cams from around the latching pins in flight.

F. The wiring fault was probably the Poly X wiring with inferior insulation which easily cracked to bare wire especially in the presence of moisture.

G. There was no bomb explosion in any cargo compartment, crew cabin, passenger cabin, or anywhere else on the aircraft.

H. There was no explosion from any source in the aft cargo compartment.

I. The sudden loud sound on the cockpit voice recorder was the sound of the air rushing out during the explosive decompression in the forward cargo compartment.

J. The abrupt power cut to the recorders was caused by the explosive effects of the decompression affecting the power cables in the adjacent main equipment compartment to the forward cargo compartment.

Contributing causes:

A. Water or moisture in the forward cargo compartment.

B. Weak locking sectors on the bottom eight latches of the cargo doors.

C. Poor design of one midspan latch per each eight foot side of the cargo doors.

D. Poor design of no locking sector for each midspan latch of the cargo doors.

E. Poor design of outward opening, nonplug type, large, square cargo doors in a highly pressurized hull.

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Date: September 5, 2009 11:46:54 PM PDT
To: kdickerson@majorcomm.ca

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The airplane made a successful emergency landing at Honolulu and the occupants evacuated the airplane. Examination of the airplane revealed that the forward lower lobe cargo door had separated in flight and had caused extensive damage to the fuselage and cabin structure adjacent to the door. Nine of the passengers had been ejected from the airplane and lost at sea.

A year after the accident, the Safety Board was uncertain that the

cargo door would be located and recovered from the Pacific Ocean. The Safety Board decided to proceed with a final report based on the available evidence without the benefit of an actual examination of the door mechanism. The original report was adopted by the Safety Board on April 16, 1990, as NTSB/AAR-90/01.

Subsequently, on July 22, 1990, a search and recovery operation was begun by the U.S. Navy with the cost shared by the Safety Board, the Federal Aviation Administration, Boeing Aircraft Company, and United Airlines. The search and recovery effort was supported by Navy radar data on the separated cargo door, underwater sonar equipment, and a manned submersible vehicle. The effort was successful, and the cargo door was recovered in two pieces from the ocean floor at a depth of 14,200 feet on September 26 and October 1, 1990.

Before the recovery of the cargo door, the Safety Board believed that the door locking mechanisms had sustained damage in service prior to the accident flight to the extent that the door could have been closed and appeared to have been locked, when in fact the door was not fully latched. This belief was expressed in the report and was supported by the evidence available at the time. However, upon examination of the door, the damage to the locking mechanism did not support this hypothesis. Rather, the evidence indicated that the latch cams had been backdriven from the closed position into a nearly open position after the door had been closed and locked. The latch cams had been driven into the lock sectors that deformed so that they failed to prevent the back-driving.

Thus, as a result of the recovery and examination of the cargo door, the Safety Board's original analysis and probable cause

have been modified. This report incorporates these changes and supersedes NTSB/AAR-90/01.

The issues in this investigation centered around the design and certification of the B-747 cargo doors, the operation and maintenance to assure the continuing airworthiness of the doors, cabin safety, and emergency response.

The National Transportation Safety Board determines that the probable cause of this accident was the sudden opening of the forward lower lobe cargo door in flight and the subsequent explosive decompression. The door opening was attributed to a faulty switch or wiring in the door control system which permitted electrical actuation of the door latches toward the unlatched position after initial door closure and before takeoff. Contributing to the cause of the accident was a deficiency in the design of the cargo door locking mechanisms, which made them susceptible to deformation, allowing the door to become unlatched after being properly latched and locked. Also contributing to the accident was a lack of timely corrective actions by Boeing and the FAA following a 1987 cargo door opening incident on a Pan Am B-747. As a result of this investigation, the Safety Board issued safety recommendations concerning cargo doors and other nonplug doors on pressurized transport category airplanes, cabin safety, and emergency response."

Commissioner Major, please note above that the first probable cause was incorrect so the NTSB issued another AAR based upon new evidence. The same can be done by TSB Air for Air India Flight 182 based upon the subsequent new evidence. I have had the benefit of hindsight to research all Boeing 747 hull losses for matches to the evidence retrieved regarding Air India Flight 182. There have been five matches, including Air India Flight

182. All are controversial while United Airlines Flight 811 is the only aircraft that was able to land after the shorted switch or wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup occurred. The DNA evidence and probable cause for United Airlines Flight 811 is irrefutable.

In none of the five official investigations for Air India Flight 182 listed in Smith Submission 3 was United Airlines Flight 811 considered. For four of those investigations, United Airlines Flight 811 had not occurred yet; for the fifth, the attorneys and law enforcement agencies chose not to refer to it.

For the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182, this Submission 6: Substantiating the Unofficial Version: The DNA Matches, is the first to consider the match between Air India Flight 182 and United Airlines Flight 811.

What happened to Air India Flight 182 happened to United Airlines Flight 811 and others. The cause of United Airlines Flight 811 is the same cause for Air India Flight 182. The sequence is the shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation.

The linchpin DNA match to all five Boeing 747 accidents is the sudden loud sound on the Cockpit Voice Recorder followed by the abrupt power cut to the Flight Data Recorder. The CVR and FDR data is the only direct evidence available and it is the best.

NTSB AAR, United Airlines Flight 811:

"The CVR revealed normal communication before the decompression. At 0209:09:2 HST, a loud bang could be heard on the CVR. The loud bang was about 1.5 seconds after a

"thump" was heard on the CVR for which one of the flightcrew made a comment. The electrical power to the CVR was lost for approximately 21.4 seconds following the loud bang. NTSB Accident Report 92-02 Page 25

CASB AOR, Air India Flight 182:

"From the CVR and DFDR, AI 182 was proceeding normally en route from Montreal to London at an altitude of 31,000 feet and an indicated airspeed of 296 knots when the cockpit area microphone detected a sudden loud sound. The sound continued for about 0.6 seconds, and then almost immediately, the line from the cockpit area microphone to the cockpit voice recorder at the rear of the pressure cabin was most probably broken. This was followed by a loss of electrical power to the recorder." Canadian Aviation Safety Board Air India 23 June 1985, page 21

Kirpal Report: "Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified. It must be concluded that without positive evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident"

Premise Explanation for Air India Flight 182: Explosion in the forward cargo compartment caused by explosive decompression caused by structural failure of ruptured open forward cargo door at one or both of the midspan latches caused by faulty electrical wiring:

Analysis: There is close agreement with the opinions of the two aviation authorities (CASB and AAIB), the judicial finding of Judge Kirpal, and this independent aircraft accident investigator in the specific location in the aircraft and consequences of the explosion with the only difference being the cause of the explosion on the starboard side of the forward cargo compartment of Air India Flight 182:

A. CASB: There was an explosion, which could have been a bomb explosion, on the starboard side of the forward cargo compartment near the forward cargo door which caused the inflight breakup of Air India Flight 182.

B. AAIB: There was an explosion, cause not identified but not a bomb explosion, which caused the inflight breakup of Air India Flight 182.

C. Justice Kirpal: There was an explosion, a bomb explosion, on the starboard side of the forward cargo compartment near the forward cargo door which caused the inflight breakup of Air India Flight 182.

D. Justice Josephson: There was an explosion, a bomb explosion, on the port side of the aft cargo compartment opposite the aft cargo door which caused the inflight breakup of Air India Flight 182.

E. John Barry Smith: There was an explosion, an explosive decompression when faulty wiring shorted on the forward cargo door unlatch motor which allowed one or both of the midspan latches to rupture open in the forward cargo door on the starboard side of the forward cargo compartment, which caused the inflight breakup of Air India Flight 182.

F. Transportation Safety Board of Canada (Air): Yet to be asked for opinion.

To determine the pattern in early model Boeing 747 accidents

that suffered breakups in flight, it was necessary to evaluate carefully all the official accident reports concerning them. A pattern was detected of similar significant evidence among only five of the over forty hull damages or losses, two of which are Air India Flight 182 and United Airlines Flight 811.

Summary of specific matching evidence between Air India Flight 182 and United Airlines Flight 811: (The DNA evidence listed below applies to both aircraft)

- A. Boeing 747
- B. Early model
- C. Polyimide wiring (Poly X type)
- D. Sudden airframe breakup in flight
- E. Breakup occurs forward of the wing
- F. Section 41 retrofit not done
- G. At least medium flight time
- H. At least medium aged airframe
- I. Previous maintenance problems with forward cargo door
- J. Initial event at about 300 knots while proceeding normally in all parameters
- K. Initial event involves hull rupture in or near forward cargo door area
- L. Initial event starts with sudden sound
- M. Initial event sound is loud
- N. Initial event sound is audible to humans
- O. Initial event followed immediately by abrupt power cut to data recorders
- P. Initial event sound not matched to explosion of bomb sound
- Q. Initial event sound is matched to explosive decompression sound in wide body airliner
- R. Torn off skin on fuselage above forward cargo door area
- S. Evidence of explosion in forward cargo compartment

- T. Foreign object damage to engine or cowling of engine number three
- U. Foreign object damage to engine or cowling of engine number four
- V. Right wing leading edge damaged in flight
- W. Vertical stabilizer damaged in flight
- X. Right horizontal stabilizer damaged in flight
- Y. More severe inflight damage on starboard side than port side
- Z. Port side relatively undamaged by inflight debris
- AA. Vertical fuselage tear lines just aft and forward of the forward cargo door
- AB. Fracture/tear/rupture at a midspan latch of forward cargo door
- AC. Midspan latching status of forward cargo door not reported as latched
- AD. Airworthiness Directive 88-12-04 not implemented (stronger lock sectors)
- AE. Outwardly peeled skin on upper forward fuselage
- AF. Rectangular shape of shattered area around forward cargo door
- AG. Forward cargo door fractured in two longitudinally
- AH. Status of aft cargo door as latched
- AI. Passengers suffered decompression type injuries
- AJ. At least nine missing and never recovered passenger bodies
- AK. Initial official determination of probable cause as bomb explosion.
- AL. Initial official determination modified from bomb explosion
- AM. Structural failure considered for probable cause
- AN. Inadvertently opened forward cargo door considered for probable cause
- AO. Takeoff after sunset on fatal flight
- AP. Takeoff after scheduled takeoff time on fatal flight

A few of the above matches may be common, trivial, or irrelevant but most are rare and critical.

The important DNA matches that determine the certainty that both aircraft:

1. Were similar model and type of early model Boeing 747s..
2. Had the same appearance for each longitudinally fractured forward cargo doors
3. Had sudden loud sounds which were an explosive decompression sound and not a bomb explosion sound.
4. Had an abrupt power cut to the flight data recorders after the sudden loud sound.
5. Had the same damaged areas around the forward cargo door.
6. Had relatively smooth fuselage skin on port side opposite the shattered starboard cargo door side.
7. Had similar inflight damage to the starboard engines and flight surfaces.
8. Had at least nine never recovered bodies.
9. Had explosions in the forward cargo compartment which were initially thought to have been bombs but the opinions were later somewhat modified.

There are many reasonable possible explanations for an explosion or explosive decompression near the forward cargo door of an early model Boeing 747, only one of which is a rare bomb explosion:

- A. Bomb explosion. (Considered for both, ruled out in one, should be ruled out for both.)
- B. Crew or passenger error. (Ruled out for both flights.)
- C. Electrical fault in switch or wiring. (Ruled in for one.)

- D. Pneumatic overpressure. (Ruled out for both flights.)
- E. Cargo shift. (Ruled out for both flights.)
- F. Compressed air tank explosion. (Ruled out for both flights.)
- G. Fire. (Ruled out for both flights.)
- H. Missile strike. (Ruled out for both flights.)
- I. Midair collision. (Ruled out for both flights.)
- J. Fuel tank explosion. (Ruled out for both flights.)
- K. Stowaway. (Ruled out for both flights.)
- L. Electromagnetic interference. (Ruled out for both flights.)
- M. Comet or meteor. (Ruled out for both flights.)
- N. Space debris. (Ruled out for both flights.)
- O. Turbulence. (Ruled out for both flights.)
- P. Out of rig door. (Ruled out for both flights.)
- Q. Lightning. (Ruled out for both flights.)
- R. Metal fatigue. (Ruled out for both flights.)
- S. Improperly latched. (Initially accepted for one flight, then ruled out for both flights.)
- T. Design error. (Accepted for one flight)
- U. Repair error. (Ruled out for both flights.)
- V. Maintenance error. (Ruled out for both flights.)

General Conclusion: Based upon the indisputable probable cause of electrical fault for United Airlines Flight 811 and the many matches of evidence to Air India Flight 182, the discovered common cause for United Airlines Flight 811 and Air India Flight 182 is the shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation which is a mechanical explanation for an explosion on the starboard side in the forward cargo compartment of explosive decompression when the forward cargo door ruptured open in flight, probably at one or both of the midspan latches and probably caused by faulty wiring inadvertently turning on the door unlatch motor.

Specific Conclusions for Air India Flight 182:

These conclusions are based on evidence available after 1985.

A. While proceeding normally, an inflight breakup of Air India Flight 182 occurred suddenly and catastrophically at 0714Z at 31000 feet at 300 knots TAS about 110 miles west of Cork, Ireland on 23 June, 1985. There were no survivors.

B. The breakup was caused by an explosion in the forward cargo compartment.

C. The explosion was a severe and sudden explosive decompression.

D. The explosive decompression was caused by the suddenly ruptured open forward cargo door probably at one or both of the midspan latches.

E. The ruptured open forward cargo door was probably caused by faulty wiring which turned on the door unlatch motor which unlatched the latching cams from around the latching pins in flight.

F. The wiring fault was probably the Poly X wiring with inferior insulation which easily cracked to bare wire especially in the presence of moisture.

G. There was no bomb explosion in any cargo compartment, crew cabin, passenger cabin, or anywhere else on the aircraft.

H. There was no explosion from any source in the aft cargo compartment.

I. The sudden loud sound on the cockpit voice recorder was the sound of the air rushing out during the explosive decompression in the forward cargo compartment.

J. The abrupt power cut to the recorders was caused by the explosive effects of the decompression affecting the power

cables in the adjacent main equipment compartment to the forward cargo compartment.

Contributing causes:

- A. Water or moisture in the forward cargo compartment.
- B. Weak locking sectors on the bottom eight latches of the cargo doors.
- C. Poor design of one midspan latch per each eight foot side of the cargo doors.
- D. Poor design of no locking sector for each midspan latch of the cargo doors.
- E. Poor design of outward opening, nonplug type, large, square cargo doors in a highly pressurized hull.

Smith Submission 1, Grievous Error of Fact Detected, Filed 28 July, 2006. (Please correct Commission website.)

Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006 (Please grant me standing.)

Smith Submission 3: The Official Versions: Bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom. (Please ask TSB Air for their opinion to resolve official conflicts of type of explosion and where it occurred.) Filed Tuesday, August 8, 2006

Smith Submission 4: The Unofficial Version: The shorted wiring/ ruptured open/forward cargo door/explosive decompression/ inflight breakup explanation. (Please consider a plausible, reasonable, electrical cause with precedent) Filed Tuesday, August 8, 2006.

Smith Submission 5: Substantiating the Unofficial Version: The Layperson version. (It's not rocket science) Filed Friday, August 11, 2006

Smith Submission 6: Substantiating the Unofficial Version: The DNA Match. (A match made in heaven) Filed Tuesday, August 15, 2006

Respectfully,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
safety@ntsb.org

From: John Barry Smith <barry@johnbarrysmith.com>
Date: September 5, 2009 11:46:54 PM PDT
To: kdickerson@majorcomm.ca
**Subject: Smith Submission 8: Specific Term of Reference:
Non Cooperation.**

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Ken Dickerson

Public Affairs Officer / Agent des affaires publique

Dear Mr. Dickerson, Thursday, August 17, 2006

Below is Smith Submission 8: Specific Term of Reference: Non
Cooperation. (Sorry, no can do.) Thursday, August 17, 2006

I have attached three pdf files for the Commissioner to
substantiate my claims, one for Mr. Garstang, one for Sgt.
Blachford, and one for Mr. Tucker.

Smith Submission 1, Grievous Error of Fact Detected, Filed 28
July, 2006. (Please correct Commission website.)

Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006 (Please grant me standing.)

Smith Submission 3: The Official Versions: Bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom. (Please ask TSB Air for their opinion to resolve official conflicts of type of explosion and where it occurred.) Filed Tuesday, August 8, 2006

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Smith Submission 5: Substantiating the Unofficial Version: The Layperson version. (It's not rocket science) Filed Friday, August 11, 2006

Smith Submission 6: Substantiating the Unofficial Version: The DNA Match. (A match made in heaven) Filed Tuesday, August 15, 2006

Smith Submission 7. Dear People in Future Years: Predicting the Past. (The Major Doctrine.) Filed Thursday, August 17, 2006

Smith Submission 8: Specific Term of Reference: Non Cooperation. (Sorry, no can do.) Filed Thursday, August 17, 2006

Thanks and Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924

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Commission of Inquiry into the Investigation of the Bombing of

Air India Flight 182

Honourable John C. Major, Q.C. Commissioner

Sheila-Marie Cook, Executive Director and Commission
Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

Ken Dickerson Public Affairs Officer / Agent des affaires
publique

Terms of Reference: the Commissioner to conduct the Inquiry specifically for the purpose of making findings and recommendations with respect to the following, namely, if there were problems in the effective cooperation between government departments and agencies, including the Canadian Security Intelligence Service and the Royal Canadian Mounted Police, in the investigation of the bombing of Air India Flight 182, either before or after June 23, 1985, whether any changes in practice or legislation are required to prevent the recurrence of similar problems of cooperation in the investigation of terrorism offences in the future.

Dear Commissioner Major,
August 17, 2006

Thursday,

There was a problem in the effective cooperation between Canadian government agencies, RCMP and TSB (Transportation Safety Board), in the investigation of the bombing of Air India Flight 182 from 1997 through 2002 and a change in practice is required to prevent the recurrence of similar problems of cooperation in the investigation of terrorism offences in the future.

Names and titles of persons referenced below:

Terry Burtch
Director General,
Investigation Operations
Transportation Safety Board Canada

Bill Tucker (Retired)
Director General,
Investigation Operations
Transportation Safety Board Canada

Bart Blachford Sgt.
John Schnieder
Rich Spruel
Royal Canadian Mounted Police
Air India Task Force

Keith Hamilton
Crown sponsored attorney for the accused Bagri

John Garstang
Securitas branch of TSB

Ken Smart
Chief Inspector of Accidents,
Air Accident Investigations Branch
AAIB
DRA Farnborough
Hants GU14 6TD
United Kingdom

I was personally investigated by the RCMP Air India Task Force during their investigation of the bombing of Air India Flight 182. I was personally questioned by the TSB about the events

surrounding the bombing of Air India Flight 182. I received erroneous information from Securitas of the TSB. The two agencies did not cooperate based upon the information I gave them.

1. In response to my email to Securitas of TSB I received the erroneous information from John Garstang of TSB: The cargo door was not retrieved from the bottom of the ocean.

At 3:18 PM +0400 2/27/97, Securitas wrote:

Date: 27 Feb 1997 15:18:35 +0400

From: Securitas <Securitas@bst-tsb.x400.gc.ca>

Subject: RE: Crash cause of Air India Flight 182

Thank you for your report expressing concern about the opening of cargo doors on B-747 aircraft. During any aircraft crash, investigators examine every piece of evidence, in order to determine cause. In the case of the Air India flight, the cargo door was in fact retrieved from the bottom of the ocean by the investigators. The latches were still in place, and there was no evidence on the edges of the door to indicate in-flight opening of that door.

On the other hand, there was other solid evidence indicating a bomb blast had occurred. Aircraft accident investigators are trained people. Anybody can say anything they want on the Internet. Put your money on

the experts;
you will win more often.

2. In response I wrote the below email for members of the Air India Task Force, John Schnieder and Rich Spruel, and to John Garstang of Securitas. (Emails attached as pdf file)

At 9:11 PM +0000 4/17/97, John Barry Smith wrote:

To: Securitas@bst-tsb.x400.gc.ca

From: John Barry Smith <barry@corazon.com>

Subject: Attention Mr John Garstang RE Air India 182

Mr. Garstang, this is John Barry Smith, discover of the cargo door explanation for the cause of the crash of AI 182. I just had a nice chat with Mr. John Schnieder of the Air India Task Force. He said he would get in touch with you to ask would you contact me to discuss the forward cargo door of AI 182. Mr. Schnieder is a police officer and referred me to you because you are an aircraft crash investigator and sent me the email about how the door was retrieved and latches latched. Well, since the door was not retrieved the latch status is still unknown and we must go to other evidence to explain the crash. After twelve years and three other similar crashes, a better explanation emerges, inadvertent opening of the forward cargo door in flight. www.corazon.com has a thousand pages of documentation and analysis of the four crashes.

In addition Boeing is conducting its own investigation into the forward cargo door as shown by the remark of Mr. Rich Spruel of the Task Force that Boeing had also recently inquired about that forward cargo door of AI 182.

I trust that as a crash investigator your primary desire is to explain a crash so that it will not happen again and will examine

all possibilities that are presented that are reasonable and documented, such as cargo door. Please contact me through email or phone so that I may present my case in a short brief, enough to give you thought to either pursue the door theory or dismiss it. Please don't ignore it.

Sincerely, John Barry Smith 10408 659 3552

3. Several years later I heard from Sgt. Bart Blachford of the RCMP AITF and I responded below and provided him with my accident reports: (Emails attached as pdf file)

At 10:56 PM -0800 11/14/01,

To: SGT Blachford@redshift.com

From: John Barry Smith <barry@corazon.com>

Subject: Meeting about Air India Flight 182

Sgt. B. Blachford
Air India Task Force
5255 Heather St.
Vancouver, B. C.
V5Z 1K6

Dear Sergeant Blachford, 14 Nov 01

Thank you for your letter of 7 Nov 01 in which you would like to meet with me and discuss in detail my shorted wiring/forward cargo door rupture/explosive decompression/inflight breakup for Air India Flight 182 and taking at least a day to do so.

Yes, of course, Sergeant. Let us work on the logistics.

I would prefer here in my home office with my computers and stacks of documents for referral as needed and the sooner the better. I put myself at your service regarding time and date.

I'll meet you at the Monterey Airport, or, if you drive, as I did in March to Vancouver, call me and I'll set you up with lodging. An alternative meeting place is possible.

I've also invited a representative of TSB, Mr. Bill Tucker, to join us as well as an attorney for the defence assigned by the Crown, Mr. Keith Hamilton. (Mr. Garstang being unavailable.) I'm waiting for replies from them. If you prefer to meet alone, please tell me and that is fine with me. My approach is open and forthright with everyone informed. Please consult with them regarding the meeting.

Email for Mr. Tucker: Bill.Tucker@tsb.gc.ca

W.T. (Bill) Tucker
Director General,
Investigation Operations
TSB

Email for Mr. Keith Hamilton: keithrh@telus.net
Defense Counsel assigned by the Crown for Mr. Bagri

The ideal meeting would include the law enforcement authority, (you of the RCMP AITF), a TSB aircraft safety investigator (Mr. Tucker or representative), defence counsel assigned by the Crown (Mr. Keith Hamilton), and this independent aircraft accident investigator, (John Barry Smith.)

It seems the mood has changed in the past few days after AA 587 and now the first speculation of a cause of an airliner crash is mechanical failure instead of a terrorist act (such as believed in 1985). It looks like facts, data, and evidence, are taking priority

now and that is good. There are lots of those for support of a mechanical cause for Air India Flight 182 and I look forward to laying them out for you and answering all your queries.

Cheers,
Barry Smith

John Barry Smith
(831) 659 3552
541 Country Club Drive,
Carmel Valley, CA 93924
www.corazon.com
barry@corazon.com

4. I sent my files to Sgt Blachford and note that Mr. Bill Tucker of TSB was cooperating with the RCMP AITF by providing them with my files. Sgt. Blachford declined to provide me with an email address.

Sgt. B. Blachford
Air India Task Force
5255 Heather St.
Vancouver, B. C.
V5Z 1K6

Dear Sergeant Blachford,
31 May 2001

Enclosed is hard copy of my Smith AAR for AI 182 and the appendices to it. These hard copy files should be the same as my PDF files sent to you electronically earlier from Mr. Tucker of TSB.

Also enclosed is a hard copy of my email I sent to you via the RCMP website yesterday.

Do you have a direct email other than the web based email for RCMP?

I invite discussion on this matter which I believe presents a danger to the flying public as well as clearing up a mystery of 16 years; telephone calls and emails are most welcome.

Cheers,

Barry

John Barry Smith
(831) 659-3552 phone
551 Country Club Drive,
Carmel Valley, CA 93924
www.corazon.com
barry@corazon.com

5. Sgt Bart Blachford and Mr. Bill Tucker of TSB Air visited me in my home in early December 2001 and stayed for a day listening to my presentation. I stated to them that viewing the evidence of Air India Flight 182 via the videotapes would be most helpful to the investigation of the bombing of Air India Flight 182. I quoted a family member of a victim of United Airlines Flight 811 as saying a USA NTSB official who had seen both as saying the cargo doors of Air India Flight 182 and United Airlines Flight 811 matched visually. Sgt. Blachford never replied. Mr. Garstang and Mr. Hamilton chose not to attend.

At 8:56 AM -0800 12/17/01, John Barry Smith wrote:

Sgt. B. Blachford
Air India Task Force
5255 Heather St.
Vancouver, B. C.
V5Z 1K6

Dear Sgt. Bart Blachford, 17 Dec 01

Let us take advantage of this extra time to further check out the shorted wiring/forward cargo door rupture/explosive decompression/inflight breakup for Air India Flight 182 and others.

I'm hoping this extra time will give you and AITF opportunity to interview me again as they check out the items of interest you discovered during our discussions such as paint smears and twisted torque tubes.

Is there any chance we can view videotapes of that door area of Air India Flight 182 together to look for those matches to United Airlines Flight 811?

During our talks down here I mentioned that the family of one of the victims of United Airlines Flight 811, the Campbells, had quoted a NTSB investigator as saying the Air India Flight 182 door looked just like the United Airlines Flight 811 door which gives a further match to a wiring cause and not a bomb. Mr. Tucker said he believed that no NTSB investigator had access to the Air India Flight 182 photos and thus could give no opinion. I was able to research this further and discovered that, in fact, a NTSB investigator did have access to all of the Air India Flight

182 data and thus could state with accuracy that the Air India Flight 182 door matched the United Airlines Flight 811 forward cargo door. That investigator was no less than Jim Wildey, the person who ruled out the forward cargo door of Trans World Airlines Flight 800 based on only the examination of eight of the ten latches.

Below excerpt from the Campbells of New Zealand to me:

'We flew to Seattle but were told we could not see the door , we drove to Washington to see the NTSB and as we entered the office we were told they could spare us 5 minutes, about 3 hours later we held a set of the recovered C locks and Lock sectors and they admitted we were correct , that they would ensure that the aircraft would be fixed but not to hold our breath waiting for a new report ever to be released . After lunch with them I asked " in light of what we now know on 811 do you still think that Air India was a bomb ?" The reply was that we never thought that Air India was a bomb in fact the video shows a cargo door exactly the same as 811.'

From Kirpal Report below on Air India Flight 182:

'1.5.16 The participant had all filed their affidavits by way of submissions. The Court indicated that formal hearings would be held for the purpose of cross-examining some of the witnesses about three weeks after the receipt of all the reports of the

various groups. While in Cork, in the first week of November, 1985 some of the salvaged pieces of the wreckage were brought there. After they were inspected by all the participants and their advisers, who were present in Cork, it was decided by the Court that further detailed metallurgical and other examination of those pieces would be done at BARC, Bombay. In order that there should be no undue delay the Court decided that a Group be constituted consisting of expert representatives of all the participants and also the nominees of the Court. This group was asked to carry out metallurgical and other examination of some of the critical pieces salvaged and give its report to the Court. The group constituted as a 'Committee of Experts' was as under :-

- a. Mr. A.J.W. Melson, Canadian Aviation Safety Board, Canada.
- b. Mr. R.K. Phillips, Canadian Pacific Air, Canada.
- c. Mr. T. Swift, Federal Aviation, Administration, USA.
- d. Mr. R.Q. Taylor, Boeing Commercial Airplane Co., USA.
- e. Mr. J.P. Tryzl, Boeing Commercial Airplane Co., USA.
- f. Mr. J.F. Wildey II, National Transportation Safety Board USA.
- g. Mr. S.N. Seshadri, Bhabha Atomic Research Centre, India (Coordinator).'

The above suggests that for Air India Flight 182, the NTSB representative, Jim Wildey, said no bomb; the AAIB representative, Mr. Roy Davis, said no bomb; the Canadian Aviation Safety Board, (CASB) declined to say bomb, and only a judicial officer, not an aircraft investigator, Judge Kirpal, said bomb, and even that opinion was given reluctantly:

From Kirpal Report:

'ANALYSIS AND CONCLUSIONS

4.1 From the evidence which is available what has now to be determined is as to what caused the accident.

4.2 Finding the cause of the accident is usually a deduction from known set of facts. In the present case known facts are not very many, but there are a number of possible events which might have happened which could have led to the crash.

4.3 The first task is to try and marshal the facts which may have a bearing as to the cause of the accident.

4.4 It is undisputed, and there is ample evidence on the record to prove it, that Air India's Kanishka had a normal and uneventful flight out of Montreal. The aircraft had been in air for about five hours and was cruising smoothly at an altitude of 31,000 feet. The readout from the CVR shows that there was no emergency on board till the catastrophic event had occurred. This is corroborated by the printout available from the DFDR. The event occurred at approximately 0714 Z and that brought the aircraft down, and it probably hit the surface of the sea within a distance of 5 miles. The time within which the plane came down at such a steep angle could not have been more than very few minutes. There was a sudden snapping of the communication between the aircraft and the ground. The aircraft had also suddenly disappeared from the radar.

4.5 It is evident that an event had occurred at 31,000 feet which had brought down 'Kanishka'. What could have possibly happened to it? The aircraft was apparently incapacitated and this was due either to it having been hit from outside; or due to some structural failure; or due to the detonation of an explosive device within the aircraft.

4.6 Evidence indicates that after the event had occurred, though the pilots did not or were not in a position to communicate with the ground, they nevertheless appeared to have taken some action. ...

4.7 It can further be speculated that if an explosion takes place

in the forward cargo compartment, the oxygen stream might have been damaged so that when the pilots donned their masks as part of the emergency drill for explosive decompression, they were not breathing enriched oxygen and the time of useful consciousness at about 31,000 feet would be significantly less than 30 seconds under high stress and if the pilots became unconscious as a result of this, then the aircraft would have got out of control which would explain the subsequent events.

4.8 ..."The United States Norad/Space Command has confirmed that there was no incoming space debris in the vicinity of Ireland on June 23, 1985."

4.9 Thus we are left with only two of the possibilities viz., structural failure or accident having been caused due to a bomb having been placed inside the aircraft.

4.10 After going through the entire record we find that there is circumstantial as well as direct evidence which directly points to the cause of the accident as being that of an explosion of a bomb in the forward cargo hold of the aircraft. At the same time there is complete lack of evidence to indicate that there was any structural failure.'

So, Sgt. Blachford, that's two aviation accident investigation agencies giving an opinion that there was no bomb, one agency declining to say a bomb, and one judicial officer saying bomb out of two equal choices. That's three to one against supporting bomb. When Judge Kirpal said there 'is complete lack of evidence to indicate that there was any structural failure,' he was correct in 1986 because he did not know what a structural failure from an inadvertently opened cargo door in flight looks like on a Boeing 747, nobody did. But now we do know and the evidence matches United Airlines Flight 811, not a bomb event although initially thought to be by the crew.

I am available to travel up there to give a full presentation to Mr. Schneider and the rest of the AITF staff if you wish. It really is important, not just for justice for the three jailed men, but that my research shows that a current hazard exists for the Canadian public that needs to be corrected.

Cheers,
Barry

(831) 659 3552
541 Country Club Drive,
Carmel Valley, CA 93924
www.corazon.com
barry@corazon.com

6. Mr. Bill Tucker and I had an extensive email correspondence before he retired. (Emails attached as pdf file)

At 6:23 PM -0400 6/25/02, Tucker, Bill wrote:
X-From_: Bill.Tucker@tsb.gc.ca Tue Jun 25 15:22:17 2002
From: "Tucker, Bill" <Bill.Tucker@tsb.gc.ca>
To: "John Barry Smith" <barry@corazon.com>
Subject: RE: Pix of Air India Flight 182
Date: Tue, 25 Jun 2002 18:23:49 -0400
Reply-By: Sun, 2 Jun 2002 17:00:00 -0400
X-Message-Flag: Follow up

Dear Barry,

I felt that this message from you below, dated 22 May, needed specific responses to several of your points. I'll get to your request for photos

later in this response, but first I want to clear the air on some of your concerns - or at least try to.

1) - I am not being "rebuffed with excuses and delay".

2) - There is nothing fishy going on.

3) - Ron Schleede contacts me because he is a colleague and a friend. He worked for me here as Director of Investigations-Air for six months on an international exchange (and he did a great job).

4) - Ken Smart said nothing to influence my retirement, and I am shocked that you would suspect a connection. The fact is that my decision was made and relayed to my boss in late March, at least a month before Ken's visit.

5) - I do not believe the "more likely explanation for Air India Flight 182 is mechanical rather than conspiracy". Based on my direct knowledge from the AI 182 investigation, I saw mechanical failure as one plausible explanation. Adding my indirect knowledge at the time (back in the late 1980s), from others who were more directly involved, I considered a bomb to be the more likely explanation and mechanical failure to be plausible, but

unlikely. Adding in the additional knowledge I have acquired since then (which is almost all indirect in a pure accident investigation sense) I have become more convinced that a bomb brought down AI 182.

6) - The only reason that my recent e-mail referred to AI 182, PanAm 103, and TWA 800, but not to UA 811, was that I had less familiarity with the UA 811 investigation than the other three. However, I have absolutely no reason to doubt the eventual conclusion that the cargo door failed in UA 811.

7) - As I advised you last summer, this agency has no mandate to re-conduct an investigation of AI 182. Moreover, my personal opinion is that it would not be an appropriate use of our resources to do so. Nevertheless, I did believe that the TSB should make John Garstang available to that investigation through periodic secondment to the RCMP, and I still feel that our doing so was an appropriate decision. I have high confidence in the integrity and the thoroughness of the RCMP investigation; and I sincerely hope that justice will be served by the pending trial - whatever its outcome.

Now to the matter of your request for photos of the forward right side of the AI 182 B747.

I spoke with John Garstang about your request. He advised that there are both photos and videos from the AI 182 investigation. However, with respect to the forward right side and the cargo door in particular, he is only certain about the video. They have pictures showing where the cargo door was in the debris field, and they also have a picture of the door at the ocean surface when it broke free during the recovery attempt; he is just not sure how much was video, or still frame from video, versus photographs..

To complicate matters, the video was deteriorating as time went by. Some years ago (estimate: around 1995), the RCMP took the magnetic tape video (which would be of even poorer quality by now) and made a digitized version.

The former is ours, the latter is theirs; however they need both for trial purposes (continuity of evidence, I assume). Moreover, they have advised that the matter is before the courts, that a publication ban is in effect, and that they do not want anything to be released that could be prejudicial

to the court process. Both the TSB's General Counsel and I have been notified that the RCMP Legal Services group believes that release of Air India wreckage photographs could be injurious to the RCMP's work and that, as such, release is exempted under Sec. 16(1) of Canada's Access to Information Act.

There may (far from certain) be some form of photo/video info that is still in the TSB's possession and that may (also far from certain) be releasable to you. To determine that will take considerable effort and, to be at all manageable, it will require the personal involvement of John Garstang. With his heavy workload, as we try to complete the report on the SWR111 investigation, we just can't give him any more tasks for the next few months. However, I have obtained a personal commitment from both the Director of Engineering and the Director of Air Investigations that they will follow-up on this at the end of the summer and see if there is anything that can be made available to you. To that end, I shall send both of them a copy of this message so that they can create a "bring forward" reminder to follow up. At the very worst, the TSB's photos/videos can

certainly be made
available after the trial.

Meanwhile, I can assure you that the cargo door failure possibility was looked at in a rigorous and unbiased manner. In fact, I understand that part of that process was to specifically review the information and suggestions that you had provided. John G. told me that when he was asked by the RCMP to do work in that area, there was not the slightest hint of a desired outcome - only that all the information be reviewed thoroughly and objectively to find the truth.

As Sgt Blachford has indicated to both of us, the aircraft-related elements are only part of a huge investigation. The trial (which is expected to be the largest in Canada's history) will also bring out much evidence that was obtained through the RCMP's criminal investigation. You will no doubt be following the trial, as I will. Let us hope that the trial will not be delayed much longer and that it will culminate in a just outcome (whatever that may be)..

In closing, I can honestly say that I have enjoyed communicating with you - at least most of the time. (I must admit that there have been

times when
you added to my stress level because I couldn't keep up with
your
correspondence; it is against my nature to ignore a sincere
message or to
respond to it without adequate consideration.) If I may offer
some
gratuitous advice, please don't let the cargo door issue consume
you, and
don't become like the conspiracy theorists. You have already
raised
awareness of the cargo door issue; but if you are seen as pushing
it as the
only credible explanation for so many accidents, people will not
listen to
what you have to say. I was, and still am, impressed with you.
You have a
good brain, a pleasant personality, good health, and a wonderful
family and
home; Don't miss out on enjoying all that in your retirement
years.

Very sincerely,

Bill T..

> -----Original Message-----

> From: John Barry Smith [SMTP:barry@corazon.com]

> Sent: Wednesday, May 22, 2002 7:28 AM

> To: Tucker, Bill

> Subject: Pix of Air India Flight 182

>

- > Dear Bill, 22 May 02
- >
- > Air India Flight 182 was said by the CASB and the Kirpal Commission
- > to have suffered an explosion on the right side forward of the wing
- > in flight. Therefore, photographs of the right side forward of the
- > wing are relevant and very important. It is to be expected that
- > photographs of that area be available for inspection as they are the
- > fatal wound of the victim. Much time and expense was used to procure
- > those photographs. They exist and held by the Crown authorities.
- >
- > If the Director General, Investigation Operations, Transportation
- > Safety Board of Canada asks to view those photographs and is rebuffed
- > with excuses and delay, there is something fishy going on.
- >
- > Why would Ron Schleede call you out of the blue? What did Ken Smart
- > say that led to your decision to retire a few days later?
- >
- > Bill, the whole sequence is fishy.
- >
- > I believe you see the plausible and more likely explanation for Air
- > India Flight 182 is mechanical rather than conspiracy.
- >
- > In your bailing out email, as I call it, to me on 9 May 02, you

refer

> to persons and titles and their opinions as to the cause of the
> accidents but never refer to facts, data, or evidence. You also
never

> refer to United Airlines Flight 811 as if it never existed which
is

> absolutely not fair since that is the model for the other three.

>

> Well, that is how I know I'm right; never rebutted with facts,
only

> the opinions of titles of persons who have been involved since
1985

> and have much interest in maintaining the status quo, even in
the

> face of conclusive contradictory evidence which abounds in the
metal,

> cams, latches, engines, and recorders of United Airlines Flight
811.

>

> For Ken Smart to imply that the forward cargo door area of
Pan Am

> Flight 103 opened in flight but that it happened after the 'bomb'

> explosion' is contrary to the AAIB wreckage distribution
fuselage

> reconstruction which shows it happened at initial event time.

The

> photographs show it happened in flight. The evidence is there.

>

> But ignored and that's why it's fishy.

>

> Bill, please do not retire until you get a look at the forward
cargo

> door area of Air India Flight 182. Satisfy your own curiosity to

see

> if the twisted metal matches the other three door areas of
twisted

> metal.

>

> Cheers,

> Barry

7. The key segment of the above correspondence from Mr. Bill Tucker of TSB Air talking to John Garstang and the RCMP AITF regarding the visual evidence is that:

A. The video evidence is deteriorating over time.

B. Mr. John Garstang has a busy workload.

C. Both the TSB's General Counsel and Mr. Tucker have been notified that the RCMP Legal Services group believes that release of Air India wreckage photographs could be injurious to the RCMP's work and that, as such, release is exempted under Sec. 16(1) of Canada's Access to Information Act.

D. Mr. Tucker obtained a personal commitment from both the Director of Engineering and the Director of Air Investigations that they will follow-up on this at the end of the summer and see if there is anything that can be made available to you.

E. At the very worst, the TSB's photos/videos can certainly be made available after the trial.

8. I followed up with TSB.

At 12:47 PM -0700 7/14/03, John Barry Smith wrote:

To: Terry.Burtch@tsb.gc.ca

From: John Barry Smith <barry@corazon.com>

Subject: Air India Flight 182 update

Cc: Paulette.Delorme@tsb.gc.ca

Bcc:

X-Attachments:

At 9:09 AM -0400 7/3/03, Delorme, Paulette wrote:

Dear Mr. Smith:

Thank you for your recent inquiry regarding the last correspondence you had with Mr. Bill Tucker on the Air India file. Mr. Tucker's replacement is Mr. Terry Burtch, who joined us last October. I have forwarded your request to Mr. Burtch, who is pursuing it at present. You may also be interested to know that just before we received your request, both the Director of Investigations - Air and the Director, Engineering, retired from the Transportation Safety Board. Mr. Burtch is presently following up with other staff in those respective organizations, and will communicate directly with you at the earliest opportunity. We regret the delay in responding, but trust that this approach will be satisfactory.

Paulette G. Delorme

Executive Assistant / Adjointe exÉcutive

Transportation Safety Board of Canada/

Bureau de la sÚcuritÚ des transports du Canada

Tel.: (819) 994-8002

FAX: (819) 994-9759

Terry Burtch

Director General,

Investigation Operations

Transportation Safety Board Canada

Dear Mr. Burtch, Monday, July 14, 2003 12:23 PM

John Barry Smith here following up on Ms. Delorme's email of a few weeks ago.

Essentially my premise is that Air India Flight 182 and others were brought down by a mechanical cause with precedent. There are no conspiracies, just a machine obeying the physical laws of nature.

My proof is in official documents, photographs, and the wonderful luxury of hindsight of 18 years.

The issue is important because the mechanical problems exist to this day and the danger exists of a reoccurrence of the shorted wiring/ruptured open cargo door/explosive decompression/inflight breakup explanation.

There also exists the trial of two men accused of causing the inflight breakup. Would it not be prudent for TSB to conduct an update of the AAR of so many years ago? The CASB report and the Kirpal report were conducted without the benefit of subsequent similar accidents to similar type aircraft and model under similar circumstances.

An update would be most beneficial since the latest Canadian opinion as to the probable cause of Air India Flight 182 was an explosion of undetermined origin in the forward cargo compartment, an opinion I concur with as time has revealed the cause of the explosion.

It's not a bomb. Nobody 'blew' it up. It was an explosion all right, an explosive decompression.

John Garstang has been seconded to the RCMP and his opinion does not reflect that of the TSB, does it? If so, then there are many inconsistencies and contradictions in his opinion that a bomb in the aft cargo compartment caused the breakup.

The Crown is in the position of arguing against itself in the pursuit of justice for the 329 deaths in Air India Flight 182. For instance, CASB and the Kirpal Report both conclusively agree the explosion was in the forward cargo compartment. The reports offer ample evidence to support that conclusion. Yet the Crown now postulates the explosion occurred in the aft cargo compartment, a premise easily refuted with the Crown's own evidence.

If the explosion occurred in the forward cargo compartment, the accused are innocent as all the baggage from the Vancouver passengers were loaded in the aft cargo compartment. The Montreal passengers' baggage was loaded into the forward cargo compartment.

If the explosion occurred in the aft cargo compartment, the CASB and the Kirpal Report are incorrect in a basic finding. If so, that error must be explained by data, facts, and evidence. That has not been done.

Just exactly where did the explosion occur? The lives of the accused and flying passenger's today are dependent on that conclusion.

Once determined where, then the question is why. I believe I have found the answer and it is the shorted wiring/ruptured open cargo door/explosive decompression/inflight breakup explanation for Air India Flight 182 and others.

This is quite controversial and refutes conventional wisdom/wishful thinking of many years. However the facts are there. I can present them to you at your convenience, Mr. Burtch.

Many facts can be deduced from the actual photographs of the actual wreckage of Air India Flight 182. Apparently the RCMP has those photographs and will not release them to TSB, according to Mr. Bill Tucker.

That's not right. That's wrong when an aviation safety board can not look at accident photographs. Could you look at the photographs and high quality video to see if the forward cargo door area of Air India Flight 182 matches the photographs of United Airlines Flight 811? Could you update the AAR for Air India Flight 182 to include the knowledge gained by hindsight and similar accidents in early model Boeing 747s?

Could you assign a staff person to listen to me as I present my research and analysis that concludes the probable cause of the inflight breakup of Air India Flight 182 was the shorted wiring/ruptured open cargo door/explosive decompression/inflight breakup explanation?

Cheers,
Barry Smith

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
831 659 3552
barry@corazon.com
<http://www.corazon.com>

9. The TSB never received any visual evidence of Air India Flight 182 from RCMP as requested.
10. The TSB never followed up by questioning me as Mr. Tucker indicated.
11. The visual evidence continues to deteriorate.
12. TSB will not respond to my requests.

To sum up, Commissioner Major, regarding the term of reference of non cooperation that I am personally involved in which justifies my request for grant of standing: There was noncooperation between TSB Air and the RCMP AITF regarding relevant and important visual evidence in the form of videotapes and 35 MM color film of the wreckage of Air India Flight 182. The Canadian air accident investigating board was denied visual evidence of an airplane crash by the police authorities who claimed an exemption to law to justify the denial.

Respectfully,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
safety@ntsb.org

Email list to authorities below for Tucker, Garstang, Smart, and Blachford:

F (Normal) Tucker, Bill 3:22 PM 5/24/01
 7 Air India Flt. 182
 S (Normal) y Tucker, Bill 1:32 AM 5/25/01
 41 Supplemental TSB report for Air India Flight 182
 S (Normal) y Tucker, Bill 11:32 AM
 5/26/01 0 Smith AAR Appendices A, B, C, D, E
 S (Normal) y Tucker, Bill 11:33 AM
 5/26/01 0 Smith AAR Appendix I
 S (Normal) y Tucker, Bill 11:37 AM 5/26/01
 0 Smith AAR Appendices F, G, H, J,
 S (Normal) y Tucker, Bill 11:37 AM
 5/26/01 0 Official AI 182 Reports in PDF
 S (Normal) y Tucker, Bill 11:38 AM 5/26/01
 0 UAL 811 NTSB AAR in PDF
 S (Normal) Tucker, Bill 12:12 PM
 5/26/01 9 Supplemental thoughts
 S (Normal) y Tucker, Bill 7:15 PM 5/30/01 0
 PDF of Smith AAR for AI 182
 S (Normal) Tucker, Bill 7:17 PM 5/30/01 3
 Sgt Blachford contacted me
 S (Normal) Tucker, Bill 9:32 AM 6/14/01
 11 So true...
 S (Normal) Tucker, Bill 8:59 AM 6/18/01
 9 Swiss Air 111 changes
 F (Normal) Tucker, Bill 6:20 PM 6/20/01 11
 Re: Swiss Air 111 changes
 S (Normal) Tucker, Bill 6:43 PM 6/20/01
 4 Sudden loud sound on CVR
 S (Normal) Tucker, Bill 9:04 PM 6/22/01
 13 Startle/falling reflex
 S (Normal) Tucker, Bill 8:06 PM 6/24/01 22
 DI-Air, DE, IIC, AITF
 F (Normal) Tucker, Bill 11:05 AM 6/25/01

5 Re: Sudden loud sound on CVR
S (Normal) Tucker, Bill 3:14 PM 6/25/01 2
Re: Sudden loud sound on CVR
S (Normal) y Tucker, Bill 9:59 AM 7/2/01 0
Part One in PDF file
S (Normal) Tucker, Bill 10:00 AM 7/2/01 32
Consensus on Location of explosion in Air India Flight
S (Normal) Tucker, Bill 8:16 PM 7/5/01 32
Consensus on Cause of explosion in Air India Flight 18
S (Normal) y Tucker, Bill 8:17 PM 7/5/01
0 PDF Consensus on Cause of explosion in Air India Fligh
S (Normal) y Tucker, Bill 4:45 PM 7/6/01
0 PDF of Conclusions, Recommendations, and Implications
S (Normal) Tucker, Bill 4:46 PM 7/6/01 31
Conclusions, Recommendations, and Implications of wiri
R (Normal) Tucker, Bill 5:38 PM 7/13/01 2
Re: Consensus on Cause of explosion in Air India Fligh
S (Normal) Tucker, Bill 6:15 PM 7/13/01 2
Re: Consensus on Cause of explosion in Air India Fligh
(Normal) Tucker, Bill 6:58 PM 7/13/01 2
Re: Consensus on Cause of explosion in Air India Fligh
S (Normal) Tucker, Bill 8:17 PM 7/22/01 8
Startling SDR
S (Normal) Tucker, Bill 4:03 PM 7/23/01 12
Two matched events of uncommanded cargo door openings,
S (Normal) Tucker, Bill 10:43 AM 7/26/01
14 Electrical cause of uncommanded forward cargo door ope
R (Normal) Tucker, Bill 3:24 PM 8/3/01 7
Re: Startling SDR
S (Normal) Tucker, Bill 5:17 PM 8/3/01
14 Government of India reconsideration of Air India Fligh
S (Normal) Tucker, Bill 11:56 AM 8/9/01 12
Warning/Alert/Interview me/Placentia

S (Normal) Tucker, Bill 11:53 AM 8/10/01
46 Defence team contact
- (Normal) Tucker, Bill 11:13 PM 8/12/01
7 From CASB member Les Filotas
S (Normal) Tucker, Bill 10:17 AM 8/24/01
9 What are opinions of your aviation experts about Air I
S (Normal) Tucker, Bill 9:25 AM 8/26/01 4
A330 fuel starvation Azores
S (Normal) Tucker, Bill 3:38 PM 8/28/01
10 Faulty wires in SWR 111 and Air India Flight 182
R (Normal) Tucker, Bill 4:11 PM 9/7/01
38 Re: Defence team contact
S (Normal) Tucker, Bill 11:24 PM
9/10/01 2 Re: Defence team contact
S (Normal) Tucker, Bill 2:28 PM
11/14/01 4 Request from RCMP AITF
S (Normal) Tucker, Bill 11:53 PM 11/14/01
1 More info for meeting:
(Normal) Tucker, Bill 2:08 PM 11/20/01
4 Re: Request from RCMP AITF
(Normal) Tucker, Bill 2:08 PM 11/20/01
1 Recall: Request from RCMP AITF
R (Normal) Tucker, Bill 2:14 PM 11/20/01
4 Re: Request from RCMP AITF
S (Normal) Tucker, Bill 3:46 PM
11/20/01 3 December 5 fine for meeting.
S (Normal) Tucker, Bill 12:34 PM 12/1/01
2 Confirming 4/5+December meeting
R (Normal) Tucker, Bill 11:39 AM
12/3/01 3 Re: Confirming 4/5+December meeting
S (Normal) Tucker, Bill 12:28 PM 12/3/01
1 Re: Confirming 4/5+December meeting
S (Normal) Tucker, Bill 9:44 PM 12/5/01 1

Debrief

(Normal) Tucker, Bill 6:46 AM
12/11/01 3 Re: Debrief
S (Normal) Tucker, Bill 1:52 PM
12/11/01 46 The End of the Day
S (Normal) Tucker, Bill 2:55 PM
12/11/01 51 Garstang Report in text, unable to send PDF
- (Normal) y Tucker, Bill 2:56 PM 12/11/01
0 Garstang PDF Report
S (Normal) Tucker, Bill 12:57 PM
12/12/01 4 Sixteen years ago today...
R (Normal) Tucker, Bill 4:46 PM
12/12/01 3 Re: Sixteen years ago today...
S (Normal) Tucker, Bill 11:13 PM 12/12/01
18 Small world..
S (Normal) Tucker, Bill 10:13 AM 12/13/01
2 Whoa, Nelly....
S (Normal) Tucker, Bill 10:58 AM
12/15/01 13 Recent forward cargo door crunch on Boeing
747 at Heat
S (Normal) Tucker, Bill 9:55 AM 12/17/01
10 NTSB was with 182/Trial delay
(Normal) y Tucker, Bill 4:41 PM 1/29/02 2
Fwd: Lockerbie Cago Door Photos
F (Normal) Tucker, Bill 3:04 PM 1/30/02
7 Analysis of PA 103 cargo door photo Part II
F (Normal) Tucker, Bill 2:42 PM 2/1/02 10
Analysis of PA 103 cargo door photo Part III
(Normal) Tucker, Bill 4:30 PM 2/1/02 1
Re: Analysis of PA 103 cargo door photo Part III
S (Normal) Tucker, Bill 11:52 PM
2/10/02 5 PA 103 analysis: Note to Sgt. Blachford
S (Normal) Tucker, Bill 11:27 AM

2/15/02	5	Despair		
S	(Normal)		Tucker, Bill	10:51 PM
2/15/02	23	Retirement, Not!		
S	(Normal)		Tucker, Bill	4:17 PM 2/22/02
7		Got UAL 811 photos		
S	(Normal)		Tucker, Bill	4:18 PM 2/22/02
0		811 pix 2		
S	(Normal)		Tucker, Bill	4:18 PM 2/22/02
0		811 pix 3		
S	(Normal)		Tucker, Bill	4:19 PM 2/22/02
0		811 pix 4		
S	(Normal)		Tucker, Bill	4:19 PM 2/22/02
0		811 pix 5		
S	(Normal)		Tucker, Bill	4:19 PM 2/22/02
0		811 pix 1		
S	(Normal)		Tucker, Bill	4:20 PM 2/22/02
0		811 pix 6		
S	(Normal)		Tucker, Bill	4:20 PM 2/22/02
0		811 pix 7		
S	(Normal)		Tucker, Bill	4:20 PM 2/22/02
0		811 pix 8		
S	(Normal)		Tucker, Bill	4:20 PM 2/22/02
0		811 pix 9		
S	(Normal)		Tucker, Bill	4:21 PM 2/22/02
0		811 pix 10		
S	(Normal)		Tucker, Bill	4:21 PM 2/22/02
0		811 pix 11		
S	(Normal)		Tucker, Bill	4:21 PM 2/22/02
0		811 pix 12		
S	(Normal)		Tucker, Bill	4:30 PM 2/22/02
4		Photos and film in TSB hands.		
S	(Normal)	y	Tucker, Bill	11:51 AM 2/27/02
0		Pic 4 exhibit list		

S (Normal) y Tucker, Bill 11:51 AM
2/27/02 0 Pic 1 article

S (Normal) y Tucker, Bill 11:51 AM 2/27/02
0 Incident page 5

S (Normal) y Tucker, Bill 11:51 AM
2/27/02 0 Incident page 4

S (Normal) y Tucker, Bill 11:51 AM
2/27/02 0 Incident page 3

S (Normal) y Tucker, Bill 11:51 AM
2/27/02 0 Incident page 2

S (Normal) y Tucker, Bill 11:52 AM
2/27/02 0 Incident page 1

S (Normal) Tucker, Bill 1:05 PM 2/27/02
7 811 pix from inside/missing seats/floor damage

S (Normal) Tucker, Bill 9:24 AM 3/3/02 29
Door of 182 like door of 811

F (Normal) Tucker, Bill 4:04 PM 3/5/02 6
Re: Photos and film in TSB hands.

S (Normal) Tucker, Bill 5:33 PM 3/5/02
1 Re: Photos and film in TSB hands.

S (Normal) Tucker, Bill 2:30 PM 3/17/02
0 Welcome Back

R (Normal) Tucker, Bill 4:52 PM 3/22/02 1
Re: Welcome Back

S (Normal) Tucker, Bill 5:36 PM 3/22/02
0 Re: Welcome Back

S (Normal) Tucker, Bill 11:36 PM
3/22/02 0 Campbell page 2

S (Normal) Tucker, Bill 11:36 PM
3/22/02 0 Campbell page 3

S (Normal) Tucker, Bill 11:37 PM
3/22/02 0 Campbell page 4

S (Normal) Tucker, Bill 11:58 PM

3/22/02 3 Campbell page 1 Significance
S (Normal) y Tucker, Bill 11:58 PM 3/22/02
0 Door Story in pdf
S (Normal) Tucker, Bill 11:21 AM
3/23/02 5 Door overview and closeups
S (Normal) Tucker, Bill 10:08 AM
3/24/02 54 Copy of letter to Sgt Blachford AITF, 22 Mar
02
S (Normal) Tucker, Bill 8:59 AM 3/28/02
0 Funny but shouldn't be
S (Normal) Tucker, Bill 9:13 AM 4/4/02 2
Short landing and takeoff platform...
S (Normal) Tucker, Bill 10:05 AM 4/11/02
1 Mr. Ken Smart
S (Normal) Tucker, Bill 10:01 AM 4/16/02
24 Letter to Mr. Ken Smart enclosed.
R (Normal) Tucker, Bill 3:48 PM 4/16/02
1 Re: Letter to Mr. Ken Smart enclosed.
S (Normal) Tucker, Bill 6:30 PM 4/16/02 1
I'm on call for any questions you may have/come visit
S (Normal) Tucker, Bill 10:43 AM 4/18/02
5 Note from Mr. Smart and my response:
S (Normal) Tucker, Bill 5:29 PM 4/18/02 3
Resend of Note from Mr. Smart and my response:
S (Normal) Tucker, Bill 8:19 AM 4/20/02 5
Resend just in case
S (Normal) Tucker, Bill 8:04 AM 4/22/02
55 My reply to Mr. Smart's email
S (Normal) y Tucker, Bill 9:26 AM 4/30/02 0
Smith AAR PA 103, Appendix L
S (Normal) y Tucker, Bill 9:26 AM 4/30/02 0
Smith AAR PA 103, Appendix M
S (Normal) y Tucker, Bill 9:27 AM 4/30/02 0

Smith AAR PA 103, Appendices A-K

S (Normal) y Tucker, Bill 9:27 AM 4/30/02

0 Smith AAR PA 103, Part I

S (Normal) y Tucker, Bill 9:27 AM 4/30/02

0 Smith AAR PA 103, Part IV

S (Normal) y Tucker, Bill 9:27 AM 4/30/02

0 Smith AAR PA 103, Part III

S (Normal) y Tucker, Bill 9:27 AM 4/30/02

0 Smith AAR PA 103, Part II

S (Normal) Tucker, Bill 9:31 AM 4/30/02

1 Smith AAR for PA 103 completed and sent

S (Normal) y Tucker, Bill 1:05 PM 5/1/02

12 Additional considerations to AAR PA 103, Smith

S (Normal) Tucker, Bill 11:42 AM 5/5/02 253

TWA 800 justification for reconsideration

S (Normal) Tucker, Bill 9:34 AM 5/9/02

3 And so it goes...

(Normal) Tucker, Bill 1:46 PM 5/9/02

130 Re: TWA 800 justification for reconsideration 1/2

(Normal) Tucker, Bill 1:46 PM 5/9/02

130 Re: TWA 800 justification for reconsideration 2/2

S (Normal) Tucker, Bill 9:48 AM 5/10/02

0 Pictures

F (Normal) Tucker, Bill 4:28 AM 5/22/02

2 Pix of Air India Flight 182

S (Normal) Tucker, Bill 7:56 AM 5/25/02 2

Maybe again?

S (Normal) Tucker, Bill 5:32 PM 5/29/02 3

To Mr. Chou: China Airlines Flight 611 Black Box resul

S (Normal) Tucker, Bill 9:22 AM 5/30/02 38

Written before and after Trans World Airlines Flight 8

S (Normal) Tucker, Bill 9:40 AM 5/30/02 4

Stay and fight, Bill, you are needed and most importan

R (Normal) Tucker, Bill 10:22 AM 5/30/02
5 Re: Stay and fight, Bill, you are needed and most impo
S (Normal) Tucker, Bill 11:11 AM 5/30/02
2 182pix/sweet retirement
R (Normal) Tucker, Bill 3:48 PM 5/30/02
3 Fwd: My email to Mr. Chou for China Airlines Flight 611
S (Normal) Tucker, Bill 5:26 PM 5/30/02
66 I do consider all alternatives, I ask others do also.
S (Normal) Tucker, Bill 8:53 PM 6/2/02 283
Sent to Mr. Smart: Last ditch effort, clutching at str
S (Normal) Tucker, Bill 9:34 AM 6/7/02 11
From Ken Smart
S (Normal) Tucker, Bill 4:15 PM 6/10/02 105
To Ken Smart: Line of communication open Pan Am Flight
R (Normal) Tucker, Bill 9:01 AM 6/24/02 6
Re: Please notify Chinese Authorities about the wiring
S (Normal) Tucker, Bill 9:13 AM 6/24/02 3
Re: Please notify Chinese Authorities about the wiring
F (Normal) Tucker, Bill 3:23 PM 6/25/02 10
Re: Pix of Air India Flight 182
S (Normal) Tucker, Bill 5:50 PM 6/25/02
20 Summary of exit briefing...
S (Normal) y aaib-dot@dircon.co.uk 10:01
AM 4/16/02 24 Mr. Bill Tucker/wiring/cargo door for PA
103
F (Normal) Bill.Tucker@tsb.gc.ca 11:32 AM
1/30/02 20 Analysis of PA 103 cargo door pictures
F (Normal) Bill.Tucker@tsb.gc.ca 11:25 AM
2/6/02 11 Analysis of PA 103 cargo door photo Part IV
S (Normal) Bill.Tucker@tsb.gc.ca,
ksmart@aaib.gov.uk 10:12 AM 5/26/02 41 China
Airlines 611
S (Normal) Bill.Tucker@tsb.gc.ca,

ksmart@aaib.gov.uk 10:01 AM 5/29/02 23 My email
to Mr. Chou for China Airlines Flight 611
S (Normal) Bill.Tucker@tsb.gc.ca,
ksmart@aaib.gov.uk 7:13 PM 6/23/02 4 Please notify
Chinese Authorities about the wiring/car

R (Normal) Ken Smart 9:41 AM 4/18/02
199 Mr. Bill Tucker/wiring/cargo door for PA 103 message
R (Normal) Ken Smart 9:41 AM 4/18/02
199 Mr. Bill Tucker/wiring/cargo door for PA 103 message
S (Normal) Ken Smart 10:43 AM 4/18/02
4 Thank you for email, detailed reply to follow.
S (Normal) Ken Smart 8:04 AM 4/22/02 55
PA 103 reply to your email, Mr. Smart
S (Normal) y Ken Smart 9:26 AM 4/30/02 0
Smith AAR PA 103, Appendices A-K
S (Normal) y Ken Smart 9:26 AM 4/30/02
0 Smith AAR PA 103, Appendix M
S (Normal) y Ken Smart 9:26 AM 4/30/02
0 Smith AAR PA 103, Appendix L
S (Normal) y Ken Smart 9:26 AM 4/30/02
0 Smith AAR PA 103, Part IV
S (Normal) y Ken Smart 9:26 AM 4/30/02
0 Smith AAR PA 103, Part III
S (Normal) y Ken Smart 9:26 AM 4/30/02
0 Smith AAR PA 103, Part II
S (Normal) y Ken Smart 9:26 AM 4/30/02
0 Smith AAR PA 103, Part I
S (Normal) Ken Smart 9:31 AM 4/30/02
1 Smith AAR for PA 103 completed and sent
S (Normal) y Ken Smart 1:05 PM 5/1/02
12 Additional considerations to AAR PA 103, Smith

S (Normal) Ken Smart 9:22 AM 5/30/02 38
Written before and after Trans World Airlines Flight 8
S (Normal) Ken Smart 8:46 PM 6/2/02 293
Conscience/Comet/Wiring/Doors
(Normal) Ken Smart 2:33 AM 6/7/02 1
Re: Conscience/Comet/Wiring/Doors
R (Normal) Ken Smart 2:33 AM 6/7/02
151 Re: Conscience/Comet/Wiring/Doors
F (Normal) y Ken Smart 10:00 PM 6/9/02
97 Line of communication open Pan Am Flight 103
R (Normal) Ken Smart 2:31 AM 6/25/02
5 Re: Please notify Chinese Authorities about the wiring
S (Normal) Ken Smart 12:18 AM 6/26/02
7 Pattern emerging
S (Normal) Ken Smart 11:30 PM
8/16/03 6 Investigators ask questions....
S (Normal) y ksmart@aaib.gov.uk 8:04 AM
4/22/02 0 Smith AAR for Air India Flight 182/103
S (Normal) y ksmart@aaib.gov.uk 8:05 AM
4/22/02 0 AAR United Airlines Flight 811 92/02 NTSB
S (Normal) ksmart@aaib.gov.uk 5:33 PM
5/29/02 2 To Mr. Chou: China Airlines Flight 611 Black Box
resul
S (Normal) ksmart@aaib.gov.uk,
Bill.Tucker@tsb.gc.ca, kfch 11:27 AM 6/29/02 3 Maybe
not open cargo door....

(Normal) Securitas 4:18 AM 2/27/97 3
Re: Crash cause of Air India Flight 182
- (Normal) Securitas@bst-tsb.x400.gc.ca
9:01 AM 2/27/97 2 Thank you for info, need more please
- (Normal) Securitas@bst-tsb.x400.gc.ca 12:43

PM 3/1/97 1 Cargo door Flight 182
 - (Normal) Securitas@bst-tsb.x400.gc.ca 8:47
 PM 3/15/97 2 Please comment AI 182 cargo door
 - (Normal) Securitas@bst-tsb.x400.gc.ca
 2:11 PM 4/17/97 1 Attention Mr John Garstang RE Air India
 182
 - (Normal) Securitas@bst-tsb.x400.gc.ca 3:30
 PM 11/28/97 17 Cargo door rupture/NTSB TWA 800
 Hearing
 S (Normal) Securitas@bst-tsb.x400.gc.ca
 2:33 AM 10/29/00 16 AI 182 matches TWA 800 and PA
 103 and UAL 811
 S (Normal) Securitas@bst-tsb.x400.gc.ca
 9:05 PM 3/13/01 2 Urgent for John Garstang of TSB re: AI
 182 bomb locati

 - (Normal) SGT Blachford@redshift.com
 11:56 PM 11/14/01 5 Meeting about Air India Flight 182
 - (Normal) SGT Blachford@redshift.com
 9:56 AM 12/17/01 10 Trial delay opportunity
 - (Normal) Sgt. Bart Blachford@RCMP
 2:40 PM 2/1/02 2 Pan Am Flight 103 cargo door
 photographs analyses
 - (Normal) Sgt. Bart Blachford@RCMP
 4:30 PM 5/1/02 2 Smith AAR for Pan Am Flight 103
 X (Normal) Sgt. Bart
 Blachford@redshift.com 1:46 PM 12/11/01 16 The
 End of the Day
 - (Normal) Sgt. Bart Blachford@RCMP 11:43
 PM 2/10/02 5 Analysis of PA 103 cargo door photo Part
 IV
 - (Normal) Sgt. Bart Blachford@RCMP 12:51
 PM 2/16/02 3 Who are the TSB investigators?

- (Normal) Sgt.BartBlachford@RCMP 1:03 PM
2/27/02 2 Mr. Garstang follow up
- (Normal) Sgt.BartBlachford@RCMP 9:21 AM
3/3/02 21 Door of 182 like door of 811
- (Normal) Sgt.BartBlachford@RCMP 9:34 AM
3/24/02 52 Authority who said 182 door exactly same as 811
door

From: John Barry Smith <barry@johnbarrysmith.com>
Date: September 5, 2009 11:46:54 PM PDT
To: kdickerson@majorcomm.ca
Subject: Smith Submission 9 The Crash and Meeting the Family.

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Ken Dickerson

Public Affairs Officer / Agent des affaires publique

Dear Mr. Dickerson, Friday, August 18, 2006

Below is Smith Submission 9 The Crash and Meeting the
Family. (It happens so fast) Filed Friday, August 18, 2006

Smith Submission 1, Grievous Error of Fact Detected, Filed 28
July, 2006. (Please correct Commission website.)

Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006 (Please grant me standing.)

Smith Submission 3: The Official Versions: Bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom. (Please ask TSB Air for their opinion to resolve official conflicts of type of explosion and where it occurred.) Filed Tuesday, August 8, 2006

Smith Submission 4: The Unofficial Version: The shorted wiring/ ruptured open/forward cargo door/explosive decompression/ inflight breakup explanation. (Please consider a plausible, reasonable, electrical cause with precedent) Filed Tuesday, August 8, 2006.

Smith Submission 5: Substantiating the Unofficial Version: The Layperson version. (It's not rocket science) Filed Friday, August 11, 2006

Smith Submission 6: Substantiating the Unofficial Version: The DNA Match. (A match made in heaven) Filed Tuesday, August 15, 2006

Smith Submission 7. Dear People in Future Years: Predicting the Past. (The Major Doctrine.) Filed Thursday, August 17, 2006

Smith Submission 8: Specific Term of Reference: Non Cooperation. (Sorry, no can do.) Filed Thursday, August 17, 2006

Smith Submission 9 The Crash and Meeting the Family. (It happens so fast) Filed Friday, August 18, 2006

Thanks and Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924

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Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Honourable John C. Major, Q.C. Commissioner

Sheila-Marie Cook, Executive Director and Commission
Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

Ken Dickerson Public Affairs Officer / Agent des affaires
publique

Dear Commissioner Major, Friday, August 18, 2006

To review my pleas:

1. Please grant me standing to present my mechanical non conspiracy explanation to you in depth.
2. Please ask TSB Air to provide an aircraft accident report to you on the probable cause of Air India Flight 182.
3. Please correct the highly prejudicial error on Commission website that states the CASB concluded it was a bomb; they did not. ("Yet, it was not until the following January that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb.")

And a new one:

4. Please post all the non classified written material submitted to you by the public during the public inquiry (including my submissions) on the Commission website, <http://www.majorcomm.ca/en/index.asp>

As I understand it, you are conducting a public, broad, and full inquiry into the events surrounding:

1. The investigation of the bombing.

2. The bombing.
3. Air India Flight 182.
4. The victims.
5. The family members of the victims.

According to the family members, the Commission of Inquiry was created because of the 329 victims and the distress the surviving family members felt in their grief.

As justification that I can contribute information to the Commission to enhance its work and thus eligible for a grant of standing, I submit the following information of what leads up to and during a sudden night fatal jet airplane crash from this survivor. I offer the Commission a unique perspective of a sudden inflight fatal jet airplane crash.

I then add what it's like to meet the surviving family members of the fatality.

Field Carrier Landing Practice FCLP (Two articles I wrote and were published in the Pacific Flyer 1990)

I popped up my canopy by toggling the switch on the left console. The aluminum clamshell with two small side windows whooshed up and locked. The warm night air of central Florida rushed into the cockpit displacing the cool forced conditioned air on my forehead while I still breathed the cold oxygen from my mask. The dull roar of the two idling jet engines hit me through my helmet; the intakes were just two feet away on my left and right, I was in the middle. I was strapped into the back seat of an RA-5C Vigilante at 2300 hours on a concrete ramp at Sanford Naval Air Station on 14 June 1967. We were conducting Night Field Carrier Landing Practice (FCLP) on Runway 27 with five other aircraft in the pattern. Wind was calm and temperature

about 85 degrees. The sky was clear with only the flashing lights of the other aircraft as they went around and around the pattern to be seen.

My regular training pilot climbed out of his front cockpit and wiggled down the ladder attached to the fuselage and the new pilot climbed up and in. The fifty thousand pound airplane with its two fifteen thousand pound thrust idling engines sat in its chocks and vibrated as it was being refueled by a yellow truck off to the side. Flashing lights were everywhere but it was all orderly and the pilot switch and hot refueling was going off without a hitch. I took off my mask and instantly the smell of exhausted jet fuel came into the cockpit. I relaxed and enjoyed it. It was all very exciting. The new pilot came up on hot mike and said, "OK, Smitty, how do you read?" He knew that his regularly assigned Reconnaissance Attack Navigator (RAN) had been replaced by me for this evening FCLP only. "Loud and clear, sir," I replied, putting my mask back on and talking into the microphone embedded in it. I toggled down my canopy and it closed with a reassuring thump and clunked locked. The air cooled down and the noise eased for a bit.

My regular pilot walked away without a look back. He had just practiced twelve landings and would do so again tomorrow night. He was an unmarried thirty eight year old Navy Commander who had been flying single seat jet reconnaissance fighters (F-8) off carriers for years and had had one combat tour in the new war in Vietnam. He was now preparing to carrier qualify in this type aircraft before he went back to war in Vietnam. It was his first time flying in a two seat carrier jet.

I was a single, twenty three year old Ensign navigator who had had little jet experience, little navigator experience and had never

been in combat or even on a carrier. I was in awe of him. We had been assigned as a crew and we flew all our missions together. We were due to qualify in the RA-5C in one month on the USS Ranger, one of the large supercarriers of the time, and then on to combat in six months over North Vietnam flying from Yankee Station in the Gulf of Tonkin. But first we had to practice crew coordination and the techniques and procedures to land the largest and heaviest carrier aircraft on a flight deck. This was the pilot's time.

For the past several months I had been navigating low level, medium speed photo missions throughout Florida, Georgia, Alabama, and Tennessee, learning how to take pictures of small bridges, roads, power plants, and prisons, while maneuvering up and down and all around at four hundred and eighty knots. The hardest part was not throwing up while thinking ahead of the airplane and putting in very small number new target coordinates into the computer. Now it was FCLP and all pilot technique and skill to get this airplane at a certain spot on the earth, in a certain attitude, at a certain speed, at a certain weight, and at a certain time. It had to be done right. We were doing OK. "Any gripes?" my new pilot asked, referring to any problems the airplane might have developed during the previous two FCLP periods.

"No problems ," I answered. My new pilot was a Lieutenant Commander, also thirty eight, and had had much experience in combat and RA-5C carrier flying. He was married and had five children. I addressed him as Mr. Butler. I was more respectful to him than in awe, but also felt much more friendly towards him. He had recently returned from a Western Pacific (WestPac) cruise and a harrowing combat tour. He was now undergoing refresher training before going out for another combat cruise with a different squadron than mine. I had volunteered to fly these two

hops with him because I knew him to be safe and instructive.

"Call for taxi," he directed. I made all the radio calls but the incoming instructions were for the pilot who was listening and had his hands full trying to precisely place this ungainly airplane onto a spot of runway about twenty yards wide by twenty yards long. The A-5, like most supersonic aircraft, was a clumsy, underpowered buffalo when it was slow and dirty with flaps, droops, and landing gear down, but cleaned up it was a beautiful, graceful, speeding demon.

"Ground control, 201, taxi," I said into the oxygen mask as I pressed down on a button on right right footrest after first confirming I had the correct frequency set in the small window at eye level. We were flying one of twelve aircraft assigned to the only Navy tactical reconnaissance training squadron, RVAH-3. Our call sign was Commanche Trail 201 which I had shortened to 201. I would have shortened it to 01 but there was another 01 in the pattern and I did not want to be confused with him.

"201, Ground, cleared to taxi runway 27, wind calm, altimeter two niner niner two," the tower replied. "Ground," was short for "ground control" which was the title of the person in the tower who monitored aircraft movements on the ramp just prior to takeoff. The same person might be called, "Tower," after we were airborne.

The engines revved up and we started to slowly taxi toward the duty runway. We were only partially loaded with fuel because we would be landing shorty after takeoff and the landing gear would not support the weight of a fully loaded landing aircraft. The A-5 usually held thirty thousand pounds of jet fuel, about five thousand gallons, but for our touch and go's we usually took off

with about seven thousand pounds of JP-4, or about a thousand gallons.

That amount of fuel was sufficient for about twenty five minutes of six crash and dashes before we would stop and hot refuel again. Each pilot would then have had two exhausting periods of twelve field carrier landing practices on the night runway which had landing lights which simulated a carrier's angled flight deck. They usually emerged from the cockpit soaked in sweat. There was a Landing Signal Officer (LSO) standing by the end of the runway to talk to the pilots as they made their approach. The LSO, "Paddles," as he was called, was an experienced RA-5C pilot who made recommendations to the squadron commander as to whether a particular pilot was qualified to fly out to the ship for landing qualifications which would enable that pilot to go on the cruise. A thumbs down by Paddles was a serious thing for a pilot and his career.

"Take off checklist," my pilot intoned.

"Compass," I quickly promptly as I was expecting the request. I had only flown with Mr. Butler one other time, a day low-level hop through mountains in southern Tennessee. It was the only time I had ever tried the Terrain Following Radar (TFR) which allowed the plane to be guided below mountain tops by the navigator interpreting special radar signals. No one trusted the radar enough to use it for real. On that day the radar worked fine and I respected the pilot for at least showing his trust for me and the system. For that reason I had volunteered to stay and fly the extra two periods instead of getting out and leaving with my regular pilot who had completed his two periods. "Set," the pilot answered the expected reply. "Hook," I said.

"Up," he answered.

"IFF," I said, and then answered my own query, "set to standby." Identification, Friend or Foe (IFF) was not required since we never left the air station control area, but we always went through every checklist item anyway.

"Canopy," I said.

"Down and locked, lights out," he answered.

"Harness," I said.

"Locked," he replied.

"OK, flaps and take off power to go," I said as we neared the end of the runway." The takeoff ritual was proceeding exactly as usual. We never engaged in idle chitchat.

There was so much information coming into us from different sources that it required all our concentration to monitor and interpret it so we didn't have any time for non-life threatening conversation. We were closely watching dials telling us engine temperatures, flap position, radio frequency, fuel flow, hydraulic status lights and also listening to the tower, the LSO, and five other aircraft in the pattern. Our senses were alive with processing information, figuring out which calls were for us and which required responses. We had engine noise and radio noise also interfering with hearing clearly. Internal communication was kept to a minimum.

We waited for a minute as another aircraft came in for his approach. It was no use calling for take off yet and the common

frequency was busy enough with six airplanes all communicating where they were, their intentions, their fuel states, and listening to the LSO give final landing instructions. I checked the inside of my small cockpit. My left elbow could touch the aluminum skin of the left side and my right elbow could touch the right. My arm partially bent forward could touch the front console. I had a little one foot by one foot window high up on the left and right side of my canopy. In front of me there was a fold-down desk and a full instrument panel including radar, viewfinder, altimeters and many other electronic controls. It was cramped but comfortable once I knew where everything was. The seat was a hard beige plastic which was the bottom of the ejection seat which also went up my back and over the top of my head. The seat had to be hard to exert the correct forces without hurting the back. No cushions were allowed. I could not see nor touch my pilot in his equally small cockpit in front of me.

I figured that in an hour and a half I would be having a cold can of beer and a Florida lobster and baked potato dinner at my favorite Sanford restaurant. I watched out my little right side window as the landing A-5 wobbled lower and lower. The A-5 came down in its flared position, wings rocking back and forth, and slammed down in front of us and then with a roar took back off again, then slowly turned right to prepare for its next touch and go. It was said that a carrier landing was nothing more than a controlled crash. One reason Air Force type aircraft were unsuitable for carrier landings is that the landing gear were never strong enough.

"OK, call for take off," my pilot said. We were on hot mike which allowed everything we said to be heard by each other. His breathing increased.

"Tower, 201 for takeoff," I quickly radioed. "201, tower, cleared for takeoff, wind calm," the tower crisply responded. All the players were correctly anticipating each other.

"201, roger," I acknowledged.

As we quickly taxied into position at the end of the runway, I called off the last checklist item, "Flaps." A crew had once attempted to take off with flaps at zero. The plane never got airborne. It was such a small thing with such serious consequences. "Flaps ten," he said, "OK, power coming up." The engines now started their whining up to full roar. He released the brakes as soon as the engines were at one hundred percent and then kicked in the afterburners. We had to takeoff soon and leave room for the next A-5 now on final for landing. We started to roll. "All temperatures normal," the pilot said as we gathered speed. Our takeoff roll was short because of our light fuel load and we were soon airborne and turning downwind to prepare to land in just a few minutes. He left the flaps at ten and the landing gear down. The afterburners were shut off and the power slightly reduced to maintain our speed of one hundred sixty knots downwind at six hundred feet. We would fly the whole six passes never getting higher than six hundred feet nor further away from the runway than a mile.

"201 abeam," I called as we passed parallel the runway. Each plane called various positions in the pattern to let everyone know where they were. The critical interval was how soon each pilot turned base which would determine how long his final approach would be. My regular pilot would often make fun of other pilots who preferred a longer approach than he did. My pilot tonight made no such derogatory statements; he just adjusted into the pattern.

"201 turning final, state 6.7," I called. We had 6700 pounds of fuel left, enough for five more passes after this one for a total of twenty five minutes of flight time.

"Landing checklist, flaps," I said to the pilot.

"Flaps full down," he replied in between heavy grunts. As usual it sounded as if the pilot was wrestling with a low, slow, clumsy, and very dangerous monster. The vibration increased at the airflow responded to the added drag of the huge flaps hanging full down into the airstream.

"Gear," I prompted.

"Three down and locked," he answered and then added, "I've got the ball, 6.0."

"Checklist complete," I said to the pilot and then stepped on my mike button and said, "201 ball, state 6.0," I let the LSO know we had the meatball in sight which was a reflected image in a mirror which let the pilot know his angle of approach toward the simulated end of the carrier. The mirror system and the lighting pattern were identical to that of the ship giving the pilots accurate simulation of a carrier night landing. Fuel state was critical information around the ship because most of the jets were always within minutes of flaming out if they did not land successfully. At a certain point the aircraft was diverted to a land runway if it was felt the plane could not make it aboard.

"Roger ball," the LSO acknowledged that we were on final, had the field and ball in sight and we had six thousand pounds of fuel

left.

Our RA-5C wiggled its wings and the engines surged up and down as we got closer and closer to the cement runway.

"Little power," the LSO advised. No reply was expected. The whine grew louder as the pilot added a little power. "Going high," the LSO's reassuring calm voice told us. I felt the power ease up. My radar altimeter and pressure altimeter wound down lower and lower. Then came the expected thump of the landing as we hit approximately where we wanted to on the runway. During the FCLP debriefing the LSO would describe each pass to the pilot and give criticism. The LSO had the authority to wave off a plane from landing and his recommendation whether to divert a plane or not carried weight. As soon as the thump of the landing occurred the engines went to full non-afterburning power and we almost immediately were airborne again and turning downwind quickly to keep the pattern tight. I noted the time of the landing, fuel state and any comments for later debrief on my pad.

This time upwind my pilot raised the landing gear and the flaps to ten degrees. Having to lower the gear for landing made the FCLP more realistic. The first night FCLP was the hardest for each pilot and now that we had that one over, I relaxed and went into the routine. I settled into the small cockpit, checked my pad of paper clamped to the desktop with the record of landings and fuel states. I cinched up my harness, checked my clear visor down and gloves on tight. I was wearing a new silver flight suit that was undergoing testing. It had the parachute harness integrated into the suit, unlike the regular flight suit that had the harness added on as a separate item. The plane tossed and turned; it was a little like an amusement ride at a carnival. Again

downwind I called, "201 abeam."

"Landing checklist, flaps," I quickly said. We both knew what the other was about to say and also knew the expected response.

"Flaps full," he replied.

"Gear," I prompted.

"Three down and locked, state 5.0," he answered just after the small thumps of the landing gear locking in place were felt.

"Checklist complete," I said to the pilot, and to the LSO I said, "201, on final, state 5.0." The plane began its usual last minute maneuverings. This particular plane, Bureau Number 149314, was on its second full day of flight operations after having been returned from a Progressive Aircraft Rework (PAR) program which updated all the systems and repainted the aircraft inside and out. It gave the feeling of flying in a brand new airplane. We also carried a million dollar camera in the reconnaissance pod. Normally the camera would not be used on the rough FCLP but this plane was up, flyable, and needed. The Navy policy of aircraft usage was when a plane was ready to fly, a crew was found to fly it. The constant pounding of the landings was hard going on camera mounts and internal parts.

"I've got the ball, 4.8" my pilot said calmly.

"201, ball 4.8," I reported to the LSO.

"Roger ball," the LSO answered.

We staggered along as usual and made a nice pass with no

comments from the LSO. The plane thumped its usual thump and accelerated as the pilot applied full takeoff power. We started to climb. I started to write down the landing and the fuel state on my pad in the well-lit small cockpit when I heard a sudden soft rushing sound off to my right.

Just then my pilot said, in a slightly exasperated voice, "Oh, shit, starboard engine." I immediately asked, as I started to put my pencil into its holder still listening to the whooshing on my right, "What's the matter?"

My pilot quickly answered me. "Standby, eject, " he said in a terse, level tone of voice. I immediately reached up with both hands and pulled the face curtain all the way down over my face and upper body.

Nothing happened.

The rushing sound continued as I looked down to see what was wrong and started to think that we were low and wouldn't have much time to do any of the manual procedures such as blowing off my canopy, unhooking myself from the seat, and jumping out. As it turned out, the delay was caused by the normal functioning of the seat firing sequence which allowed three quarters of a second for the seat to be set in the full down position. Since I was tall, I always had it in the full down position. I was still looking down when the rocket ejection seat fired. The cockpit was immediately filled with bright flame and I was ejected upwards. The original ejection seats were fired with explosive charges, but too many pilots suffered back injuries so the seat was improved by having this seat propelled by a small rocket charge that reduced the initial shock on the back. The ride up was smooth.

After the bright flash of the rocket firing I had just enough time to think that I hoped everything worked normally. I knew the complicated sequence that had to be followed precisely for me to live through this. Just then I felt a great tug and felt warm black sky all around so the knee restraints had retracted normally, the seat had bottomed out, my canopy had blown off, the seat had fired, the knee restraints had been popped off, the bladder behind me had inflated separating me from the six hundred pound ejection seat, my drogue parachute had deployed immediately since we were below twelve thousand feet, my main parachute had opened, my face curtain was gone with the seat and I was coming down to earth under a parachute while breathing oxygen from my ten minute bailout bottle. My new silver flight suit had held and was comfortable. I did not know what had happened to my pilot. His ejection sequence is delayed one and three quarter seconds to permit my ejection sequence to complete itself before his sequence commences. Without the delay there would be a chance of his canopy blowing away into me as I was ejected upward.

As soon as I had realized that the chute had opened I saw a brilliant yellow flash down and to my left as my airplane hit the ground. I thought, "Just like in the movies." It hit and smeared a yellow flash in the night. After a maximum of three seconds in the calm air after the chute opened I abruptly hit the ground in a standing position and crumpled down into a heap.

During training I was taught to roll upon landing using the fleshy parts of my body to cushion the landing. They never mentioned what to do on a pitch dark night when the ground was invisible. As soon as I hit, I felt a sharp pain in my back but quickly got up and looked around. The burning plane was about forty yards

away, upside down, and making explosive noises. I was on a hard, flat, grassy field. I kept the oxygen mask on because the gas was cool and I knew it was clean. I put my blinking flashlight on my harness, as instructed in my training classes, and started to walk away to look for my pilot. I then took off the oxygen mask and breathed in the warm Florida night air. I laughed and thought, "I did it and this is really something to talk about, I can't wait to tell the guys."

I shouted, "Mr. Butler, Mr. Butler." There was no answer, just the crackling of the burning airplane. I walked around a bit, still exhilarated but very aware of my situation. It had only been a minute since the sudden rushing noise, but it had seemed like a lifetime. A Navy fire truck drove up with some fireman hanging onto the sides. It stopped and the fireman asked me if I was all right and I said sure, why not, and laughed. They didn't laugh. The plane had crashed just next to the runway. I climbed into a yellow Navy pickup truck that soon came up and we drove to a central grouping spot. I asked about my pilot but got no answer.

I got out and walked over to a circle of men standing around a parachute I knew wasn't mine. I walked over to my pilot's parachute and it looked to me as if the flight suit attached to it had just been thrown into a heap on the grassy ground. I guessed he had unzipped his flight suit and had squirmed out of the suit, leaving it attached to the parachute which was laying all strewn out. I again asked where my pilot was, but there was no answer, only silence, as everyone just stood around and looked.

There was no activity other than silent standing around. The plane was going to burn itself out and there was no searching going on. I realized then that my pilot was still inside his flight suit and he was dead. I wasn't happy anymore and didn't look

forward to telling the guys all about it anymore either. I sighed and went back to the truck and asked to be taken back to the tower.

My back was starting to hurt whenever I bent over. I rode back silently to the tower where my regular pilot and our squadron commander were already waiting. I told them we lost the starboard engine and we ejected. I told them my pilot was dead but they didn't seem to want to believe it. They said I was in shock and to relax. The safety officer was there and suggested I tell everything I knew into a tape recorder for the accident investigation. I agreed and sat down with him and told the whole story as close as I could remember it.

I then went back to the locker room, changed my clothes and went home to bed. The next day I woke up and my back was really hurting from a compression fracture of thoracic vertebrae six from the abrupt parachute landing. I went to work, was sent to the Dispensary where I was given some muscle relaxants for my back, and took two days off. I resumed flying and completed my training.

The accident report revealed that a loose clamp, probably undone or not correctly tightened during the Progressive Rework, had become loose and was ingested into the starboard engine causing Foreign Object Damage (FOD) and a fire. The pilot's ejection sequence was normal but he was too low or the angle was not vertical enough for the parachute to inflate after it was pulled from the ejection seat by the drogue. It was guessed that he was too low because the aircraft had rolled slightly to the right while waiting for my ejection sequence to complete and thus changed the trajectory of the seat from the vertical to the horizontal. He died of massive internal injuries. It was reported that he should

have used the alternate ejection handles on each armrest instead of the face curtain because that way he could have maintained the aircraft in level flight instead of taking his hands off the control stick to reach up and pull the face curtain. Up until that crash it was believed that the Vigilante could maintain altitude and even climb if an engine out situation developed when low, slow, and dirty. NATOPS was changed to have the A-5 reach five hundred feet before turning downwind. I believe that my pilot did everything right from quickly identifying the source of the noise, to deciding the airplane was not airworthy, informing his crew with instructions, and following the correct ejection sequence. And he still died and I lived.

The family members...

June 14th, 1967 1130 PM, Sanford Florida, ejection from RA-5C during Field Carrier Landing Practice, (FCLP) killing the pilot, LCDR C.T. Butler, and injuring the Reconnaissance Attack Navigator (RAN), Ensign John Barry Smith. The dead pilot leaves a wife and five children of whom three are boys, the oldest age eight.

July 1990, Pacific Flyer prints an article written by the navigator. A picture from his cruisebook of an A-5 with an A-3 coincidentally on the backside was also submitted. August, September, October, 1990. Letters pour in to Pacific Flyer regarding mixup in photos.

November 1st 1990. A letter from Pacific Flyer arrives at the navigator's home. I open it and find another letter inside, addressed to me, John Barry Smith, Care of Pacific Flyer. The contents of the letter, handwritten in ink, follow.

Start letter: "Dear Mr Smith, My name is Richard Butler, C.T. Butler was my father. You can imagine my surprise when I came

across your "Night of Terror" article in the July Pacific Flyer and realized your pilot in that accident was my father. It was even more strange because a couple of nights before I told a friend that I would like to learn more about my father's accident.

I am now a Navy pilot myself. I am attached to VF-51, flying F-14's at Miramar. We were returning from a WestPac deployment and the USS Carl Vinson was in port at Pearl Harbor, I was SDO sitting in the ready room while everyone else enjoyed the beaches when I happened to find a copy of the Pacific Flyer. What caught my eye was that they put a picture of an A-3 instead of an A-5. When I started to read the article I got a shiver down my back when I read the date and place in the first paragraph and then saw my father's name. I can still vividly remember that next morning, when I was eight years old, and there were several strange women at my house and my mother wouldn't get out of bed. My mother has yet to remarry and did a heroic job raising five kids. We all turned out pretty well. John, the next oldest boy to me is also a Navy pilot at Miramar flying with VF-126, the adversary squadron .

We would both like a chance to meet you. Your article was a good one, answered a lot of questions I had about that accident 23 years ago. If you would like to get together with John and I sometime please give me a call or write. I look forward to hearing from you. Sincerely, Richard Butler." End letter.

I held the letter in my hand, stunned and amazed. The past had come alive. There was a string of life which had continued all these years. I immediately made plans to meet the Butler boys.

I had received the letter on a Wednesday and had already planned to fly in my Mooney to San Antonio on Tuesday for a week. I

had learned not to make too firm of commitments while flying light airplanes and sent the following letter to Richard Butler.

Start letter: "Dear Richard Butler, Monday, November 5, 1990, Thank you for your letter. We must meet at a convenient time.

I was talking to a retired Navy Captain today who also knew your father. Small world.

It's amazing you and your brother are Navy pilots; it's quite an accomplishment. I met your uncle the day after the crash. I knew there were five children.

After the article appeared a reader wrote in and said he was in the pattern during the crash that night.

In 1969 I was in Sigonella filing a flight plan for an A-5 and the First Class at the tower said he watched one crash. I enquired where and when and it turned out he was the tower operator the night of the crash. He said they were all surprised anyone lived because it happened so suddenly.

Well, I lived because your Dad thought about me back there and told me to eject.

I volunteered for the hop because the previous times I had flown with him I had learned a lot. He was very helpful and patient to a 23 year old Ensign. Maybe he was that way because of his five kids.

I'm off tomorrow to San Antonio in my Mooney for a week. I will return about the 14th of November. I'll call you to set up a rendezvous. The pilot who climbed out of the plane just before

your father climbed in lives in San Diego. I'll coordinate with him so we can all get together.

I just got my Commercial license with instrument rating and this is my first IFR cross country.

You might write me here at home and give me and your brother in-port schedule. Sincerely, John Barry Smith." End letter.

The trip to San Antonio to visit friends was an annual event but the first in my airplane. A year earlier in San Antonio I had first sat in a Mooney and decided I wanted one. Four days later, after arriving back in Carmel Valley, I had bought my Mooney in Hollister. Now I had it fixed up and was proudly flying it back to show off while exercising my new instrument rating.

I took off in clear weather and a fine running machine to fly direct to Bullhead City to stay in the Flamingo Hilton, courtesy of Baron Hilton who had sent me a free three night certificate, as he had done to many other pilots.

The flight was nice, the Hotel and casino were fine, and the airport was terrible. In a thirty knot wind there was no assistance to push back the plane to parking, no help tying down nor chocks available.

They would not bring a gas truck out to refuel unless I walked in and signed a gas chit. The gas truck was slow to get there and there was no ride to and from the plane to office. I was charged for two nights of tie down although I was only there 23 hours. But the room was great, which is to say it was free and I had a view of the airport with my plane on it.

I gambled a little and drank none; the next day was to be a grueling, rugged three leg, nine hour flight to San Antonio. I planned on refueling in Deming, NM, and Fort Stockton Texas.

That night I checked the weather via a phone line to Reno. A low pressure air mass had moved in during the day bringing snow, rain, and freezing rain from Phoenix to El Paso to San Antonio.

I was faced with the common problem, bad weather and what to do. I couldn't go around it to the south because Mexico was down there. To go around to the north would require a detour as far north as Denver over some really high mountains. I had the new instrument rating and was willing to fly in clouds and rain and snow, but not freezing rain. My Mooney had no pitot heat, nor radar, nor de ice.

I did have two more free nights in the hotel, I could wait it out and push it to make the Saturday night party in San Antonio, or I could just follow the front, flying behind it in the rain but avoiding the freezing rain. When it got too bad, I could land and wait it out.

And then I thought of flying to San Diego to meet the Butlers. I gave a call to Richard's home in San Diego from the casino lobby with one of my many quarters. Richard's wife Lana responded by saying Richard was on a mission to Fallon bombing range but would be back the next night and we set up a dinner meeting.

So the attraction of meeting the sons of the man who saved my life years ago turned me away from a huge weather system and towards San Diego.

I had a tailwind and was finally able to see 200 knots on the

groundspeed readout. I was in the yellow sailing along when I hit a bit of moderate to severe near Julian and lost 500 feet. I was way above maneuvering speed so I pulled the power back to slow down. Center called and asked what was going on and I replied turbulence. Another plane, a Boeing 737, heard and asked where. Center replied it was just a light plane and wasn't important. The 737 replied he didn't ask what but where.

The next day, I called my regular pilot, Burton J. Larkins, Capt (Ret.) and explained the situation and we agreed to meet that day for lunch and dinner.

We went for a ride on his beautiful forty foot sailboat up and down the San Diego Harbor. We rode by the tied up USS Ranger, where we carrier qualified (carqualled) in RA-5Cs July 1967, three weeks after my ejection. To land on the Ranger in a Vigilante was why we were practicing FCLP that fateful night.

We rode by all the Navy ships in port with the thoughts of the impending Gulf war on our minds. The sister ships to the Iwo Jima were there. The Iwo Jima was a Marine helicopter carrier and the ship that ninety percent of my boot camp class went to after graduation. I went to an electronics school in Memphis because I told the man in the third week of boot camp I liked flying so he made me into an aviation recruit while the others became seamen recruits. We sailed by Navy boot camp and the bridge connecting Camp Nimitz which I recall marching over so often. Also visible was the USS Recruit, a landbound destroyer, where I learned to tie knots. We saw landing craft which were taking recruits to visit a ship as part of their training. Helicopters were frequently flying over us as they landed at North Island.

And we were meeting a pilot who was on a practice bombing

mission in Nevada.

Captain Larkins and I were at the Cafe Machado at Montgomery Field a little early to wait for Richard and John Butler to arrive. They walked up and I immediately recognized them as Navy pilots. We made the introductions and sat down to dinner and conversation.

I offered a toast, "To C. T. Butler, a man who created your lives and saved mine." Richard's voice was just like his dad's, sort of a soft southern drawl. Richard was of medium height, sandy hair, and bore a strong resemblance to his father. John was taller and slightly younger. Both of the young men were calm, deliberate, and thoughtful. The saying, "You can tell a fighter pilot, but you can't tell him much," was not true in this case. I had to revise my image of the elite of Naval Aviation.

John had gone to the Naval Academy, then to a short preflight, and then to flight training. He was now flying F-16s, F/A-18s, and F-5s in an adversarial role against F-14s. Richard was flying F-14s in an active Navy fighter squadron. So in professional life the two men were sibling rivals but in their personal lives I saw mutual respect and love.

I remarked that it was possible that C.T. Butler was so patient and willing to teach a 23 year old Ensign named John was because he had a son named John, age six, whom he was teaching also.

Richard had graduated from the University of Kentucky and gone to Preflight in Pensacola. He discussed the landing difficulties of FCLP at San Clemente Island, a practice carrier landing site off San Diego. There are no drop lights, there is

always a right crosswind, and the landing pattern is reversed. It turns out the practice for night carrier landings is harder than the real thing.

Captain Larkins explained after he climbed out of the plane and was walking back to the ready room, he saw the flash of the explosion.

Richard mentioned there was a third brother, Paul, who had just gotten married. He said that their mother was a dental hygienist who had gone back to work to help support the raising of five young children.

We reviewed Navy career patterns the way it is now and the way it was then. We were actually representing Naval aviation from the early fifties to the early nineties. We agreed it hasn't changed that much, actually. There are still sea tours, shore tours, school tours, ship's company tours, and exchange tours.

Captain Larkins offered to take Richard and John sailing some time which was accepted. I offered my house for a place to stay if they should come up this way. We all walked out to the ramp to look at my Mooney.

I'm quite proud of N79807, a 1965 M20C, but I knew that compared to a F-14 or F-16, it must have looked like a toy model. But, as Richard said, "It was all mine."

We had enjoyed the meal, the talk of the past, present, and future and agreed we would like to get together again, sometime.

I was flying back to the Salinas airport the next day and thinking about the meeting. Naval aviation is in good hands if there are pilots like Richard and John flying. They were polite, mature, reasoning, and intelligent. The Butler family must be one really sharp family.

I wondered what went through their mother's mind when her two sons told her they wanted to be Navy pilots, just like dad. I thought of her lying in bed the morning of the crash, unable to get up, the nightmare come true, no husband, no father, no future. And yet, she did get up, and she succeeded.

It was a beautiful flight from San Diego to LAX to Point Magu, to San Luis Obispo, to Big Sur, to Salinas. The visibility was 200 miles. I could see the Space Shuttle lake bed landing strip at Edwards Air Force Base while over downtown LA at 10000 feet.

The trip up the coast was striking with surf, boats, caves, and windy highways to look at in the clear smooth weather.

And then, my airplane veered off to the left while on the two axis pneumatic autopilot Mooneys have. It then veered off to the right. I checked the vacuum gauge; it was zero. I had had a catastrophic vacuum pump failure and no standby system. While straight and level my attitude gyro showed me in a level, gradual climb and the directional gyro showed me in a right turn. Then they began to spin faster and faster. They ended up just going around and around. I did an ILS into Salinas in VFR under partial panel and realized it is necessary to cover up the defective instruments to avoid distraction because the scan took me right back to them every few seconds.

I taxied up to my hangar and shut down. I sat in the cockpit and

reflected on what had happened. The vacuum pump had failed four flight hours out of Bullhead City. If I had gone to San Antonio, as planned, instead of San Diego to see Richard and John Butler, I would have lost my primary flight instruments while in the soup over somewhere near Deming, New Mexico, where mountains are high, radar coverage is poor, and airfields far apart.

C. T. Butler may have saved my tail again. The End.

Commissioner Major, as justification that I can contribute information to the Commission to enhance its work and thus eligible for a grant of standing, I have submitted the above narrative of what leads up to and during a sudden night fatal jet airplane crash from this survivor as well as meeting the surviving family members.

Respectfully,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
safety@ntsb.org

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Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006 (Please grant me standing.)

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Smith Submission 7. Dear People in Future Years: Predicting the Past. (The Major Doctrine.) Filed Thursday, August 17, 2006

Smith Submission 8: Specific Term of Reference: Non Cooperation. (Sorry, no can do.) Filed Thursday, August 17, 2006

Smith Submission 9 The Crash and Meeting the Family. (It happens so fast) Filed Friday, August 18, 2006

From: John Barry Smith <barry@johnbarrismith.com>

Date: September 5, 2009 11:46:54 PM PDT

To: kdickerson@majorcomm.ca

Subject: Smith Submission 11: Reconsideration of your denial of standing:

Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182

Ken Dickerson

Public Affairs Officer / Agent des affaires publique

Dear Mr. Dickerson, Saturday, August 19, 2006

Smith Submission 11: Reconsideration of your denial of

standing: Try Try Again. (Never give up)

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Thanks and Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Honourable John C. Major, Q.C. Commissioner

Sheila-Marie Cook, Executive Director and Commission
Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

Ken Dickerson Public Affairs Officer / Agent des affaires
publique

Dear Commissioner Major, Saturday, August 19, 2006

Smith Submission 11: Reconsideration of your denial of
standing: Try Try Again. (Never give up) Filed Saturday, August
19, 2006

1. "Disposition: Mr. Smith is denied standing. However, leave to
file materials that he believes will be useful to the Commissioner
is granted."

I believe I can be useful to you regarding the Inquiry, the
investigation, the bombing, Air India Flight 182, what's it like to
be a victim of a sudden fatal jet airplane crash, and the emotions
when meeting the family members of that fatal victim.

I believe, from his statements, Prime Minister Harper desires a
full, thorough, and compassionate public inquiry into the events

surrounding Air India Flight 182 by analyzing the evidence that has come to light since 1985.

I believe, from your statements, that the nature of the Commission is to be very broad in the evidence that it heard, in order to put to rest the various theories, rumours and neglect that have occurred since the explosion in 1985. I have a theory based on an event in February 1989, United Airlines Flight 811. It will not rest.

You have shown willingness to be broad minded by receiving my evidence, submissions, or information which you have considered to be helpful in fulfilling your mandate whether or not such evidence or information would be admissible in court.

I interpret the goals of the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182 to be to inquire into:

1. The investigation of the bombing.
2. The bombing.
3. Air India Flight 182.
4. The victims.
5. The family members of the victims.

As I understand the Rules and Procedures, sir, you have the authority to grant standing to a person who has a clearly ascertainable interest or perspective which would enhance the work of the Commissioner, determine any special conditions under which that person may participate, rescind the standing, and determine in which parts of the inquiry and the nature and extent of that person may participate. You are also authorized to grant to any other person who satisfies him that he or she has a

substantial and direct interest in the subject matter of the Inquiry an opportunity for appropriate participation in the Inquiry.

In other words, as you know, you are granted broad powers to conduct your inquiry. You have told me that your criteria are the Terms of Reference, for example, if there were problems in the effective cooperation between government departments and agencies in the investigation of the bombing of Air India Flight 182. Please reconsider your previous denial of my request for standing and grant it now with whatever special conditions, limitations, restrictions, and the extent of my contributions you determine.

I believe I have fulfilled your requirements of being useful and fulfilling a Term of Reference and thus worthy of being granted standing because:

1. I have flown in Boeing 747s and about twenty other types of military and civilian aircraft during forty five years of aviation experience accumulating thousands of hours of flight time.
2. My crew duties have included pilot in command, co-pilot, navigator, bombardier, flight crew, mechanic, and owner.
3. I am a qualified nuclear weapon loading officer/bombardier which means I know how to create, load, arm, deliver, and detonate nuclear weapons as well as conventional bombs.
4. I have dropped bombs.
5. I have investigated in depth the bombing of Air India Flight 182 and other explanations for the inflight breakup and have written a three hundred page aircraft accident report and built a thousand page website demonstrating a substantial interest. (Smith AAR for Air India Flight 182 and Exhibit S-18 in the Commission files)
6. I have been investigated by the RCMP, the Air India Task

Force, and the security branch of Transport Canada during their investigation of the bombing of Air India Flight 182.

7. I am personally aware of a conflict between the RCMP and Transportation Safety Board of Canada which resulted in problems of effective cooperation which I believe adversely affected the investigation into the bombing of Air India Flight 182. (Smith Submission 8: Specific Term of Reference: Non Cooperation.)

8. I have been in a sudden fiery fatal jet airplane crash and suffered lifelong injuries. (Smith Submission 9: The Crash and Meeting the Family.)

9. I have seen the fatal victim in that crash.

10. I have visited and discussed the crash with the surviving family members of the victim.

11. I have discovered a clear and present hazard to the security and safety of Canadian passengers flying in early model Boeing 747s such as Air India Flight 182. (The shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup hazard)

My supporting documents for the above statements are the Commission referenced documents of the report of the Honourable Mr. Justice B.N. Kirpal of the High Court of Delhi of February 26, 1986 and the Aviation Occurrence Report of the Canadian Aviation Safety Board into the crash involving Air India Flight 182 of January 22, 1986. (On file with the Commission)

In additional support, there are dozens of emails and letters between me and John Schneider and Sgt. Bart Blachford of the RCMP AITF, between me and Mr. Bill Tucker (now retired), Director General of Investigative Operations of the Transportation Safety Board of Canada, and between me and Mr.

John Garstang of the Securitas branch of Transport Canada.
(Filed earlier as Emails in PDF files.)

I have included the narrative of my sudden fiery fatal jet airplane crash in which I ejected at night at low level when our starboard engine ingested a titanium bolt and caught fire. My pilot told me to eject and we both did. I lived and he died. (Smith Submission 9: The Crash and Meeting the Family.)

I have included a narrative of my meeting two of his surviving sons who grew up to be US Navy pilots, like their dad.

For the reasons above, Commissioner Major, I believe I have fulfilled the formal and informal requirements for standing before your commission. Please reconsider your previous denial of my request for standing and grant it now with whatever special conditions, limitations, restrictions, and the extent of my contributions you determine.

Please allow me the opportunity to present my mechanical explanation for the airplane crash called Air India Flight 182.

To review my pleas:

1. Please grant me standing to present my mechanical non conspiracy explanation to you in depth.
2. Please ask TSB Air to provide an aircraft accident report to you on the probable cause of Air India Flight 182.
3. Please correct the highly prejudicial error on Commission website that states the CASB concluded it was a bomb; they did not. ("Yet, it was not until the following January that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb.")
4. Please post all the non classified written material submitted to

you by the public during the public inquiry (including my submissions) on the Commission website, <http://www.majorcomm.ca/en/index.asp>

Respectfully,

John Barry Smith
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Carmel Valley, California 93924
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From: John Barry Smith <barry@johnbarrysmith.com>

Date: September 5, 2009 11:46:54 PM PDT

To: "Dickerson, Ken" <kdickerson@majorcomm.ca>

Subject: Re: Your submissions #s 3-12

Dear Mr. Dickerson, Wednesday, August 23, 2006

Thank you.

Barry

John Barry Smith
541 Country Club Drive
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1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
safety@ntsb.org

At 1:12 PM -0400 8/23/06, Dickerson, Ken wrote:
Mr. Smith,

I have forwarded your submissions numbered 3 to 12 (received between August 8 and August 19, 2006) to the recipients you listed, as with your first three submissions.

To reconfirm, the following submissions by e-mail have been received and forwarded as you wished.

- Submission 1, Grievous Error of Fact Detected (Please correct Commission website.)
- Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, (Please grant me standing.)
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Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

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Content-Location: image001.jpg

From: John Barry Smith <barry@johnbarrysmith.com>

Date: September 5, 2009 11:46:54 PM PDT

To: kdickerson@majorcomm.ca, mtansey@majorcomm.ca

Subject: Smith Submission 14: Putative Facts and Unsubstantiated Opinions (Who Says?)

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Ken Dickerson

Public Affairs Officer/Agent des affaires publique
Michael Tansey, Commission Spokesperson

Dear Mr. Dickerson and Mr. Tansey, Friday,
September 29, 2006

"Disposition: Mr. Smith is denied standing. However, leave to file materials that he believes will be useful to the Commissioner is granted." And: Commissioner Major at hearing to Smith: "...what I can do is permit you to file any written material that substantiates your view and it will be part of the Air India record." And: The best I can do is to repeat the offer I made and invite you to file in as much as detail as you choose whatever it is that supports your theory and it will be part of this record." And: "You're free, Mr. Smith, as you probably know, to add to your filed material should you choose."

As given permission by the Commissioner to submit material:
Enclosed below is Smith Submission 14: Putative Facts and Unsubstantiated Opinions. (Who Says?) Filed Wednesday, September 27, 2006

Please acknowledge receipt and filing of this material as well as acknowledging receipt of Smith Submission 13 submitted on August 28, 2006.

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Thanks and Regards,

John Barry Smith

541 Country Club Drive
Carmel Valley, California 93924

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Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Honourable John C. Major, Q.C. Commissioner

Sheila-Marie Cook, Executive Director and Commission
Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

Ken Dickerson, Public Affairs Officer / Agent des affaires
publiques

Michael Tansey, Commission Spokesperson

Dear Commissioner Major and Staff, Friday, September 29,
2006

Smith Submission 14: Putative Facts and Unsubstantiated
Opinions. (Who Says?)

From Commission of Inquiry Website under "Facts":

"The Commission will provide uncontested facts in a series of
dossiers."

Methinks thou doth protest too much. "Uncontested"? Whoa!
Where did that come from? Well, of course it comes from the
truth that the 'facts' about Air India Flight 182 have been
contested since 1985.

Specifically: Uncontested facts (sic) from your pdf file of

Summary of the Facts:

1. "The Narita explosion occurred on the ground, in the baggage handling area. A suitcase arriving with Canadian Pacific Flight 003 and destined for Air India Flight 301 to Bangkok, Thailand was the source of the explosion."

The above last sentence of your uncontested fact stating the source of the explosion was a suitcase from CP 003 is an unsubstantiated opinion by an anonymous source with no supporting documentation. It can be assumed there were many suitcases and many baggage cart in a baggage handling area of a major hub airport such as Tokyo.

2. "A bomb located in the rear cargo hold had detonated and opened a hole in the left aft fuselage of the aircraft."

A. The above sentence in your uncontested fact pdf of the location of the explosion is an opinion by a Canadian judge which is directly contradicted by the opinion of another judge, Indian Judge Kirpal who stated in a document directed to the Commission in its mandate: The Kirpal Report; "4.10 After going through the entire record we find that there is circumstantial as well as direct evidence which directly points to the cause of the accident as being that of an explosion of a bomb in the forward cargo hold of the aircraft."

You refer to an opinion by Judge Josephson whose opinion is not directed to the Commission yet ignore the opinion of Judge Kirpal, whose opinion is specifically directed to the Commission. You choose to believe the opinion of Judge Josephson on the location of the explosion but disbelieve him on the guilt of the two Sikhs. You choose to believe the opinion of Judge Kirpal on

the source of the explosion but not the location of it. You pick and choose those legal opinions from documents off the directed list which confirm your preconceived conclusion yet choose to ignore the conflicting opinions from your directed list and then call your opinion, "Uncontested."

Here are some uncontested facts from the Kirpal Report written by actual aircraft investigators who viewed the evidence:

3.2.11.42: "There was no significant fire or explosion in the flight deck, first and tourist passenger cabin including several lavatories and the rear bulk cargo hold."

"4.10 After going through the entire record we find that there is circumstantial as well as direct evidence which directly points to the cause of the accident as being that of an explosion of a bomb in the forward cargo hold of the aircraft."

3.2.11.42: "There was no significant fire or explosion in the flight deck, first and tourist passenger cabin including several lavatories and the rear bulk cargo hold."

2.9 Medical Evidence Pathological examination failed to reveal any injuries indicative of a fire or explosion.

2.11.6.5 Target 47 - Aft Cargo Compartment. There was no evidence to indicate characteristics of an explosion emanating from the aft cargo compartment.

2.11.6.10 Target 362/396 - Lower Skin Panel - Forward Cargo Area

- The holes and other features observed in targets 362/396 and 399 must have been due to shock waves and penetration by fragments resulting from an explosion inside the forward cargo

hold.

3.4.5 Explosive Device The scorching of the right wing root fillet and the damage to the upper deck cabinet suggest, if there was an explosion, it emanated from the forward cargo compartment.

Target 47, which is a portion of the aft cargo compartment roller floor, shows no indications characteristic of an explosion emanating from the aft cargo compartment.

B. The source of the explosion, which you claim is an uncontested fact of a bomb is in fact, disputed by the evidence presented by the actual experts in aircraft accident investigations in two countries, CASB of Canada and the AAIB of the United Kingdom, both of whom never concluded the source was a bomb. In uncontested fact, the UK representative ruled out a bomb explosion as the source of the sudden loud sound at initial event time.

Again from the documents recommended to the Commission in its mandate: CASB Aviation Occurrence Report and the Kirpal Report:

"Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified. It must be concluded that without positive evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident".

Those 'uncontested' facts you present to the public are in fact, disputed and contradicted by experts in India, Canada, and Great Britain. The conclusion you make of a bomb explosion is a contested fact refuted by a government aircraft accident investigator.

3. Then there is the lie. The big lie, the cunning lie, the continuing lie.

When a statement is made to the public at large in an official website which is prejudicial to a minority group and clearly in error, it might be said the fault was unintentional through ignorance. I reported this gross error to you in a June, 2006 letter which you acknowledged reading. When the error is not then corrected the mistake might be explained as government sloth. I told you in person of the error in July, 2006, (transcript excerpt enclosed). When the blatant error is still not corrected and many reports are made to the Commission over a period of months, the error might be explained as political infighting between the wishful thinkers and the scientists. But now I know, after reading your comment about 'uncontested (sic) facts', that your misstatement about the CASB cause of Air India Flight 182 is purposeful, intentional, and a lie. The benefit of doubt is gone; the error is no accident.

Here is your lie as stated in the official Commission website for the past four months: "Yet, it was not until the following January that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb."

Here is the truth as told to you face to face and in fifteen letters to the Commission: "The Canadian Aviation Safety Board

respectfully submits as follows:

Ò4.1 Cause-Related Findings 5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment.Ó"

Note there are many potential causes for an explosion in a pressurized hull, the rarest of which is a bomb. You said the CASB concluded the destruction of Air India Flight 182 was caused by a bomb and they did not conclude that. You are trying to put the veneer of crash expert opinion as that of a bomb since the opinion of justices and attorneys carry little weight in technical events such as airplane crashes. That official statement you persist in making that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb is the betraying lie you make to the trusting public.

In summary, the Commission is presenting contested facts as final and continuing to lie about the Canadian accident experts' conclusions. You have violated the rules of procedure by denying me my fifteen minutes of allotted time in person and have violated a term of reference by denying the examination of a conflict of cooperation between Canadian agencies, TSB and RCMP, in their investigation of the bombing of Air India Flight 182. You are ignoring opinions from directed documents to the Commission while selecting opinions from documents that are not mentioned at all in the Commission's mandate.

You are not conducting an investigation nor an inquiry; you are conducting a show trial persecution of a minority religion in Canada by picking and choosing selected opinions out of dozens from attorneys and justices and the media while ignoring the contradictory conclusions of the technical experts in airplane crashes.

You are well aware that the 'facts' in Air India Flight 182 are often in dispute and many facts, such as the sudden loud sound on the cockpit voice recorder, refute your perception of a bomb explosion and that's why you had to put the extra adjective in there, "uncontested", to reassure yourself and others of your flimsy premise of a bomb by revenge seeking turbaned terrorists while ignoring the actual hard contradictory evidence. You had to lie about the Canadian aviation accident experts' opinion to give the appearance of scientific corroboration of your conspiracy based foundation of a revenge justified Commission of Inquiry (sic).

The correct adjective you should use for your 'facts' is 'putative'.

putative [adj.]

1. Commonly put forth or accepted as true on inconclusive grounds; "the foundling's putative father"; SYN. purported, reputed, supposed.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
safety@ntsb.org

INTERNATIONAL REPORTING INC.

Hearing for Standing, 19 July 2006, Ottawa

MR. SMITH: May I correct a gross error that appeared in the Air India application and in the Terms of 22

Reference for this hearing? I'd like to quote from the 23 Aviation Accident Report to correct a gross error. 24

THE COMMISSIONER: Well, you still have some 25 time. So get it on the record. 1

MR. SMITH: Thank you. 2

I wish to quote from two documents 3 specifically authorized by the Commission for 4 consideration: the report of the Honourable Justice Kirpal 5 and the Aviation Occurrence Report of the Canadian Aviation 6 Safety Board. 7

THE COMMISSIONER: Well, I should -- just to 8 keep the record straight, these are not recommendations by 9 the Commission. These are directions to the Commission. 10

MR. SMITH: Right. 11

THE COMMISSIONER: This is the Order in 12 Council telling us what to do. 13

MR. SMITH: Okay. 14

THE COMMISSIONER: It's not -- those 15 directions do not come from the Commission. We're subject 16 to the directions. 17

MR. SMITH: Okay. The gross error is that 18 the Canadians have said that a bomb exploded in Air India 19 182. That is absolutely incorrect. It's not true. The 20 Indians did say that it was a bomb. I'll quote: 21

After going through the entire record, 22 we find there is circumstantial as well 23 as direct evidence which directly 24 points to the cause of the accident as 25 being that of an explosion of a bomb in 1 the forward cargo hold of the 2

aircraft.Ó 3

ThatÕs the Indian opinion. ThatÕs fine. 4

The Canadian opinion is absolutely correct. 5

I agree with Judge Josephson and I agree with the Canadian 6

Aviation Safety Board of 1986. The Canadian Aviation 7

Safety Board respectfully submits as follows, ÒCause 8

related findingsÓ: 9

ÒThere was no evidence to indicate the 10

structural failure of the aircraft was 11

a lead event. There is considerable 12

circumstantial and other evidence to 13

indicate that the initial event was an 14

explosion occurring in the forward 15

cargo compartment. This evidence is 16

not conclusive. However, the evidence 17

does not support any other conclusion.Ó 18

That is absolutely correct, sir. The 19

Canadians were prudent. They were cautious and they made a

20

professional decision based upon the evidence they had. 21

They knew about a bomb. ThereÕs many reasons and 22

explanations for an explosion in the forward cargo 23

compartment. It can be a fire. It can be lightning. It 24

can be a fuel tank or it could be an explosive 25

decompression. 1

The Canadians were correct. They said an 2

explosion and declined to give an explanation. They knew 3

it could have been a bomb but they declined it and the 4

reason they declined it was because of the evidence which 5

counteracted a bomb. 6

For instance, in the same report, they 7

turned the cockpit voice recorder, which is the only direct 8

evidence, not indirect or circumstantial -- they turned 9

that over to the British Aircraft Investigation Board for 10
analyzing. 11

Mr. Davis, the U.K. accident investigator, 12
reported: 13

ÒConsidering the different acoustic 14
characteristics between a DC-10 and a 15
Boeing 747, the AIB analysis indicates 16
that there were distinct similarities 17
between the sound of the explosive 18
decompression of the DC-10 and the 19
sound recorded on the AI-182 CVR.Ó 20

He has matched the sound to a cargo door 21
caused DC-10 --- 22

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From: John Barry Smith <barry@johnbarrysmith.com>
Date: September 5, 2009 11:46:54 PM PDT
To: barry@johnbarrysmith.com

Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182
Michael Tansey, Commission Spokesperson
Dear Mr. Tansey, Sunday, October 1, 2006

"Disposition: Mr. Smith is denied standing. However, leave to file materials that he believes will be useful to the Commissioner is granted." And: Commissioner Major at hearing to Smith: "...what I can do is permit you to file any written material that substantiates your view and it will be part of the Air India record." And: The best I can do is to repeat the offer I made and invite you to file in as much as detail as you

choose whatever it is that supports your theory and it will be part of this record." And: "You're free, Mr. Smith, as you probably know, to add to your filed material should you choose."

As given permission by the Commissioner to submit material: Enclosed as a pdf file in hard copy is Smith Submissions 1-14:

Please acknowledge receipt and filing of this hard copy material as supplement to Smith Exhibit S-18 of the Commission's exhibits.

Material below previously sent as electronic email to the Commission of Inquiry into the Bombing of Air India Flight 182.

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Thanks and Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924

From: John Barry Smith <barry@johnbarrysmith.com>

Date: September 5, 2009 11:46:54 PM PDT

To: mtansey@majorcomm.ca

Subject: Smith Submission 14: Putative Facts and Unsubstantiated Opinions (Who Says?)

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Ken Dickerson

Public Affairs Officer/Agent des affaires publique

Michael Tansey, Commission Spokesperson

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Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

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Michel Dorval, Commission's Co-Counsel

Ken Dickerson, Public Affairs Officer / Agent des affaires
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Those 'uncontested' facts you present to the public are in fact, disputed and contradicted by experts in India, Canada, and Great Britain. The conclusion you make of a bomb explosion is a contested fact refuted by a government aircraft accident investigator.

3. Then there is the lie. The big lie, the cunning lie, the continuing lie.

When a statement is made to the public at large in an official website which is prejudicial to a minority group and clearly in error, it might be said the fault was unintentional through ignorance. I reported this gross error to you in a June, 2006 letter which you acknowledged reading. When the error is not then corrected the mistake might be explained as government sloth. I told you in person of the error in July, 2006, (transcript excerpt enclosed). When the blatant error is still not corrected and many reports are made to the Commission over a period of months, the error might be explained as political infighting between the wishful thinkers and the scientists. But now I know, after reading your comment about 'uncontested (sic) facts', that your misstatement about the CASB cause of Air India Flight 182 is purposeful, intentional, and a lie. The benefit of doubt is gone; the error is no accident.

Here is your lie as stated in the official Commission website for the past four months: "Yet, it was not until the following January that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb."

Here is the truth as told to you face to face and in fifteen letters to the Commission: "The Canadian Aviation Safety Board respectfully submits as follows:

Ò4.1 Cause-Related Findings 5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment.Ó"

Note there are many potential causes for an explosion in a

pressurized hull, the rarest of which is a bomb. You said the CASB concluded the destruction of Air India Flight 182 was caused by a bomb and they did not conclude that. You are trying to put the veneer of crash expert opinion as that of a bomb since the opinion of justices and attorneys carry little weight in technical events such as airplane crashes. That official statement you persist in making that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb is the betraying lie you make to the trusting public.

In summary, the Commission is presenting contested facts as final and continuing to lie about the Canadian accident experts' conclusions. You have violated the rules of procedure by denying me my fifteen minutes of allotted time in person and have violated a term of reference by denying the examination of a conflict of cooperation between Canadian agencies, TSB and RCMP, in their investigation of the bombing of Air India Flight 182. You are ignoring opinions from directed documents to the Commission while selecting opinions from documents that are not mentioned at all in the Commission's mandate.

You are not conducting an investigation nor an inquiry; you are conducting a show trial persecution of a minority religion in Canada by picking and choosing selected opinions out of dozens from attorneys and justices and the media while ignoring the contradictory conclusions of the technical experts in airplane crashes.

You are well aware that the 'facts' in Air India Flight 182 are often in dispute and many facts, such as the sudden loud sound on the cockpit voice recorder, refute your perception of a bomb explosion and that's why you had to put the extra adjective in there, "uncontested", to reassure yourself and others of your

flimsy premise of a bomb by revenge seeking turbaned terrorists while ignoring the actual hard contradictory evidence. You had to lie about the Canadian aviation accident experts' opinion to give the appearance of scientific corroboration of your conspiracy based foundation of a revenge justified Commission of Inquiry (sic).

The correct adjective you should use for your 'facts' is 'putative'.

putative [adj.]

1. Commonly put forth or accepted as true on inconclusive grounds; "the foundling's putative father"; SYN. purported, reputed, supposed.

Regards,

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INTERNATIONAL REPORTING INC.

Hearing for Standing, 19 July 2006, Ottawa

MR. SMITH: May I correct a gross error that appeared in the Air India application and in the Terms of 22

Reference for this hearing? I'd like to quote from the 23 Aviation Accident Report to correct a gross error. 24

THE COMMISSIONER: Well, you still have some 25

time. So get it on the record. 1

MR. SMITH: Thank you. 2

I wish to quote from two documents 3
specifically authorized by the Commission for 4
consideration: the report of the Honourable Justice Kirpal 5
and the Aviation Occurrence Report of the Canadian Aviation 6
Safety Board. 7

THE COMMISSIONER: Well, I should -- just to 8
keep the record straight, these are not recommendations by 9
the Commission. These are directions to the Commission. 10

MR. SMITH: Right. 11

THE COMMISSIONER: This is the Order in 12
Council telling us what to do. 13

MR. SMITH: Okay. 14

THE COMMISSIONER: It's not -- those 15
directions do not come from the Commission. We're subject 16
to the directions. 17

MR. SMITH: Okay. The gross error is that 18
the Canadians have said that a bomb exploded in Air India 19
182. That is absolutely incorrect. It's not true. The 20
Indians did say that it was a bomb. I'll quote: 21
"After going through the entire record, 22
we find there is circumstantial as well 23
as direct evidence which directly 24
points to the cause of the accident as 25
being that of an explosion of a bomb in 1
the forward cargo hold of the 2
aircraft." 3

That's the Indian opinion. That's fine. 4

The Canadian opinion is absolutely correct. 5
I agree with Judge Josephson and I agree with the Canadian 6
Aviation Safety Board of 1986. The Canadian Aviation 7
Safety Board respectfully submits as follows, "Cause 8

related findings: 9

There was no evidence to indicate the 10 structural failure of the aircraft was 11 a lead event. There is considerable 12 circumstantial and other evidence to 13 indicate that the initial event was an 14 explosion occurring in the forward 15 cargo compartment. This evidence is 16 not conclusive. However, the evidence 17 does not support any other conclusion. 18

That is absolutely correct, sir. The 19 Canadians were prudent. They were cautious and they made a 20

professional decision based upon the evidence they had. 21 They knew about a bomb. There's many reasons and 22 explanations for an explosion in the forward cargo 23 compartment. It can be a fire. It can be lightning. It 24 can be a fuel tank or it could be an explosive 25 decompression. 1

The Canadians were correct. They said an 2 explosion and declined to give an explanation. They knew 3 it could have been a bomb but they declined it and the 4 reason they declined it was because of the evidence which 5 counteracted a bomb. 6

For instance, in the same report, they 7 turned the cockpit voice recorder, which is the only direct 8 evidence, not indirect or circumstantial -- they turned 9 that over to the British Aircraft Investigation Board for 10 analyzing. 11

Mr. Davis, the U.K. accident investigator, 12 reported: 13

Considering the different acoustic 14 characteristics between a DC-10 and a 15

Boeing 747, the AIB analysis indicates 16
that there were distinct similarities 17
between the sound of the explosive 18
decompression of the DC-10 and the 19
sound recorded on the AI-182 CVR.Ó 20
He has matched the sound to a cargo door 21
caused DC-10 --- 22

Smith Submission 1, Grievous Error of Fact Detected, Filed 28
July, 2006. (Please correct Commission website.)

Smith Submission 2: Inquiry into the Inquiry: Who, what, why,
and will you, Filed 3 August, 2006 (Please grant me standing.)

Smith Submission 3: The Official Versions: Bomb, bomb, bomb,
in the baggage, baggage, baggage go boom, boom, boom. (Please
ask TSB Air for their opinion to resolve official conflicts of type
of explosion and where it occurred.) Filed Tuesday, August 8,
2006

Smith Submission 4: The Unofficial Version: The shorted wiring/
ruptured open/forward cargo door/explosive decompression/
inflight breakup explanation. (Please consider a plausible,
reasonable, electrical cause with precedent) Filed Tuesday,
August 8, 2006.

Smith Submission 5: Substantiating the Unofficial Version: The
Layperson version. (It's not rocket science) Filed Friday, August
11, 2006

Smith Submission 6: Substantiating the Unofficial Version: The
DNA Match. (A match made in heaven) Filed Tuesday, August
15, 2006

Smith Submission 7. Dear People in Future Years: Predicting the
Past. (The Major Doctrine.) Filed Thursday, August 17, 2006

Smith Submission 8: Specific Term of Reference: Non
Cooperation. (Sorry, no can do.) Filed Thursday, August 17, 2006

Smith Submission 9: The Crash and Meeting the Family. (It
happens so fast) Filed Friday, August 18, 2006

Smith Submission 10: The Elephant and Emperor Kanishka.
(Easy to see, hard to talk about) Filed Saturday, August 19, 2006
Smith Submission 11: Reconsideration of your denial of
standing: Try Try Again. (Never give up) Filed Saturday, August
19, 2006
Smith Submission 12. Last Gasp: Grasping at a Straw. (Throw
me a bone here, I'm dying) Filed Saturday, August 19, 2006
Smith Submission 13: What is the fear? (Boo!) Filed Monday,
August 28, 2006
Smith Submission 14: Putative Facts and Unsubstantiated
Opinions. (Who Says?)

From: John Barry Smith <barry@johnbarrysmith.com>
Date: September 5, 2009 11:46:54 PM PDT
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Subject: Air India Flight 182 wiring/cargo door explanation

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Commission of Inquiry into the Investigation of the Bombing of
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Dear Honourable Ministers, Commissioner, and Respected
Staff, Sunday, October 22, 2006

All roads lead to Barney. But first...our subject:

Introduction:

An action transferred is an action completed and an action
completed is better than no action at all, so let me thank the
below staff for their referrals:

1. Salpie Stepanian, Assistant to the Prime Minister for the reply

to my email to the Prime Minister; "Please be assured that your comments have been carefully reviewed and are appreciated. I have taken the liberty of forwarding your correspondence directly to the Minister of Justice and Attorney General of Canada, the Honourable Vic Toews, within whose responsibilities this matter falls."

2. Richard Stryde, Senior Special Assistant, to Honourable Lawrence Cannon, Minister of Transport, Infrastructure and Communities for his reply to my email. "The Minister has asked me to reply on his behalf. I have noted your comments with respect to this matter. Although, as you indicate, the Attorney General of Canada is the Government of Canada's representative on the Commission of Inquiry into the investigation of the bombing of Air India Flight 182. This being the case, I have taken the liberty of forwarding a copy of your correspondence to the office of the Honourable Vic Toews, Minister of Justice and Attorney General of Canada, for consideration.

Thank you both, Ms. Stepanian and Mr. Stryde, and I appreciate the attention at highest political levels that my alert has received of the clear and present danger to the Canadian flying public by the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation for early model Boeing 747s, of which Air India Flight 182 was but one. It occurred to me that since my wiring/cargo door explanation received the attention of such high officials, then it must also be considered by others, such as the AG, TSB, and the Commission of Inquiry.

I present myself to you as someone who is not seeking compensation, who is not pursuing a lawsuit, who is not angry and ranting, who does not seek a special tax break, nor one who

is pleading for mercy for a criminal conviction. I am someone who is trying to prevent mass deaths in another airplane crash similar to Air India Flight 182. I am qualified to do so through experience and education but not by rank or title. I have proven my good intentions by flying to Ottawa from California and staying in a hotel at my own expense and time. I consider myself one of the good guys and would like to think that everyone involved here is also good. We are to protect and serve the people, you from your official public positions and me from my private and unofficial one. We are on the same side. We have the same goals although different routes. I understand your way. I'm asking that you understand my path; it's down to earth, makes sense, and is clear cut.

There was some surprise that my research and conclusions about an airplane crash were referred to the Attorney General but I still appreciate the referrals, thank you again, Ms. Stepanian and Mr. Stryde. Sooner or later the Transportation Safety Board (Air) will be the ones to evaluate the causes of an airplane crash based on the physical laws of science and not the emotional, irrational motives of human nature. The other official responses to my alert from the Minister of Justice, the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182, the TSB (Air), and Securitas (TSB) have been...silence. The Attorney chooses to remain silent, the Spokesperson will not speak, the Inquirer will not inquire, and the security officers will not...do whatever they do. I shall hopefully assume the silences reflect deep contemplation, solemn pondering, if you will.

I must make do with what I have and what I have are two referrals from high authority to the Minister of Justice and Attorney General of Canada...which is actually his representative, Mr. Barney Brucker. My presentation must be

appropriate to the audience and will therefore be made using legal terms in a courtroom model with attorney relationships. Mr. Brucker and I are most certainly good sons, wonderful husbands, terrific fathers, loyal to our friends, and competent professionals. However, in the courtroom model we shall be professional adversaries as the British system uses the plaintiff and defendant style to determine findings: I shall be polite and respectful while arguing a common goal to understand what happened and why; in this case, why Air India Flight 182 exploded in midair so many years ago. If everyone knew 'why' for sure, there would not be the many conflicting official opinions about what and where in the aircraft the explosion occurred nor the current Commission of Inquiry or an upcoming perjury trial. The issue is still contentious and will remain so until a conclusive ending is attained.

In the old days, say before June, 1985, the government was the stolid, conservative arbiter of verdicts and justice while the wild eyed conspiracy guys with their erratic connecting the coincidental dots into plots of mass murder by foreign looking gents were the barely tolerated and scorned rabble. Now the government is the conspiracy bomber terrorist believing guy and a scientific fellow like me is on the outside, trying to reason with the unreasonable. Please be reasonable; respond to reason not emotional hate and a lust for revenge based on horror and grief. There are real terrorists out there wanting to blow up airliners but they were not involved with the destruction of Air India Flight 182.

Let us assume that the Crown believes and has prosecuted several men on the premise that two or three bombs were placed on two Boeing 747s which departed Vancouver BC and later blew up, one on a baggage cart and one in an aircraft, murdering

many. Furthermore, those bombs were placed by several revenge seeking turbaned terrorists who conspired with each other over a period of months. Subsequent attempts at prosecution revealed administrative lapses among various agencies which are alleged to have thwarted justice. A witness lied. Victims' families remain irate. Law enforcement is frustrated. Thus an Inquiry and further prosecution of a presumed conspirator continue.

Assume that I claim that there was no bomb on Air India Flight 182 and therefore no bombers, no conspiracy, no crime, and no criminals. The cause was the mechanical one of the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation which is amply supported by facts, data, evidence, recorders, schematics, and a matching precedent of United Airlines Flight 811.

Presentation Outline:

Introduction

Opening Statement

Presenting Case:

Part I: Witnesses

Part II: Analogy

Part III: Matchups

Part IV: Best Evidence

Part V: Human Nature Conjecture

Part VI: Photograph evidence

Part VII: Layperson Explanation

Part VIII: Template

Part IX: The Unifying Official Version

Part X: Sequence of Destruction

Part XI: Political Implications

Part XII: Standing

Summation

Permit me now to make my opening statement to Mr. Barney Brucker, (the judge, jury, and prosecutor of one), then present my case in detail, and sum up to conclusion and await the verdict from Mr. Brucker.

Opening statement:

Mr. Brucker, I am the plaintiff, I have come to you for redress of a grievance, that grief being the loss of a huge airliner and the deaths of 329 men, women, and children and flight crew. I believe the probable cause of that airplane crash to be the same probable cause of about half of all the thousands of airplane crashes, a mechanical fault with the machine. I do not believe the cause of that inflight breakup to have been caused by the rarest of causes for an explosion in a highly pressurized hull; sabotage and specifically a bomb explosion. My explanation is called the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation or wiring/cargo door for short. That electrical cause occurred for Air India Flight 182 and for several other early model Boeing 747s, in particular United Airlines Flight 811. That wiring problem can occur again and another 329 persons can needlessly die. The problems are mechanical and can be fixed thus preventing another inflight explosion when that cargo door ruptures outward in flight, causing an explosion which mimics a bomb explosion. The hard evidence refutes a bomb explosion because the necessary scientific evidence which would confirm a bomb explosion is missing and the scientific evidence which confirms an explosive decompression due to a ruptured open cargo door is present. A bomb explosion on Air India Flight 182 is scientifically ruled out and an open cargo door is ruled in.

The defence (government) contends it was a bomb explosion in the aft bulk cargo compartment on the left side that caused the inflight breakup of Air India Flight 182. They have offered as proof a complicated conspiracy theory involving a Mr. X, an adulterous affair, jealous lovers, misappropriated funds, shootouts, angry and revengeful savages, army assaults, religious conflicts and a potential breakaway civil war. Fine, that's all very exciting and a movie with those elements would be very entertaining, I'm sure. Air India Flight 182 was first and foremost an airplane crash. It was not a domestic disturbance that escalated into violence or a bank robbery. An airplane has to obey immutable laws of physics to fly and the same laws to breakup in flight and crash. Humans who commit crimes react to their own internal changing moral rules and can not be predicted. Machine behaviour can be predicted. The conspiracy guys will claim that the reason there were no convictions is because one of the conspirators perjured himself during trial and if he had just told the truth, convictions would have followed.

To understand and explain why Air India Flight 182 crashed I will stick to the facts and leave the intrigue to the newspapers and TV. Please bear with me as I present charts, photographs, text, expert opinions, similar airplane accidents with similar evidence, and closely reasoned conclusions. Swiss Air Flight 111 and TWA Flight 800 have taught the Canadian, UK, and USA government investigators much about the consequences of faulty wiring in widebody airliners.

Both sides, the conspiracy and the mechanical, have a common goal with different routes to get there. We want to protect the trusting flying public and prevent needless deaths. Here are my paths starting from the end and working backwards:

1. The known faulty and aging Poly X type wiring needs to be

replaced in early model Boeing 747s.

2. The design flaw of non-plug cargo doors needs to be corrected by making the doors like the plug type passenger doors.

3. The design flaw of absent locking sectors on the two midspan latches of the two cargo doors needs to be corrected by inserting the missing locking sectors.

4. The USA Federal Aviation Administration will issue an Airworthiness Directive (AD) for emergency inspection of the cargo door wiring for chafing and charring based upon the Transportation Safety Board (TSB) updated findings.

5. The TSB (Air) will investigate and issue an updated CASB Aircraft Accident Report (AAR) for Air India Flight 182 based upon hindsight using the knowledge gained from several subsequent similar accidents, specifically United Airlines Flight 811, Swiss Air 111, and TWA Flight 800. I will assist the TSB in their investigation. The new AAR will be based upon the suggestion of the Commissioner of the Inquiry into Air India Flight 182.

6. The Commissioner will request TSB (Air) for their official opinion as to the cause of Air India Flight 182 since the last official accident report of twenty years ago by the predecessor CASB did not conclude the cause was a bomb and evidence at that time refuted the bomb explosion explanation and suggested a explosive decompression caused by structural failure.

7. I persuade Commissioner Major that it would be prudent to order an updated AAR to fulfill his mandate of a full and thorough inquiry and to satisfy his personal goal that the inquiry was to be very broad in the evidence that it heard, in order to put to rest the various theories, rumours and neglect that have occurred since the explosion in 1985.

8. The Attorney General of Canada will suggest to the Commissioner that I be granted standing as witness since I qualify under a Term of Reference and have submitted the

paperwork in a timely manner.

9. I persuade the AG representative to act on my behalf because the evidence I present today warrants the checking out of the reasonable, mechanical, alternative explanation. I persuade the AG representative to solicit Crown expert opinions about Air India Flight 182 from the quasi-judicial and technical fields of the Commission of Inquiry and the TSB (Air) aircraft accident investigators.

Or: Mr. Brucker or Commissioner Major directly asks TSB (Air) to provide to them an opinion as to the probable cause of Air India Flight 182. TSB has never been asked and might very well welcome the chance to express their professional opinion; after all, this crash is the most famous airplane crash in Canadian history and their purpose for existence is to explain airplane crashes to the political leadership and public.

Or: Mr. Brucker suggests to TSB (Air) staff that they meet with me in Vancouver to allow me to present my wiring/cargo door explanation in person to the investigators.

The path of the Crown prosecutors and RCMP Air India Task Force appears to be to try to put several people in prison which will 'send a message' and salve some grief. The Crown has many who agree it was a bomb explosion which include the RCMP, the CSIS, the prosecutors, the accused, the defence counsels, newspapers, books, TV, radio, the manufacturer, the airline, the victim's families, justices, and the man in the street.

The start of my path is here today and I will now present my case for the mechanical explanation, the non bomb explanation, for Air India Flight 182. The only people who agree with me of not concluding it was a bomb explosion in the aft bulk cargo

compartment are those who actually know why airplanes fly and why they don't; who know why airplanes mostly land safely and why they occasionally come apart in the air; that is, professional government aircraft accident investigators from four countries, the USA, the UK, India, and Canada. It should be an interesting argument, a pleasing myth believed by millions versus unpleasant science concluded by dozens.

Presenting the wiring/cargo door case. It's detailed, it's complex, it's science, it's logical, it's factual, and it makes sense.

Part I: I call several witnesses by means of quoting their official words in documents.

Speech excerpts - Prime Minister Harper announces inquiry into Air India bombing

"A full public inquiry is required. This inquiry will be launched immediately and led by an outstanding Canadian, retired Supreme Court Justice John Major. He has agreed to serve as Commissioner for this inquiry and I have every confidence that he will conduct a thorough and compassionate investigation into the events surrounding this tragedy. This inquiry is about analyzing the evidence that has come to light since 1985 and applying it to the world we live in today."

From transcript of 18 July 2006, Hearing on Standing,
Commissioner Major:

The Commissioner: "Yes. Well, I will confirm that. The nature of this Commission was to be very broad in the evidence that it heard, in order to put to rest the various theories, rumours and neglect that have occurred since the explosion in 1985."

From transcript again: Mr. Barney Brucker:

Mr. Brucker: I just wanted to indicate to you, Commissioner, that I have provided this morning to Mrs. Cook and to Commission counsel a brief submission that we had prepared just on the general test for standing and issues that we submit you will be taking into account.

The Commissioner: You can't do much better than get standing, though, can you?

Mr. Brucker: No, we can't, but we are concerned about the focus of the Inquiry. When I attended here and listened to your Opening Statement I was struck by one comment that you made and I will paraphrase that, perhaps not accurately, but what I took from your comments was that you intended to conduct a thorough but efficient inquiry and that an efficient inquiry does not mean that it has to take a great deal of time. We have, in my submission to you, a very compressed time schedule in which we have to get things done and my submissions simply highlight that in that environment, a matter which is of interest to all Canadians, that there should be some judicious consideration of who will get standing and who won't or who may be an intervenor and who won't, and that to ensure that the process is thorough and efficient I have offered some general principles that I submit might be of assistance to you.

The Commissioner: Thank you. That's been filed and will be looked at."

End quotes.

I can not cross examine but I can comment on those statements. The Prime Minister desires a full, thorough, and compassionate public inquiry into the events surrounding Air India Flight 182 by analyzing the evidence that has come to light since 1985. The

direction for the Commission is pointed by the two leading authorities, the Prime Minister and the Commissioner to be full, thorough, and broad.

Mr. Brucker recommends an efficient inquiry. Well, kangaroo courts are efficient and lynch mobs are cheap and fast.

"Thorough and broad" requires time for the presentation of various theories since the explosion of 1985, one of which is the wiring/cargo door explanation. That alternative explanation should have its time in front of the Commission of Inquiry and that can be done by granting me witness or intervenor standing. It's been twenty one years since the event and several more hours of listening to a 'various theory' is certainly justified in the name of thoroughness. As far as efficiency goes, when the wiring/cargo door explanation is confirmed by Crown aircraft investigators, the Commission of Inquiry can reduce 90% of its workload since the reason for the acquittals by Justice Josephson is obvious, the accused were innocent and the prosecutors, RCMP and CSIS can be exonerated for failing to obtain convictions.

Does the wiring/cargo door explanation have validity? Is it as wild as a mid air with a flying saucer explanation and thus not worthy of consideration? Or is the wiring/cargo door explanation down to earth and real?

Let me present expert witnesses through their quotes:

CASB Aviation Occurrence Report on Air India Flight 182, 1986: "The Canadian Aviation Safety Board respectfully submits as follows:

04.1 Cause-Related Findings

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the

forward cargo compartment.

From Kirpal Report for Air India Flight 182, 1986: "Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified. It must be concluded that without positive evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident".

End quotes:

That 'other cause' was established by me in 1996 based on an event in 1989, United Airlines Flight 811, plus other accidents. (And there is good reason why it is called an "explosive" decompression. It is an explosion that mimics a bomb.)

That non bomb concluding finding from CASB is absolutely correct. It does not conclude the destruction of the aircraft was caused by a bomb. It is specific on the location of the mystery explosion as the forward cargo compartment and rules out the rear cargo compartments. There are several alternative explanations for that confirmed explosion, from fire in the cargo hold or hull rupture at a door, or bomb in baggage explodes. I agree there was an explosion in the forward cargo compartment as did all the experts agree on that point in 1986 for solid reasons.

The Canadian and United Kingdom government experts in aircraft accident investigation for Air India Flight 182 did not

state the cause was a bomb and in fact, the UK expert stated in 1986 it was not a bomb and gave strong evidence for his conclusion. To claim the Canadian Aviation Safety Board concluded the cause was a bomb is incorrect, prejudicial, and inflammatory.

The Canadian crash experts (CASB) called Air India Flight 182 a 'crash'. It was. The word "bomb" was never used in relation with Air India Flight 182 in their entire CASB report. "Bomb" was used only once in reference to a different aircraft and event for comparison purposes and there was no match.

Aircraft accidents are sometimes complicated events and analogies may possibly explain the misunderstandings. Air India Flight 182 is but one tree in a forest of four early model Boeing 747s that experienced an inflight breakup leaving similar evidence.

Part II: An analogy to include the four trees in the forest but I'll call them brothers instead:

Early model Boeing 747s are machines. We say they die when they crash but they were never really alive, now were they? We anthropomorphize. Let me continue with the analogy.

It's as if a person falls down dead. The police, the media, the man's family, the courts, the prosecution, and the defence all agree, yes, it was a shot to the head that killed him but we'll argue about who and where and when he was shot. Several men are arrested, and at the trial the defence states that yes, the victim was shot in the head but their clients did not do it. All the while some physicians who examined the dead person are saying, no, it was not a gunshot to the head but a heart attack, while other

physicians say we don't know how he died but we may find out later.

And then another man falls down dead at same spot and it's the brother of the previous dead man. Same thing happens, most non physicians say gunshot to head but the autopsy cause of death determined by government physicians claim natural causes. Several more men are accused and tried. The defence agreed with the prosecution as to cause of death as gunshot but their clients did not pull the trigger.

And then another brother falls down dead under similar circumstances...first guesses were gunshot to head but later proven wrong.

And then another brother falls down dead under similar circumstances...first guesses were gunshot to head but later proven wrong.

All four brothers share the same exact DNA and the evidence discovered at their deaths is generally the same. Two brothers are conclusively proven to have died of heart attacks and the deaths of the other two remain controversial.

And all the while, the people who know why people fall down dead are saying, not a gunshot to the head but heart attack, probably caused by poor diet.

How does a four time serial killer called faulty wiring get away with it?

1. The deaths happen over a period of years, 1985 through 1996. Memories are short. Personnel change. Documents are thrown

away, misplaced, or lost. Witnesses forget.

2. The deaths happen many thousands of miles apart from each other, such as Ireland, New York, Lockerbie, and Hawaii.

3. The deaths involve many agencies; RCMP, Scotland Yard, FBI, CIA, CSIS, TSB, NTSB, CASB, AAIB, Indian Civil Aviation Agency, and all the way to the top political leaders. The agencies do not cooperate or communicate fully, they defend their area of investigation, they are secretive, and they have many administrative senior officials directing them. Each agency looks closely at its lone tree/brother/aircraft in the forest/family of four while ignoring the other three.

4 The deaths involve objects that look different at first glance such as different colors in their livery, different names in their titles, and different nicknames.

5. The deaths involve victims who are not wealthy, important, connected to authority, or famous.

6. The deaths involve different complex legal jurisdictions in faraway places such as India, Canada, UK, and USA.

7. The deaths involve billions of dollars which means people get funny when they get around money.

A. The killer is well loved, well connected, wealthy, powerful, and not a suspect and anybody raising suspicion is scorned.

B. The killer has killed before but is still above suspicion having said to have reformed.

C. The killer's freedom is necessary for the financial well being of thousands of workers.

1. The accused are relatively poor, different color skin and language than the accusers, and have in the past expressed violent thoughts.

2. The accused reinforce the prejudices of the accusers.

3. The accused get the suspicion off the real killer.

Part III: Matchups to determine a pattern.

There are no conspiracies among the agencies, courts, media, or public to hide or protect the real killer or to convict the innocent. All involved really believe the real killer is not guilty and the accused are guilty based upon the public's own self interest. The well meaning accusers all believe in a vast international conspiracy by the accused to commit mass murder and like all conspiracy zealots, refuse to consider down to earth explanations for such mass grief causing events. The hysteria feeds on itself with the stories gaining myth status with constant repeating, embellishment and modifications.

The real killer is faulty wiring, a small failure which brings down huge machines, early model Boeing 747s, by exploiting the design flaws of non plug cargo doors and no locking sectors on the midspan latches. The dead brothers/machines are Air India Flight 182, Pan Am Flight 103, United Airlines Flight 811, and TWA Flight 800.

The deaths are respectively 329, 270, 9, and 230 for a total of eight hundred thirty eight fatalities. That's a mass killing in four events over eleven years and thousands of miles apart involving the governments of four countries.

The four mechanical victims are virtually identical. They are early model Boeing 747s. There are tens of thousand of airliners out there in hundreds of model and submodels but there are currently about five hundred Boeing 747-100 and 747-200 aircraft still in service of which only four planes have the below similar evidence after inflight breakups.

The similarities in the circumstances and of the wreckage of those events are many: larger version at <http://www.montereypeninsulaairport.com> Other details at <http://www.ntsbt.org>

The defence counsel for the four accused of bombing two of those aircraft essentially stipulated to the cause of the crashes as bombs and quibbled over a few feet of where it was in the aircraft and challenged the Crown to prove who planted the bombs.

And the defence followed that strategy all the while knowing (assuming they did their homework) that the actual government experts in aviation crash investigations were saying they did not know the cause, or the cause was an explosive decompression and that one UK crash expert even refuted the bomb cause. The defence knew that similar type aircraft had similar type fatal accidents in 1989 and 1996 and the cause was electrical, not a bomb explosion. The defence uncritically believed the police story and that of the Crown prosecutors, the media, the public, and the anguished victim's families, while ignoring the one group who knew what they were talking about, the Canadian Aviation Safety Board investigators, the UK Air Accidents Investigation Board investigators, the National Transportation Safety Board investigators, and the Indian accident investigators.

For Air India Flight 182 the location of the explosion was in the forward cargo compartment for fifteen years. That conclusion is amply supported by hard wreckage evidence and yet on the day of the trial the location switched to the aft bulk cargo compartment, a location conclusively ruled out by earlier

investigators. The defence never disputed the move of the explosion from forward to aft compartments.

For Pan Am Flight 103 the AAIB investigator of the wreckage observed that the cause of the soot in the container alleged to have held a powerful, spherical and loud bomb was actually: "Where these panels formed the boundary of the shatter zone, the metal in the immediate locality was ragged, heavily distorted, and the inner surfaces were pitted and sooted - rather as if a very large shotgun had been fired at the inner surface of the fuselage at close range." The defence never objected to the premise of a bomb explosion which was shown by evidence to be mild, directed, and silent, three physical impossibilities for a bomb but natural for a 'very large shotgun' in the luggage which was safe unless a huge explosive decompression were to occur nearby were a cargo door to rupture open inflight.

Emotion trumped science. Wishful revenge thinking ruled the day. Pleasant explanations based on grief salving emotions were believed while unpleasant explanations supported by hard evidence that could be touched, seen, and listened to was rejected without consideration.

Part IV: Best Evidence:

Speaking legally as an amateur, I understand there are several types of evidence; circumstantial, indirect, hearsay, and direct. All can be very persuasive. The best evidence is direct evidence. For Air India Flight 182, Pan Am Flight 103, and TWA Flight 800 there is much circumstantial evidence such as airspeed, altitude and time of day. There is indirect evidence such as wreckage debris pattern and twisted metal. Hearsay is for the conspiracy guys believing quarreling lovers and taped political

ramblings.

The one source for the best evidence which is direct and irrefutable is the cockpit voice recorder and the flight data recorder. They were there at event time. Those recorders were put there to do precisely what they did, record for later evaluation events which took place in the cockpit and in the aircraft at large. They tell us directly what went on in the final minutes.

And what does the best and indisputable direct evidence show as to what the cause of Air India Flight 182 and Pan Am Flight 103 and two others?

Chart 12 above from NTSB public docket for TWA Flight 800 showing the sudden loud sound from the CVRs in graphical format. Air India is Air India Flight 182, PanAm is Pan Am Flight 103, and United is United Airlines Flight 811. (Philippine Air was a Boeing 737 that had a fuel tank explode on the ground and not a Boeing 747 exploding in the air as the others.)

The graph shows a sudden loud sound followed by an abrupt power cut to the flight data recorders, a rare event separately, and extremely rare to have both together.

The sudden loud sound was analyzed very carefully by the government analysts for frequency, duration, limiting, and rise and fall time.

The conclusion reached by all the analysts in the UK, USA, Canada and India is that the sudden loud sound is not a bomb

explosion sound, nor a missile exploding sound, but that of an explosive decompression sound. The bomb sound was ruled out because necessary low frequencies were not present and the rise time was too slow. There was no bomb sound in the cockpit at the initial event time for Air India Flight 182, Pan Am Flight 103, United Airlines Flight 811, and TWA Flight 800.

If not a bomb sound, then what was the cause of the sudden loud sound?

Air India Flight 182

"Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified. It must be concluded that without positive evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident".

2.10.2 Analysis by Accidents Investigation Branch (AIB), United Kingdom

The AIB analysis was restricted to the CVR and the Shannon ATC tape. An analysis of the CVR audio found no significant very low frequency content which would be expected from the sound created by the detonation of a high explosive device. A comparison with CVRs recording an explosive decompression* on a DC-10, a bomb in the cargo hold of a B737, and a gun shot on the flight deck of a B737 was made. Considering the different acoustic characteristics between a DC-10 and a B747, the AIB analysis indicates that there were distinct similarities between the

sound of the explosive decompression on the DC-10 and the sound recorded on the AI 182 CVR. *Explosive decompression is an aviation term used to mean a sudden and rapid loss of cabin pressurization.

(Please note the DC-10 explosive decompression above referenced in the Air India Flight 182 CVR analysis was probably the Turkish Airlines DC-10 fatal event when the aft cargo door blew open causing an explosive decompression which destroyed the flight controls leading to the crash.)

Pan Am Flight 103

"It is not clear if the sound at the end of the recording is the result of the explosion or is from the break-up of the aircraft structure. The short period between the beginning of the event and the loss of electrical power suggests that the latter is more likely to be the case."

United Airlines Flight 811

"The Safety Board believes that the approximate 1.5 to 2.0 seconds between the first sound (a thump) and the second very loud noise recorded on the CVR at the time of the door separation was probably the time difference between the initial failure of the latches at the bottom of the door, and the subsequent separation of the door, explosive decompression, and destruction of the cabin floor and fuselage structure. The door did not fail and separate instantaneously; rather, it first opened at the bottom and then flew open violently. As the door separated, it tore away the hinge and surrounding structure as the pressure in the cabin forced the floor beams downward in the area of the door to equalize with the loss of pressure in the cargo compartment."

TWA Flight 800

"The TWA flight 800 CVR recorded noise characteristics that were most similar to those recorded by the CVRs on board the United flight 811 and Philippine Airlines airplanes."

The Pan Am Flight 103 sudden loud sound is 'more likely' to be the case for the break-up of the aircraft structure, not a bomb sound.

The United Airlines Flight 811 sudden loud sound is indisputably and irrefutably the explosive decompression sound when the forward cargo door burst open because that aircraft barely landed safely at Honolulu.

The TWA Flight 800 sudden loud sound is most similar to United Airlines Flight 811 as both were early model Boeing 747s.

United Airlines Flight 811 is the model that fits the other three, it is the victim of the killer wiring that was able to make it back to Honolulu to eventually identify the culprit, the electrical system of wiring or a switch. Just as it was only after United Airlines Flight 811 that the cause of the sound on Air India Flight 182 was identified, it was only after Swiss Air Flight 111 and TWA Flight 800 that the true extent of the pervasive and dangerous Poly X wiring in all early model Boeing 747s was made known.

(United Airlines Flight 811 is the case law analogy; it was a similar case that was tried and proven beyond doubt to be a certain cause and that cause may be applied to other similar cases.)

The best evidence for these similar events in similar aircraft is the direct evidence which is the cockpit voice recorder which

recorded the sudden loud sound which when analyzed indicated an explosive decompression from a ruptured open forward cargo door and not a bomb explosion sound. That's science, that's real, that's confirmable, and it's corroborated by government sound analysts.

Part V: Human Nature Conjecture:

Why has the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation for Air India Flight 182, Pan Am Flight 103, and TWA Flight 800 not been advanced before in the public's mind?

I would hope I would not, but I might very well have reacted as others have if my job, my reputation, my income, and my freedom depended upon the bomb explosion explanation being the accepted one and the wiring/cargo door explanation rejected. There is no conspiracy, just people acting in their own perceived best interests. Who and what are they?

1. The manufacturer wants the blame for the loss of the aircraft and life to be placed upon factors out of its control and not on its design errors of non plug cargo doors and absent locking sectors in the midspan latches. The manufacturer does not want to have to spend millions to correct the manufacturing faults in the wiring nor modify the cargo doors.
2. The airline wants the blame placed on others such as airport screening personnel and not on itself for not finding the frayed wires to the cargo door unlatch motor. The aircrews want to believe the event was a rare occurrence and do not want to believe that every minute they fly in early model Boeing 747s the aircraft can come apart in flight in seconds when the cargo door blows open as it did in United Airlines Flight 811.

3. The police, the RCMP, the FBI, Scotland Yard and prosecutors all welcome the inclusion of the high profile catastrophes into their jurisdiction so they can solve the crime and increase their budgets and staff to counter the threats. They would reject the mechanical cause as their general involvement would end.

4. The court system welcomes the chance to establish justice by punishing the criminals asserted by the law enforcement agencies. Vast amounts of bailiffs, new court facilities, numerous attorneys, and much tax money goes into trials while a mechanical cause is relegated to settlement meetings between insurance attorneys.

5. The victims' families have turned their grief to anger to hate and want someone to vent their emotion of revenge against. They would prefer to believe their loved ones died in some vast international conspiracy which is part of a worldwide larger force instead of a trivial event such as bare wire shorting to metal and turning on a motor which is supposed to remain off while in flight.

6. The media such as TV, radio, and newspapers much prefer an emotional human tragedy interesting story to tell rather than a scientific story which requires education into basic laws of nature such as gravity, lift, thrust, drag, and pressure differential. Emotional stories require feelings which everyone has while science stories require education which is absent in many viewers, listeners, and readers. The media tells people what they want to hear and that is exciting, illogical, conspiracy stories, not boring mechanical proofs.

7. The government oversight agencies want to shift the blame of the crashes to foreign terrorists slipping through lax airport security and not their own failures as regulators and monitors of safety issues. The wiring/cargo door explanation reveals their failure to order the airlines and manufacturer to fix the documented problem of faulty wiring causing cargo doors to

open in early model Boeing 747s such as Pan Am Flight 125 in 1987, United airlines preflight in 1991, and United Airlines Flight 811 in 1989.

8. The public demands revenge for a great loss of human life which was preventable. Dying in a bombed airplane crash offends two basic instincts of all humans at birth, a startle reflex shown by arms stretched wide and the falling reflex shown by grasping hands. The public pays money to hear what it wants and rejects that which is unpleasant. The bombing explanation reinforces their prejudices of xenophobia and racism; it implies the event was a one off affair and not likely to reappear if only security were tighter. The bombing story gives an opportunity for revenge; it gives an exciting tale of intrigue, spying, shootouts, and chase scenes. The wiring/cargo door explanation is dry, has lots of charts and statistics, and implies the faulty wiring and dangerous non plug cargo doors are industry wide, not fixed, and the problems could reappear the next time they fly as a passenger.

I say again, there are no conspiracies among the principals, only people acting in their own perceived best interests which is essentially, "It's not my fault, nor my company's fault, nor my government's, nor the police, nor the airline, nor the media, nor the courts' fault; it's the fault of those revenge seeking turbaned terrorists over there."

To support that blame shifting exculpatory bomb explosion explanation, vast illogical and science defying fantasies had to be devised and repeated until the myth of the Lockerbie bombing and the bombing of Air India Flight 182 was implanted into the public psyche. Debunking will be very difficult as myths are generated and believed by a people needing them. Debunking is important because the genuine cause of faulty wiring remains at

large, waiting for the right circumstances to strike again.

However.....conspiracy zealots defeat their cause eventually. The continued controversies with Air India Flight 182 and Pan Am Flight 103 are evidence that something is not right and thus the trials, the appeals, and the inquiries continue.

Part VI: Photograph evidence:

More logical conclusions supported by photographic evidence:

1. When a bomb is detonated on the port side of pressurized early model Boeing 747s, that port side will be shattered and the starboard opposite side remains smooth, like the Bruntingthorpe staged bombing of a real Boeing 747. (Port side is left side facing forward and starboard side is right side.)

2. When the faulty wiring causes the forward cargo door to blow out on the starboard side, that starboard side is shattered into characteristic pattern of rectangle and longitudinally split cargo door, as is Air India Flight 182, Pan Am Flight 103, Pan Am Flight 103, and United Airlines Flight 811, while the port side remains relatively smooth.

Which of the above choices fits the Air India Flight 182 and Pan Am Flight 103 actual evidence? Let's look at the photographs and wreckage reconstruction sketches by the authorities.

A Boeing 747 had a real bomb go off in the aft cargo compartment in a real Boeing 747 during a staged event. (Bruntingthrope photos below)

Results:

1. Port side blown to bits
2. Starboard side opposite the blast has the aft cargo door and bulk cargo door latched, intact, and smooth skin all around.

Now to Pan Am Flight 103, (thought by many to be bomb explosion of same type and size as Bruntingthorpe.)

Below is wreckage reconstruction sketch from UK AAIB AAR:
Port side, a small blue rectangle (from alleged bomb explosion) with relatively smooth non exploded skin around. Other bent skin is from aero dynamics not explosion.

Starboard side at same initial time is shattered and large area with door split longitudinally, stringers exposed and large rectangle destruction area.

Port side above for Pan Am Flight 103, nose to left.

Starboard side forward cargo door for Pan Am Flight 103, nose to right.

United Airlines Flight 811

Port side is very smooth and undamaged.

Starboard side is shattered with large rectangle destruction area, split longitudinal door, and stringers exposed.

1.3 Damage to the Airplane

The primary damage to the airplane consisted of a hole on the right side in the area of the forward lower lobe cargo door, approximately 10 by 15 feet large.

TWA Flight 800

Port smooth side below opposite cargo door and forward of center fuel tank, nose to left.

Starboard side below, with cargo door shattered area to right. Center fuel tank explosion as initial event would be bilateral, not unilateral.

TWA Flight 800 starboard side, nose to right.

TWA Flight 800 forward cargo door area to right.

Air India Flight 182 below:

Air India Flight 182 wreckage reconstruction from CASB and Kirpal Report. Of the small amount of wreckage recovered, only the pieces of wreckage that showed damage was reported. There is no reports of inflight or other damage to the port side opposite either cargo door so the assumption can be that there was none and thus smooth. The forward cargo door was damaged and split in two longitudinally which matches Pan Am Flight 103 and United Airlines Flight 811.

CASB report: "All cargo doors were found intact and attached to the fuselage structure except for the forward cargo door which had some fuselage and cargo floor attached. This door, located on the forward right side of the aircraft, was broken horizontally about one-quarter of the distance above the lower frame. The damage to the door and the fuselage skin near the door appeared to have been caused by an outward force. The fractured surface of the cargo door appeared to have been badly frayed. Because the damage appeared to be different than that seen on other wreckage pieces, an attempt to recover the door was made by CCGS John Cabot. Shortly after the wreckage broke clear of the water, the area of the door to which the lift cable was attached broke free from the cargo door, and the wreckage settled back onto the sea bed. An attempt to relocate the door was unsuccessful." "This damage was different from that seen on other wreckage pieces. A failure of this door in flight would explain the impact damage to the right wing areas. The door failing as an initial event would cause an explosive

decompression leading to a downward force on the cabin floor as a result of the difference in pressure between the upper and lower portions of the aircraft." 2.11.6.5 Target 47 - Aft Cargo Compartment This portion of the aft cargo compartment roller floor was located between BS 1600 and BS 1760. Based on the direction of cleat rotation on the skin panel (target 7) and the crossbeam displacement on this structure, target 47 moved aft in relation to the lower skin panel when it was detached from the lower skin. No other significant observation was noted. There was no evidence to indicate characteristics of an explosion emanating from the aft cargo compartment. Target 47, which is a portion of the aft cargo compartment roller floor, shows no indications characteristic of an explosion emanating from the aft cargo compartment."

The above quotes from the accident investigators indicate the explosion was not on the port side but on the starboard side and in the forward cargo compartment. The implications are that the inflight damage was on the starboard side and the port side was undamaged. The rear cargo compartment had no explosion from a bomb or otherwise.

Below is a layout of the staged bombs for the Bruntingthorpe experiment with standard container with bomb inside exploding on port side, shattering it but leaving the starboard side smooth and door intact and latched.

Deductions:

When the port side is smooth and starboard side opposite and

near the cargo door is shattered, that means cargo door opened in flight and no bomb. That description fits Air India Flight 182, Pan Am Flight 103, United Airlines Flight 811, and TWA Flight 800. That evidence rules in ruptured open cargo door as initial event.

When port side is shattered and starboard side opposite and near cargo door is smooth, that means bomb and no open cargo door. That description fits none. That evidence rules out bomb explosion.

The conclusions to be made from the above photographs is that for Air India Flight 182, Pan Am Flight 103, Pan Am Flight 103, and United Airlines Flight 811, the damage occurred on the starboard side near the forward cargo door leaving the port side smooth. That actually did happen and rules in the wiring/cargo door explanation. A bomb explosion on the port side, as in the Bruntingthorpe experiment and alleged for Air India Flight 182 and Pan Am Flight 103 would have shattered the port side and left the starboard side smooth. That did not happen, but the reverse did, thus ruling out the bomb explosion explanation and confirming the wiring/cargo door explanation.

Part VII: Layperson Explanation

One excuse I am given by those unwilling to evaluate the hard evidence that supports the shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation for Air India Flight 182 is that it is 'too technical'.

Well, it's not too technical; below is the explanation for laypersons who have a basic education in science. If a person knows why lightning strikes, why balloons pop, the power of wind, and why gravity pulls, then that person can understand

what happened to Air India Flight 182.

Lightning Strikes

Balloon Pops

Wind Power

Gravity Pulls

Lightning strikes because of an imbalance between the negative electrically charged particles and the further away positively charged particles. When sufficient negative and positive charges gather, and when the electric field becomes sufficiently strong, an electrical discharge (the bolt of lightning) occurs within clouds or between clouds and the ground. Lightning occurs because the bottom of a thundercloud becomes negatively charged. The ground becomes positively charged. Simple physics says that opposite charges attract, so boom, the lightning takes a one way trip to the closest positively charged item- usually a tree, phone pole, or other high object.

In a Boeing 747 the opening and closing of the cargo doors is done by an electric current through a latching or unlatching motor controlled by a switch. When the switch is open/off, there is no current to turn the motor which would turn the latching cams around the latching pins. When the switch is closed/on the circuit between the negatively charged particles and the positively charged is closed and current flows through the resistive motor which turns torque tubes which turn cams to surround pins which closes and holds the door tight against the fuselage.

When the aircraft is airborne a switch is opened/off which prevents any current from inadvertently turning on the cargo door unlatch motor. There is no way to turn on the unlatch motor to open the cargo door from inside the cockpit.

However, when faulty wiring such as Poly X type, which was used in Air India Flight 182, chafes and cracks to bare wire to short on the metal fuselage, the voltage has a path to complete the circuit and the lightning strikes; that is, the safety feature of a switch is bypassed and the now flowing current turns on the cargo door unlatch motor. The imbalance between the charged electrons which was held steady by the safety switch is now allowed to discharge/equalize through the shorted wire through the resistive motor which turns on as it is supposed to do when receiving current. The latching cams now turn around the latching pins into the unlock/unlatch direction thus releasing their hold on the closed cargo door. The faulty wire which allowed the motor to turn on when it was supposed to stay off was installed during manufacture of the aircraft. The defective wiring is a manufacturing error.

The bare wire shorted on the cargo door unlatch motor which turned the cams to the unlatch position. Lightning struck and the unlatch motor turned on and started to allow the cargo door to open in flight.

Balloon pops:

Air tends to move in a straight line from a high-pressure area to a low pressure area. As balloons reach maximum expansion they get to a point where the latex runs out of stretch and gets stiff and resists further stretching. This is obvious in a fresh, over inflated balloon. It will become stiffer and get very rigid as all the latex

molecules all become oriented in the tensile stress directions. This increase in stiffness will cause balloons, unlike soap bubbles, to increase in internal air pressure just before bursting.

Even small balloons like nine inch rounds can produce a very big bang if they are strong high quality balloons and are blown up to the limit. They can develop fantastically high tensions. Of course a larger balloon blown up to a similar extreme tension all over would make an even bigger bang.

The hull of a Boeing 747 such as Air India Flight 182 can be considered a huge balloon when pressurized. As the aircraft climbs the air molecules outside are further apart and have less pressure than those that were inside the aircraft at takeoff. If the aircraft is not pressurized, the air molecules inside and outside the aircraft are the same and there is no differential. The hull is not inflated and there would be no inside high pressure trying to equalize with the outside lower pressure.

But the hull of the Boeing 747 in flight with crew and passengers aboard can not remain unpressurized as the air would be too thin to sustain life so oxygenated air is pumped into the hull and the balloon/hull inflates. There now exists a distance difference between the air molecules inside the aircraft to those outside of the airplane. There is an imbalance. There is now pressure to equalize the air molecules but the sealed metal fuselage skin prevents the equalization. The hull stays inflated.

As the plane climbs higher, the pressure inside is kept constant at a comfortable level for the passengers while the pressure outside continues to decline the higher the aircraft goes. When the aircraft is about 20000 feet, the pressure on the inside of the fuselage is about 3.5 PSI or pounds per square inch. At cruise

altitude of about 31000 feet, the pressure on each square inch on the inside of the inflated balloon called the hull is 8.9 PSI.

The Boeing 747 has two cargo doors 110 by 99 inches in size. The pressure on the cargo doors of Air India Flight 182 when cruising at 31000, when the initial event occurred, was 96921 pounds pressing on each of the nine foot by eight foot doors held in place only by a long hinge, eight rotating lower latching cams around latching pins and two midspan rotating latching cams around latching pins.

An analogy: Imagine a large under inflated balloon with no holes in it. Then cut six small holes in the balloon and two large square holes. Then, if you could, put patches over the six small holes from the inside of the balloon so that when the balloon is inflated, the inside high pressure would press the patch tighter into the balloon and seal the hole tighter. That is called a 'plug type' patch. But....then put patches over the two large square cut holes on the outside of the balloon so that when the balloon is inflated, the high air pressure inside the balloon presses against the outside patch to push it outward. That is called a 'non plug type' patch.

Another analogy for the patch is a band aid wound dressing on an arm. The arm has the cut hole/wound and the patch is the band aid to stop the bleeding wound. A band aid on the inside of the arm would be more effective but impractical so band aids are put on the outside of the arm and often are pulled off inadvertently.

Air India Flight 182 has those several small holes cut into the pressurized hull and then patched from the inside. They are called plug type passenger doors. When airborne and at altitude, those passenger entry and exit doors can not be opened in flight because the inside air pressure presses them tight against the metal fuselage. Only if the pilot depressurizes the inside of the hull can those doors be opened, such as on the ground. The wounds are small and the band aid is sufficient to stop the bleeding since the patch is in the inside and the blood pressure actually prevents bleeding.

However, the two huge cargo doors which were cut from the metal fuselage and then patched back are non-plug type. It's as if they are patched from the outside so that as the inside pressure grows higher and the outside pressure goes lower, the pressure differential increases and about 97000 pounds of air presses on the eight by nine foot door to burst it open. The door does not press on the inside of the fuselage tighter because it is not a plug type. The only things holding the door closed are the hinge and the ten latches around the ten latch pins. The latch cams are not told to unlatch in flight because there is no current to the unlatch motor. The non plug cargo doors are a design error; they should be plug type. The wounds are large and the band aid is not sticky enough to stop the bleeding as the blood pressure pushes outward.

A hull rupture in flight can be a catastrophic event so safety efforts are made to prevent its occurrence. As the cams are turned around the pins, a locking sector is then manually placed against the latch pin to prevent the inadvertent unlatching should electrical current turn the unlatch motor on. The locking sector would stop the cam from turning to the open position and the unlatch motor would burn itself out trying.

However, while the lower eight latches have eight locking sectors as a safety measure, the two midspan latches have no locking sectors at all. That is another design error; the midspan latches need locking sectors similar to the eight lower ones. The band aid over the wound was too small.

(As it turns out, years after Air India Flight 182 crashed, it was shown that the eight locking sectors themselves were too weak to stop the cams from unlatching when the unlatch motor did in fact inadvertently receive power and the door unlatched in flight; United Airlines Flight 811. The eight locking sectors were then strengthened but the midspan latches had no locking sectors to strengthen.)

For Air India Flight 182, the faulty bare wire shorted on the power for the cargo door unlatch motor which turned the cams to the unlatch position after bypassing the safety switch. The eight lower latching cams overrode the weak lower eight locking sectors. Just past dead center of the pins the 97000 pounds of internal pressure finally popped the balloon of a pressurized hull at the forward cargo door. The result was an explosive decompression which occurred in an instant. Explosive decompression is an aviation term used to mean a sudden and rapid loss of cabin pressurization.

The sudden and powerful rushing out of the higher pressure air inside the pressurized hull of Air India Flight 182 mimicked a bomb in sound and fury. The sound of the explosion was so loud it was picked up on the cockpit voice recorder. The forward cargo door split into two parts and burst apart as it tore out and up taking further fuselage skin with it. The contents of the forward cargo hold were blown out and into the nearby starboard

engines number three and four causing foreign object damage to the nacelles and turbine blades inside the engines. The ensuing hole in the starboard side of the fuselage forward of the wing centered around the forward cargo door of Air India Flight 182 in the wreckage reconstruction below was now about thirty feet tall and twenty feet wide, target 204 and cross hatch skin above it.

The manufacturing flaw of installing defective wiring had exploited the design flaw of a non plug door coupled with the design flaw of no locking sectors on the mid span latches allowing the door to inadvertently open in flight causing a massive explosive decompression which created a huge hole in the nose of Air India Flight 182.

Lightning struck and the unlatch motor turned on. The balloon popped when the forward cargo door unlatched and ruptured open.

Wind Power:

From the CVR and DFDR, AI 182 was proceeding normally en route from Montreal to London at an altitude of 31,000 feet and an indicated airspeed of 296 knots when the cockpit area microphone detected a sudden loud sound: 296 knots is 341 miles per hour or 549 km/h.

If the newly created huge hole in the nose of Air India Flight 182 had occurred while the aircraft were motionless in the calm air, the nose would have stayed on and the aircraft would not have broken up in flight. However, the wind force on the now compromised formerly streamlined hull was higher than any

natural wind on earth.

Category V Hurricane, Catastrophic >155 mph

Shrubs and trees blown down and uprooted; considerable damage to roofs of all buildings; all signs down. Very severe and extensive damage to windows and doors. Complete failure of roofs on several residences and industrial buildings. Extensive shattering of glass from pressure variation and blown debris.

Some complete building failures. Smaller buildings are overturned or destroyed. Complete destruction of mobile homes.

F3 Tornado, Fujita Scale 3 158-206 mph, strongly built schools, homes, and businesses have outside walls blown away; weaker homes completely swept away,

F4 Tornado, Fujita Scale 4 207-260 mph, strongly built homes have all interior and exterior walls blown apart; cars thrown 300 yards or more in the air

F5 Tornado, Fujita Scale 5 261-318 mph, strongly built homes are completely blown away

An intact egg is strong when pressed on its small end but after the shell is cracked, the strength is gone and it crumbles. So it was with Air India Flight 182.

The wind force of 341 miles per hour tore the gashed nose off which fell first in the debris pattern on the ocean floor. The wind force tore into the rest of the tubular, now unpressurized hull, and ruptured open the rest of the fuselage and other compartments. The debris was blown aft and hit the starboard wing and stabilizer causing inflight damage. The engines and wings came off and mixed with the rest of the disintegrating aircraft.

Lightning struck and the unlatch motor turned on. The balloon popped when the forward cargo door unlatched and ruptured

open. The enormous wind power tore the nose off and disintegrated the rest of the aircraft.

Gravity grabs.

Gravity is one of four known fundamental forces of nature. Gravity is by far the weakest of the four, yet it dominates on the scale of large space objects. Gravity cannot be shielded in any way. Intervening objects, whatever their make-up, have no effect whatsoever on the attraction between two separated objects.

If Air India Flight 182 were in far outer space the thousands of broken parts would just float around but those debris pieces were affected by the gravity of Earth and caused the aircraft parts to flutter down to the sea and further down to the ocean floor 6500 feet under the water surface.

Lightning struck and the unlatch motor turned on. The balloon popped when the forward cargo door unlatched and ruptured open. The enormous wind tore the nose off and disintegrated the rest. Gravity pulled the pieces downward to the bottom of the ocean.

Lightning Struck
Balloon Popped
Wind Powered
Gravity Pulled

Part VIII: Template:

If the DNA can be used as an analogy for specific evidence discovered for one event and that specific evidence is matched in another event, it can be said the DNA matches.

United Airlines Flight 811 below:

"Executive Summary from USA NTSB AAR 92/02 of March 1992:

On February 24, 1989, United Airlines flight 811, a Boeing 747-122, experienced an explosive decompression as it was climbing between 22,000 and 23,000 feet after taking off from Honolulu, Hawaii, en route to Sydney, Australia with 3 flightcrew, 15 flight attendants, and 337 passengers aboard.

The airplane made a successful emergency landing at Honolulu and the occupants evacuated the airplane. Examination of the airplane revealed that the forward lower lobe cargo door had separated in flight and had caused extensive damage to the fuselage and cabin structure adjacent to the door. Nine of the passengers had been ejected from the airplane and lost at sea.

A year after the accident, the Safety Board was uncertain that the cargo door would be located and recovered from the Pacific Ocean. The Safety Board decided to proceed with a final report based on the available evidence without the benefit of an actual examination of the door mechanism. The original report was adopted by the Safety Board on April 16, 1990, as NTSB/AAR-90/01.

Subsequently, on July 22, 1990, a search and recovery operation was begun by the U.S. Navy with the cost shared by the Safety Board, the Federal Aviation Administration, Boeing Aircraft

Company, and United Airlines. The search and recovery effort was supported by Navy radar data on the separated cargo door, underwater sonar equipment, and a manned submersible vehicle. The effort was successful, and the cargo door was recovered in two pieces from the ocean floor at a depth of 14,200 feet on September 26 and October 1, 1990.

Before the recovery of the cargo door, the Safety Board believed that the door locking mechanisms had sustained damage in service prior to the accident flight to the extent that the door could have been closed and appeared to have been locked, when in fact the door was not fully latched. This belief was expressed in the report and was supported by the evidence available at the time. However, upon examination of the door, the damage to the locking mechanism did not support this hypothesis. Rather, the evidence indicated that the latch cams had been backdriven from the closed position into a nearly open position after the door had been closed and locked. The latch cams had been driven into the lock sectors that deformed so that they failed to prevent the back-driving.

Thus, as a result of the recovery and examination of the cargo door, the Safety Board's original analysis and probable cause have been modified. This report incorporates these changes and supersedes NTSB/AAR-90/01.

The issues in this investigation centered around the design and certification of the B-747 cargo doors, the operation and maintenance to assure the continuing airworthiness of the doors, cabin safety, and emergency response.

The National Transportation Safety Board determines that the probable cause of this accident was the sudden opening of the forward lower lobe cargo door in flight and the subsequent

explosive decompression. The door opening was attributed to a faulty switch or wiring in the door control system which permitted electrical actuation of the door latches toward the unlatched position after initial door closure and before takeoff. Contributing to the cause of the accident was a deficiency in the design of the cargo door locking mechanisms, which made them susceptible to deformation, allowing the door to become unlatched after being properly latched and locked. Also contributing to the accident was a lack of timely corrective actions by Boeing and the FAA following a 1987 cargo door opening incident on a Pan Am B-747. As a result of this investigation, the Safety Board issued safety recommendations concerning cargo doors and other nonplug doors on pressurized transport category airplanes, cabin safety, and emergency response."

The first probable cause was incorrect so the NTSB issued another AAR based upon new evidence. The same can be done by TSB Air for Air India Flight 182 based upon the subsequent new evidence. I have had the benefit of hindsight to research all Boeing 747 hull losses for matches to the evidence retrieved regarding Air India Flight 182. There have been five matches, including Air India Flight 182. All are controversial while United Airlines Flight 811 is the only aircraft that was able to land after the shorted switch or wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup occurred. The DNA evidence and probable cause for United Airlines Flight 811 is irrefutable.

In none of the five official investigations for Air India Flight 182 was United Airlines Flight 811 considered. For four of those investigations, United Airlines Flight 811 had not occurred yet; for the fifth, the attorneys and law enforcement agencies chose not to refer to it.

What happened to Air India Flight 182 happened to United Airlines Flight 811 and others. The cause of United Airlines Flight 811 is the same cause for Air India Flight 182. The sequence is the shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation.

The linchpin DNA match to all five Boeing 747 accidents is the sudden loud sound on the Cockpit Voice Recorder followed by the abrupt power cut to the Flight Data Recorder. The CVR and FDR data is the only direct evidence available and it is the best.

NTSB AAR, United Airlines Flight 811:

"The CVR revealed normal communication before the decompression. At 0209:09:2 HST, a loud bang could be heard on the CVR. The loud bang was about 1.5 seconds after a "thump" was heard on the CVR for which one of the flightcrew made a comment. The electrical power to the CVR was lost for approximately 21.4 seconds following the loud bang. NTSB Accident Report 92-02 Page 25

CASB AOR, Air India Flight 182:

"From the CVR and DFDR, AI 182 was proceeding normally en route from Montreal to London at an altitude of 31,000 feet and an indicated airspeed of 296 knots when the cockpit area microphone detected a sudden loud sound. The sound continued for about 0.6 seconds, and then almost immediately, the line from the cockpit area microphone to the cockpit voice recorder at the rear of the pressure cabin was most probably broken. This was followed by a loss of electrical power to the recorder." Canadian Aviation Safety Board Air India 23 June 1985, page 21

Kirpal Report: "Mr. R.A. Davis, Head, Flight Recorder Section,

Accidents Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified. It must be concluded that without positive evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident"

Premise Explanation for Air India Flight 182: Explosion in the forward cargo compartment caused by explosive decompression caused by structural failure of ruptured open forward cargo door at one or both of the midspan latches caused by faulty electrical wiring:

Analysis: There is close agreement with the opinions of the two aviation authorities (CASB and AAIB), the judicial finding of Judge Kirpal, and this independent aircraft accident investigator in the specific location in the aircraft and consequences of the explosion with the only difference being the cause of the explosion on the starboard side of the forward cargo compartment of Air India Flight 182:

A. CASB: There was an explosion, which could have been a bomb explosion, on the starboard side of the forward cargo compartment near the forward cargo door which caused the inflight breakup of Air India Flight 182.

B. AAIB: There was an explosion, cause not identified but not a bomb explosion, which caused the inflight breakup of Air India Flight 182.

C. Justice Kirpal: There was an explosion, a bomb explosion, on the starboard side of the forward cargo

compartment near the forward cargo door which caused the inflight breakup of Air India Flight 182.

D. Justice Josephson: There was an explosion, a bomb explosion, on the port side of the aft cargo compartment opposite the aft cargo door which caused the inflight breakup of Air India Flight 182.

E. John Barry Smith: There was an explosion, an explosive decompression when faulty wiring shorted on the forward cargo door unlatch motor which allowed one or both of the midspan latches to rupture open in the forward cargo door on the starboard side of the forward cargo compartment, which caused the inflight breakup of Air India Flight 182.

F. Transportation Safety Board of Canada (Air): Yet to be asked for opinion.

To determine the pattern in early model Boeing 747 accidents that suffered breakups in flight, it was necessary to evaluate carefully all the official accident reports concerning them. A pattern was detected of similar significant evidence among only five of the over forty hull damages or losses, two of which are Air India Flight 182 and United Airlines Flight 811.

Summary of specific matching evidence between Air India Flight 182 and United Airlines Flight 811: (The DNA evidence listed below applies to both aircraft)

- A. Boeing 747
- B. Early model
- C. Polyimide wiring (Poly X type)
- D. Sudden airframe breakup in flight
- E. Breakup occurs forward of the wing
- F. Section 41 retrofit not done
- G. At least medium flight time

- H. At least medium aged airframe
- I. Previous maintenance problems with forward cargo door
- J. Initial event at about 300 knots while proceeding normally in all parameters
- K. Initial event involves hull rupture in or near forward cargo door area
- L. Initial event starts with sudden sound
- M. Initial event sound is loud
- N. Initial event sound is audible to humans
- O. Initial event followed immediately by abrupt power cut to data recorders
- P. Initial event sound not matched to explosion of bomb sound
- Q. Initial event sound is matched to explosive decompression sound in wide body airliner
- R. Torn off skin on fuselage above forward cargo door area
- S. Evidence of explosion in forward cargo compartment
- T. Foreign object damage to engine or cowling of engine number three
- U. Foreign object damage to engine or cowling of engine number four
- V. Right wing leading edge damaged in flight
- W. Vertical stabilizer damaged in flight
- X. Right horizontal stabilizer damaged in flight
- Y. More severe inflight damage on starboard side than port side
- Z. Port side relatively undamaged by inflight debris
- AA. Vertical fuselage tear lines just aft and forward of the forward cargo door
- AB. Fracture/tear/rupture at a midspan latch of forward cargo door
- AC. Midspan latching status of forward cargo door not reported as latched
- AD. Airworthiness Directive 88-12-04 not implemented (stronger lock sectors)

- AE. Outwardly peeled skin on upper forward fuselage
- AF. Rectangular shape of shattered area around forward cargo door
- AG. Forward cargo door fractured in two longitudinally
- AH. Status of aft cargo door as latched
- AI. Passengers suffered decompression type injuries
- AJ. At least nine missing and never recovered passenger bodies
- AK. Initial official determination of probable cause as bomb explosion.
- AL. Initial official determination modified from bomb explosion
- AM. Structural failure considered for probable cause
- AN. Inadvertently opened forward cargo door considered for probable cause
- AO. Takeoff after sunset on fatal flight
- AP. Takeoff after scheduled takeoff time on fatal flight

A few of the above matches may be common, trivial, or irrelevant but most are rare and critical.

The important DNA matches that determine the certainty that both aircraft:

1. Were similar model and type of early model Boeing 747s..
2. Had the same appearance for each longitudinally fractured forward cargo doors
3. Had sudden loud sounds which were an explosive decompression sound and not a bomb explosion sound.
4. Had an abrupt power cut to the flight data recorders after the sudden loud sound.
5. Had the same damaged areas around the forward cargo door.
6. Had relatively smooth fuselage skin on port side opposite the shattered starboard cargo door side.

7. Had similar inflight damage to the starboard engines and flight surfaces.
8. Had at least nine never recovered bodies.
9. Had explosions in the forward cargo compartment which were initially thought to have been bombs but the opinions were later somewhat modified.

There are many reasonable possible explanations for an explosion or explosive decompression near the forward cargo door of an early model Boeing 747, only one of which is a rare bomb explosion:

- A. Bomb explosion. (Considered for both, ruled out in one, should be ruled out for both.)
- B. Crew or passenger error. (Ruled out for both flights.)
- C. Electrical fault in switch or wiring. (Ruled in for one.)
- D. Pneumatic overpressure. (Ruled out for both flights.)
- E. Cargo shift. (Ruled out for both flights.)
- F. Compressed air tank explosion. (Ruled out for both flights.)
- G. Fire. (Ruled out for both flights.)
- H. Missile strike. (Ruled out for both flights.)
- I. Midair collision. (Ruled out for both flights.)
- J. Fuel tank explosion. (Ruled out for both flights.)
- K. Stowaway. (Ruled out for both flights.)
- L. Electromagnetic interference. (Ruled out for both flights.)
- M. Comet or meteor. (Ruled out for both flights.)
- N. Space debris. (Ruled out for both flights.)
- O. Turbulence. (Ruled out for both flights.)
- P. Out of rig door. (Ruled out for both flights.)
- Q. Lightning. (Ruled out for both flights.)
- R. Metal fatigue. (Ruled out for both flights.)
- S. Improperly latched. (Initially accepted for one flight, then ruled out for both flights.)

- T. Design error. (Accepted for one flight)
- U. Repair error. (Ruled out for both flights.)
- V. Maintenance error. (Ruled out for both flights.)

General Conclusion: Based upon the indisputable probable cause of electrical fault for United Airlines Flight 811 and the many matches of evidence to Air India Flight 182, the discovered common cause for United Airlines Flight 811 and Air India Flight 182 is the shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation which is a mechanical explanation for an explosion on the starboard side in the forward cargo compartment of explosive decompression when the forward cargo door ruptured open in flight, probably at one or both of the midspan latches and probably caused by faulty wiring inadvertently turning on the door unlatch motor.

Specific Conclusions for Air India Flight 182:

These conclusions are based on evidence available after 1985.

A. While proceeding normally, an inflight breakup of Air India Flight 182 occurred suddenly and catastrophically at 0714Z at 31000 feet at 300 knots TAS about 110 miles west of Cork, Ireland on 23 June, 1985. There were no survivors.

B. The breakup was caused by an explosion in the forward cargo compartment.

C. The explosion was a severe and sudden explosive decompression.

D. The explosive decompression was caused by the suddenly ruptured open forward cargo door probably at one or both of the midspan latches.

E. The ruptured open forward cargo door was probably

caused by faulty wiring which turned on the door unlatch motor which unlatched the latching cams from around the latching pins in flight.

F. The wiring fault was probably the Poly X wiring with inferior insulation which easily cracked to bare wire especially in the presence of moisture.

G. There was no bomb explosion in any cargo compartment, crew cabin, passenger cabin, or anywhere else on the aircraft.

H. There was no explosion from any source in the aft cargo compartment.

I. The sudden loud sound on the cockpit voice recorder was the sound of the air rushing out during the explosive decompression in the forward cargo compartment.

J. The abrupt power cut to the recorders was caused by the explosive effects of the decompression affecting the power cables in the adjacent main equipment compartment to the forward cargo compartment.

Contributing causes:

A. Water or moisture in the forward cargo compartment.

B. Weak locking sectors on the bottom eight latches of the cargo doors.

C. Poor design of one midspan latch per each eight foot side of the cargo doors.

D. Poor design of no locking sector for each midspan latch of the cargo doors.

E. Poor design of outward opening, nonplug type, large, square cargo doors in a highly pressurized hull.

There were no bombs on Air India Flight 182. There were no crimes and no criminals and no conspiracies. There was and is a mechanical problem which exists to this day, aging and failing Poly X wiring which exploits design errors of non plug cargo

doors and omitted midspan locking sectors allowing an explosive decompression when the forward cargo door ruptures open in flight.

To know the cause of Air India Flight 182 and Pan Am Flight 103, one must know the details of United Airlines Flight 811, the model and irrefutably explained event. All of those official AARs are available at <http://ntsb.org>.

Part IX: The Unifying Official Version

There is one scenario that unites the five official versions: Bombs in baggage explode.

1. The first official determination is the Narita Event is from the Japanese police point of view.

"At 0541 GMT, 23 June 1985, CP Air Flight 003 arrived at Narita Airport, Tokyo, Japan, from Vancouver. At 0619 GMT a bag from this flight exploded on a baggage cart in the transit area of the airport within an hour of the Air India occurrence. Two persons were killed and four were injured... Baggage cart explodes in transit area... The explosion of a bag from CP 003 at Narita Airport, Tokyo, took place 55 minutes before the AI 182 accident...the site where the blast had taken place was inspected which gave some, though very vague, idea of the detonating power of the blast."

To sum up: "A bag from a Vancouver flight exploded on a baggage cart in a transit area from a vague power of a blast." The Narita Event is officially determined by the police to be a bomb which caused the blast of vague power in a bag as part of the baggage on a baggage cart in a transit area of a major airport

hub. The first official bomb in the baggage explodes.

2. The next official determination of the Air India Flight 182 Event is from an Indian judge's point of view.

Kirpal Report: "4.10 After going through the entire record we find that there is circumstantial as well as direct evidence which directly points to the cause of the accident as being that of an explosion of a bomb in the forward cargo hold of the aircraft."

"All cargo doors were found intact and attached to the fuselage structure, except for the forward cargo door which had some fuselage and cargo floor attached. This door, located on the forward right side of the aircraft, was broken horizontally about one-quarter of the distance above the lower frame. The damage to the door and the fuselage skin near the door appeared to have been caused by an outward force. The fractured surface of the cargo door appeared to have been badly frayed. Because the damage appeared to be different from that seen on other wreckage pieces,..."

The Air India Flight 182 Event is officially determined by an Indian judge to be caused by a bomb in the baggage in the forward cargo hold possibly on the right side. (No physical connection between the forward and aft cargo holds which are several hundred feet apart.) That is the second official bomb in the baggage to explode.

3. The next official determination of the Air India Flight 182 Event is from a Canadian judge's point of view.

Below from "Reasons for Judgment" by Justice Josephson regarding Malik and Bagri.

I. Overview [1] In the early morning hours of June 23, 1985, Air India Flight 182, carrying 329 people[1], was destroyed mid-

flight by a bomb located in its rear cargo hold.

H. Conclusion [190] It is agreed amongst the experts that the Kanishka was destroyed by the detonation of an explosive device within its left aft fuselage.

The Air India Flight 182 Event is officially determined by a Canadian judge to be a bomb in the baggage in the rear cargo hold on the left side. That is the third official bomb in the baggage to explode.

4. The next official determination of the Air India Flight 182 Event is from the Canadian aviation accident investigators point of view:

The Canadian Aviation Safety Board respectfully submits as follows:

04.1 Cause-Related Findings

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment.

"The forward cargo door which had some fuselage and cargo floor attached was located on the sea bed. The door was broken horizontally about one-quarter of the distance above the lower frame. The damage to the door and the fuselage skin near the door appeared to have been caused by an outward force and the fracture surfaces of the door appeared to be badly frayed. This damage was different from that seen on other wreckage pieces. A failure of this door in flight would explain the impact damage to the right wing areas. The door failing as an initial event would cause an explosive decompression leading to a downward force on the cabin floor as a result of the difference in pressure between the upper and lower portions of the aircraft."

The Air India Flight 182 Event is officially determined by

Canadian aviation accident investigators to be an explosion of unknown cause in the forward cargo compartment probably on the right side. An explosion in the forward cargo compartment occurs from undetermined cause.

5. The next official determination for Air India Flight 182 is from the United Kingdom aircraft accident investigator point of view. "Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified. It must be concluded that without positive evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident".

The Air India Flight 182 Event is officially determined by a British aviation accident investigator to be something, not a bomb, somewhere, causes an explosive decompression. That is the fifth explanation for an explosion.

Those are the five official determinations of explosions related to Air India Flight 182 by five official investigations in three countries over two decades.

1. A vaguely powerful explosion of a bag on a baggage cart with bags in a major transit area hub airport determined by the Japanese police in 1985.
2. A very powerful explosion of a bomb in a bag in the baggage in the forward cargo hold, possibly on the right side, of Air India Flight 182 determined by the Indian Justice Kirpal in 1986.

3. A very powerful explosion of a bomb in a bag in the baggage in the rear cargo hold on the left side of Air India Flight 182 determined by the Canadian Justice Josephson, in 2005.
4. An explosion of unknown cause in the forward cargo compartment, probably on the right side, of Air India Flight 182 determined by the Canadian aircraft accident investigators of the Canadian Aviation Safety Board, CASB in 1986.
5. A very powerful explosive decompression, not a bomb, someplace in Air India Flight 182, determined by the British aircraft accident investigator R. A. Davis of U.K. Accidents Investigations Branch in 1986.

There is no consensus on any significant issue by any officials other than explosive events occurred on a baggage cart and on an airplane thousands of miles apart and within the hour.

There is official disagreement in the determinations of whether it was a bomb or something else, how many bombs were involved, where the bombs were loaded, how powerful the bombs were, what container the bomb was in, which major section of the aircraft the bomb was placed, on what side of the aircraft the bomb was located, or what caused an explosive decompression that was not a bomb. (Not counted are the disagreements of who put the bombs there and why.)

There was no official hard evidence determined for bombs such as three fuses, three bomb casings, three bomb residues, shrapnel wounds, or three timers in any of the three locations stated as having bombs detonated which are the Narita airport, the rear cargo, and the forward cargo compartments of Air India Flight 182. (The rear and forward cargo compartments are hundreds of feet apart with no physical connection.)

There is one official cause to unite them all: Three bombs by

assuming that an explosion means only one thing and that is bomb explosion and assuming that official determinations after official investigations are correct.

The one scenario that unites the five official determinations is that bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom.

Two of the bombs were surreptitiously placed on two Boeing 747s at Vancouver airport on 22 June 1985, the day before they blew up. The third bomb was placed into one of the Boeing 747s at the Montreal airport later that same day.

The official versions united:

Bomb 1: One bomb was loaded on CP 003 which flew to Tokyo with no detonation of the bomb during the long flight across the Pacific. This bomb was then unloaded in a busy airport, put on a baggage cart which was wheeled through a 'transit' area with many other bags from many other flights, and only then did the vaguely powerful bomb detonate at 0619Z, not from an altimeter fuze but from a timing fuze which went off when it was not supposed to for an aircraft terrorist bombing. No fuze or parts of any bomb or the suitcase were reported to have been discovered. No match of any debris parts of this bomb were made to other bombs by same terrorist group. No claims of responsibility or confessions were obtained. (The Japanese police determined bomb.)

Bomb 2: At the same time the Narita bomb was loaded at Vancouver onto CP 003 on the afternoon of 22 June 1985, another bomb was loaded onto CP 060, also in Vancouver, and successfully slipped past the extensive security of men, dogs, and

machines. CP 060 then flew to Toronto without the bomb going off by timer or altimeter fuse. At Toronto, the bomb was then off loaded from CP 060 and sent, along with some passengers, to a different aircraft, a Boeing 747 which was Flight 181 which, after another flight to Montreal, would change to Flight 182. At Toronto, all the baggage from Vancouver on CP 060, including the bomb, was placed in the aft cargo hold of the Boeing 747. This aircraft, called Flight 181, took off and flew to Montreal with the bomb still not detonating by altimeter or timing fuze. The timer was set to go off at 0714Z. (The Judge Josephson determined bomb.)

Bomb 3: After the Boeing 747 called Flight 181 landed in Montreal with the bomb from Vancouver still in the aft cargo hold, the flight number of the same Boeing 747 changed to Air India Flight 182, and more passengers and baggage were put on board. All their baggage was placed into the forward cargo hold. A new aircraft bomb was thus loaded into the forward cargo compartment with the timer set to go off at 0714Z. (The Judge Kirpal determined bomb.)

There were many delays involved with loading parts of a large engine into the aft cargo compartment which did not set off the bomb in that compartment. Finally, the aft and forward cargo compartment bomb laden Boeing 747 now called Air India Flight 182 took off from Montreal for its third flight in many hours, flew for five hours across the Atlantic and then a fuze for the Montreal loaded bomb activated and exploded in the forward cargo compartment, not by an altimeter fuze because the aircraft was level at 31000 feet and had been so for hours, but by a timer fuze. The Vancouver bomb, first loaded in Vancouver and transferred to the aft cargo compartment of the doomed aircraft in Toronto, detonated at exactly the same time, 0714Z. The two

bombs blew holes in the pressurized hull causing an explosive decompression.

Thus explains and unites the Japanese police bomb, the Justice Kirpal bomb, the Justice Josephson bomb, the CASB explosion, and the UK AIB explosive decompression events.

The official determinations assume inefficient ticketing agents, dull-witted security forces, and malfunctioning X ray machines in four large metropolitan airports in two industrialized nations. It assumes incompetent terrorists who can't set a bomb to go off on time. It assumes quiet bombs in an aircraft that leave no sound when they go off. It assumes three stealthy bombs that managed to slip through sniffing dogs, portable metal detectors, X-Ray machines, private security teams, and yet leave no trace of their fuzes, timers, explosive material, or containers.

Officially the terrorists were of two groups; one group in Vancouver to check the bomb in the baggage which was placed in the aft cargo compartment of Air India Flight 182 to explode according to the Canadian judge. Another terrorist group in Montreal checked their bomb in baggage which was placed in the forward cargo compartment of Air India Flight 182 to explode there according to the Indian judge. The Vancouver terrorist group also checked in another bomb in the baggage of another aircraft to explode later on a baggage cart at Narita airport, according to the Indian judge.

The terrorists were stupid because:

1. The bombs did not go off when a real aircraft bomb usually goes off, shortly after takeoff climb on the initially loaded flight.
2. The fuzes were three timers set to go off at odd times such as 0619, 0714, and 0714 many hours later after being set.
3. They did not claim responsibility to advertise their cause.

The terrorists were smart because:

1. They were able to construct bombs which left no fuse, no casings, no timer evidence and were silent.
2. They were able to smuggle three bombs through tight security at four large airports in two countries.
3. They coordinated two bomb explosions on the same aircraft loaded in different locations at two airports to ensure destruction.

The terrorists were lucky because;

1. The four takeoffs and landings and turbulence did not detonate the amateur improvised bombs.
2. The changing of two planes and movement of baggage from plane to transit area did not detonate the bombs.
3. Their bomb laden baggage was not misplaced or misdirected by the airline.
4. The many unexpected schedule delays and aircraft changes still allowed the bombs to go off to kill innocent people instead of in an unoccupied hangar or baggage storage area.

This is the official unified motive to explain the Narita airport transit area and Air India Flight 182 bombings: Revenge seeking terrorist groups managed to place three stealthy bombs in three aircraft and on one baggage cart through four airports in one day.

Part X: Sequence of Destruction

Below is the scientific explanation for Air India Flight 182 in narrative form based on direct, circumstantial, tangible, deduced, historical, and inferred evidence obtained through government aircraft accident reports and testimony under oath, 1953-2006. All statements of fact can be corroborated as having occurred in Air India Flight 182 or other similar Boeing 747s under similar circumstances.

Pressurized hulls of jet airliners have been blowing up since 1953 with the Comet.

03/03/1953

location: Karachi, Pakistan

carrier: Canadian Pacific flight:

aircraft: comet registry:

aboard: fatal: 11 ground:

details: First fatal crash of a commercial jet aircraft

05/02/1953

location: near Jagalogori West Bengal, India

carrier: British Overseas Airlines flight: 783/057

aircraft: De Havilland comet 1 registry: g-alyv

aboard: 43 fatal: 43 ground:

details: broke up in flight during a violent thunderstorm. Metal fatigue due to design flaw.

01/10/1954

location: Elba, Italy

carrier: British Overseas Airlines flight:

aircraft: De Havilland comet 1 registry:

aboard: fatal: 35 ground:

details: broke up in flight. Metal fatigue due to design flaw.

04/08/1954

location: Stromboli, Italy

carrier: South African Airways flight:

aircraft: De Havilland comet 1 registry:

aboard: fatal: 21 ground:

details: broke up in flight. Metal fatigue due to design flaw.

The Wiring/Cargo Door Explanation

Hull ruptures in flight leading to sudden explosive decompressions have occurred in over fifty airliners over the years. The causes can be bombs, metal fatigue, cargo shifts, inadvertent door openings from improperly latched to electrical faults, cockpit windows being broken by bird strikes, fuel tank explosion, missile hits, corrosion, faulty repair of damaged bulkhead, midair collisions, thunderstorms, and improperly fitted pressure relief valves.

Air India Flight 182 fits into one of those categories, the shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup one.

There are literally hundreds of pressurization problems that occur in airliners that are not sudden explosions but slow failures. These events rarely lead to fatalities while the sudden loud events usually do.

In an historical and statistical sense Air India Flight 182 was a normal aircraft accident: The cause was mechanical and not unusual. There have been several subsequent explosive decompressions in Boeing 747s similar to Air India Flight 182 that left similar evidence.

The forward cargo door of Air India Flight 182 opened inadvertently in flight for certain, the cause of that opening was probably faulty wiring.

Background:

On 18 July, 1984 a high lift vehicle damaged the fuselage skin near the forward cargo door of a Boeing 747-237B, Air India

Flight 182, construction number 330, operated by Air India airlines. The fuselage skin had wiring routed on the inside which became bent from the impact and subsequently cracked to bare wire, a characteristic of the polyimide type insulated Poly X wiring installed in the aircraft. The forward cargo door had non-steel locking sectors to keep the bottom eight latching cams from being back driven which would allow the door to open in flight causing explosive decompression which would be a catastrophic event well known to aircraft designers.

In June of 1986 several passengers changed their flight plans and their baggage routing for various flights through Canada to overseas destinations probably from Vancouver.

On 22 June, 1986, two aircraft had baggage loaded aboard them at the Vancouver B. C. airport; one flight was called CP 003 and the other CP 060. Flight 003 took off and flew uneventfully to the extremely busy Narita airport near Tokyo, Japan. After the baggage was unloaded from the flight, it was put on a baggage cart which was wheeled through a transit area of many other baggage carts containing many other bags from many other flights. An explosion of unspecified cause, unknown fuzing, unknown container, and unknown material occurred on the baggage cart which killed two people and injured others. The airport had high security because of previous terrorist attacks on it resulting in fatalities over the years.

The other flight, CP 060, flew uneventfully to Toronto Airport. The baggage was unloaded from CP 060 and those bags continuing on to London on Air India Flight 181/182 were loaded into the aft cargo compartment of the Boeing 747-237B, construction number 330. The flight, now called Air India Flight 181, then flew uneventfully to Mirabel Airport in Montreal. After

landing, some baggage of the departing passengers was unloaded from the aft compartment. Parts of a broken engine were placed in the aft cargo compartment for ferry back to India. New passengers and new baggage from Montreal for the next flight of the same aircraft, construction number 330 and now called Air India Flight 182, were loaded with all the new baggage going into the forward baggage compartment. The baggage from Vancouver on CP 060 and reloaded at Toronto remained in the aft cargo compartment of the Boeing 747-237B now called Air India Flight 182.

The forward cargo compartment was filled with summer night air, warm and moist. When flying at altitude the air would be cooled by the air conditioning and the very cold outside air would cool the fuselage skin thus condensing out moisture along the inside of the compartment which would run through the wiring bundles and down into the cargo door bilge.

Air India Flight 182 took off from Montreal for London at 0218 Z on 23 June 1985 and flew uneventfully for about five hours and while at 31000 feet at 296 knots and about 115 miles west of Ireland a tragic sequence of events began at 0714 Z. The pressure differential between outside and inside air was at its maximum design limit, 8.9 pounds per square inch.

Water may have met the cracked insulated wire which may have been previously damaged by the high lift accident to the cargo door area. The now exposed and bare wire shorted against the metal fuselage. The electricity then flowed around safety cutout switches and powered on the cargo door actuator unlatch electric motor which attempted to rotate all ten cam sectors to unlocked positions around their ten latching pins. The eight lower cam sectors may have been prevented from unlatching around the latching pins because of the bottom eight locking

sectors. However, the two midspan latches had no locking sectors to prevent the inadvertent rotation of the midspan latching cams around the midspan latching pins.

The lower eight cams probably overcame the weaker locking sectors to just turn past center and allow the door to unlatch in flight, a defect known years later in two other Boeing 747 flights, Pan Am Flight 125 and United Airlines Flight 811. The midspan cams turned just past center with no locking sectors to prevent the backdriving of the cams, an operation only supposed to be allowed on the ground. Possibly other factors such as an out of rig cargo door, a poor repair job on the door area, the slack in bellcranks, torque tubes, and worn latch pins may have contributed to have allowed the two midspan latches to rotate just past center permitting the almost 100,000 pounds of internal pressure on the 99 inch by 110 inch door to rupture outward inflight relieving the maximum pressure differential on the internal fuselage.

The nine foot by eight foot squarish forward cargo door would have instantly burst open at the midspan and bottom latches sending the latches, door material, and large pieces of fuselage skin spinning away. The forward cargo compartment would have spewed its contents outward onto the starboard side of the fuselage. It was as if a huge mylar balloon had popped. The severe explosion of explosive decompression caused the forward cargo door to be fractured and shattered into a few large pieces and many small pieces which gave a frayed appearance from an outward force. Many small bits of metal from the explosion were embedded into the cargo door area metal fuselage structure.

The top part of the door swung outward and upward on its

hinge and then separated taking large vertical pieces of fuselage skin with it, exposing stringers and bulkheads. The very lower part of the door sill with its eight bottom latches may have stuck to fuselage skin. The resulting damage zone appeared as a huge rectangle of shattered door, skin, and stringers. Some pieces of the door and fuselage skin flew directly aft and impacted the leading edge of the right wing, the vertical stabilizer and the right horizontal stabilizer inflight.

This explosion of explosive decompression blew out a large hole about thirty feet wide and forty feet high on the starboard side of the nose forward of the wing. It looked as if a bomb had gone off inside the forward cargo hold. Fuselage skin was peeled outward at various places on the starboard side of the nose.

The forward cargo door had some fuselage and cargo floor attached. This door, located on the forward starboard side of the aircraft, was broken horizontally about one-quarter of the distance above the lower frame. The damage to the door and the fuselage skin near the door appeared to have been caused by an outward force. The fractured surface of the cargo door appeared to have been badly frayed. The cargo door pieces and the adjacent skin had holes, flaps, fractures, inward concavity, tears, deformities, outward bent petals, curls, missing pieces, cracks, separations, curved fragments, spikes, and folds. The fast and powerful explosion of the explosive decompression would have caused a metallurgical effect called "twinning" on a few fragments of pieces of wreckage.

The now uncompressed air molecules rushed out of the huge hole equalizing the high pressure inside the fuselage to the low pressure outside the aircraft while making a sudden very loud audible sound. This sudden rushing outward air was recorded on

the Cockpit Voice Recorder as a sudden loud sound. The sound did not accurately match any bomb explosion sounds on other aircraft but did match the explosive decompression sound on another wide body airliner, a DC-10 cargo door open event.

The tremendous explosive force in the forward cargo hold severely disrupted the adjacent main equipment compartment which housed power cables and abruptly shut off power to the Flight Data Recorders. The resulting data tapes showed a sudden loud audible sound followed by an abrupt power cut to the flight data recorder, the cockpit voice recorder and transponder.

The number three engine and cowling, closest to the forward cargo compartment, were damaged by inflight debris from material ejected from the now exposed compartment and cabin above, debris which also damaged the number four engine cowling by a displaced turbine blade from number three engine. The resulting vibration from the internal damage to engine number three caused the nacelle and engine to fall away from the wing, as designed, and land apart from the other three engines.

The floor beams above the forward cargo hold were sucked downward, and were fractured and broken from the sudden decompression. The floor panels were stationary but gave the appearance of separating upward by the suddenly moving downward floor beams.

The flight attitude of the aircraft was askew to the left from reaction of explosive decompression from the right. Air rushed into the large hole and weakened other skin and frames thus peeling skin further outward and rupturing the aft part of the aircraft to include the aft cargo compartment and the aft pressure bulkhead. There was no evidence of an explosion of any source in the aft cargo compartment.

The 296 knots of wind force pressed upon the weakened airframe and broke it in half amidships. This wind force was larger than any wind force the surface of the earth had ever experienced. The nose portion and wings tore off and landed in a dense debris heap apart from the debris field of the aft part.

The rest of the plane without the forward section suddenly decelerated from 296 knots and caused whiplash injuries to passengers. After the breakup, the passengers who were not wearing their seatbelts were scattered to far distances. They suffered explosion type injuries such as pieces of metal embedded in them from flying debris in the cabin. They were not burned because there was no fire nor explosion from a bomb explosion. The passengers had no other bomb explosion evidence. The passengers and crew were ejected from the disintegrating aircraft to tumble to the water and suffer upward impact physical damage to their bodies. Some remained in their seats and were trapped in the fuselage underwater. Some had decompression type injuries of hypoxia from the high altitude aircraft breakup.

The passengers fell to the sea and some floated and some sank. The baggage from Vancouver passengers and loaded into the aft cargo compartment fell to the sea and some floated and some sank. The baggage from Montreal passengers and loaded into the forward cargo compartment fell to the sea and some floated and some sank. The aircraft fell in pieces and some pieces floated and some sank.

The pilots may have been conscious for a few seconds and adjusted the trim controls out of habit. The communications radio may have been activated by the disturbances in the cockpit

and transmitted for a few seconds to air traffic control.

The port side forward of the wing was relatively smooth and undamaged from inflight debris while the starboard side forward of the wing was shattered, torn, and frayed at the ruptured cargo door area.

A few local fires appeared on the surface of the ocean from the jet kerosene fuel and singed some seat cushions and floating passengers.

All was quiet as the ground controllers tried to contact Air India Flight 182 as the flight crew did not respond to radio calls. Rescue teams were sent. Authorities became aware of the tragedy of 329 men, women, and children dying in a sudden plane crash.

Aftermath:

Explanations were sought as to what happened. Immediately the suggestion was made by authorities that a bomb explosion had caused the accident because of the sudden and catastrophic nature of the immediate evidence.

The Canadian aviation accident investigation authorities became involved since the aircraft had taken off from Canada and had many Canadian citizens aboard. Indian authorities became involved since the airline, Air India, has government ties. The Indian authorities quickly dismissed their aviation experts and assigned a Judge of the Court to oversee the investigation.

After a period of investigation, much of which was conducted to confirm the bomb explosion explanation and identify the culprits, the Indian judge made a finding in 1986 that a bomb in the forward cargo compartment had caused the inflight breakup of Air India Flight 182 and ruled out any type of

explosion in the aft cargo compartment.

After a period of investigation, during which the opinion of the UK Air Accidents Investigation Branch representative of an explosive decompression not caused by a bomb but a cause as yet to be determined was given, the Canadian Aviation Safety Board made a conclusion in 1986 that an explosion of unstated cause in the forward cargo compartment had caused the inflight breakup of Air India Flight 182 while also ruling out any explosion of any type in the aft cargo compartment.

The immediate finding by the Indians of a bomb explosion in the forward cargo compartment was accepted and remained the probable cause for Air India Flight 182 twenty one years later although subsequent accidents of a similar type aircraft in similar circumstances leaving similar evidence now resolutely contradicted that finding although confirming the Indian finding of an explosion on the starboard side of the forward cargo compartment and no explosion in the aft.

The Canadian probable cause of an explosion in the forward cargo compartment of an undetermined cause has been proven to be correct by subsequent accidents of a similar type aircraft in similar circumstances leaving similar evidence which do reveal the cause of the explosion: faulty wiring causing the forward cargo door to rupture open inflight at the latches leading to a tremendous explosion of explosive decompression causing Air India Flight 182 to totally breakup in flight.

In 2001 three men were arrested for involvement in the unproved bombing. One pled guilty on a bomb making charge and went to prison while denying any involvement with Air India Flight 182.

In 2005 two of the accused were found not guilty by a Canadian judge in British Columbia. The other man remains in prison and charged with perjury in that trial. The Canadian judge determined that an explosion occurred in the rear cargo compartment on the left side and the cause was a bomb. No explanations were offered to rebut the original findings of explosion in the forward cargo compartment on the right side and no explosion of any source in the aft cargo compartment.

In 2006 a Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182 was appointed. The shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation was presented to the Commissioner at an open hearing on 19 July, 2006. Excerpts below:

Application for Standing presented by Mr. Smith: Mr. Smith: Thank you, Commissioner Major, for allowing me to supplement my written application for standing...I have an alternate explanation for Air India 182. It's a mechanical explanation. I'll go into some detail during my presentation and my detail will not be to persuade you that my explanation is correct but to persuade you that my research has depth and is worthy of being granted standing.

The Commissioner: Well, I don't think, Mr. Smith, that you need 15 minutes to persuade me of that. Here's the difficulty...You have an alternate theory. The alternate theory may over time prove to be correct. I don't know...but the Terms of Reference preclude our considering whether or not there was any cause for that explosion other than the bomb that is found by the Supreme Court of British Columbia.

Hindsight:

In 1985, when Air India Flight 182 suffered an inflight breakup from an explosion, it was believed that an explosive decompression in an early model Boeing 747 could not cause an abrupt power cut to the data flight recorders. That belief was cited by the Indian Kirpal Report as a reason to reject the explosive decompression explanation because, in fact, Air India Flight 182 had suffered an abrupt power cut to the data recorders. The Indian Kirpal Reports states: "It was not possible that any rapid decompression caused by a structural failure could have disrupted the entire electrical power supply from the MEC compartment." The later event of United Airlines Flight 811 showed that it was possible, and indeed, did happen, that an explosive decompression caused by a structural failure could and did cause an abrupt electrical cutoff to the recorders.

The reason for the Indians in 1986 to rule out explosive decompression by structural failure was negated by the reality of United Airlines Flight 811 in 1989. If the Indians had the foreknowledge of United Airlines Flight 811 and the explosive decompression which cut off abruptly the power to the recorders, it is most probable they would have sustained the findings of the Canadians and the British who said that a explosion in the forward cargo compartment occurred and all would have then known the solution to the mystery posed by the AAIB investigator: "...but the cause has not been identified." The cause was identified in 1989 and demonstrated by United Airlines Flight 811 in NTSB AAR 92/02: The National Transportation Safety Board determines that the probable cause of this accident was the sudden opening of the forward lower lobe cargo door in flight and the subsequent explosive decompression.'

The evidence that was unavailable to the Air India Flight

182 CASB, AAIB, and Indian accident investigators in 1985 that became available in the ensuing 16 years that would have been invaluable in assisting them in determining the probable cause was:

- A. Evidence that an explosive decompression could cause an abrupt power cut to the data recorders.
- B. Evidence that floor panels can appear to separate upwards when in fact the floor beneath were pulled down.
- C. Testimony that twinning can occur in explosions other than bombs, such as an aviation fuel explosion, or explosive decompression.
- D. Evidence that the type of wiring installed, Poly-X, was defective in that it cracked to bare wire easily, especially in the presence of moisture.
- E. Visible ruptures in flight in forward cargo doors of other early model Boeing 747s that suffered the same events in flight.
- F. Several Airworthiness Directives for defects in and around the forward cargo doors of Boeing 747s that if uncorrected could lead to inadvertent opening of the cargo door in flight leading to catastrophic explosive decompression.

The evidence that was available to the Air India Flight 182 CASB, AAIB, and Indian accident investigators in 1985 was such to lead them to conclude that an explosion had taken place on the starboard side in the forward cargo compartment which was picked up by the cockpit voice recorder and cut off the electrical power in the adjacent main electrical equipment compartment. The cause of the explosion was given as either unknown, structural failure of explosive decompression, or a bomb explosion. Since the event in 1989 with United Airlines Flight 811 had not happened yet, the understandable decision of the Indians, based on three assumptions later proven unreliable,

was to state the cause of the explosion in the forward cargo compartment a bomb whilst the cautious Canadian CASB and the British AAIB left the cause unstated or unidentified.

Part XI: Political Implications

Mr. Brucker, if and when the substantiated mechanical explanation for Air India Flight 182 is confirmed by Crown experts in aircraft crashes (TSB Air investigators), the political consequences are very positive: (Assuming I'm a political amateur optimist)

1. The caution and prudence of the Canadian Aviation Safety Board of 1986 will be revealed; their findings were correct, there was an explosion in the forward cargo compartment of Air India Flight 182 with an electrical cause only apparent four years later with United Airlines Flight 811.

2. The RCMP and CSIS will be exonerated for their failure to catch their men because there were no men to catch. There was no bomb, there were no bombers, there was no conspiracy, there was no crime, there were no criminals; the small cause was faulty Poly-X wiring destroying a large machine, an early model Boeing 747.

3. The security of Canadian airports was intact and not penetrated because there was no bomb placed in a CP aircraft leaving Vancouver, BC, which then passed through Montreal and Toronto airports.

4. The wisdom of the Canadian judicial system will be reaffirmed as represented by Justice Josephson who found the two accused not guilty because they were.

5 The tenacity and bravery of the Prime Minister to order an Inquiry that eventually would reveal the probable cause for the two decade old tragedy whilst knowing that official Inquiries sometimes answer key questions that remain unsolved, can help

prevent future aircraft accidents, but can cause turbulent changes in attitude amongst the public.

6. A grand reduction in the amount of fear, suspicion, and hate among Canadian citizens against themselves, a religion, an airline, and law enforcement.

7. Closure for the families.

A pessimist might opine that acceptance of a mechanical explanation and rejection of the bomb conspiracy story would create disturbance in the minds of the citizens and cause unrest among the families and my reply would be, "That's why politicians and high officials get the respect, because they explain clearly and smooth upsets over to maintain the peace and prosperity of the state."

Part XII: Standing as witness before the Commission of Inquiry

I have fulfilled a Term of Reference and thus worthy of being granted standing because:

1. I have flown in Boeing 747s and about twenty other types of military and civilian aircraft during forty five years of aviation experience accumulating thousands of hours of flight time.

2. My crew duties have included pilot in command, co-pilot, navigator, bombardier, flight crew, mechanic, and owner.

3. I am a qualified nuclear weapon loading officer/bombardier which means I know how to create, load, arm, deliver, and detonate nuclear weapons as well as conventional bombs.

4. I have dropped bombs.

5. I have investigated in depth the bombing of Air India Flight 182 and other explanations for the inflight breakup and have written a three hundred page aircraft accident report and built a thousand page website demonstrating a substantial interest.

(Smith AAR for Air India Flight 182 and Exhibit S-18 in the Commission files)

6. I have been investigated by the RCMP, the Air India Task Force, and the security branch of Transport Canada during their investigation of the bombing of Air India Flight 182.

7. I am personally aware of a conflict between the RCMP and Transportation Safety Board of Canada which resulted in problems of effective cooperation which I believe adversely affected the investigation into the bombing of Air India Flight 182.

8. I have been in a sudden fiery fatal jet airplane crash and suffered lifelong injuries.

9. I have seen the fatal victim in that crash.

10. I have visited and discussed the crash with the surviving family members of the victim.

11. I have discovered a clear and present hazard to the security and safety of Canadian passengers flying in early model Boeing 747s such as Air India Flight 182. (The shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup hazard)

Summation

There were no bombs on Air India Flight 182. There were no crimes and no criminals and no conspiracies. There was and is a mechanical problem which exists to this day, aging and failing Poly X wiring which exploits design errors of non plug cargo doors and omitted midspan locking sectors allowing an explosive decompression when the forward cargo door ruptures open in flight.

Mr. Brucker, please check out this alternate explanation for the current bomb explosion one for Air India Flight 182. The

alternative mechanical explanation with precedent warrants requests to Crown experts in technical matters (TSB (Air) investigators), and the Crown expert in inquiry (Commissioner Major of the Commission of Inquiry), for their opinions to assist you on a course of action to follow after their inquiries are complete. I can also help those agencies by being available to present the wiring/cargo door explanation to them in detail. Can you ask TSB (Air) for their professional opinions?

Can you set up a meeting with TSB (Air) investigators and me in Vancouver? I will go there to meet them.

Can you suggest to Commissioner Major that I be granted standing as a witness before him? It is in the best interest of the Commission of Inquiry to inquire into the wiring/cargo door explanation to fulfill the guidance given by the Prime Minister to conduct a full and thorough inquiry and also fulfill the Commissioner's stated goal of being very broad in the evidence that it heard, in order to put to rest the various theories, rumours and neglect that have occurred since the explosion in 1985.

On a personal note, I have read the law somewhat in my forty five years of adulthood. In my opinion, my readings of military law, federal law, local law, and aviation law have revealed one thing that is always apparent: Fairness. The law as written always allows the other side the same advantages or concessions as the other. If one side has time, the other does too. If one side makes a statement, the other side has an opportunity to rebut, and the original side can rebut the rebuttal and then the other side gets to rebut that rebuttal. The bombing explanation has had twenty one years to present its case, please allow the wiring/cargo door a few hours in front of TSB (Air) or the Commission of Inquiry. Please turn those fair words of the written law and the idealistic

words of the Prime Minister and the Commissioner into reality.

Respectfully,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
<http://www.montereypeninsulaairport.com>
<http://www.ntsbt.org>

Mr. John Barry Smith
barry@johnbarrysmith.com

Dear Mr. Smith:

On behalf of the Prime Minister, I would like to thank you for your e-mail of October 2 regarding the Commission of Inquiry into the Bombing of Air India Flight 182. Please be assured that your comments have been carefully reviewed and are appreciated.

I have taken the liberty of forwarding your correspondence directly to the Minister of Justice and Attorney General of Canada, the Honourable Vic Toews, within whose responsibilities this matter falls.

Once again, thank you for taking the time to write.
Sincerely,

Salpie Stepanian

Assistant to the Prime Minister

cc: Hon. Vic Toews, P.C., M.P., Minister of Justice and Attorney
General of
Canada

Mr. John Barry Smith
barry@johnbarrysmith.com

Dear Mr. Smith:

Thank you for your correspondence of August 20, 2006, to the Honourable Lawrence Cannon, Minister of Transport, Infrastructure and Communities, regarding Air India Flight 182. The Minister has asked me to reply on his behalf.

I have noted your comments with respect to this matter.

Although, as you indicate, the Attorney General of Canada is the Government of Canada's representative on the Commission of Inquiry into the investigation of the bombing of Air India Flight 182. This being the case, I have taken the liberty of forwarding a copy of your correspondence to the office of the Honourable Vic Toews, Minister of Justice and Attorney General of Canada, for consideration.

I trust that this action will prove satisfactory. Again, thank you for writing.

Yours truly,
Richard Stryde
Senior Special Assistant

c.c. Office of the Honourable Vic Toews, P.C. M.P.
Dear John Barry Smith,

Thank you for your interest in Transportation Safety Board.

Your comments are important to us and we will address them as quickly as possible.

We have lots of information already available on-line which may be exactly what you need. Our e-mail service is now available. The subscription page lets you choose the documents for which you would like to receive a notification. When a type of document you have requested is posted on our Web site, an e-mail that includes a short summary and a link to the document on our Web site will be sent to you. Please use the following link to subscribe to our e-mail service (<http://listserv.tsb.gc.ca/en/subscribe/>).

We invite you to start by reading:

About the TSB (<http://www.tsb.gc.ca/en/common/about.asp>);

FAQ (<http://www.tsb.gc.ca/en/common/faq.asp>) where many of your questions may already have been addressed;

The Site Map (http://www.tsb.gc.ca/en/common/site_map.asp);
and

Search (<http://www.tsb.gc.ca/en/search/query.asp>) pages are

valuable tools
to find specific information.

If you wish to contact a TSB employee, please use the GEDS
Employee
Directory at <http://direct.srv.gc.ca/cgi-bin/direct500/BE>.

Please note that personal information collected by TSB is
protected.

Thank you for taking the time to provide us with your comments.

Communications Group
Transportation Safety Board
E-mail: communications@tsb.gc.ca
<http://www.tsb.gc.ca/en/common/offices.asp>

Good afternoon,

The Transportation Safety Board (TSB) has implemented
SECURITAS, a
confidential program through which you can report potentially
unsafe
acts or conditions relating to the Canadian transportation system
that
would not normally be reported through other channels.

For more information, please follow this link:
<http://www.tsb.gc.ca/en/securitas/index.asp>

Thank you for your interest in the Transportation Safety Board of
Canada.

Best regards,

Christian Plouffe
Communications Advisor
Transportation Safety Board of Canada

Dear Mr. Smith:

Thank you for your recent inquiry regarding the last correspondence you had with Mr. Bill Tucker on the Air India file. Mr. Tucker's replacement is Mr. Terry Burtch, who joined us last October. I have forwarded your request to Mr. Burtch, who is pursuing it at present. You may also be interested to know that just before we received your request, both the Director of Investigations - Air and the Director, Engineering, retired from the Transportation Safety Board. Mr. Burtch is presently following up with other staff in those respective organizations, and will communicate directly with you at the earliest opportunity. We regret the delay in responding, but trust that this approach will be satisfactory.

Paulette G. Delorme
Executive Assistant / Adjointe ex/cutive
Transportation Safety Board of Canada/
Bureau de la s/curit/des transports du Canada
Tel.: (819) 994-8002
FAX: (819) 994-9759

From: John Barry Smith <barry@johnbarrysmith.com>
Date: September 5, 2009 11:46:54 PM PDT
To: mtansey@majorcomm.ca
Subject: Smith Submission 15

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Ken Dickerson

Public Affairs Officer/Agent des affaires publique

Michael Tansey, Commission Spokesperson

Dear Mr. Dickerson or Mr. Tansey,

Wednesday,

October 25, 2006

"Disposition: Mr. Smith is denied standing. However, leave to file materials that he believes will be useful to the Commissioner is granted." And: Commissioner Major at hearing to Smith: "...what I can do is permit you to file any written material that substantiates your view and it will be part of the Air India record." And: The best I can do is to repeat the offer I made and invite you to file in as much as detail as you choose whatever it is that supports your theory and it will be part of this record." And: "You're free, Mr. Smith, as you probably know, to add to your filed material should you choose."

As given permission by the Commissioner to submit material:
Enclosed below is Smith Submission 15: Letter to PM, AG,
Commissioner, Minister of Transport, TSB, Securitas, RCMP
AITF.

Please acknowledge receipt and filing of this material as well as acknowledging receipt of Smith Submission 13 and Smith Submission 14 submitted on September 29, 2006. Do you require hard copy to be sent to you or are these electronic versions acceptable for submission? Has Mr. Dickerson moved on or should I continue to include him?

Please make sure the research section of the Inquiry gets my filed material, in particular, Commission Exhibit S-18, my Smith AAR

for Air India Flight 182.

From Commission website:

Our Research Program Concurrent with the hearings, the Commission's research staff will study all of the documents, reports and evidence from the hearings to deal with all issues within our mandate. The research program will involve academics and other specialists from across Canada and elsewhere. They will provide studies that can be valuable when the Commission assesses the evidence and makes findings to be included in the final report.

Smith Submission 1, Grievous Error of Fact Detected, Filed 28 July, 2006. (Please correct Commission website.)

Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006 (Please grant me standing.)

Smith Submission 3: The Official Versions: Bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom. (Please ask TSB Air for their opinion to resolve official conflicts of type of explosion and where it occurred.) Filed Tuesday, August 8, 2006

Smith Submission 4: The Unofficial Version: The shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation. (Please consider a plausible, reasonable, electrical cause with precedent) Filed Tuesday, August 8, 2006.

Smith Submission 5: Substantiating the Unofficial Version: The Layperson version. (It's not rocket science) Filed Friday, August 11, 2006

Smith Submission 6: Substantiating the Unofficial Version:

The DNA Match. (A match made in heaven) Filed Tuesday, August 15, 2006
Smith Submission 7. Dear People in Future Years: Predicting the Past. (The Major Doctrine.) Filed Thursday, August 17, 2006
Smith Submission 8: Specific Term of Reference: Non Cooperation. (Sorry, no can do.) Filed Thursday, August 17, 2006
Smith Submission 9: The Crash and Meeting the Family. (It happens so fast) Filed Friday, August 18, 2006
Smith Submission 10: The Elephant and Emperor Kanishka. (Easy to see, hard to talk about) Filed Saturday, August 19, 2006
Smith Submission 11: Reconsideration of your denial of standing: Try Try Again. (Never give up) Filed Saturday, August 19, 2006
Smith Submission 12. Last Gasp: Grasping at a Straw. (Throw me a bone here, I'm dying) Filed Saturday, August 19, 2006
Smith Submission 13: What is the fear? (Boo!) Filed Monday, August 28, 2006
Smith Submission 14: Putative Facts and Unsubstantiated Opinions. (Who Says?) Filed Friday, September 29, 2006
Smith Submission 15: Letter to PM, AG, Commissioner, Minister of Transport, TSB, Securitas, RCMP AITF. Filed Wednesday, October 25, 2006.

Thanks and Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924

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Commission of Inquiry into the Investigation of the Bombing of

Air India Flight 182

Honourable John C. Major, Q.C. Commissioner

Sheila-Marie Cook, Executive Director and Commission
Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

Ken Dickerson, Public Affairs Officer / Agent des affaires
publiques

Michael Tansey, Commission Spokesperson

Dear Commissioner Major and Staff, Wednesday, October 25,
2006

Smith Submission 15: Letter to PM, AG, Commissioner,
Minister of Transport, TSB, Securitas, and RCMP AITF.

Enclosed is letter to Canadian officials sent 22 October 06
regarding Air India Flight 182 which was written in reply to
responses from the office of the Prime Minister and Minister of
Transport. The letter lays out the case for Air India Flight 182
being a wiring/cargo door problem and not mad bombers.

I'm sure my filed material and submissions, in particular,
Commission Exhibit S-18, the Smith AAR for Air India Flight
182, will be valuable to your researchers in your Research
Program as they assess the evidence.

MR. FREIMAN: Mr. Commissioner, I propose to
12 make the application and the supplementary materials
13 provided by Mr. Smith as Exhibit S-18.
14 --- EXHIBIT NO./PIÉCE No. S-18:
15 Documentary package from Mr. John Barry
16 Smith

17 THE COMMISSIONER: You're free, Mr. Smith,
18 as you probably know, to add to your filed material should
19 you choose.

From Commission website:

Our Research Program: Concurrent with the hearings, the Commission's research staff will study all of the documents, reports and evidence from the hearings to deal with all issues within our mandate. The research program will involve academics and other specialists from across Canada and elsewhere. They will provide studies that can be valuable when the Commission assesses the evidence and makes findings to be included in the final report.

Regards,

John Barry Smith
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To: pm@pm.gc.ca, barney.brucker@justice.gc.ca,
MINTC@tc.gc.ca, communications@tsb.gc.ca,
Paulette.Delorme@tsb.gc.ca, Terry.Burtch@tsb.gc.ca,
securitas@tsb.gc.ca, mtansey@majorcomm.ca
From: John Barry Smith <barry@johnbarrysmith.com>
Subject: Air India Flight 182 wiring/cargo door explanation
Cc:

Bcc:

X-Attachments:

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Commission of Inquiry into the Investigation of the Bombing of
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Dear Honourable Ministers, Commissioner, and Respected Staff,
Sunday, October 22, 2006

All roads lead to Barney. But first...our subject:

Introduction:

An action transferred is an action completed and an action completed is better than no action at all, so let me thank the below staff for their referrals:

1. Salpie Stepanian, Assistant to the Prime Minister for the reply to my email to the Prime Minister; "Please be assured that your comments have been carefully reviewed and are appreciated. I have taken the liberty of forwarding your correspondence directly to the Minister of Justice and Attorney General of Canada, the Honourable Vic Toews, within whose responsibilities this matter falls."

2. Richard Stryde, Senior Special Assistant, to Honourable Lawrence Cannon, Minister of Transport, Infrastructure and Communities for his reply to my email. "The Minister has asked me to reply on his behalf. I have noted your comments with respect to this matter. Although, as you indicate, the Attorney General of Canada is the Government of Canada's representative on the Commission of Inquiry into the investigation of the bombing of Air India Flight 182. This being the case, I have taken the liberty of forwarding a copy of your correspondence to the office of the Honourable Vic Toews, Minister of Justice and Attorney General of Canada, for consideration.

Thank you both, Ms. Stepanian and Mr. Stryde, and I appreciate the attention at highest political levels that my alert has received of the clear and present danger to the Canadian flying public by the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation for early model Boeing 747s, of which Air India Flight 182 was but one. It occurred to me that since my wiring/cargo door explanation received the attention of such high officials, then it must also be considered by others, such as the AG, TSB, and the Commission of Inquiry.

I present myself to you as someone who is not seeking compensation, who is not pursuing a lawsuit, who is not angry and ranting, who does not seek a special tax break, nor one who is pleading for mercy for a criminal conviction. I am someone who is trying to prevent mass deaths in another airplane crash similar to Air India Flight 182. I am qualified to do so through experience and education but not by rank or title. I have proven my good intentions by flying to Ottawa from California and staying in a hotel at my own expense and time. I consider myself one of the good guys and would like to think that everyone involved here is also good. We are to protect and serve the people, you from your official public positions and me from my private and unofficial one. We are on the same side. We have the same goals although different routes. I understand your way. I'm asking that you understand my path; it's down to earth, makes sense, and is clear cut.

There was some surprise that my research and conclusions about an airplane crash were referred to the Attorney General but I still appreciate the referrals, thank you again, Ms. Stepanian and Mr. Stryde. Sooner or later the Transportation Safety Board (Air) will

be the ones to evaluate the causes of an airplane crash based on the physical laws of science and not the emotional, irrational motives of human nature. The other official responses to my alert from the Minister of Justice, the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182, the TSB (Air), and Securitas (TSB) have been...silence. The Attorney chooses to remain silent, the Spokesperson will not speak, the Inquirer will not inquire, and the security officers will not...do whatever they do. I shall hopefully assume the silences reflect deep contemplation, solemn pondering, if you will.

I must make do with what I have and what I have are two referrals from high authority to the Minister of Justice and Attorney General of Canada...which is actually his representative, Mr. Barney Brucker. My presentation must be appropriate to the audience and will therefore be made using legal terms in a courtroom model with attorney relationships. Mr. Brucker and I are most certainly good sons, wonderful husbands, terrific fathers, loyal to our friends, and competent professionals. However, in the courtroom model we shall be professional adversaries as the British system uses the plaintiff and defendant style to determine findings: I shall be polite and respectful while arguing a common goal to understand what happened and why; in this case, why Air India Flight 182 exploded in midair so many years ago. If everyone knew 'why' for sure, there would not be the many conflicting official opinions about what and where in the aircraft the explosion occurred nor the current Commission of Inquiry or an upcoming perjury trial. The issue is still contentious and will remain so until a conclusive ending is attained.

In the old days, say before June, 1985, the government was the stolid, conservative arbiter of verdicts and justice while the wild

eyed conspiracy guys with their erratic connecting the coincidental dots into plots of mass murder by foreign looking gents were the barely tolerated and scorned rabble. Now the government is the conspiracy bomber terrorist believing guy and a scientific fellow like me is on the outside, trying to reason with the unreasonable. Please be reasonable; respond to reason not emotional hate and a lust for revenge based on horror and grief. There are real terrorists out there wanting to blow up airliners but they were not involved with the destruction of Air India Flight 182.

Let us assume that the Crown believes and has prosecuted several men on the premise that two or three bombs were placed on two Boeing 747s which departed Vancouver BC and later blew up, one on a baggage cart and one in an aircraft, murdering many. Furthermore, those bombs were placed by several revenge seeking turbaned terrorists who conspired with each other over a period of months. Subsequent attempts at prosecution revealed administrative lapses among various agencies which are alleged to have thwarted justice. A witness lied. Victims' families remain irate. Law enforcement is frustrated. Thus an Inquiry and further prosecution of a presumed conspirator continue.

Assume that I claim that there was no bomb on Air India Flight 182 and therefore no bombers, no conspiracy, no crime, and no criminals. The cause was the mechanical one of the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation which is amply supported by facts, data, evidence, recorders, schematics, and a matching precedent of United Airlines Flight 811.

Presentation Outline:
Introduction

Opening Statement

Presenting Case:

Part I: Witnesses

Part II: Analogy

Part III: Matchups

Part IV: Best Evidence

Part V: Human Nature Conjecture

Part VI: Photograph evidence

Part VII: Layperson Explanation

Part VIII: Template

Part IX: The Unifying Official Version

Part X: Sequence of Destruction

Part XI: Political Implications

Part XII: Standing

Summation

Permit me now to make my opening statement to Mr. Barney Brucker, (the judge, jury, and prosecutor of one), then present my case in detail, and sum up to conclusion and await the verdict from Mr. Brucker.

Opening statement:

Mr. Brucker, I am the plaintiff, I have come to you for redress of a grievance, that grief being the loss of a huge airliner and the deaths of 329 men, women, and children and flight crew. I believe the probable cause of that airplane crash to be the same probable cause of about half of all the thousands of airplane crashes, a mechanical fault with the machine. I do not believe the cause of that inflight breakup to have been caused by the rarest of causes for an explosion in a highly pressurized hull; sabotage and specifically a bomb explosion. My explanation is called the shorted wiring/unlatch motor on/ruptured open forward cargo

door/explosive decompression/inflight breakup explanation or wiring/cargo door for short. That electrical cause occurred for Air India Flight 182 and for several other early model Boeing 747s, in particular United Airlines Flight 811. That wiring problem can occur again and another 329 persons can needlessly die. The problems are mechanical and can be fixed thus preventing another inflight explosion when that cargo door ruptures outward in flight, causing an explosion which mimics a bomb explosion. The hard evidence refutes a bomb explosion because the necessary scientific evidence which would confirm a bomb explosion is missing and the scientific evidence which confirms an explosive decompression due to a ruptured open cargo door is present. A bomb explosion on Air India Flight 182 is scientifically ruled out and an open cargo door is ruled in.

The defence (government) contends it was a bomb explosion in the aft bulk cargo compartment on the left side that caused the inflight breakup of Air India Flight 182. They have offered as proof a complicated conspiracy theory involving a Mr. X, an adulterous affair, jealous lovers, misappropriated funds, shootouts, angry and revengeful savages, army assaults, religious conflicts and a potential breakaway civil war. Fine, that's all very exciting and a movie with those elements would be very entertaining, I'm sure. Air India Flight 182 was first and foremost an airplane crash. It was not a domestic disturbance that escalated into violence or a bank robbery. An airplane has to obey immutable laws of physics to fly and the same laws to breakup in flight and crash. Humans who commit crimes react to their own internal changing moral rules and can not be predicted. Machine behaviour can be predicted. The conspiracy guys will claim that the reason there were no convictions is because one of the conspirators perjured himself during trial and if he had just told the truth, convictions would have followed.

To understand and explain why Air India Flight 182 crashed I will stick to the facts and leave the intrigue to the newspapers and TV. Please bear with me as I present charts, photographs, text, expert opinions, similar airplane accidents with similar evidence, and closely reasoned conclusions. Swiss Air Flight 111 and TWA Flight 800 have taught the Canadian, UK, and USA government investigators much about the consequences of faulty wiring in widebody airliners.

Both sides, the conspiracy and the mechanical, have a common goal with different routes to get there. We want to protect the trusting flying public and prevent needless deaths. Here are my paths starting from the end and working backwards:

1. The known faulty and aging Poly X type wiring needs to be replaced in early model Boeing 747s.
2. The design flaw of non-plug cargo doors needs to be corrected by making the doors like the plug type passenger doors.
3. The design flaw of absent locking sectors on the two midspan latches of the two cargo doors needs to be corrected by inserting the missing locking sectors.
4. The USA Federal Aviation Administration will issue an Airworthiness Directive (AD) for emergency inspection of the cargo door wiring for chafing and charring based upon the Transportation Safety Board (TSB) updated findings.
5. The TSB (Air) will investigate and issue an updated CASB Aircraft Accident Report (AAR) for Air India Flight 182 based upon hindsight using the knowledge gained from several subsequent similar accidents, specifically United Airlines Flight 811, Swiss Air 111, and TWA Flight 800. I will assist the TSB in their investigation. The new AAR will be based upon the suggestion of the Commissioner of the Inquiry into Air India Flight 182.

6. The Commissioner will request TSB (Air) for their official opinion as to the cause of Air India Flight 182 since the last official accident report of twenty years ago by the predecessor CASB did not conclude the cause was a bomb and evidence at that time refuted the bomb explosion explanation and suggested a explosive decompression caused by structural failure.

7. I persuade Commissioner Major that it would be prudent to order an updated AAR to fulfill his mandate of a full and thorough inquiry and to satisfy his personal goal that the inquiry was to be very broad in the evidence that it heard, in order to put to rest the various theories, rumours and neglect that have occurred since the explosion in 1985.

8. The Attorney General of Canada will suggest to the Commissioner that I be granted standing as witness since I qualify under a Term of Reference and have submitted the paperwork in a timely manner.

9. I persuade the AG representative to act on my behalf because the evidence I present today warrants the checking out of the reasonable, mechanical, alternative explanation. I persuade the AG representative to solicit Crown expert opinions about Air India Flight 182 from the quasi-judicial and technical fields of the Commission of Inquiry and the TSB (Air) aircraft accident investigators.

Or: Mr. Brucker or Commissioner Major directly asks TSB (Air) to provide to them an opinion as to the probable cause of Air India Flight 182. TSB has never been asked and might very well welcome the chance to express their professional opinion; after all, this crash is the most famous airplane crash in Canadian history and their purpose for existence is to explain airplane crashes to the political leadership and public.

Or: Mr. Brucker suggests to TSB (Air) staff that they meet with

me in Vancouver to allow me to present my wiring/cargo door explanation in person to the investigators.

The path of the Crown prosecutors and RCMP Air India Task Force appears to be to try to put several people in prison which will 'send a message' and salve some grief. The Crown has many who agree it was a bomb explosion which include the RCMP, the CSIS, the prosecutors, the accused, the defence counsels, newspapers, books, TV, radio, the manufacturer, the airline, the victim's families, justices, and the man in the street.

The start of my path is here today and I will now present my case for the mechanical explanation, the non bomb explanation, for Air India Flight 182. The only people who agree with me of not concluding it was a bomb explosion in the aft bulk cargo compartment are those who actually know why airplanes fly and why they don't; who know why airplanes mostly land safely and why they occasionally come apart in the air; that is, professional government aircraft accident investigators from four countries, the USA, the UK, India, and Canada. It should be an interesting argument, a pleasing myth believed by millions versus unpleasant science concluded by dozens.

Presenting the wiring/cargo door case. It's detailed, it's complex, it's science, it's logical, it's factual, and it makes sense.

Part I: I call several witnesses by means of quoting their official words in documents.

Speech excerpts - Prime Minister Harper announces inquiry into Air India bombing

"A full public inquiry is required. This inquiry will be launched immediately and led by an outstanding Canadian, retired

Supreme Court Justice John Major. He has agreed to serve as Commissioner for this inquiry and I have every confidence that he will conduct a thorough and compassionate investigation into the events surrounding this tragedy. This inquiry is about analyzing the evidence that has come to light since 1985 and applying it to the world we live in today."

From transcript of 18 July 2006, Hearing on Standing,
Commissioner Major:

The Commissioner: "Yes. Well, I will confirm that. The nature of this Commission was to be very broad in the evidence that it heard, in order to put to rest the various theories, rumours and neglect that have occurred since the explosion in 1985."

From transcript again: Mr. Barney Brucker:

Mr. Brucker: I just wanted to indicate to you, Commissioner, that I have provided this morning to Mrs. Cook and to Commission counsel a brief submission that we had prepared just on the general test for standing and issues that we submit you will be taking into account.

The Commissioner: You can't do much better than get standing, though, can you?

Mr. Brucker: No, we can't, but we are concerned about the focus of the Inquiry. When I attended here and listened to your Opening Statement I was struck by one comment that you made and I will paraphrase that, perhaps not accurately, but what I took from your comments was that you intended to conduct a thorough but efficient inquiry and that an efficient inquiry does not mean that it has to take a great deal of time. We have, in my submission to you, a very compressed time schedule in which we have to get things done and my submissions simply highlight that in that environment, a matter which is of interest to all

Canadians, that there should be some judicious consideration of who will get standing and who won't or who may be an intervenor and who won't, and that to ensure that the process is thorough and efficient I have offered some general principles that I submit might be of assistance to you.

The Commissioner: Thank you. That's been filed and will be looked at."

End quotes.

I can not cross examine but I can comment on those statements. The Prime Minister desires a full, thorough, and compassionate public inquiry into the events surrounding Air India Flight 182 by analyzing the evidence that has come to light since 1985. The direction for the Commission is pointed by the two leading authorities, the Prime Minister and the Commissioner to be full, thorough, and broad.

Mr. Brucker recommends an efficient inquiry. Well, kangaroo courts are efficient and lynch mobs are cheap and fast. "Thorough and broad" requires time for the presentation of various theories since the explosion of 1985, one of which is the wiring/cargo door explanation. That alternative explanation should have its time in front of the Commission of Inquiry and that can be done by granting me witness or intervenor standing. It's been twenty one years since the event and several more hours of listening to a 'various theory' is certainly justified in the name of thoroughness. As far as efficiency goes, when the wiring/cargo door explanation is confirmed by Crown aircraft investigators, the Commission of Inquiry can reduce 90% of its workload since the reason for the acquittals by Justice Josephson is obvious, the accused were innocent and the prosecutors, RCMP and CSIS can

be exonerated for failing to obtain convictions.

Does the wiring/cargo door explanation have validity? Is it as wild as a mid air with a flying saucer explanation and thus not worthy of consideration? Or is the wiring/cargo door explanation down to earth and real?

Let me present expert witnesses through their quotes:

CASB Aviation Occurrence Report on Air India Flight 182, 1986: "The Canadian Aviation Safety Board respectfully submits as follows:

4.1 Cause-Related Findings

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment.

From Kirpal Report for Air India Flight 182, 1986: "Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified. It must be concluded that without positive evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident".

End quotes:

That 'other cause' was established by me in 1996 based on an event in 1989, United Airlines Flight 811, plus other accidents. (And there is good reason why it is called an "explosive")

decompression. It is an explosion that mimics a bomb.)

That non bomb concluding finding from CASB is absolutely correct. It does not conclude the destruction of the aircraft was caused by a bomb. It is specific on the location of the mystery explosion as the forward cargo compartment and rules out the rear cargo compartments. There are several alternative explanations for that confirmed explosion, from fire in the cargo hold or hull rupture at a door, or bomb in baggage explodes. I agree there was an explosion in the forward cargo compartment as did all the experts agree on that point in 1986 for solid reasons.

The Canadian and United Kingdom government experts in aircraft accident investigation for Air India Flight 182 did not state the cause was a bomb and in fact, the UK expert stated in 1986 it was not a bomb and gave strong evidence for his conclusion. To claim the Canadian Aviation Safety Board concluded the cause was a bomb is incorrect, prejudicial, and inflammatory.

The Canadian crash experts (CASB) called Air India Flight 182 a 'crash'. It was. The word 'bomb' was never used in relation with Air India Flight 182 in their entire CASB report. 'Bomb' was used only once in reference to a different aircraft and event for comparison purposes and there was no match.

Aircraft accidents are sometimes complicated events and analogies may possibly explain the misunderstandings. Air India Flight 182 is but one tree in a forest of four early model Boeing 747s that experienced an inflight breakup leaving similar evidence.

Part II: An analogy to include the four trees in the forest but I'll call them brothers instead:

Early model Boeing 747s are machines. We say they die when they crash but they were never really alive, now were they? We anthropomorphize. Let me continue with the analogy.

It's as if a person falls down dead. The police, the media, the man's family, the courts, the prosecution, and the defence all agree, yes, it was a shot to the head that killed him but we'll argue about who and where and when he was shot. Several men are arrested, and at the trial the defence states that yes, the victim was shot in the head but their clients did not do it. All the while some physicians who examined the dead person are saying, no, it was not a gunshot to the head but a heart attack, while other physicians say we don't know how he died but we may find out later.

And then another man falls down dead at same spot and it's the brother of the previous dead man. Same thing happens, most non physicians say gunshot to head but the autopsy cause of death determined by government physicians claim natural causes. Several more men are accused and tried. The defence agreed with the prosecution as to cause of death as gunshot but their clients did not pull the trigger.

And then another brother falls down dead under similar circumstances...first guesses were gunshot to head but later proven wrong.

And then another brother falls down dead under similar circumstances...first guesses were gunshot to head but later proven wrong.

All four brothers share the same exact DNA and the evidence discovered at their deaths is generally the same. Two brothers are conclusively proven to have died of heart attacks and the deaths of the other two remain controversial.

And all the while, the people who know why people fall down dead are saying, not a gunshot to the head but heart attack, probably caused by poor diet.

How does a four time serial killer called faulty wiring get away with it?

1. The deaths happen over a period of years, 1985 through 1996. Memories are short. Personnel change. Documents are thrown away, misplaced, or lost. Witnesses forget.
2. The deaths happen many thousands of miles apart from each other, such as Ireland, New York, Lockerbie, and Hawaii.
3. The deaths involve many agencies; RCMP, Scotland Yard, FBI, CIA, CSIS, TSB, NTSB, CASB, AAIB, Indian Civil Aviation Agency, and all the way to the top political leaders. The agencies do not cooperate or communicate fully, they defend their area of investigation, they are secretive, and they have many administrative senior officials directing them. Each agency looks closely at its lone tree/brother/aircraft in the forest/family of four while ignoring the other three.
- 4 The deaths involve objects that look different at first glance such as different colors in their livery, different names in their titles, and different nicknames.
5. The deaths involve victims who are not wealthy, important, connected to authority, or famous.
6. The deaths involve different complex legal jurisdictions in faraway places such as India, Canada, UK, and USA.

7. The deaths involve billions of dollars which means people get funny when they get around money.

A. The killer is well loved, well connected, wealthy, powerful, and not a suspect and anybody raising suspicion is scorned.

B. The killer has killed before but is still above suspicion having said to have reformed.

C. The killer's freedom is necessary for the financial well being of thousands of workers.

1. The accused are relatively poor, different color skin and language than the accusers, and have in the past expressed violent thoughts.

2. The accused reinforce the prejudices of the accusers.

3. The accused get the suspicion off the real killer.

Part III: Matchups to determine a pattern.

There are no conspiracies among the agencies, courts, media, or public to hide or protect the real killer or to convict the innocent. All involved really believe the real killer is not guilty and the accused are guilty based upon the public's own self interest. The well meaning accusers all believe in a vast international conspiracy by the accused to commit mass murder and like all conspiracy zealots, refuse to consider down to earth explanations for such mass grief causing events. The hysteria feeds on itself with the stories gaining myth status with constant repeating, embellishment and modifications.

The real killer is faulty wiring, a small failure which brings down huge machines, early model Boeing 747s, by exploiting the design flaws of non plug cargo doors and no locking sectors on the midspan latches. The dead brothers/machines are Air India

Flight 182, Pan Am Flight 103, United Airlines Flight 811, and TWA Flight 800.

The deaths are respectively 329, 270, 9, and 230 for a total of eight hundred thirty eight fatalities. That's a mass killing in four events over eleven years and thousands of miles apart involving the governments of four countries.

The four mechanical victims are virtually identical. They are early model Boeing 747s. There are tens of thousand of airliners out there in hundreds of model and submodels but there are currently about five hundred Boeing 747-100 and 747-200 aircraft still in service of which only four planes have the below similar evidence after inflight breakups.

The similarities in the circumstances and of the wreckage of those events are many: larger version at <http://www.montereypeninsulaairport.com> Other details at <http://www.ntsب.org>

The defence counsel for the four accused of bombing two of those aircraft essentially stipulated to the cause of the crashes as bombs and quibbled over a few feet of where it was in the aircraft and challenged the Crown to prove who planted the bombs.

And the defence followed that strategy all the while knowing (assuming they did their homework) that the actual government experts in aviation crash investigations were saying they did not know the cause, or the cause was an explosive decompression and that one UK crash expert even refuted the bomb cause. The

defence knew that similar type aircraft had similar type fatal accidents in 1989 and 1996 and the cause was electrical, not a bomb explosion. The defence uncritically believed the police story and that of the Crown prosecutors, the media, the public, and the anguished victim's families, while ignoring the one group who knew what they were talking about, the Canadian Aviation Safety Board investigators, the UK Air Accidents Investigation Board investigators, the National Transportation Safety Board investigators, and the Indian accident investigators.

For Air India Flight 182 the location of the explosion was in the forward cargo compartment for fifteen years. That conclusion is amply supported by hard wreckage evidence and yet on the day of the trial the location switched to the aft bulk cargo compartment, a location conclusively ruled out by earlier investigators. The defence never disputed the move of the explosion from forward to aft compartments.

For Pan Am Flight 103 the AAIB investigator of the wreckage observed that the cause of the soot in the container alleged to have held a powerful, spherical and loud bomb was actually: "Where these panels formed the boundary of the shatter zone, the metal in the immediate locality was ragged, heavily distorted, and the inner surfaces were pitted and sooted - rather as if a very large shotgun had been fired at the inner surface of the fuselage at close range." The defence never objected to the premise of a bomb explosion which was shown by evidence to be mild, directed, and silent, three physical impossibilities for a bomb but natural for a 'very large shotgun' in the luggage which was safe unless a huge explosive decompression were to occur nearby were a cargo door to rupture open in flight.

Emotion trumped science. Wishful revenge thinking ruled the

day. Pleasant explanations based on grief salving emotions were believed while unpleasant explanations supported by hard evidence that could be touched, seen, and listened to was rejected without consideration.

Part IV: Best Evidence:

Speaking legally as an amateur, I understand there are several types of evidence; circumstantial, indirect, hearsay, and direct. All can be very persuasive. The best evidence is direct evidence. For Air India Flight 182, Pan Am Flight 103, and TWA Flight 800 there is much circumstantial evidence such as airspeed, altitude and time of day. There is indirect evidence such as wreckage debris pattern and twisted metal. Hearsay is for the conspiracy guys believing quarreling lovers and taped political ramblings.

The one source for the best evidence which is direct and irrefutable is the cockpit voice recorder and the flight data recorder. They were there at event time. Those recorders were put there to do precisely what they did, record for later evaluation events which took place in the cockpit and in the aircraft at large. They tell us directly what went on in the final minutes.

And what does the best and indisputable direct evidence show as to what the cause of Air India Flight 182 and Pan Am Flight 103 and two others?

Chart 12 above from NTSB public docket for TWA Flight 800 showing the sudden loud sound from the CVRs in graphical

format. Air India is Air India Flight 182, PanAm is Pan Am Flight 103, and United is United Airlines Flight 811. (Philippine Air was a Boeing 737 that had a fuel tank explode on the ground and not a Boeing 747 exploding in the air as the others.)

The graph shows a sudden loud sound followed by an abrupt power cut to the flight data recorders, a rare event separately, and extremely rare to have both together.

The sudden loud sound was analyzed very carefully by the government analysts for frequency, duration, limiting, and rise and fall time.

The conclusion reached by all the analysts in the UK, USA, Canada and India is that the sudden loud sound is not a bomb explosion sound, nor a missile exploding sound, but that of an explosive decompression sound. The bomb sound was ruled out because necessary low frequencies were not present and the rise time was too slow. There was no bomb sound in the cockpit at the initial event time for Air India Flight 182, Pan Am Flight 103, United Airlines Flight 811, and TWA Flight 800.

If not a bomb sound, then what was the cause of the sudden loud sound?

Air India Flight 182

"Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified. It

must be concluded that without positive evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident".

2.10.2 Analysis by Accidents Investigation Branch (AIB), United Kingdom

The AIB analysis was restricted to the CVR and the Shannon ATC tape. An analysis of the CVR audio found no significant very low frequency content which would be expected from the sound created by the detonation of a high explosive device. A comparison with CVRs recording an explosive decompression* on a DC-10, a bomb in the cargo hold of a B737, and a gun shot on the flight deck of a B737 was made. Considering the different acoustic characteristics between a DC-10 and a B747, the AIB analysis indicates that there were distinct similarities between the sound of the explosive decompression on the DC-10 and the sound recorded on the AI 182 CVR. *Explosive decompression is an aviation term used to mean a sudden and rapid loss of cabin pressurization.

(Please note the DC-10 explosive decompression above referenced in the Air India Flight 182 CVR analysis was probably the Turkish Airlines DC-10 fatal event when the aft cargo door blew open causing an explosive decompression which destroyed the flight controls leading to the crash.)

Pan Am Flight 103

"It is not clear if the sound at the end of the recording is the result of the explosion or is from the break-up of the aircraft structure. The short period between the beginning of the event and the loss of electrical power suggests that the latter is more likely to be the case."

United Airlines Flight 811

"The Safety Board believes that the approximate 1.5 to 2.0 seconds between the first sound (a thump) and the second very loud noise recorded on the CVR at the time of the door separation was probably the time difference between the initial failure of the latches at the bottom of the door, and the subsequent separation of the door, explosive decompression, and destruction of the cabin floor and fuselage structure. The door did not fail and separate instantaneously; rather, it first opened at the bottom and then flew open violently. As the door separated, it tore away the hinge and surrounding structure as the pressure in the cabin forced the floor beams downward in the area of the door to equalize with the loss of pressure in the cargo compartment."

TWA Flight 800

"The TWA flight 800 CVR recorded noise characteristics that were most similar to those recorded by the CVRs on board the United flight 811 and Philippine Airlines airplanes."

The Pan Am Flight 103 sudden loud sound is 'more likely' to be the case for the break-up of the aircraft structure, not a bomb sound.

The United Airlines Flight 811 sudden loud sound is indisputably and irrefutably the explosive decompression sound when the forward cargo door burst open because that aircraft barely landed safely at Honolulu.

The TWA Flight 800 sudden loud sound is most similar to United Airlines Flight 811 as both were early model Boeing 747s.

United Airlines Flight 811 is the model that fits the other three, it

is the victim of the killer wiring that was able to make it back to Honolulu to eventually identify the culprit, the electrical system of wiring or a switch. Just as it was only after United Airlines Flight 811 that the cause of the sound on Air India Flight 182 was identified, it was only after Swiss Air Flight 111 and TWA Flight 800 that the true extent of the pervasive and dangerous Poly X wiring in all early model Boeing 747s was made known.

(United Airlines Flight 811 is the case law analogy; it was a similar case that was tried and proven beyond doubt to be a certain cause and that cause may be applied to other similar cases.)

The best evidence for these similar events in similar aircraft is the direct evidence which is the cockpit voice recorder which recorded the sudden loud sound which when analyzed indicated an explosive decompression from a ruptured open forward cargo door and not a bomb explosion sound. That's science, that's real, that's confirmable, and it's corroborated by government sound analysts.

Part V: Human Nature Conjecture:

Why has the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation for Air India Flight 182, Pan Am Flight 103, and TWA Flight 800 not been advanced before in the public's mind?

I would hope I would not, but I might very well have reacted as others have if my job, my reputation, my income, and my freedom depended upon the bomb explosion explanation being the accepted one and the wiring/cargo door explanation rejected. There is no conspiracy, just people acting in their own perceived

best interests. Who and what are they?

1. The manufacturer wants the blame for the loss of the aircraft and life to be placed upon factors out of its control and not on its design errors of non plug cargo doors and absent locking sectors in the midspan latches. The manufacturer does not want to have to spend millions to correct the manufacturing faults in the wiring nor modify the cargo doors.

2. The airline wants the blame placed on others such as airport screening personnel and not on itself for not finding the frayed wires to the cargo door unlatch motor. The aircrews want to believe the event was a rare occurrence and do not want to believe that every minute they fly in early model Boeing 747s the aircraft can come apart in flight in seconds when the cargo door blows open as it did in United Airlines Flight 811.

3. The police, the RCMP, the FBI, Scotland Yard and prosecutors all welcome the inclusion of the high profile catastrophes into their jurisdiction so they can solve the crime and increase their budgets and staff to counter the threats. They would reject the mechanical cause as their general involvement would end.

4. The court system welcomes the chance to establish justice by punishing the criminals asserted by the law enforcement agencies. Vast amounts of bailiffs, new court facilities, numerous attorneys, and much tax money goes into trials while a mechanical cause is relegated to settlement meetings between insurance attorneys.

5. The victims' families have turned their grief to anger to hate and want someone to vent their emotion of revenge against. They would prefer to believe their loved ones died in some vast international conspiracy which is part of a worldwide larger force instead of a trivial event such as bare wire shorting to metal and turning on a motor which is supposed to remain off while in flight.

6. The media such as TV, radio, and newspapers much prefer an emotional human tragedy interesting story to tell rather than a scientific story which requires education into basic laws of nature such as gravity, lift, thrust, drag, and pressure differential. Emotional stories require feelings which everyone has while science stories require education which is absent in many viewers, listeners, and readers. The media tells people what they want to hear and that is exciting, illogical, conspiracy stories, not boring mechanical proofs.

7. The government oversight agencies want to shift the blame of the crashes to foreign terrorists slipping through lax airport security and not their own failures as regulators and monitors of safety issues. The wiring/cargo door explanation reveals their failure to order the airlines and manufacturer to fix the documented problem of faulty wiring causing cargo doors to open in early model Boeing 747s such as Pan Am Flight 125 in 1987, United airlines preflight in 1991, and United Airlines Flight 811 in 1989.

8. The public demands revenge for a great loss of human life which was preventable. Dying in a bombed airplane crash offends two basic instincts of all humans at birth, a startle reflex shown by arms stretched wide and the falling reflex shown by grasping hands. The public pays money to hear what it wants and rejects that which is unpleasant. The bombing explanation reinforces their prejudices of xenophobia and racism; it implies the event was a one off affair and not likely to reappear if only security were tighter. The bombing story gives an opportunity for revenge; it gives an exciting tale of intrigue, spying, shootouts, and chase scenes. The wiring/cargo door explanation is dry, has lots of charts and statistics, and implies the faulty wiring and dangerous non plug cargo doors are industry wide, not fixed, and the problems could reappear the next time they fly as a passenger.

I say again, there are no conspiracies among the principals, only people acting in their own perceived best interests which is essentially, "It's not my fault, nor my company's fault, nor my government's, nor the police, nor the airline, nor the media, nor the courts' fault; it's the fault of those revenge seeking turbaned terrorists over there."

To support that blame shifting exculpatory bomb explosion explanation, vast illogical and science defying fantasies had to be devised and repeated until the myth of the Lockerbie bombing and the bombing of Air India Flight 182 was implanted into the public psyche. Debunking will be very difficult as myths are generated and believed by a people needing them. Debunking is important because the genuine cause of faulty wiring remains at large, waiting for the right circumstances to strike again.

However.....conspiracy zealots defeat their cause eventually. The continued controversies with Air India Flight 182 and Pan Am Flight 103 are evidence that something is not right and thus the trials, the appeals, and the inquiries continue.

Part VI: Photograph evidence:

More logical conclusions supported by photographic evidence:

1. When a bomb is detonated on the port side of pressurized early model Boeing 747s, that port side will be shattered and the starboard opposite side remains smooth, like the Bruntingthorpe staged bombing of a real Boeing 747. (Port side is left side facing forward and starboard side is right side.)

2. When the faulty wiring causes the forward cargo door to blow

out on the starboard side, that starboard side is shattered into characteristic pattern of rectangle and longitudinally split cargo door, as is Air India Flight 182, Pan Am Flight 103, Pan Am Flight 103, and United Airlines Flight 811, while the port side remains relatively smooth.

Which of the above choices fits the Air India Flight 182 and Pan Am Flight 103 actual evidence? Let's look at the photographs and wreckage reconstruction sketches by the authorities.

A Boeing 747 had a real bomb go off in the aft cargo compartment in a real Boeing 747 during a staged event. (Bruntingthrope photos below)

Results:

1. Port side blown to bits
2. Starboard side opposite the blast has the aft cargo door and bulk cargo door latched, intact, and smooth skin all around.

Now to Pan Am Flight 103, (thought by many to be bomb explosion of same type and size as Bruntingthorpe.)

Below is wreckage reconstruction sketch from UK AAIB AAR: Port side, a small blue rectangle (from alleged bomb explosion) with relatively smooth non exploded skin around. Other bent skin is from aero dynamics not explosion.

Starboard side at same initial time is shattered and large area with door split longitudinally, stringers exposed and large rectangle destruction area.

Port side above for Pan Am Flight 103, nose to left.

Starboard side forward cargo door for Pan Am Flight 103, nose to right.

United Airlines Flight 811

Port side is very smooth and undamaged.

Starboard side is shattered with large rectangle destruction area, split longitudinal door, and stringers exposed.

1.3 Damage to the Airplane

The primary damage to the airplane consisted of a hole on the right side in the area of the forward lower lobe cargo door, approximately 10 by 15 feet large.

TWA Flight 800

Port smooth side below opposite cargo door and forward of center fuel tank, nose to left.

Starboard side below, with cargo door shattered area to right. Center fuel tank explosion as initial event would be bilateral, not unilateral.

TWA Flight 800 starboard side, nose to right.

TWA Flight 800 forward cargo door area to right.

Air India Flight 182 below:

Air India Flight 182 wreckage reconstruction from CASB and Kirpal Report. Of the small amount of wreckage recovered, only the pieces of wreckage that showed damage was reported. There is no reports of inflight or other damage to the port side opposite either cargo door so the assumption can be that there was none and thus smooth. The forward cargo door was damaged and split in two longitudinally which matches Pan Am Flight 103 and United Airlines Flight 811.

CASB report: "All cargo doors were found intact and attached to the fuselage structure except for the forward cargo door which had some fuselage and cargo floor attached. This door, located on

the forward right side of the aircraft, was broken horizontally about one-quarter of the distance above the lower frame. The damage to the door and the fuselage skin near the door appeared to have been caused by an outward force. The fractured surface of the cargo door appeared to have been badly frayed. Because the damage appeared to be different than that seen on other wreckage pieces, an attempt to recover the door was made by CCGS John Cabot. Shortly after the wreckage broke clear of the water, the area of the door to which the lift cable was attached broke free from the cargo door, and the wreckage settled back onto the sea bed. An attempt to relocate the door was unsuccessful." "This damage was different from that seen on other wreckage pieces. A failure of this door in flight would explain the impact damage to the right wing areas. The door failing as an initial event would cause an explosive decompression leading to a downward force on the cabin floor as a result of the difference in pressure between the upper and lower portions of the aircraft." 2.11.6.5 Target 47 - Aft Cargo Compartment This portion of the aft cargo compartment roller floor was located between BS 1600 and BS 1760. Based on the direction of cleat rotation on the skin panel (target 7) and the crossbeam displacement on this structure, target 47 moved aft in relation to the lower skin panel when it was detached from the lower skin. No other significant observation was noted. There was no evidence to indicate characteristics of an explosion emanating from the aft cargo compartment. Target 47, which is a portion of the aft cargo compartment roller floor, shows no indications characteristic of an explosion emanating from the aft cargo compartment."

The above quotes from the accident investigators indicate the explosion was not on the port side but on the starboard side and in the forward cargo compartment. The implications are that the

inflight damage was on the starboard side and the port side was undamaged. The rear cargo compartment had no explosion from a bomb or otherwise.

Below is a layout of the staged bombs for the Bruntingthorpe experiment with standard container with bomb inside exploding on port side, shattering it but leaving the starboard side smooth and door intact and latched.

Deductions:

When the port side is smooth and starboard side opposite and near the cargo door is shattered, that means cargo door opened in flight and no bomb. That description fits Air India Flight 182, Pan Am Flight 103, United Airlines Flight 811, and TWA Flight 800. That evidence rules in ruptured open cargo door as initial event.

When port side is shattered and starboard side opposite and near cargo door is smooth, that means bomb and no open cargo door. That description fits none. That evidence rules out bomb explosion.

The conclusions to be made from the above photographs is that for Air India Flight 182, Pan Am Flight 103, Pan Am Flight 103, and United Airlines Flight 811, the damage occurred on the starboard side near the forward cargo door leaving the port side smooth. That actually did happen and rules in the wiring/cargo door explanation. A bomb explosion on the port side, as in the Bruntingthorpe experiment and alleged for Air India Flight 182 and Pan Am Flight 103 would have shattered the port side and

left the starboard side smooth. That did not happen, but the reverse did, thus ruling out the bomb explosion explanation and confirming the wiring/cargo door explanation.

Part VII: Layperson Explanation

One excuse I am given by those unwilling to evaluate the hard evidence that supports the shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation for Air India Flight 182 is that it is 'too technical'.

Well, it's not too technical; below is the explanation for laypersons who have a basic education in science. If a person knows why lightning strikes, why balloons pop, the power of wind, and why gravity pulls, then that person can understand what happened to Air India Flight 182.

Lightning Strikes

Balloon Pops

Wind Power

Gravity Pulls

Lightning strikes because of an imbalance between the negative electrically charged particles and the further away positively charged particles. When sufficient negative and positive charges gather, and when the electric field becomes sufficiently strong, an electrical discharge (the bolt of lightning) occurs within clouds or between clouds and the ground. Lightning occurs because the bottom of a thundercloud becomes negatively charged. The ground becomes positively charged. Simple physics says that opposite charges attract, so boom, the lightning takes a one way trip to the closest positively charged item- usually a tree, phone pole, or other high object.

In a Boeing 747 the opening and closing of the cargo doors is done by an electric current through a latching or unlatching motor controlled by a switch. When the switch is open/off, there is no current to turn the motor which would turn the latching cams around the latching pins. When the switch is closed/on the circuit between the negatively charged particles and the positively charged is closed and current flows through the resistive motor which turns torque tubes which turn cams to surround pins which closes and holds the door tight against the fuselage.

When the aircraft is airborne a switch is opened/off which prevents any current from inadvertently turning on the cargo door unlatch motor. There is no way to turn on the unlatch motor to open the cargo door from inside the cockpit.

However, when faulty wiring such as Poly X type, which was used in Air India Flight 182, chafes and cracks to bare wire to short on the metal fuselage, the voltage has a path to complete the circuit and the lightning strikes; that is, the safety feature of a switch is bypassed and the now flowing current turns on the cargo door unlatch motor. The imbalance between the charged electrons which was held steady by the safety switch is now allowed to discharge/equalize through the shorted wire through the resistive motor which turns on as it is supposed to do when receiving current. The latching cams now turn around the latching pins into the unlock/unlatch direction thus releasing their hold on the closed cargo door. The faulty wire which allowed the motor to turn on when it was supposed to stay off

was installed during manufacture of the aircraft. The defective wiring is a manufacturing error.

The bare wire shorted on the cargo door unlatch motor which turned the cams to the unlatch position. Lightning struck and the unlatch motor turned on and started to allow the cargo door to open in flight.

Balloon pops:

Air tends to move in a straight line from a high-pressure area to a low pressure area. As balloons reach maximum expansion they get to a point where the latex runs out of stretch and gets stiff and resists further stretching. This is obvious in a fresh, over inflated balloon. It will become stiffer and get very rigid as all the latex molecules all become oriented in the tensile stress directions. This increase in stiffness will cause balloons, unlike soap bubbles, to increase in internal air pressure just before bursting.

Even small balloons like nine inch rounds can produce a very big bang if they are strong high quality balloons and are blown up to the limit. They can develop fantastically high tensions. Of course a larger balloon blown up to a similar extreme tension all over would make an even bigger bang.

The hull of a Boeing 747 such as Air India Flight 182 can be considered a huge balloon when pressurized. As the aircraft climbs the air molecules outside are further apart and have less pressure than those that were inside the aircraft at takeoff. If the aircraft is not pressurized, the air molecules inside and outside the aircraft are the same and there is no differential. The hull is not inflated and there would be no inside high pressure trying to equalize with the outside lower pressure.

But the hull of the Boeing 747 in flight with crew and passengers aboard can not remain unpressurized as the air would be too thin to sustain life so oxygenated air is pumped into the hull and the balloon/hull inflates. There now exists a distance difference between the air molecules inside the aircraft to those outside of the airplane. There is an imbalance. There is now pressure to equalize the air molecules but the sealed metal fuselage skin prevents the equalization. The hull stays inflated.

As the plane climbs higher, the pressure inside is kept constant at a comfortable level for the passengers while the pressure outside continues to decline the higher the aircraft goes. When the aircraft is about 20000 feet, the pressure on the inside of the fuselage is about 3.5 PSI or pounds per square inch. At cruise altitude of about 31000 feet, the pressure on each square inch on the inside of the inflated balloon called the hull is 8.9 PSI.

The Boeing 747 has two cargo doors 110 by 99 inches in size. The pressure on the cargo doors of Air India Flight 182 when cruising at 31000, when the initial event occurred, was 96921 pounds pressing on each of the nine foot by eight foot doors held in place only by a long hinge, eight rotating lower latching cams around latching pins and two midspan rotating latching cams around latching pins.

An analogy: Imagine a large under inflated balloon with no holes in it. Then cut six small holes in the balloon and two large square holes. Then, if you could, put patches over the six small holes from the inside of the balloon so that when the balloon is

inflated, the inside high pressure would press the patch tighter into the balloon and seal the hole tighter. That is called a 'plug type' patch. But....then put patches over the two large square cut holes on the outside of the balloon so that when the balloon is inflated, the high air pressure inside the balloon presses against the outside patch to push it outward. That is called a 'non plug type' patch.

Another analogy for the patch is a band aid wound dressing on an arm. The arm has the cut hole/wound and the patch is the band aid to stop the bleeding wound. A band aid on the inside of the arm would be more effective but impractical so band aids are put on the outside of the arm and often are pulled off inadvertently.

Air India Flight 182 has those several small holes cut into the pressurized hull and then patched from the inside. They are called plug type passenger doors. When airborne and at altitude, those passenger entry and exit doors can not be opened in flight because the inside air pressure presses them tight against the metal fuselage. Only if the pilot depressurizes the inside of the hull can those doors be opened, such as on the ground. The wounds are small and the band aid is sufficient to stop the bleeding since the patch is in the inside and the blood pressure actually prevents bleeding.

However, the two huge cargo doors which were cut from the metal fuselage and then patched back are non-plug type. It's as if they are patched from the outside so that as the inside pressure grows higher and the outside pressure goes lower, the pressure differential increases and about 97000 pounds of air presses on the eight by nine foot door to burst it open. The door does not press on the inside of the fuselage tighter because it is not a plug

type. The only things holding the door closed are the hinge and the ten latches around the ten latch pins. The latch cams are not told to unlatch in flight because there is no current to the unlatch motor. The non plug cargo doors are a design error; they should be plug type. The wounds are large and the band aid is not sticky enough to stop the bleeding as the blood pressure pushes outward.

A hull rupture in flight can be a catastrophic event so safety efforts are made to prevent its occurrence. As the cams are turned around the pins, a locking sector is then manually placed against the latch pin to prevent the inadvertent unlatching should electrical current turn the unlatch motor on. The locking sector would stop the cam from turning to the open position and the unlatch motor would burn itself out trying.

However, while the lower eight latches have eight locking sectors as a safety measure, the two midspan latches have no locking sectors at all. That is another design error; the midspan latches need locking sectors similar to the eight lower ones. The band aid over the wound was too small.

(As it turns out, years after Air India Flight 182 crashed, it was shown that the eight locking sectors themselves were too weak to stop the cams from unlatching when the unlatch motor did in fact inadvertently receive power and the door unlatched in flight; United Airlines Flight 811. The eight locking sectors were then strengthened but the midspan latches had no locking sectors to strengthen.)

For Air India Flight 182, the faulty bare wire shorted on the power for the cargo door unlatch motor which turned the cams to the unlatch position after bypassing the safety switch. The eight

lower latching cams overrode the weak lower eight locking sectors. Just past dead center of the pins the 97000 pounds of internal pressure finally popped the balloon of a pressurized hull at the forward cargo door. The result was an explosive decompression which occurred in an instant. Explosive decompression is an aviation term used to mean a sudden and rapid loss of cabin pressurization.

The sudden and powerful rushing out of the higher pressure air inside the pressurized hull of Air India Flight 182 mimicked a bomb in sound and fury. The sound of the explosion was so loud it was picked up on the cockpit voice recorder. The forward cargo door split into two parts and burst apart as it tore out and up taking further fuselage skin with it. The contents of the forward cargo hold were blown out and into the nearby starboard engines number three and four causing foreign object damage to the nacelles and turbine blades inside the engines. The ensuing hole in the starboard side of the fuselage forward of the wing centered around the forward cargo door of Air India Flight 182 in the wreckage reconstruction below was now about thirty feet tall and twenty feet wide, target 204 and cross hatch skin above it.

The manufacturing flaw of installing defective wiring had exploited the design flaw of a non plug door coupled with the design flaw of no locking sectors on the mid span latches allowing the door to inadvertently open in flight causing a massive explosive decompression which created a huge hole in the nose of Air India Flight 182.

Lightning struck and the unlatch motor turned on. The balloon popped when the forward cargo door unlatched and ruptured

open.

Wind Power:

From the CVR and DFDR, AI 182 was proceeding normally en route from Montreal to London at an altitude of 31,000 feet and an indicated airspeed of 296 knots when the cockpit area microphone detected a sudden loud sound: 296 knots is 341 miles per hour or 549 km/h.

If the newly created huge hole in the nose of Air India Flight 182 had occurred while the aircraft were motionless in the calm air, the nose would have stayed on and the aircraft would not have broken up in flight. However, the wind force on the now compromised formerly streamlined hull was higher than any natural wind on earth.

Category V Hurricane, Catastrophic >155 mph

Shrubs and trees blown down and uprooted; considerable damage to roofs of all buildings; all signs down. Very severe and extensive damage to windows and doors. Complete failure of roofs on several residences and industrial buildings. Extensive shattering of glass from pressure variation and blown debris.

Some complete building failures. Smaller buildings are overturned or destroyed. Complete destruction of mobile homes. F3 Tornado, Fujita Scale 3 158-206 mph, strongly built schools, homes, and businesses have outside walls blown away; weaker homes completely swept away,

F4 Tornado, Fujita Scale 4 207-260 mph, strongly built homes have all interior and exterior walls blown apart; cars thrown 300 yards or more in the air

F5 Tornado, Fujita Scale 5 261-318 mph, strongly built homes are completely blown away

An intact egg is strong when pressed on its small end but after the shell is cracked, the strength is gone and it crumbles. So it was with Air India Flight 182.

The wind force of 341 miles per hour tore the gashed nose off which fell first in the debris pattern on the ocean floor. The wind force tore into the rest of the tubular, now unpressurized hull, and ruptured open the rest of the fuselage and other compartments. The debris was blown aft and hit the starboard wing and stabilizer causing inflight damage. The engines and wings came off and mixed with the rest of the disintegrating aircraft.

Lightning struck and the unlatch motor turned on. The balloon popped when the forward cargo door unlatched and ruptured open. The enormous wind power tore the nose off and disintegrated the rest of the aircraft.

Gravity grabs.

Gravity is one of four known fundamental forces of nature. Gravity is by far the weakest of the four, yet it dominates on the scale of large space objects. Gravity cannot be shielded in any way. Intervening objects, whatever their make-up, have no effect whatsoever on the attraction between two separated objects.

If Air India Flight 182 were in far outer space the thousands of broken parts would just float around but those debris pieces were affected by the gravity of Earth and caused the aircraft parts to flutter down to the sea and further down to the ocean floor 6500 feet under the water surface.

Lightning struck and the unlatch motor turned on. The balloon

popped when the forward cargo door unlatched and ruptured open. The enormous wind tore the nose off and disintegrated the rest. Gravity pulled the pieces downward to the bottom of the ocean.

Lightning Struck
Balloon Popped
Wind Powered
Gravity Pulled

Part VIII: Template:

If the DNA can be used as an analogy for specific evidence discovered for one event and that specific evidence is matched in another event, it can be said the DNA matches.

United Airlines Flight 811 below:

"Executive Summary from USA NTSB AAR 92/02 of March 1992:

On February 24, 1989, United Airlines flight 811, a Boeing 747-122, experienced an explosive decompression as it was climbing between 22,000 and 23,000 feet after taking off from Honolulu, Hawaii, en route to Sydney, Australia with 3 flightcrew, 15 flight attendants, and 337 passengers aboard.

The airplane made a successful emergency landing at Honolulu and the occupants evacuated the airplane. Examination of the airplane revealed that the forward lower lobe cargo door had

separated in flight and had caused extensive damage to the fuselage and cabin structure adjacent to the door. Nine of the passengers had been ejected from the airplane and lost at sea.

A year after the accident, the Safety Board was uncertain that the cargo door would be located and recovered from the Pacific Ocean. The Safety Board decided to proceed with a final report based on the available evidence without the benefit of an actual examination of the door mechanism. The original report was adopted by the Safety Board on April 16, 1990, as NTSB/AAR-90/01.

Subsequently, on July 22, 1990, a search and recovery operation was begun by the U.S. Navy with the cost shared by the Safety Board, the Federal Aviation Administration, Boeing Aircraft Company, and United Airlines. The search and recovery effort was supported by Navy radar data on the separated cargo door, underwater sonar equipment, and a manned submersible vehicle. The effort was successful, and the cargo door was recovered in two pieces from the ocean floor at a depth of 14,200 feet on September 26 and October 1, 1990.

Before the recovery of the cargo door, the Safety Board believed that the door locking mechanisms had sustained damage in service prior to the accident flight to the extent that the door could have been closed and appeared to have been locked, when in fact the door was not fully latched. This belief was expressed in the report and was supported by the evidence available at the time. However, upon examination of the door, the damage to the locking mechanism did not support this hypothesis. Rather, the evidence indicated that the latch cams had been backdriven from the closed position into a nearly open position after the door had been closed and locked. The latch cams had been driven into the

lock sectors that deformed so that they failed to prevent the back-driving.

Thus, as a result of the recovery and examination of the cargo door, the Safety Board's original analysis and probable cause have been modified. This report incorporates these changes and supersedes NTSB/AAR-90/01.

The issues in this investigation centered around the design and certification of the B-747 cargo doors, the operation and maintenance to assure the continuing airworthiness of the doors, cabin safety, and emergency response.

The National Transportation Safety Board determines that the probable cause of this accident was the sudden opening of the forward lower lobe cargo door in flight and the subsequent explosive decompression. The door opening was attributed to a faulty switch or wiring in the door control system which permitted electrical actuation of the door latches toward the unlatched position after initial door closure and before takeoff. Contributing to the cause of the accident was a deficiency in the design of the cargo door locking mechanisms, which made them susceptible to deformation, allowing the door to become unlatched after being properly latched and locked. Also contributing to the accident was a lack of timely corrective actions by Boeing and the FAA following a 1987 cargo door opening incident on a Pan Am B-747. As a result of this investigation, the Safety Board issued safety recommendations concerning cargo doors and other nonplug doors on pressurized transport category airplanes, cabin safety, and emergency response."

The first probable cause was incorrect so the NTSB issued another AAR based upon new evidence. The same can be done by TSB Air for Air India Flight 182 based upon the subsequent

new evidence. I have had the benefit of hindsight to research all Boeing 747 hull losses for matches to the evidence retrieved regarding Air India Flight 182. There have been five matches, including Air India Flight 182. All are controversial while United Airlines Flight 811 is the only aircraft that was able to land after the shorted switch or wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup occurred. The DNA evidence and probable cause for United Airlines Flight 811 is irrefutable.

In none of the five official investigations for Air India Flight 182 was United Airlines Flight 811 considered. For four of those investigations, United Airlines Flight 811 had not occurred yet; for the fifth, the attorneys and law enforcement agencies chose not to refer to it.

What happened to Air India Flight 182 happened to United Airlines Flight 811 and others. The cause of United Airlines Flight 811 is the same cause for Air India Flight 182. The sequence is the shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation.

The linchpin DNA match to all five Boeing 747 accidents is the sudden loud sound on the Cockpit Voice Recorder followed by the abrupt power cut to the Flight Data Recorder. The CVR and FDR data is the only direct evidence available and it is the best.

NTSB AAR, United Airlines Flight 811:

"The CVR revealed normal communication before the decompression. At 0209:09:2 HST, a loud bang could be heard on the CVR. The loud bang was about 1.5 seconds after a "thump" was heard on the CVR for which one of the flightcrew made a comment. The electrical power to the CVR was lost for

approximately 21.4 seconds following the loud bang. NTSB
Accident Report 92-02 Page 25

CASB AOR, Air India Flight 182:

"From the CVR and DFDR, AI 182 was proceeding normally en route from Montreal to London at an altitude of 31,000 feet and an indicated airspeed of 296 knots when the cockpit area microphone detected a sudden loud sound. The sound continued for about 0.6 seconds, and then almost immediately, the line from the cockpit area microphone to the cockpit voice recorder at the rear of the pressure cabin was most probably broken. This was followed by a loss of electrical power to the recorder." Canadian Aviation Safety Board Air India 23 June 1985, page 21

Kirpal Report: "Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified. It must be concluded that without positive evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident"

Premise Explanation for Air India Flight 182: Explosion in the forward cargo compartment caused by explosive decompression caused by structural failure of ruptured open forward cargo door at one or both of the midspan latches caused by faulty electrical wiring:

Analysis: There is close agreement with the opinions of the two aviation authorities (CASB and AAIB), the judicial finding of

Judge Kirpal, and this independent aircraft accident investigator in the specific location in the aircraft and consequences of the explosion with the only difference being the cause of the explosion on the starboard side of the forward cargo compartment of Air India Flight 182:

A. CASB: There was an explosion, which could have been a bomb explosion, on the starboard side of the forward cargo compartment near the forward cargo door which caused the inflight breakup of Air India Flight 182.

B. AAIB: There was an explosion, cause not identified but not a bomb explosion, which caused the inflight breakup of Air India Flight 182.

C. Justice Kirpal: There was an explosion, a bomb explosion, on the starboard side of the forward cargo compartment near the forward cargo door which caused the inflight breakup of Air India Flight 182.

D. Justice Josephson: There was an explosion, a bomb explosion, on the port side of the aft cargo compartment opposite the aft cargo door which caused the inflight breakup of Air India Flight 182.

E. John Barry Smith: There was an explosion, an explosive decompression when faulty wiring shorted on the forward cargo door unlatch motor which allowed one or both of the midspan latches to rupture open in the forward cargo door on the starboard side of the forward cargo compartment, which caused the inflight breakup of Air India Flight 182.

F. Transportation Safety Board of Canada (Air): Yet to be asked for opinion.

To determine the pattern in early model Boeing 747 accidents that suffered breakups in flight, it was necessary to evaluate carefully all the official accident reports concerning them. A

pattern was detected of similar significant evidence among only five of the over forty hull damages or losses, two of which are Air India Flight 182 and United Airlines Flight 811.

Summary of specific matching evidence between Air India Flight 182 and United Airlines Flight 811: (The DNA evidence listed below applies to both aircraft)

- A. Boeing 747
- B. Early model
- C. Polyimide wiring (Poly X type)
- D. Sudden airframe breakup in flight
- E. Breakup occurs forward of the wing
- F. Section 41 retrofit not done
- G. At least medium flight time
- H. At least medium aged airframe
- I. Previous maintenance problems with forward cargo door
- J. Initial event at about 300 knots while proceeding normally in all parameters
- K. Initial event involves hull rupture in or near forward cargo door area
- L. Initial event starts with sudden sound
- M. Initial event sound is loud
- N. Initial event sound is audible to humans
- O. Initial event followed immediately by abrupt power cut to data recorders
- P. Initial event sound not matched to explosion of bomb sound
- Q. Initial event sound is matched to explosive decompression sound in wide body airliner
- R. Torn off skin on fuselage above forward cargo door area
- S. Evidence of explosion in forward cargo compartment
- T. Foreign object damage to engine or cowling of engine number three

- U. Foreign object damage to engine or cowling of engine number four
- V. Right wing leading edge damaged in flight
- W. Vertical stabilizer damaged in flight
- X. Right horizontal stabilizer damaged in flight
- Y. More severe inflight damage on starboard side than port side
- Z. Port side relatively undamaged by inflight debris
- AA. Vertical fuselage tear lines just aft and forward of the forward cargo door
- AB. Fracture/tear/rupture at a midspan latch of forward cargo door
- AC. Midspan latching status of forward cargo door not reported as latched
- AD. Airworthiness Directive 88-12-04 not implemented (stronger lock sectors)
- AE. Outwardly peeled skin on upper forward fuselage
- AF. Rectangular shape of shattered area around forward cargo door
- AG. Forward cargo door fractured in two longitudinally
- AH. Status of aft cargo door as latched
- AI. Passengers suffered decompression type injuries
- AJ. At least nine missing and never recovered passenger bodies
- AK. Initial official determination of probable cause as bomb explosion.
- AL. Initial official determination modified from bomb explosion
- AM. Structural failure considered for probable cause
- AN. Inadvertently opened forward cargo door considered for probable cause
- AO. Takeoff after sunset on fatal flight
- AP. Takeoff after scheduled takeoff time on fatal flight

A few of the above matches may be common, trivial, or

irrelevant but most are rare and critical.

The important DNA matches that determine the certainty that both aircraft:

1. Were similar model and type of early model Boeing 747s..
2. Had the same appearance for each longitudinally fractured forward cargo doors
3. Had sudden loud sounds which were an explosive decompression sound and not a bomb explosion sound.
4. Had an abrupt power cut to the flight data recorders after the sudden loud sound.
5. Had the same damaged areas around the forward cargo door.
6. Had relatively smooth fuselage skin on port side opposite the shattered starboard cargo door side.
7. Had similar inflight damage to the starboard engines and flight surfaces.
8. Had at least nine never recovered bodies.
9. Had explosions in the forward cargo compartment which were initially thought to have been bombs but the opinions were later somewhat modified.

There are many reasonable possible explanations for an explosion or explosive decompression near the forward cargo door of an early model Boeing 747, only one of which is a rare bomb explosion:

- A. Bomb explosion. (Considered for both, ruled out in one, should be ruled out for both.)
- B. Crew or passenger error. (Ruled out for both flights.)
- C. Electrical fault in switch or wiring. (Ruled in for one.)
- D. Pneumatic overpressure. (Ruled out for both flights.)
- E. Cargo shift. (Ruled out for both flights.)

- F. Compressed air tank explosion. (Ruled out for both flights.)
- G. Fire. (Ruled out for both flights.)
- H. Missile strike. (Ruled out for both flights.)
- I. Midair collision. (Ruled out for both flights.)
- J. Fuel tank explosion. (Ruled out for both flights.)
- K. Stowaway. (Ruled out for both flights.)
- L. Electromagnetic interference. (Ruled out for both flights.)
- M. Comet or meteor. (Ruled out for both flights.)
- N. Space debris. (Ruled out for both flights.)
- O. Turbulence. (Ruled out for both flights.)
- P. Out of rig door. (Ruled out for both flights.)
- Q. Lightning. (Ruled out for both flights.)
- R. Metal fatigue. (Ruled out for both flights.)
- S. Improperly latched. (Initially accepted for one flight, then ruled out for both flights.)
- T. Design error. (Accepted for one flight)
- U. Repair error. (Ruled out for both flights.)
- V. Maintenance error. (Ruled out for both flights.)

General Conclusion: Based upon the indisputable probable cause of electrical fault for United Airlines Flight 811 and the many matches of evidence to Air India Flight 182, the discovered common cause for United Airlines Flight 811 and Air India Flight 182 is the shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation which is a mechanical explanation for an explosion on the starboard side in the forward cargo compartment of explosive decompression when the forward cargo door ruptured open in flight, probably at one or both of the midspan latches and probably caused by faulty wiring inadvertently turning on the door unlatch motor.

Specific Conclusions for Air India Flight 182:

These conclusions are based on evidence available after 1985.

A. While proceeding normally, an inflight breakup of Air India Flight 182 occurred suddenly and catastrophically at 0714Z at 31000 feet at 300 knots TAS about 110 miles west of Cork, Ireland on 23 June, 1985. There were no survivors.

B. The breakup was caused by an explosion in the forward cargo compartment.

C. The explosion was a severe and sudden explosive decompression.

D. The explosive decompression was caused by the suddenly ruptured open forward cargo door probably at one or both of the midspan latches.

E. The ruptured open forward cargo door was probably caused by faulty wiring which turned on the door unlatch motor which unlatched the latching cams from around the latching pins in flight.

F. The wiring fault was probably the Poly X wiring with inferior insulation which easily cracked to bare wire especially in the presence of moisture.

G. There was no bomb explosion in any cargo compartment, crew cabin, passenger cabin, or anywhere else on the aircraft.

H. There was no explosion from any source in the aft cargo compartment.

I. The sudden loud sound on the cockpit voice recorder was the sound of the air rushing out during the explosive decompression in the forward cargo compartment.

J. The abrupt power cut to the recorders was caused by the explosive effects of the decompression affecting the power cables in the adjacent main equipment compartment to the forward cargo compartment.

Contributing causes:

- A. Water or moisture in the forward cargo compartment.
- B. Weak locking sectors on the bottom eight latches of the cargo doors.
- C. Poor design of one midspan latch per each eight foot side of the cargo doors.
- D. Poor design of no locking sector for each midspan latch of the cargo doors.
- E. Poor design of outward opening, nonplug type, large, square cargo doors in a highly pressurized hull.

There were no bombs on Air India Flight 182. There were no crimes and no criminals and no conspiracies. There was and is a mechanical problem which exists to this day, aging and failing Poly X wiring which exploits design errors of non plug cargo doors and omitted midspan locking sectors allowing an explosive decompression when the forward cargo door ruptures open in flight.

To know the cause of Air India Flight 182 and Pan Am Flight 103, one must know the details of United Airlines Flight 811, the model and irrefutably explained event. All of those official AARs are available at <http://ntsb.org>.

Part IX: The Unifying Official Version

There is one scenario that unites the five official versions: Bombs in baggage explode.

1. The first official determination is the Narita Event is from the Japanese police point of view.

"At 0541 GMT, 23 June 1985, CP Air Flight 003 arrived at

Narita Airport, Tokyo, Japan, from Vancouver. At 0619 GMT a bag from this flight exploded on a baggage cart in the transit area of the airport within an hour of the Air India occurrence. Two persons were killed and four were injured... Baggage cart explodes in transit area... The explosion of a bag from CP 003 at Narita Airport, Tokyo, took place 55 minutes before the AI 182 accident...the site where the blast had taken place was inspected which gave some, though very vague, idea of the detonating power of the blast."

To sum up: "A bag from a Vancouver flight exploded on a baggage cart in a transit area from a vague power of a blast." The Narita Event is officially determined by the police to be a bomb which caused the blast of vague power in a bag as part of the baggage on a baggage cart in a transit area of a major airport hub. The first official bomb in the baggage explodes.

2. The next official determination of the Air India Flight 182 Event is from an Indian judge's point of view.

Kirpal Report: "4.10 After going through the entire record we find that there is circumstantial as well as direct evidence which directly points to the cause of the accident as being that of an explosion of a bomb in the forward cargo hold of the aircraft."

"All cargo doors were found intact and attached to the fuselage structure, except for the forward cargo door which had some fuselage and cargo floor attached. This door, located on the forward right side of the aircraft, was broken horizontally about one-quarter of the distance above the lower frame. The damage to the door and the fuselage skin near the door appeared to have been caused by an outward force. The fractured surface of the cargo door appeared to have been badly frayed. Because the damage appeared to be different from that seen on other

wreckage pieces,..."

The Air India Flight 182 Event is officially determined by an Indian judge to be caused by a bomb in the baggage in the forward cargo hold possibly on the right side. (No physical connection between the forward and aft cargo holds which are several hundred feet apart.) That is the second official bomb in the baggage to explode.

3. The next official determination of the Air India Flight 182 Event is from a Canadian judge's point of view.

Below from "Reasons for Judgment" by Justice Josephson regarding Malik and Bagri.

I. Overview [1] In the early morning hours of June 23, 1985, Air India Flight 182, carrying 329 people[1], was destroyed mid-flight by a bomb located in its rear cargo hold.

H. Conclusion [190] It is agreed amongst the experts that the Kanishka was destroyed by the detonation of an explosive device within its left aft fuselage.

The Air India Flight 182 Event is officially determined by a Canadian judge to be a bomb in the baggage in the rear cargo hold on the left side. That is the third official bomb in the baggage to explode.

4. The next official determination of the Air India Flight 182 Event is from the Canadian aviation accident investigators point of view:

The Canadian Aviation Safety Board respectfully submits as follows:

04.1 Cause-Related Findings

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the

forward cargo compartment.

"The forward cargo door which had some fuselage and cargo floor attached was located on the sea bed. The door was broken horizontally about one-quarter of the distance above the lower frame. The damage to the door and the fuselage skin near the door appeared to have been caused by an outward force and the fracture surfaces of the door appeared to be badly frayed. This damage was different from that seen on other wreckage pieces. A failure of this door in flight would explain the impact damage to the right wing areas. The door failing as an initial event would cause an explosive decompression leading to a downward force on the cabin floor as a result of the difference in pressure between the upper and lower portions of the aircraft."

The Air India Flight 182 Event is officially determined by Canadian aviation accident investigators to be an explosion of unknown cause in the forward cargo compartment probably on the right side. An explosion in the forward cargo compartment occurs from undetermined cause.

5. The next official determination for Air India Flight 182 is from the United Kingdom aircraft accident investigator point of view. "Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified. It must be concluded that without positive evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident".

The Air India Flight 182 Event is officially determined by a British aviation accident investigator to be something, not a bomb, somewhere, causes an explosive decompression. That is the fifth explanation for an explosion.

Those are the five official determinations of explosions related to Air India Flight 182 by five official investigations in three countries over two decades.

1. A vaguely powerful explosion of a bag on a baggage cart with bags in a major transit area hub airport determined by the Japanese police in 1985.
2. A very powerful explosion of a bomb in a bag in the baggage in the forward cargo hold, possibly on the right side, of Air India Flight 182 determined by the Indian Justice Kirpal in 1986.
3. A very powerful explosion of a bomb in a bag in the baggage in the rear cargo hold on the left side of Air India Flight 182 determined by the Canadian Justice Josephson, in 2005.
4. An explosion of unknown cause in the forward cargo compartment, probably on the right side, of Air India Flight 182 determined by the Canadian aircraft accident investigators of the Canadian Aviation Safety Board, CASB in 1986.
5. A very powerful explosive decompression, not a bomb, someplace in Air India Flight 182, determined by the British aircraft accident investigator R. A. Davis of U.K. Accidents Investigations Branch in 1986.

There is no consensus on any significant issue by any officials other than explosive events occurred on a baggage cart and on an airplane thousands of miles apart and within the hour.

There is official disagreement in the determinations of whether it was a bomb or something else, how many bombs were involved,

where the bombs were loaded, how powerful the bombs were, what container the bomb was in, which major section of the aircraft the bomb was placed, on what side of the aircraft the bomb was located, or what caused an explosive decompression that was not a bomb. (Not counted are the disagreements of who put the bombs there and why.)

There was no official hard evidence determined for bombs such as three fuses, three bomb casings, three bomb residues, shrapnel wounds, or three timers in any of the three locations stated as having bombs detonated which are the Narita airport, the rear cargo, and the forward cargo compartments of Air India Flight 182. (The rear and forward cargo compartments are hundreds of feet apart with no physical connection.)

There is one official cause to unite them all: Three bombs by assuming that an explosion means only one thing and that is bomb explosion and assuming that official determinations after official investigations are correct.

The one scenario that unites the five official determinations is that bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom.

Two of the bombs were surreptitiously placed on two Boeing 747s at Vancouver airport on 22 June 1985, the day before they blew up. The third bomb was placed into one of the Boeing 747s at the Montreal airport later that same day.

The official versions united:

Bomb 1: One bomb was loaded on CP 003 which flew to Tokyo with no detonation of the bomb during the long flight across the Pacific. This bomb was then unloaded in a busy airport, put on a

baggage cart which was wheeled through a 'transit' area with many other bags from many other flights, and only then did the vaguely powerful bomb detonate at 0619Z, not from an altimeter fuze but from a timing fuze which went off when it was not supposed to for an aircraft terrorist bombing. No fuze or parts of any bomb or the suitcase were reported to have been discovered. No match of any debris parts of this bomb were made to other bombs by same terrorist group. No claims of responsibility or confessions were obtained. (The Japanese police determined bomb.)

Bomb 2: At the same time the Narita bomb was loaded at Vancouver onto CP 003 on the afternoon of 22 June 1985, another bomb was loaded onto CP 060, also in Vancouver, and successfully slipped past the extensive security of men, dogs, and machines. CP 060 then flew to Toronto without the bomb going off by timer or altimeter fuse. At Toronto, the bomb was then off loaded from CP 060 and sent, along with some passengers, to a different aircraft, a Boeing 747 which was Flight 181 which, after another flight to Montreal, would change to Flight 182. At Toronto, all the baggage from Vancouver on CP 060, including the bomb, was placed in the aft cargo hold of the Boeing 747. This aircraft, called Flight 181, took off and flew to Montreal with the bomb still not detonating by altimeter or timing fuze. The timer was set to go off at 0714Z. (The Judge Josephson determined bomb.)

Bomb 3: After the Boeing 747 called Flight 181 landed in Montreal with the bomb from Vancouver still in the aft cargo hold, the flight number of the same Boeing 747 changed to Air India Flight 182, and more passengers and baggage were put on board. All their baggage was placed into the forward cargo hold. A new aircraft bomb was thus loaded into the forward cargo

compartment with the timer set to go off at 0714Z. (The Judge Kirpal determined bomb.)

There were many delays involved with loading parts of a large engine into the aft cargo compartment which did not set off the bomb in that compartment. Finally, the aft and forward cargo compartment bomb laden Boeing 747 now called Air India Flight 182 took off from Montreal for its third flight in many hours, flew for five hours across the Atlantic and then a fuze for the Montreal loaded bomb activated and exploded in the forward cargo compartment, not by an altimeter fuze because the aircraft was level at 31000 feet and had been so for hours, but by a timer fuze. The Vancouver bomb, first loaded in Vancouver and transferred to the aft cargo compartment of the doomed aircraft in Toronto, detonated at exactly the same time, 0714Z. The two bombs blew holes in the pressurized hull causing an explosive decompression.

Thus explains and unites the Japanese police bomb, the Justice Kirpal bomb, the Justice Josephson bomb, the CASB explosion, and the UK AIB explosive decompression events.

The official determinations assume inefficient ticketing agents, dull-witted security forces, and malfunctioning X ray machines in four large metropolitan airports in two industrialized nations. It assumes incompetent terrorists who can't set a bomb to go off on time. It assumes quiet bombs in an aircraft that leave no sound when they go off. It assumes three stealthy bombs that managed to slip through sniffing dogs, portable metal detectors, X-Ray machines, private security teams, and yet leave no trace of their fuzes, timers, explosive material, or containers.

Officially the terrorists were of two groups; one group in Vancouver to check the bomb in the baggage which was placed

in the aft cargo compartment of Air India Flight 182 to explode according to the Canadian judge. Another terrorist group in Montreal checked their bomb in baggage which was placed in the forward cargo compartment of Air India Flight 182 to explode there according to the Indian judge. The Vancouver terrorist group also checked in another bomb in the baggage of another aircraft to explode later on a baggage cart at Narita airport, according to the Indian judge.

The terrorists were stupid because:

1. The bombs did not go off when a real aircraft bomb usually goes off, shortly after takeoff climb on the initially loaded flight.
2. The fuzes were three timers set to go off at odd times such as 0619, 0714, and 0714 many hours later after being set.
3. They did not claim responsibility to advertise their cause.

The terrorists were smart because:

1. They were able to construct bombs which left no fuse, no casings, no timer evidence and were silent.
2. They were able to smuggle three bombs through tight security at four large airports in two countries.
3. They coordinated two bomb explosions on the same aircraft loaded in different locations at two airports to ensure destruction.

The terrorists were lucky because;

1. The four takeoffs and landings and turbulence did not detonate the amateur improvised bombs.
2. The changing of two planes and movement of baggage from plane to transit area did not detonate the bombs.
3. Their bomb laden baggage was not misplaced or misdirected by the airline.
4. The many unexpected schedule delays and aircraft changes still allowed the bombs to go off to kill innocent people instead

of in an unoccupied hangar or baggage storage area.
This is the official unified motive to explain the Narita airport transit area and Air India Flight 182 bombings: Revenge seeking terrorist groups managed to place three stealthy bombs in three aircraft and on one baggage cart through four airports in one day.

Part X: Sequence of Destruction

Below is the scientific explanation for Air India Flight 182 in narrative form based on direct, circumstantial, tangible, deduced, historical, and inferred evidence obtained through government aircraft accident reports and testimony under oath, 1953-2006. All statements of fact can be corroborated as having occurred in Air India Flight 182 or other similar Boeing 747s under similar circumstances.

Pressurized hulls of jet airliners have been blowing up since 1953 with the Comet.

03/03/1953

location: Karachi, Pakistan

carrier: Canadian Pacific flight:

aircraft: comet registry:

aboard: fatal: 11 ground:

details: First fatal crash of a commercial jet aircraft

05/02/1953

location: near Jagalogori West Bengal, India

carrier: British Overseas Airlines flight: 783/057

aircraft: De Havilland comet 1 registry: g-alyv

aboard: 43 fatal: 43 ground:

details: broke up in flight during a violent thunderstorm. Metal fatigue due to design flaw.

01/10/1954

location: Elba, Italy

carrier: British Overseas Airlines flight:

aircraft: De Havilland comet 1 registry:

aboard: fatal: 35 ground:

details: broke up in flight. Metal fatigue due to design flaw.

04/08/1954

location: Stromboli, Italy

carrier: South African Airways flight:

aircraft: De Havilland comet 1 registry:

aboard: fatal: 21 ground:

details: broke up in flight. Metal fatigue due to design flaw.

The Wiring/Cargo Door Explanation

Hull ruptures in flight leading to sudden explosive decompressions have occurred in over fifty airliners over the years. The causes can be bombs, metal fatigue, cargo shifts, inadvertent door openings from improperly latched to electrical faults, cockpit windows being broken by bird strikes, fuel tank explosion, missile hits, corrosion, faulty repair of damaged bulkhead, midair collisions, thunderstorms, and improperly fitted pressure relief valves.

Air India Flight 182 fits into one of those categories, the shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup one.

There are literally hundreds of pressurization problems that occur in airliners that are not sudden explosions but slow failures. These events rarely lead to fatalities while the sudden loud

events usually do.

In an historical and statistical sense Air India Flight 182 was a normal aircraft accident: The cause was mechanical and not unusual. There have been several subsequent explosive decompressions in Boeing 747s similar to Air India Flight 182 that left similar evidence.

The forward cargo door of Air India Flight 182 opened inadvertently in flight for certain, the cause of that opening was probably faulty wiring.

Background:

On 18 July, 1984 a high lift vehicle damaged the fuselage skin near the forward cargo door of a Boeing 747-237B, Air India Flight 182, construction number 330, operated by Air India airlines. The fuselage skin had wiring routed on the inside which became bent from the impact and subsequently cracked to bare wire, a characteristic of the polyimide type insulated Poly X wiring installed in the aircraft. The forward cargo door had non-steel locking sectors to keep the bottom eight latching cams from being back driven which would allow the door to open in flight causing explosive decompression which would be a catastrophic event well known to aircraft designers.

In June of 1986 several passengers changed their flight plans and their baggage routing for various flights through Canada to overseas destinations probably from Vancouver.

On 22 June, 1986, two aircraft had baggage loaded aboard them at the Vancouver B. C. airport; one flight was called CP 003 and the other CP 060. Flight 003 took off and flew uneventfully to the extremely busy Narita airport near Tokyo, Japan. After the

baggage was unloaded from the flight, it was put on a baggage cart which was wheeled through a transit area of many other baggage carts containing many other bags from many other flights. An explosion of unspecified cause, unknown fuzing, unknown container, and unknown material occurred on the baggage cart which killed two people and injured others. The airport had high security because of previous terrorist attacks on it resulting in fatalities over the years.

The other flight, CP 060, flew uneventfully to Toronto Airport. The baggage was unloaded from CP 060 and those bags continuing on to London on Air India Flight 181/182 were loaded into the aft cargo compartment of the Boeing 747-237B, construction number 330. The flight, now called Air India Flight 181, then flew uneventfully to Mirabel Airport in Montreal. After landing, some baggage of the departing passengers was unloaded from the aft compartment. Parts of a broken engine were placed in the aft cargo compartment for ferry back to India. New passengers and new baggage from Montreal for the next flight of the same aircraft, construction number 330 and now called Air India Flight 182, were loaded with all the new baggage going into the forward baggage compartment. The baggage from Vancouver on CP 060 and reloaded at Toronto remained in the aft cargo compartment of the Boeing 747-237B now called Air India Flight 182.

The forward cargo compartment was filled with summer night air, warm and moist. When flying at altitude the air would be cooled by the air conditioning and the very cold outside air would cool the fuselage skin thus condensing out moisture along the inside of the compartment which would run through the wiring bundles and down into the cargo door bilge.

Air India Flight 182 took off from Montreal for London at 0218 Z on 23 June 1985 and flew uneventfully for about five hours and while at 31000 feet at 296 knots and about 115 miles west of Ireland a tragic sequence of events began at 0714 Z. The pressure differential between outside and inside air was at its maximum design limit, 8.9 pounds per square inch.

Water may have met the cracked insulated wire which may have been previously damaged by the high lift accident to the cargo door area. The now exposed and bare wire shorted against the metal fuselage. The electricity then flowed around safety cutout switches and powered on the cargo door actuator unlatch electric motor which attempted to rotate all ten cam sectors to unlocked positions around their ten latching pins. The eight lower cam sectors may have been prevented from unlatching around the latching pins because of the bottom eight locking sectors. However, the two midspan latches had no locking sectors to prevent the inadvertent rotation of the midspan latching cams around the midspan latching pins.

The lower eight cams probably overcame the weaker locking sectors to just turn past center and allow the door to unlatch in flight, a defect known years later in two other Boeing 747 flights, Pan Am Flight 125 and United Airlines Flight 811. The midspan cams turned just past center with no locking sectors to prevent the backdriving of the cams, an operation only supposed to be allowed on the ground. Possibly other factors such as an out of rig cargo door, a poor repair job on the door area, the slack in bellcranks, torque tubes, and worn latch pins may have contributed to have allowed the two midspan latches to rotate just past center permitting the almost 100,000 pounds of internal pressure on the 99 inch by 110 inch door to rupture outward inflight relieving the maximum pressure differential on

the internal fuselage.

The nine foot by eight foot squarish forward cargo door would have instantly burst open at the midspan and bottom latches sending the latches, door material, and large pieces of fuselage skin spinning away. The forward cargo compartment would have spewed its contents outward onto the starboard side of the fuselage. It was as if a huge mylar balloon had popped. The severe explosion of explosive decompression caused the forward cargo door to be fractured and shattered into a few large pieces and many small pieces which gave a frayed appearance from an outward force. Many small bits of metal from the explosion were embedded into the cargo door area metal fuselage structure.

The top part of the door swung outward and upward on its hinge and then separated taking large vertical pieces of fuselage skin with it, exposing stringers and bulkheads. The very lower part of the door sill with its eight bottom latches may have stuck to fuselage skin. The resulting damage zone appeared as a huge rectangle of shattered door, skin, and stringers. Some pieces of the door and fuselage skin flew directly aft and impacted the leading edge of the right wing, the vertical stabilizer and the right horizontal stabilizer in flight.

This explosion of explosive decompression blew out a large hole about thirty feet wide and forty feet high on the starboard side of the nose forward of the wing. It looked as if a bomb had gone off inside the forward cargo hold. Fuselage skin was peeled outward at various places on the starboard side of the nose.

The forward cargo door had some fuselage and cargo floor attached. This door, located on the forward starboard side of the

aircraft, was broken horizontally about one-quarter of the distance above the lower frame. The damage to the door and the fuselage skin near the door appeared to have been caused by an outward force. The fractured surface of the cargo door appeared to have been badly frayed. The cargo door pieces and the adjacent skin had holes, flaps, fractures, inward concavity, tears, deformities, outward bent petals, curls, missing pieces, cracks, separations, curved fragments, spikes, and folds. The fast and powerful explosion of the explosive decompression would have caused a metallurgical effect called "twinning" on a few fragments of pieces of wreckage.

The now uncompressed air molecules rushed out of the huge hole equalizing the high pressure inside the fuselage to the low pressure outside the aircraft while making a sudden very loud audible sound. This sudden rushing outward air was recorded on the Cockpit Voice Recorder as a sudden loud sound. The sound did not accurately match any bomb explosion sounds on other aircraft but did match the explosive decompression sound on another wide body airliner, a DC-10 cargo door open event.

The tremendous explosive force in the forward cargo hold severely disrupted the adjacent main equipment compartment which housed power cables and abruptly shut off power to the Flight Data Recorders. The resulting data tapes showed a sudden loud audible sound followed by an abrupt power cut to the flight data recorder, the cockpit voice recorder and transponder.

The number three engine and cowling, closest to the forward cargo compartment, were damaged by inflight debris from material ejected from the now exposed compartment and cabin above, debris which also damaged the number four engine

cowling by a displaced turbine blade from number three engine. The resulting vibration from the internal damage to engine number three caused the nacelle and engine to fall away from the wing, as designed, and land apart from the other three engines.

The floor beams above the forward cargo hold were sucked downward, and were fractured and broken from the sudden decompression. The floor panels were stationary but gave the appearance of separating upward by the suddenly moving downward floor beams.

The flight attitude of the aircraft was askew to the left from reaction of explosive decompression from the right. Air rushed into the large hole and weakened other skin and frames thus peeling skin further outward and rupturing the aft part of the aircraft to include the aft cargo compartment and the aft pressure bulkhead. There was no evidence of an explosion of any source in the aft cargo compartment.

The 296 knots of wind force pressed upon the weakened airframe and broke it in half amidships. This wind force was larger than any wind force the surface of the earth had ever experienced. The nose portion and wings tore off and landed in a dense debris heap apart from the debris field of the aft part.

The rest of the plane without the forward section suddenly decelerated from 296 knots and caused whiplash injuries to passengers. After the breakup, the passengers who were not wearing their seatbelts were scattered to far distances. They suffered explosion type injuries such as pieces of metal embedded in them from flying debris in the cabin. They were not burned because there was no fire nor explosion from a bomb explosion. The passengers had no other bomb explosion evidence. The passengers and crew were ejected from the

disintegrating aircraft to tumble to the water and suffer upward impact physical damage to their bodies. Some remained in their seats and were trapped in the fuselage underwater. Some had decompression type injuries of hypoxia from the high altitude aircraft breakup.

The passengers fell to the sea and some floated and some sank. The baggage from Vancouver passengers and loaded into the aft cargo compartment fell to the sea and some floated and some sank. The baggage from Montreal passengers and loaded into the forward cargo compartment fell to the sea and some floated and some sank. The aircraft fell in pieces and some pieces floated and some sank.

The pilots may have been conscious for a few seconds and adjusted the trim controls out of habit. The communications radio may have been activated by the disturbances in the cockpit and transmitted for a few seconds to air traffic control.

The port side forward of the wing was relatively smooth and undamaged from inflight debris while the starboard side forward of the wing was shattered, torn, and frayed at the ruptured cargo door area.

A few local fires appeared on the surface of the ocean from the jet kerosene fuel and singed some seat cushions and floating passengers.

All was quiet as the ground controllers tried to contact Air India Flight 182 as the flight crew did not respond to radio calls. Rescue teams were sent. Authorities became aware of the tragedy of 329 men, women, and children dying in a sudden plane crash.

Aftermath:

Explanations were sought as to what happened. Immediately the suggestion was made by authorities that a bomb explosion had caused the accident because of the sudden and catastrophic nature of the immediate evidence.

The Canadian aviation accident investigation authorities became involved since the aircraft had taken off from Canada and had many Canadian citizens aboard. Indian authorities became involved since the airline, Air India, has government ties. The Indian authorities quickly dismissed their aviation experts and assigned a Judge of the Court to oversee the investigation.

After a period of investigation, much of which was conducted to confirm the bomb explosion explanation and identify the culprits, the Indian judge made a finding in 1986 that a bomb in the forward cargo compartment had caused the inflight breakup of Air India Flight 182 and ruled out any type of explosion in the aft cargo compartment.

After a period of investigation, during which the opinion of the UK Air Accidents Investigation Branch representative of an explosive decompression not caused by a bomb but a cause as yet to be determined was given, the Canadian Aviation Safety Board made a conclusion in 1986 that an explosion of unstated cause in the forward cargo compartment had caused the inflight breakup of Air India Flight 182 while also ruling out any explosion of any type in the aft cargo compartment.

The immediate finding by the Indians of a bomb explosion in the forward cargo compartment was accepted and remained the probable cause for Air India Flight 182 twenty one years later although subsequent accidents of a similar type aircraft in similar circumstances leaving similar evidence now resolutely

contradicted that finding although confirming the Indian finding of an explosion on the starboard side of the forward cargo compartment and no explosion in the aft.

The Canadian probable cause of an explosion in the forward cargo compartment of an undetermined cause has been proven to be correct by subsequent accidents of a similar type aircraft in similar circumstances leaving similar evidence which do reveal the cause of the explosion: faulty wiring causing the forward cargo door to rupture open inflight at the latches leading to a tremendous explosion of explosive decompression causing Air India Flight 182 to totally breakup in flight.

In 2001 three men were arrested for involvement in the unproved bombing. One pled guilty on a bomb making charge and went to prison while denying any involvement with Air India Flight 182.

In 2005 two of the accused were found not guilty by a Canadian judge in British Columbia. The other man remains in prison and charged with perjury in that trial. The Canadian judge determined that an explosion occurred in the rear cargo compartment on the left side and the cause was a bomb. No explanations were offered to rebut the original findings of explosion in the forward cargo compartment on the right side and no explosion of any source in the aft cargo compartment.

In 2006 a Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182 was appointed. The shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation was presented to the Commissioner at an open hearing on 19 July, 2006. Excerpts below:

Application for Standing presented by Mr. Smith: Mr. Smith: Thank you, Commissioner Major, for allowing me to supplement my written application for standing...I have an alternate explanation for Air India 182. It's a mechanical explanation. I'll go into some detail during my presentation and my detail will not be to persuade you that my explanation is correct but to persuade you that my research has depth and is worthy of being granted standing.

The Commissioner: Well, I don't think, Mr. Smith, that you need 15 minutes to persuade me of that. Here's the difficulty...You have an alternate theory. The alternate theory may over time prove to be correct. I don't know...but the Terms of Reference preclude our considering whether or not there was any cause for that explosion other than the bomb that is found by the Supreme Court of British Columbia.

Hindsight:

In 1985, when Air India Flight 182 suffered an inflight breakup from an explosion, it was believed that an explosive decompression in an early model Boeing 747 could not cause an abrupt power cut to the data flight recorders. That belief was cited by the Indian Kirpal Report as a reason to reject the explosive decompression explanation because, in fact, Air India Flight 182 had suffered an abrupt power cut to the data recorders. The Indian Kirpal Reports states: "It was not possible that any rapid decompression caused by a structural failure could have disrupted the entire electrical power supply from the MEC compartment." The later event of United Airlines Flight 811 showed that it was possible, and indeed, did happen, that an explosive decompression caused by a structural failure could and did cause an abrupt electrical cutoff to the recorders.

The reason for the Indians in 1986 to rule out explosive decompression by structural failure was negated by the reality of United Airlines Flight 811 in 1989. If the Indians had the foreknowledge of United Airlines Flight 811 and the explosive decompression which cut off abruptly the power to the recorders, it is most probable they would have sustained the findings of the Canadians and the British who said that an explosion in the forward cargo compartment occurred and all would have then known the solution to the mystery posed by the AAIB investigator: "...but the cause has not been identified." The cause was identified in 1989 and demonstrated by United Airlines Flight 811 in NTSB AAR 92/02: The National Transportation Safety Board determines that the probable cause of this accident was the sudden opening of the forward lower lobe cargo door in flight and the subsequent explosive decompression.'

The evidence that was unavailable to the Air India Flight 182 CASB, AAIB, and Indian accident investigators in 1985 that became available in the ensuing 16 years that would have been invaluable in assisting them in determining the probable cause was:

- A. Evidence that an explosive decompression could cause an abrupt power cut to the data recorders.
- B. Evidence that floor panels can appear to separate upwards when in fact the floor beneath were pulled down.
- C. Testimony that twinning can occur in explosions other than bombs, such as an aviation fuel explosion, or explosive decompression.
- D. Evidence that the type of wiring installed, Poly-X, was defective in that it cracked to bare wire easily, especially in the presence of moisture.
- E. Visible ruptures in flight in forward cargo doors of

other early model Boeing 747s that suffered the same events in flight.

F. Several Airworthiness Directives for defects in and around the forward cargo doors of Boeing 747s that if uncorrected could lead to inadvertent opening of the cargo door in flight leading to catastrophic explosive decompression.

The evidence that was available to the Air India Flight 182 CASB, AAIB, and Indian accident investigators in 1985 was such to lead them to conclude that an explosion had taken place on the starboard side in the forward cargo compartment which was picked up by the cockpit voice recorder and cut off the electrical power in the adjacent main electrical equipment compartment. The cause of the explosion was given as either unknown, structural failure of explosive decompression, or a bomb explosion. Since the event in 1989 with United Airlines Flight 811 had not happened yet, the understandable decision of the Indians, based on three assumptions later proven unreliable, was to state the cause of the explosion in the forward cargo compartment a bomb whilst the cautious Canadian CASB and the British AAIB left the cause unstated or unidentified.

Part XI: Political Implications

Mr. Brucker, if and when the substantiated mechanical explanation for Air India Flight 182 is confirmed by Crown experts in aircraft crashes (TSB Air investigators), the political consequences are very positive: (Assuming I'm a political amateur optimist)

1. The caution and prudence of the Canadian Aviation Safety Board of 1986 will be revealed; their findings were correct, there was an explosion in the forward cargo compartment of Air India Flight 182 with an electrical cause only apparent four years later with United Airlines Flight 811.

2. The RCMP and CSIS will be exonerated for their failure to catch their men because there were no men to catch. There was no bomb, there were no bombers, there was no conspiracy, there was no crime, there were no criminals; the small cause was faulty Poly-X wiring destroying a large machine, an early model Boeing 747.

3. The security of Canadian airports was intact and not penetrated because there was no bomb placed in a CP aircraft leaving Vancouver, BC, which then passed through Montreal and Toronto airports.

4. The wisdom of the Canadian judicial system will be reaffirmed as represented by Justice Josephson who found the two accused not guilty because they were.

5 The tenacity and bravery of the Prime Minister to order an Inquiry that eventually would reveal the probable cause for the two decade old tragedy whilst knowing that official Inquiries sometimes answer key questions that remain unsolved, can help prevent future aircraft accidents, but can cause turbulent changes in attitude amongst the public.

6. A grand reduction in the amount of fear, suspicion, and hate among Canadian citizens against themselves, a religion, an airline, and law enforcement.

7. Closure for the families.

A pessimist might opine that acceptance of a mechanical explanation and rejection of the bomb conspiracy story would create disturbance in the minds of the citizens and cause unrest among the families and my reply would be, "That's why politicians and high officials get the respect, because they explain clearly and smooth upsets over to maintain the peace and prosperity of the state."

Part XII: Standing as witness before the Commission of Inquiry

I have fulfilled a Term of Reference and thus worthy of being granted standing because:

1. I have flown in Boeing 747s and about twenty other types of military and civilian aircraft during forty five years of aviation experience accumulating thousands of hours of flight time.
2. My crew duties have included pilot in command, co-pilot, navigator, bombardier, flight crew, mechanic, and owner.
3. I am a qualified nuclear weapon loading officer/bombardier which means I know how to create, load, arm, deliver, and detonate nuclear weapons as well as conventional bombs.
4. I have dropped bombs.
5. I have investigated in depth the bombing of Air India Flight 182 and other explanations for the inflight breakup and have written a three hundred page aircraft accident report and built a thousand page website demonstrating a substantial interest. (Smith AAR for Air India Flight 182 and Exhibit S-18 in the Commission files)
6. I have been investigated by the RCMP, the Air India Task Force, and the security branch of Transport Canada during their investigation of the bombing of Air India Flight 182.
7. I am personally aware of a conflict between the RCMP and Transportation Safety Board of Canada which resulted in problems of effective cooperation which I believe adversely affected the investigation into the bombing of Air India Flight 182.
8. I have been in a sudden fiery fatal jet airplane crash and suffered lifelong injuries.
9. I have seen the fatal victim in that crash.
10. I have visited and discussed the crash with the surviving family members of the victim.
11. I have discovered a clear and present hazard to the security

and safety of Canadian passengers flying in early model Boeing 747s such as Air India Flight 182. (The shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup hazard)

Summation

There were no bombs on Air India Flight 182. There were no crimes and no criminals and no conspiracies. There was and is a mechanical problem which exists to this day, aging and failing Poly X wiring which exploits design errors of non plug cargo doors and omitted midspan locking sectors allowing an explosive decompression when the forward cargo door ruptures open in flight.

Mr. Brucker, please check out this alternate explanation for the current bomb explosion one for Air India Flight 182. The alternative mechanical explanation with precedent warrants requests to Crown experts in technical matters (TSB (Air) investigators), and the Crown expert in inquiry (Commissioner Major of the Commission of Inquiry), for their opinions to assist you on a course of action to follow after their inquiries are complete. I can also help those agencies by being available to present the wiring/cargo door explanation to them in detail. Can you ask TSB (Air) for their professional opinions?

Can you set up a meeting with TSB (Air) investigators and me in Vancouver? I will go there to meet them.

Can you suggest to Commissioner Major that I be granted standing as a witness before him? It is in the best interest of the Commission of Inquiry to inquire into the wiring/cargo door explanation to fulfill the guidance given by the Prime Minister to

conduct a full and thorough inquiry and also fulfill the Commissioner's stated goal of being very broad in the evidence that it heard, in order to put to rest the various theories, rumours and neglect that have occurred since the explosion in 1985.

On a personal note, I have read the law somewhat in my forty five years of adulthood. In my opinion, my readings of military law, federal law, local law, and aviation law have revealed one thing that is always apparent: Fairness. The law as written always allows the other side the same advantages or concessions as the other. If one side has time, the other does too. If one side makes a statement, the other side has an opportunity to rebut, and the original side can rebut the rebuttal and then the other side gets to rebut that rebuttal. The bombing explanation has had twenty one years to present its case, please allow the wiring/cargo door a few hours in front of TSB (Air) or the Commission of Inquiry. Please turn those fair words of the written law and the idealistic words of the Prime Minister and the Commissioner into reality.

Respectfully,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
<http://www.montereypeninsulaairport.com>
<http://www.ntsbt.org>

Mr. John Barry Smith
barry@johnbarrysmith.com

Dear Mr. Smith:

On behalf of the Prime Minister, I would like to thank you for your e-mail of October 2 regarding the Commission of Inquiry into the Bombing of Air India Flight 182. Please be assured that your comments have been carefully reviewed and are appreciated.

I have taken the liberty of forwarding your correspondence directly to the Minister of Justice and Attorney General of Canada, the Honourable Vic Toews, within whose responsibilities this matter falls.

Once again, thank you for taking the time to write.
Sincerely,

Salpie Stepanian
Assistant to the Prime Minister

cc: Hon. Vic Toews, P.C., M.P., Minister of Justice and Attorney
General of
Canada

Mr. John Barry Smith
barry@johnbarrysmith.com

Dear Mr. Smith:

Thank you for your correspondence of August 20, 2006, to the Honourable Lawrence Cannon, Minister of Transport, Infrastructure and Communities, regarding Air India Flight 182. The Minister has asked me to reply on his behalf.

I have noted your comments with respect to this matter.

Although, as you indicate, the Attorney General of Canada is the

Government of Canada's representative on the Commission of Inquiry into the investigation of the bombing of Air India Flight 182. This being the case, I have taken the liberty of forwarding a copy of your correspondence to the office of the Honourable Vic Toews, Minister of Justice and Attorney General of Canada, for consideration.

I trust that this action will prove satisfactory. Again, thank you for writing.

Yours truly,
Richard Stryde
Senior Special Assistant

c.c. Office of the Honourable Vic Toews, P.C. M.P.
Dear John Barry Smith,

Thank you for your interest in Transportation Safety Board.

Your comments are important to us and we will address them as quickly as possible.

We have lots of information already available on-line which may be exactly what you need. Our e-mail service is now available. The subscription page lets you choose the documents for which you would like to receive a notification. When a type of document you have requested is posted on our Web site, an e-mail that includes a short summary and a link to the

document on our Web site will be sent to you. Please use the following link to subscribe to our e-mail service (<http://listserv.tsb.gc.ca/en/subscribe/>).

We invite you to start by reading:

About the TSB (<http://www.tsb.gc.ca/en/common/about.asp>);

FAQ (<http://www.tsb.gc.ca/en/common/faq.asp>) where many of your questions may already have been addressed;

The Site Map (http://www.tsb.gc.ca/en/common/site_map.asp); and

Search (<http://www.tsb.gc.ca/en/search/query.asp>) pages are valuable tools to find specific information.

If you wish to contact a TSB employee, please use the GEDS Employee Directory at <http://direct.srv.gc.ca/cgi-bin/direct500/BE>.

Please note that personal information collected by TSB is protected.

Thank you for taking the time to provide us with your comments.

Communications Group
Transportation Safety Board
E-mail: communications@tsb.gc.ca
<http://www.tsb.gc.ca/en/common/offices.asp>

Good afternoon,

The Transportation Safety Board (TSB) has implemented SECURITAS, a confidential program through which you can report potentially unsafe acts or conditions relating to the Canadian transportation system that would not normally be reported through other channels.

For more information, please follow this link:
<http://www.tsb.gc.ca/en/securitas/index.asp>

Thank you for your interest in the Transportation Safety Board of Canada.

Best regards,

Christian Plouffe
Communications Advisor
Transportation Safety Board of Canada

Dear Mr. Smith:

Thank you for your recent inquiry regarding the last correspondence you had with Mr. Bill Tucker on the Air India file. Mr. Tucker's replacement is Mr. Terry Burtch, who joined us last October. I have forwarded your request to Mr. Burtch, who is pursuing it at present. You may also be interested to know that just before we received your request, both the Director of Investigations - Air and the Director, Engineering, retired from the Transportation Safety Board. Mr. Burtch is presently

following up with other staff in those respective organizations, and will communicate directly with you at the earliest opportunity. We regret the delay in responding, but trust that this approach will be satisfactory.

Paulette G. Delorme
Executive Assistant / Adjointe ex/cutive
Transportation Safety Board of Canada/
Bureau de la s/curit/des transports du Canada
Tel.: (819) 994-8002
FAX: (819) 994-9759

Smith Submission 1, Grievous Error of Fact Detected, Filed 28 July, 2006. (Please correct Commission website.)

Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006 (Please grant me standing.)

Smith Submission 3: The Official Versions: Bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom. (Please ask TSB Air for their opinion to resolve official conflicts of type of explosion and where it occurred.) Filed Tuesday, August 8, 2006

Smith Submission 4: The Unofficial Version: The shorted wiring/ ruptured open/forward cargo door/explosive decompression/ inflight breakup explanation. (Please consider a plausible, reasonable, electrical cause with precedent) Filed Tuesday, August 8, 2006.

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Smith Submission 14: Putative Facts and Unsubstantiated Opinions. (Who Says?)
Smith Submission 15: Letter to PM, AG, Commissioner, Minister of Transport, TSB, Securitas, RCMP AITF. Filed Wednesday, October 25, 2006.

From: John Barry Smith <barry@johnbarrysmith.com>
Date: September 5, 2009 11:46:54 PM PDT
To: "Dickerson, Ken" <kdickerson@majorcomm.ca>
Subject: Re: Your submissions #13-15

At 3:28 PM -0500 10/31/06, Dickerson, Ken wrote:

Mr. Smith,

I have forwarded your submissions numbered 13, 14 and 15 (received between August 28, 2006 and October 25, 2006) to the recipients you listed. I apologize for the delay in sending you this confirmation. To be clear, I am referring to the following

three submissions:

- Submission 13: What is the fear? (Boo!) - received August 28, 2006
- Submission 14: Putative Facts and Unsubstantiated Opinions. (Who Says?) < received September 29, 2006
- Submission 15: Letter to PM, AG, Commissioner, Minister of Transport, TSB, Securitas, RCMP AITF. - received October 25, 2006.

Dear Mr. Dickerson, Tuesday, October 31, 2006

Thank you for the filings. It's a relief, I was afraid my efforts were for naught.

Please note that Sheila-Marie Cook has vacated the position of Commission Secretary. Her replacement, Laura Snowball, has all of the materials you have provided.

Acknowledged, new nice name. (My daughter's name is Laura...and Snowball is great.)

Your submissions (#s 1-15) have all been filed with the Registrar in the permanent record of the Commission, and as such are available to the Commission's research staff.

Very good, I trust they will give an objective look and due consideration.

As Spokesperson, Michael Tansey does not have responsibility for written submissions.

Noted.

Please feel free to continue providing these materials electronically to my e-mail address.

Will do.

We do not require hard copies from you.

Thanks.

Informally (not a submission) you know I have connected Air India Flight 182 and Pan Am Flight 103 as the same cause. There is interesting news about Pan Am Flight 103 below. My phrase "Alternative explanation" was used in the articles. Two controversial Boeing 747 crashes, both officially bombs and yet...and yet...the controversies continue. Should the Pan Am Flight 103 conviction be returned to court, there shall be more discussions why early model Boeing 747s come apart in the air. My wiring/cargo door explanation unites them as one cause. We'll see.

Regards,

John Barry Smith
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Lockerbie retrial demand over new evidence

MURDO MACLEOD

THE Lockerbie bombing conviction seems certain to be sent back to the appeal court after it emerged Scottish prosecutors suppressed "absolutely crucial" German police evidence at the trial, Scotland on Sunday can reveal.

The evidence - papers suggesting a key prosecution witness was implicated in the mass murder - will form part of an official report by the Scottish Criminal Cases Review Commission (SCCRC).

The results of the German inquiry were passed to the Crown Office in Edinburgh years before the 2000 trial and translated into English at considerable public expense.

But lawyers for Abdelbaset ali Mohamed al-Megrahi, the Libyan serving life for the atrocity, were refused access to the documents by the Crown Office before the historic case opened in Holland.

Scotland on Sunday has established that the defence was forced to obtain the papers direct from the German prosecutors just before Megrahi's trial but did not have the time or money to translate them.

The papers could, it is claimed, have transformed the outcome of the case. German investigators

established that a Palestinian terrorist called Abo Talb, funded by Iran, could have placed the bomb on board Pan Am flight 103. They also established that the Iranian government paid millions of dollars into a Swiss bank account belonging to one of Talb's colleagues two days after the Lockerbie bombing.

However, Talb was produced at the trial as a vital witness for the prosecution, in return for lifetime immunity from prosecution. Defence sources claim this provided the motive for the Crown to suppress the German evidence.

The Lockerbie disaster, on December 21, 1988, claimed the lives of 270 people in the aircraft and on the ground. Megrahi was found guilty in January 2001 after a three-month trial at Camp Zeist and his appeal dismissed the following year.

But a team of lawyers and investigators has continued working on the case. The SCCRC is due to complete a report on Megrahi's conviction early next year.

Sources close to the SCCRC have admitted that vital new evidence is contained in its report and concede it is almost certain it will order a fresh appeal. One source confirmed: "The documents are absolutely crucial. They would have proved very useful to the defence at the trial."

If, as expected, the case is referred back, it could result in the original decision being upheld, a retrial or even Megrahi's conviction being quashed.

Meanwhile, the Libyan's defence team is understood to be furious at the failure of the Crown to comply with standard trial procedure. A source

close to the defence said: "The Crown refused to hand over these vital documents. That is unacceptable and a complete breach of all the rules about 'equality of arms' and disclosure and a fair trial."

Jim Swire, spokesman for the Lockerbie families, said: "We have always believed that the man in jail for the bombing should not be there. This seems to be a very important step in proving that and getting justice for the victims of the bombing."

Tony Kelly, Megrahi's lawyer, said: "This case is being dealt with by the SCCRC, and we await its findings. Out of deference to it, I cannot comment on any aspect of the case."

No one from SCCRC was available and the Crown Office refused to comment.

A spokesman for the German federal police service confirmed it had carried out a number of investigations that were linked to the Lockerbie affair.

Missing evidence may free Megrahi

MURDO MACLEOD

(mmacleod@scotlandonsunday.com)

LONG before she saw anything, Majorie McQueen heard Pan Am flight 103 come apart and tumble through the night sky above Lockerbie.

"I was out in my garden at the time... I thought it was a clap of thunder, but it just carried on getting louder and louder all the time and there was an enormous crash."

Wreckage landed 200 yards from the home of

McQueen. "We couldn't figure out what it was until my husband received a call from a colleague who said that the nose of a plane was lying in the field." They knew it was an aircraft but, almost 18 years later, they are not sure much else is clear. Despite the conviction of Libyan Abdelbaset ali Mohamed al-Megrahi, the questions not only remain but continue to mount.

And early next year, it seems all but certain the doubters and conspiracy theorists will receive official backing when the Scottish Criminal Cases Review Commission (SCCRC) sends the conviction of Megrahi back to the appeal court.

Four years ago, at Camp Zeist in the Netherlands, three Scottish judges, sitting without a jury, accepted the Crown case that Megrahi was an intelligence officer working for Libyan Airlines in Malta, and that he planted the bomb by placing a suitcase on a connecting flight from Malta to Frankfurt, which ended up on the London Heathrow leg to New York.

But many people have long believed the attack was carried out by Palestinian terrorists working for the Iranians, who wanted revenge for the downing of an Iran Air airbus by a US warship in July 1988.

According to the theory, this line of inquiry was acceptable until the Gulf War when cooperation, rather than conflict, with Tehran became necessary. The German federal police, the Bundeskriminalamt (BKA), were already investigating Palestinian terrorists, including the Swedish-based Abo Talb and a number of contacts in Malta.

Talb had been a Lockerbie suspect early in the

investigation. A calendar was found in his Swedish flat with December 21 circled and he was known to have visited Malta in the months before the bombing.

Megrahi's team at the Lockerbie trial lodged a special defence, saying Talb was responsible. But Talb, who during the 1990s was jailed in Sweden, appeared at the Lockerbie trial as a prosecution witness, testifying that he was not responsible. Until now, the defence have not had documentary evidence placing Talb in Malta at the precise time of the bombing.

But the BKA documents, gathered from investigations in Germany and Malta, are understood to provide that missing link. They are said to include surveillance reports which place Talb in Malta less than four weeks before the attack. They also reveal crucial details about cash transactions which may be linked to Lockerbie. One account, held by Palestinian terrorists arrested by the Germans, was in Lausanne, Switzerland. On December 23, two days after the bombing, the Iranian government deposited £5.9m into this account.

Some German technical documents also open up another possible alternative to the Crown's theory, that the device could have been planted at Frankfurt Airport rather than Malta. Such an explanation has always been ruled out by prosecutors.

The information from the BKA documents locate Talb in Malta on a date in the four weeks prior to the bombing.

Although Megrahi's defence are now in possession of this crucial detail, and it has been passed on to the SCCRC, it was never available at the trial because of what is claimed to have been obstructive behaviour by the Crown Office.

As the trial approached, Megrahi's defence knew the Crown had access to huge numbers of reports from the BKA. The defence demanded that all the documents were handed over as was normal in criminal trials to guarantee a fair hearing. If made available, they would have destroyed Talb's credibility and very possibly provided the doubt necessary to acquit Megrahi.

One source said: "The Crown said that they couldn't hand over anything which came from a 'foreign power' because it would be wrong without the permission of that 'foreign power'."

Eventually, with the trial just a few weeks away, the defence took things into their own hands and went to Germany to see the chief prosecutor in Frankfurt.

"They got all the papers, literally thousands and thousands and thousands of them. All in German," the source said. "From interviews and surveillance reports, many hand-written, to documents about the freight and baggage movements in and out of Frankfurt airport, and no one could figure out which ones were important to the case."

Another source close to the defence revealed that a frenzied attempt was made to translate the papers. He said: "The Crown had had them translated at taxpayers' expense, but wouldn't give the defence access to the translations. The papers had to be

sent to professional translators, costing tens of thousands of pounds, and they began working with the trial just a couple of weeks away.

"The papers were still being translated during the trial and the costs were beginning to hit the hundreds of thousands of pounds. The defence had to go into court not having access to a lot of useful information."

Another insider close to the defence said: "The papers do not absolutely 100% prove the Palestinian link, but that's not the defence's job. What they do is substantially boost the alternative explanation."

In Lockerbie, the dispute over responsibility brings cynicism from McQueen. "I don't know who did it, but even if the guy who's in prison did it, he wasn't the main player," she say

From: John Barry Smith <barry@johnbarrysmith.com>

Date: September 5, 2009 11:46:54 PM PDT

To: kdickerson@majorcomm.ca

Subject: Smith Submission 17: Myth versus Reality

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Ken Dickerson

Public Affairs Officer/Agent des affaires publique

Dear Mr. Dickerson,

Sunday, January 21, 2007

"You're free, Mr. Smith, as you probably know, to add to your filed material should you choose."

As given permission by the Commissioner to submit material:
Enclosed below is Smith Submission 17: Myth vs. Reality

Smith Submission 1, Grievous Error of Fact Detected, Filed 28 July, 2006. (Please correct Commission website.)

Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006 (Please grant me standing.)

Smith Submission 3: The Official Versions: Bomb, bomb, bomb, in the baggage, baggage, baggage go boom, boom, boom. (Please ask TSB Air for their opinion to resolve official conflicts of type of explosion and where it occurred.) Filed Tuesday, August 8, 2006

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Smith Submission 15: Letter to PM, AG, Commissioner, Minister of Transport, TSB, Securitas, RCMP AITF. Filed Wednesday, October 25, 2006.
Smith Submission 16: Research This. Filed Saturday, December 16, 2006
Smith Submission 17: Myth vs. Reality. Filed Sunday, January 21, 2007

Thanks, Happy 2007, and Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924

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=====
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Doonesbury Sunday, January 14, 2007

It's just too controversial...And so is the Air India Flight 182

controversy, the Pan Am Flight 103 controversy, the TWA Flight 800 controversy....

Air India Flight 182 currently has a Commission of Inquiry twenty two years after the event.

Pan Am Flight 103 has a case before the Scottish Criminal Courts Review Commission eighteen years after the event.

TWA Flight 800 continues to have stories of a missile shootdown by the US Navy or terrorists eleven years after the event.

The controversy for those Boeing 747 crashes, as I see it, is the conflict between pleasant conspiracy myths and unpleasant mechanical reality.

Hello, Commissioner Major and Researchers of the Commission of Inquiry into the Bombing of Air India Flight 182, my name is John Barry Smith and I offer a reality based scientific alternative to the imaginative conspiracy explanation for Air India Flight 182.

But you know that already. I've appeared personally before the Commission, I've written letters, I've submitted hard copies of researched material as well as my sixteen supplemental submissions of which this formal seventeenth is just be the latest.

Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182

Honourable John C. Major, Q.C. Commissioner

Sheila-Marie Cook, Executive Director and Commission Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

Ken Dickerson, Public Affairs Officer/Agent des affaires

publiques

Michael Tansey, Commission Spokesperson
Research Staff of Academics in the Research Program from
Across Canada and Elsewhere

Dear Commissioner Major and specifically Commission
Research Staff, Sunday, January 21, 2007

Smith Submission 17: Myth vs. Reality. Sunday, January 21,
2007

From Commission Website: Our Research Program: "Concurrent with the hearings, the Commission's research staff will study all of the documents, reports and evidence from the hearings to deal with all issues within our mandate. The research program will involve academics and other specialists from across Canada and elsewhere. They will provide studies that can be valuable when the Commission assesses the evidence and makes findings to be included in the final report."

I would hope that Commission Exhibit S-18, the Smith AAR for Air India Flight 182, will be invaluable to researchers in the Research Program as you assess the evidence 'within their mandate'. The mandate is broad according to Commissioner Major: The Commissioner: "Yes. Well, I will confirm that. The nature of this Commission was to be very broad in the evidence that it heard, in order to put to rest the various theories, rumours and neglect that have occurred since the explosion in 1985."

So, here we go on my latest submission, Myth vs. Reality.

I can just imagine the excitement when Mr. Dickerson immediately calls up Commissioner Major and announces, "Sir,

we've got another one! Number 17!" Commissioner Major tells the Minister he was talking to that their meeting will have to be adjourned as he has just received a very important email from a respected investigator regarding the subject of the Commission Inquiry, Air India Flight 182, and needs immediate time to study the contents.

Mr. Dickerson then located all the researchers spread out across Canada and elsewhere and gives them the news, "Another one from Smith! I'm forwarding you the details at this time, acknowledge receipt and prepare for discussion."

The staff attorneys are then informed in milder tones since attorneys hate any conflicting news of their point of view so carefully prepared for presentation to satisfied clients. The attorneys were nowhere to be found and their cell/mobile phones were off so voicemail messages were left on their answering machines and pagers.

Meetings were set up the next morning to evaluate the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation for Air India Flight 182. The hard evidence was examined, the assumptions about wiring/cargo door were confirmed, the findings were corroborated, the conclusions were judged to be sound and decisions were reached: Smith was asked to present his wiring/cargo door explanation to the full Commission and researchers and counsel; in addition, a request to the Transportation Safety Board of Canada was made for an updated supplement to the twenty year old Aircraft Occurrence Report by the Canadian Aviation Safety Board in which they did not conclude the probable cause was a bomb explosion and in fact quoted an United Kingdom investigator who ruled it out.

The TSB (Air) report then confirmed the cause as a mechanical fault, not a bomb explosion, and provided the scientific evidence to support the findings.

Upon hearing the news that the Commission of Inquiry into the Bombing of Air India Flight 182 was actually going to inquire into the bombing of Air India Flight 182, Smith swooned.

Subsequently the science explanation was accepted, the faulty wiring was replaced and no more Boeing 747s came apart in flight. Smith was so dumbfounded at the events he had so long hoped for that he appeared humble when knighted by the Queen of Canada in a moving ceremony attended by many. (It could happen!)

Reality: Email submission 17 is filtered to Trash.

Wishful thinking versus reality. What is reality, or as I like to say, "The map is not the territory, the territory is the territory." To put a fine point on it, "A map is a piece of paper."

Research means to re search, to search again. To inquire means to investigate and both acts require questions. Questions are good things. Inquisitiveness is a virtue. Air India Flight 182 is still controversial, still being researched and still the subject of inquiry. It is time to forego the pleasant wishful thinking and defer to ugly reality.

For Air India Flight 182, a wishful thinking map has been drawn for the cause of the tragedy in which 239 men women and children died a terrible death. The pretty map shows that Canadian government, Indian government, Boeing manufacturer,

Air India airline, the flight crew, and the passengers to be guiltless of any responsibility for the many deaths as the cause was the lax efforts of sloppy security screeners at several airports and the dastardly deeds of turbaned terrorists seeking revenge.

If only that pleasant guilt absolving version were so. Many hundreds of media representatives, manufacturer reps, government agencies, police, defence counsel, prosecutors, and attorneys have tried for over twenty years to make it so. But alas, reality keeps on intruding into the fantasy and thus the Commission of Inquiry exists with its staff of academics and researchers from across Canada and elsewhere. (I'm from Elsewhere, California.)

The reality that intrudes is composed of sound recordings of the actual event taking place which rule out bomb explosion, twisted metal in the aircraft skin which indicates the explosion occurred in the forward compartment not the aft, wreckage debris patterns of engines and tail parts, and of course, the split longitudinally forward cargo door which matches other Boeing 747s that suffered inflight breakup especially United Airlines Flight 811. The reality is that Air India Flight 182 was an accident caused by the sequence that causes most aircraft accidents, mechanical failure of a part which leads to failures of other parts which leads to destruction. There were no bombs, no bombers, no conspiracies, no crimes, and no criminals. It was an accident. That reality is unpleasant to accept for many, especially those who will appear to be somewhat responsible.

The reality of the wiring/cargo caused accident of Air India Flight 182 shows that Judge Josephson was correct in finding the accused not guilty, explains why the RCMP could not find the bombers, proves religious groups are not killing each others, and

that the early Crown aircraft investigators were correct. Why do those consequences not bring joy to Canadian citizens to have their judicial system regain stature, decrease hate amongst themselves, restore confidence in the police agencies, and trust again Canadian aircraft investigators?

I'm guessing it's because the wishful thinking guilt absolving map is still more pleasant and entertaining to believe than the routine banal mechanical explanation. (I could be wrong on determining the motives of human nature, that's not my area. Why people do what they do is a continuing mystery to me.)

The wishful thinking bombers map and the reality of the scientific evidence territory conflict; they do not match. One is wrong. The evidence in the territory of aircraft wreckage remains the same; the map can change.

Innocent day dreams are fine things. The problems occur when they are believed as truth and actions are taken based on false assumptions. Farmers may dream of rain but the reality of the drops is needed, the plants can't be fooled. Politicians spout dreams as truth all the time such as balanced budgets are just around the corner. Politicians have to tell the citizens what they want to hear or they will be politicians no longer. Researchers have the luxury of telling the truth based on solid science, not changing emotions.

A pleasant day dream to deflect grief is one composed of anger, hate, and revenge. That has occurred for Air India Flight 182 and other Boeing 747 tragedies. It was the terrorists and they are everywhere is the day dream turned nightmare which eases the pain of grief.

An unpleasant reality is that early model Boeing 747s including Air India Flight 182 have known defective Poly X wiring installed that is prone to cracking to bare wire which turns on the cargo door unlatch motor leading to explosive decompression and inflight breakup. That manufacturing defect is present in about five hundred currently in service Boeing 747-100 and 747-200 series, some of which fly in Canadian airspace.

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I consider myself a researcher. I have often during my sixteen years of research into the wiring/cargo door explanation for early model Boeing 747s that disintegrate in flight have had to resist the temptation to exaggerate, ignore, or flat out lie about any conflicting data I might uncover. All the data must be corroborated, analyzed, and reported whether it fits the hypothesis or not.

As it turns out, once the correct explanation is figured out, the facts will confirm it. I call those many moments, "Cargo Door Moments". It's when I say to myself, "Well, if the starboard side forward cargo door opened in flight, then certain things have to happen, such as the starboard horizontal elevator or wing would

receive inflight damage." I then research all the information about inflight damage and sure enough, the accident reports confirm that more inflight damage occurred on the starboard side of these Boeing 747s than the port side.

Science seems so simple to me. Two and two is four which might be good or it might be bad depending on circumstances. I don't change the answer to five to avoid the unpleasant answer of four. However, for those officials who believe there are no unpleasant consequences but many good ones for stating the answer is five, the wrong answer is easy to state. As a survivor of a sudden night fiery fatal jet airplane crash, I know of the unpleasant consequences of a mechanical failure. Two and two is four regardless of how much I wanted the answer to be five. I deferred to reality, my plane was on fire and going down. I acted on the reality and saved my life.

It turns out that for the majority nowadays, the answer is often five. Trying to get the media and government agencies to consider a scientific answer which conflicts with the imaginative faith based conclusion of terrorists is so far impossible. The reaction by government officials, (well, to be specific, Commissioner John Major,) is the same as trying to enter into discussion about evolution with a Christian fundamentalist. The zealot knows the answer, period, and rejects all efforts by others to offer evidence of science which refutes the pleasing mythic belief.

I was promised fifteen minutes in a face to face hearing to present my science based explanation for Air India Flight 182 to the Commission of Inquiry (sic) and was rejected after five, three of which were spent listening to Commissioner Major tell me I might be right but he didn't want to hear about it and to go away.

Those that wish to believe that a Boeing 747 was destroyed by a bomb placed by foreign looking men with odd headgear will continue to believe that imaginative idea regardless of the lack of supporting evidence and reject any alternative explanation well supported with hard facts and data. Emotion overrules reason, sad to say. Anger, hate, and revenge are stronger emotions than the pleasure of enlightenment through knowledge obtained by research. It was ever thus, savages temporarily dominate. Reason is gentle but persevering while violent anger burns out over time.

What harm would occur if I had been allowed my promised fifteen minutes? What harm would occur if the science based explanation for Air India Flight 182 had been given standing to allow a full explanation to be presented to the Commission? The religious based agencies who applied were given standing and will present their persecution based explanations for the tragedy. The Commission is not a scientific inquiry but turning into an emotion based faith healing show.

Science was not trusted and lost; the controversy was stifled. Can science based researchers make a difference? Are the Commission researchers and academics from across Canada and elsewhere the type that research Noah's Ark, the Shroud of Turin, teeth from Buddha, the Bermuda Triangle, Bigfoot, and crop circles? If so, then all is lost and myth composed of entertaining stories becomes common folk wisdom.

Emotion sells, reason rots on the stinking shelf. It seems today that most TV news (sic) is really packaged emotions with few facts presented but lots of sincere inflections in the beautiful readers' voices. It's as if being lectured by condescending third grade teachers who are so reluctant of telling their young

students of the harsh realities of the real world. The media and government are in the business of transmitting emotions: anger at the chosen enemy, hate at chosen villains, revenge toward chosen terrorists, sympathy towards chosen victims, and all ending with a little heart warming cuddly story to reassure the citizen/children that although things may be bad around the world, authority/daddy/mommy is protecting us at home. There's a word for those presentations: Propaganda.

propaganda [n.]

PRON: /"prɒpə'gænd&/

1. Information that is spread for the purpose of promoting some cause.

ETYM: Abbrev. from Latin *de propaganda fide*: cf. French *propagande*. Related to *Propagate*.

For instance, several hundred passengers and crew die a terrible death which includes sudden loud sounds, pain, and the horror of falling to death. That event is politically treated as a one off event that probably could have been avoided had but a few security screeners done a better job. New security practices are in place to prevent another two bombs being placed in baggage on two Boeing 747s on the same day and exploding much later within the hour. The message 'cause' is the tragedy won't happen again and all as is well. Continue to buy tickets. Flying is safer than driving. There is not an industry wide problem with non plug outward opening cargo doors or hundreds of passenger airliners flying with faulty wiring putting many thousands at daily risk.

Three criminal court justices have concluded a bomb explosion brought down Air India Flight 182; Justice Kirpal of India, Justice Josephson and Justice Major of Canada. Justice Kirpal

authored the Indian accident investigation report which stated a bomb explosion in the forward cargo compartment, Justice Josephson presided over the two accused bombers' trial and stated there was a bomb explosion in the aft cargo compartment, and Justice Major has stated in interviews with the press that he believed a bomb caused the destruction of unstated location. The Justices can not even agree as to where the supposed bomb was located nor who did it but they do know it was a rare bomb explosion and not the more common mechanical fault that causes inflight decompressions.

Three criminal court justices who know the evil in men's hearts saw evil in the destruction of a Boeing 747 and concluded a bomb exploded somewhere in it and it was placed by foreign looking men who were callously killing children out of revenge for another act of evil years earlier. This entertaining myth has betrayal, violence, explosions, grief, intrigue, sexual adventures, large sums of money exchanging hands, police from several countries earnestly working, and of course continuing headlines and TV interviews. What's not to like about the bombers explanation for Air India Flight 182? Emotion sells and this story has mythic qualities.

The people who actually know why Boeing 747s come apart in the air did not conclude it was a bomb. The Canadian aircraft accident investigators concluded that the cause was an explosion of unknown cause to be determined later. The UK investigator said the cause was an explosion but not a bomb. Both investigators used science to support their conclusions such as frequency response in recordings, direction of twisted metal, and debris patterns. This private independent investigator from California used the luxury of hindsight to look back on subsequent similar accidents which occurred after the CASB and

UK investigators' reports to conclude the Crown investigators were correct in 1986 and can offer much more corroborating evidence. United Airlines Flight 811 is the model wiring/cargo door Boeing 747 event which occurred four years after Air India Flight 182 and matches in many critical evidence areas.

The scientific wiring/cargo door explanation is boring to laymen. Understanding it requires basic education in electricity, gravity, and physics of air pressure. Science implied that the danger was more widespread and still exists. This explanation did not dispel grief through anger, hate, and revenge. Science was rejected without discussion or investigation.

Government refuses to accept an unpopular scientific inconvenient truth which is supported by scientists in several countries. Global warming is a similar controversial explanation for observed events which also affects Canada. Global warming is called an inconvenient truth, I call the wiring/cargo door explanation an unpleasant reality; both are science based and rejected by politicians and the public while accepted by researchers and experts in their fields.

The criminal justices used police reports of overheard conversations, sexual affairs, and paid for betrayals. Interest sustained.

The aircraft accident investigators used recordings, wreckage reconstructions, flight logs, baggage manifests, and debris patterns. Interest wanes.

Criminal court justices giving opinions about the cause of a plane crash or the actual scientific research based conclusions by aircraft investigators...who you gonna trust?

The answer is neither until the crash cause is re-searched and inquiries are made by the researcher staff employed by the Commission of Inquiry to search again as well as request the TSB (Air) for their first official opinions.

Please do so. I implore the Commission researchers to ask me questions based on science as you inquire about Air India Flight 182. I invite you to ask me to submit my additional research materials for confirmation or rebuttal. The mythic bomb explanation has had twenty two years to persuade; it has failed. Give the science explanation of shorted wiring/unlatch motor on/ ruptured open forward cargo door/explosive decompression/ inflight breakup a few days of your time before hearings resume on February 19th. It's all there in Commission Exhibit S-18, in my other sixteen Commission Submissions, and on <http://www.montereypeninsulaairport.com> or <http://www.ntsbt.org>

Trust science again.

Regards,

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<http://www.montereypeninsulaairport.com>
<http://www.ntsbt.org>

Smith Submission 1, Grievous Error of Fact Detected, Filed 28 July, 2006. (Please correct Commission website.)

Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006 (Please grant me standing.)

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Smith Submission 16: Research This. Filed Saturday, December 16, 2006
Smith Submission 17: Myth vs. Reality. Filed Sunday, January 21, 2007

From: John Barry Smith <barry@johnbarrysmith.com>
Date: September 5, 2009 11:46:54 PM PDT
To: kdickerson@majorcomm.ca
Subject: **submission 17 backup myth reality**

Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182
Ken Dickerson
Public Affairs Officer/Agent des affaires publique

Dear Mr. Dickerson, Sunday, January 21, 2007

"You're free, Mr. Smith, as you probably know, to add to your filed material should you choose."

As given permission by the Commissioner to submit material:
Enclosed below is Smith Submission 17: Myth vs. Reality

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Thanks, Happy 2007, and Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924

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Doonesbury Sunday, January 14, 2007

It's just too controversial...And so is the Air India Flight 182
controversy, the Pan Am Flight 103 controversy, the TWA Flight
800 controversy....

Air India Flight 182 currently has a Commission of Inquiry
twenty two years after the event.

Pan Am Flight 103 has a case before the Scottish Criminal
Courts Review Commission eighteen years after the event.

TWA Flight 800 continues to have stories of a missile shootdown
by the US Navy or terrorists eleven years after the event.

The controversy for those Boeing 747 crashes, as I see it, is the

conflict between pleasant conspiracy myths and unpleasant mechanical reality.

Hello, Commissioner Major and Researchers of the Commission of Inquiry into the Bombing of Air India Flight 182, my name is John Barry Smith and I offer a reality based scientific alternative to the imaginative conspiracy explanation for Air India Flight 182.

But you know that already. I've appeared personally before the Commission, I've written letters, I've submitted hard copies of researched material as well as my sixteen supplemental submissions of which this formal seventeenth is just be the latest.

Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182

Honourable John C. Major, Q.C. Commissioner

Sheila-Marie Cook, Executive Director and Commission Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

Ken Dickerson, Public Affairs Officer/Agent des affaires publiques

Michael Tansey, Commission Spokesperson

Research Staff of Academics in the Research Program from Across Canada and Elsewhere

Dear Commissioner Major and specifically Commission Research Staff, Sunday, January 21, 2007

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I was promised fifteen minutes in a face to face hearing to present my science based explanation for Air India Flight 182 to the Commission of Inquiry (sic) and was rejected after five, three of which were spent listening to Commissioner Major tell me I might be right but he didn't want to hear about it and to go away.

Those that wish to believe that a Boeing 747 was destroyed by a bomb placed by foreign looking men with odd headgear will continue to believe that imaginative idea regardless of the lack of supporting evidence and reject any alternative explanation well supported with hard facts and data. Emotion overrules reason, sad to say. Anger, hate, and revenge are stronger emotions than the pleasure of enlightenment through knowledge obtained by research. It was ever thus, savages temporarily dominate. Reason is gentle but persevering while violent anger burns out over time.

What harm would occur if I had been allowed my promised fifteen minutes? What harm would occur if the science based explanation for Air India Flight 182 had been given standing to allow a full explanation to be presented to the Commission? The religious based agencies who applied were given standing and will present their persecution based explanations for the tragedy. The Commission is not a scientific inquiry but turning into an emotion based faith healing show.

Science was not trusted and lost; the controversy was stifled. Can science based researchers make a difference? Are the Commission researchers and academics from across Canada and elsewhere the type that research Noah's Ark, the Shroud of Turin, teeth from Buddha, the Bermuda Triangle, Bigfoot, and crop circles? If so, then all is lost and myth composed of entertaining stories becomes common folk wisdom.

Emotion sells, reason rots on the stinking shelf. It seems today that most TV news (sic) is really packaged emotions with few facts presented but lots of sincere inflections in the beautiful readers' voices. It's as if being lectured by condescending third grade teachers who are so reluctant of telling their young students of the harsh realities of the real world. The media and government are in the business of transmitting emotions: anger at the chosen enemy, hate at chosen villains, revenge toward chosen terrorists, sympathy towards chosen victims, and all ending with a little heart warming cuddly story to reassure the citizen/children that although things may be bad around the world, authority/daddy/mommy is protecting us at home. There's a word for those presentations: Propaganda.

propaganda [n.]

PRON: /"prɒp&'gɒnd&/

1. Information that is spread for the purpose of promoting some cause.

ETYM: Abbrev. from Latin de propaganda fide: cf. French propagande. Related to Propagate.

For instance, several hundred passengers and crew die a terrible death which includes sudden loud sounds, pain, and the horror of falling to death. That event is politically treated as a one off event that probably could have been avoided had but a few security screeners done a better job. New security practices are in place to prevent another two bombs being placed in baggage on two Boeing 747s on the same day and exploding much later within the hour. The message 'cause' is the tragedy won't happen again and all as is well. Continue to buy tickets. Flying is safer than driving. There is not an industry wide problem with non plug outward opening cargo doors or hundreds of passenger airliners flying with faulty wiring putting many thousands at daily risk.

Three criminal court justices have concluded a bomb explosion brought down Air India Flight 182; Justice Kirpal of India, Justice Josephson and Justice Major of Canada. Justice Kirpal authored the Indian accident investigation report which stated a bomb explosion in the forward cargo compartment, Justice Josephson presided over the two accused bombers' trial and stated there was a bomb explosion in the aft cargo compartment, and Justice Major has stated in interviews with the press that he believed a bomb caused the destruction of unstated location. The Justices can not even agree as to where the supposed bomb was located nor who did it but they do know it was a rare bomb explosion and not the more common mechanical fault that causes inflight decompressions.

Three criminal court justices who know the evil in men's hearts saw evil in the destruction of a Boeing 747 and concluded a bomb exploded somewhere in it and it was placed by foreign looking men who were callously killing children out of revenge for another act of evil years earlier. This entertaining myth has betrayal, violence, explosions, grief, intrigue, sexual adventures, large sums of money exchanging hands, police from several countries earnestly working, and of course continuing headlines and TV interviews. What's not to like about the bombers explanation for Air India Flight 182? Emotion sells and this story has mythic qualities.

The people who actually know why Boeing 747s come apart in the air did not conclude it was a bomb. The Canadian aircraft accident investigators concluded that the cause was an explosion of unknown cause to be determined later. The UK investigator said the cause was an explosion but not a bomb. Both investigators used science to support their conclusions such as frequency response in recordings, direction of twisted metal, and debris patterns. This private independent investigator from California used the luxury of hindsight to look back on subsequent similar accidents which occurred after the CASB and UK investigators' reports to conclude the Crown investigators were correct in 1986 and can offer much more corroborating evidence. United Airlines Flight 811 is the model wiring/cargo door Boeing 747 event which occurred four years after Air India Flight 182 and matches in many critical evidence areas.

The scientific wiring/cargo door explanation is boring to laymen. Understanding it requires basic education in electricity, gravity, and physics of air pressure. Science implied that the danger was more widespread and still exists. This explanation did not dispel grief through anger, hate, and revenge. Science was rejected

without discussion or investigation.

Government refuses to accept an unpopular scientific inconvenient truth which is supported by scientists in several countries. Global warming is a similar controversial explanation for observed events which also affects Canada. Global warming is called an inconvenient truth, I call the wiring/cargo door explanation an unpleasant reality; both are science based and rejected by politicians and the public while accepted by researchers and experts in their fields.

The criminal justices used police reports of overheard conversations, sexual affairs, and paid for betrayals. Interest sustained.

The aircraft accident investigators used recordings, wreckage reconstructions, flight logs, baggage manifests, and debris patterns. Interest wanes.

Criminal court justices giving opinions about the cause of a plane crash or the actual scientific research based conclusions by aircraft investigators...who you gonna trust?

The answer is neither until the crash cause is re-searched and inquiries are made by the researcher staff employed by the Commission of Inquiry to search again as well as request the TSB (Air) for their first official opinions.

Please do so. I implore the Commission researchers to ask me questions based on science as you inquire about Air India Flight 182. I invite you to ask me to submit my additional research materials for confirmation or rebuttal. The mythic bomb explanation has had twenty two years to persuade; it has failed.

Give the science explanation of shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup a few days of your time before hearings resume on February 19th. It's all there in Commission Exhibit S-18, in my other sixteen Commission Submissions, and on <http://www.montereypeninsulaairport.com> or <http://www.ntsbt.org>

Trust science again.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
<http://www.montereypeninsulaairport.com>
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Smith Submission 1, Grievous Error of Fact Detected, Filed 28 July, 2006. (Please correct Commission website.)

Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006 (Please grant me standing.)

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Smith Submission 10: The Elephant and Emperor Kanishka. (Easy to see, hard to talk about) Filed Saturday, August 19, 2006

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Smith Submission 12. Last Gasp: Grasping at a Straw. (Throw me a bone here, I'm dying) Filed Saturday, August 19, 2006

Smith Submission 13: What is the fear? (Boo!) Filed Monday, August 28, 2006

Smith Submission 14: Putative Facts and Unsubstantiated Opinions. (Who Says?) Filed Friday, September 29, 2006

Smith Submission 15: Letter to PM, AG, Commissioner, Minister of Transport, TSB, Securitas, RCMP AITF. Filed Wednesday, October 25, 2006.

Smith Submission 16: Research This. Filed Saturday, December 16, 2006

Smith Submission 17: Myth vs. Reality. Filed Sunday, January 21, 2007

From: John Barry Smith <barry@johnbarrysmith.com>
Date: September 5, 2009 11:46:54 PM PDT
To: "Dickerson, Ken" <kdickerson@majorcomm.ca>
Subject: Re: Your submissions #17 and 18

At 3:16 PM -0500 2/22/07, Dickerson, Ken wrote:
Your submissions have all been filed with the Registrar in the permanent record of the Commission, and as such are available to the Commission's research staff.

Dear Mr. Dickerson, Thursday, February 22, 2007

Thank you for your acknowledgement of the receipt of Submission 17 and 18.

I'm sure the research staff is lining up at the Registrar Desk to check out my material and are eagerly passing it around to their colleagues for evaluation and opinions.

Let's hope the Commission proceeds and is not disbanded. I think some compromise will be reached. Hope springs...

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
<http://www.montereypeninsulaairport.com>
<http://www.nts.org>

At 3:16 PM -0500 2/22/07, Dickerson, Ken wrote:
Mr. Smith,

I have forwarded your submissions numbered 17 and 18 (received on January 21, 2007 and February 21, 2007) to the recipients you listed. To be clear, I am referring to the following submissions:

- Submission 17: Myth versus Reality - received January 21, 2007
- Submission 18: They won't talk to me either. (I feel your pain.) - received February 21, 2007

Your submissions have all been filed with the Registrar in the permanent record of the Commission, and as such are available to the Commission's research staff.

Thank you,

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

Content-Type: image/jpeg;
name="image001.jpg"

Content-ID: <image001.jpg@01C75694.6A19E920>

Content-Description: image001.jpg

Content-Location: image001.jpg

From: John Barry Smith <barry@johnbarrysmith.com>
Date: September 5, 2009 11:46:54 PM PDT
To: mtansey@majorcomm.ca
Cc: kdickerson@majorcomm.ca
Subject: **Apology from me for 'Uh, dude, it would be remiss on my part'**

Dear Mr. Tansey, Thursday, May 3, 2007

Thank you for your polite response to my note about a typo on your site. I note the error in date was corrected.

I apologize for my rude sarcastic tone in my notifying email to you. It was inappropriate of me and not worthy of the high stature of the Commission.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
<http://www.montereypeninsulaairport.com>
<http://www.ntsب.org>

> ----- Original Message -----

> Subject: RE: Uh, dude, it would be remiss on my part
> From: "Tansey, Michael" <mtansey@majorcomm.ca>
> Date: Mon, April 30, 2007 6:17 am
> To: "John Barry Smith" <barry@johnbarrysmith.com>
>
> Thank you for bringing this error to our attention. It will be
> rectified.
>
> mt
>
> -----Original Message-----
> From: John Barry Smith [mailto:barry@johnbarrysmith.com]
> Sent: April 27, 2007 3:10 PM
> To: Tansey, Michael
> Subject: Uh, dude, it would be remiss on my part
>
> Uh, dude, it would be remiss on my part if I did not point out
> that
> October 13, 2007 has not occurred...yet.
>
> Maybe the Commission has already decided its findings before
> the full
> testimony of witnesses and knows the future...all the way to
> October
> 13th, 2007.
>
> Regards, Friday, April 27, 2007
>
> John Barry Smith
> 541 Country Club Drive
> Carmel Valley, California 93924
> 1 831 659 3552
> 1 831 241 0631 Cell

> barry@johnbarrysmith.com
> <http://www.montereypeninsulaairport.com>
> <http://www.ntsب.org>
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> It would be remiss on my part
> if I did not express thanks to family
> members who, with great sacrifice
> emotionally and physically, appeared to
> give evidence, to express some amazement
> that the families have managed
> to stay in substantial contact over many
> years of disappointment and grief. Their
> participation, I think, contributed to the
> knowledge of the Canadian people as
> to the immense nature of the tragedy.
> "What we've heard to date has been
> valuable to the Commission and to the
> country. It has promoted a better understanding
> of the tragedy experienced by
> the families and those who worked to
> recover the bodies lost in the bombing.
> The Commission is, of course, aware
> that while we now have a better understanding,
> only those persons who lived
> and continue to live the tragedy and its
> aftermath can truly feel the impact of
> this act of terrorism."
> - Commissioner John C. Major, at the
> conclusion of Stage One of the Inquiry,
> October 13, 2007

From: John Barry Smith <barry@johnbarrysmith.com>
Date: September 5, 2009 11:46:54 PM PDT
To: "Tansey, Michael" <mtansey@majorcomm.ca>, kdickerson@majorcomm.ca
Subject: RE: Apology from me for 'Uh, dude, it would be remiss on my part'

At 10:10 AM -0400 5/4/07, Tansey, Michael wrote:
No offence taken. I'm glad you brought it to our attention, as it allowed us to correct the error before the newsletter went to print.

mt

Dear Mr. Tansey, Friday, May 4, 2007

You're welcome. It's just my picky nature...as an aviation accident investigator.

There is a more serious, a very serious, a factual error which has persisted on your website for just under a year. It's politically sensitive. I have repeatedly written to the Commissioner and actually personally pointed it out to him in my brief appearance before him in July 2006.

Below is excerpt from email to the Commission and still valid:

'My first point is to repeat my observation made to the Commission in writing and in person several weeks ago that a grievous error of fact persists every day in the Commission's Opening Statement on the official website: June 21, 2006, Background:

"Yet, it was not until the following January that the Canadian Aviation Safety Board concluded that the destruction of this aircraft was caused by a bomb."

Not so. Absolutely incorrect. Terribly misleading. That error leads to a hysterical rant such as the next statement by the Commission:

"This massive murder was the most insidious episode of cowardice and inhumanity in our history at the time,..."

The Canadian Aviation Safety Board made no such bombing conclusion.

Aviation Occurrence Report of the Canadian Aviation Safety Board for

Air India Flight 182 of January 22, 1986

"4.0 CONCLUSIONS

The Canadian Aviation Safety Board respectfully submits as follows:

4.1 Cause-Related Findings

1. At 0714 GMT, 23 June 1985, and without warning, Air India Flight 182 was subjected to a sudden event at an altitude of 31,000

feet resulting in its crash into the sea and the death of all on board.

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment. This evidence is not conclusive. However,

the evidence does not support any other conclusion."

When an error as serious as the false statement about the Canadian accident experts calling the explosion a bomb is allowed to persist, the erroneous deductions are compounded over time. The Prime Minister even repeated the error to Parliament. There are several reasons with precedent for an explosion in the forward cargo compartment of a Boeing 747 with a bomb being a very unlikely cause and a mechanically caused explosive decompression very likely. To continue to misquote the Canadian Safety Board and call their conclusion a bombing is bewilderingly deceptive.'

Mr. Tansey, if you value accuracy in the Commission's representations to the public via your website, (and I believe you do) that prejudicial error should be corrected. I understand the political need to keep the inaccurate statement in the website as a basic foundations of 'bombing' for Air India Flight 182 is needed and the actual experts in aircraft accident investigation have never said a bomb brought down the plane.

On the contrary....From the accident report for Air India Flight 182:

"Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings

supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified. It must be concluded that without positive evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident".

Well, I've tried again...

(I've attached as pdf file my Submissions to the Commission as permitted by the Commissioner.)

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
<http://www.montereypeninsulaairport.com>
<http://www.nts.gov>

-----Original Message-----

From: John Barry Smith [mailto:barry@johnbarrysmith.com]
Sent: May 3, 2007 11:32 PM
To: Tansey, Michael
Cc: Dickerson, Ken
Subject: Apology from me for 'Uh, dude, it would be remiss on my part'

Dear Mr. Tansey, Thursday, May 3, 2007

Thank you for your polite response to my note about a typo on your site. I note the error in date was corrected.

I apologize for my rude sarcastic tone in my notifying email to you.

It was inappropriate of me and not worthy of the high stature of the Commission.

Regards,

John Barry Smith
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Carmel Valley, California 93924
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>> Date: Mon, April 30, 2007 6:17 am

>> To: "John Barry Smith" <barry@johnbarrysmith.com>

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>> rectified.

>>

>> mt

>>

>> -----Original Message-----

>> From: John Barry Smith [mailto:barry@johnbarrysmith.com]

>> Sent: April 27, 2007 3:10 PM

>> To: Tansey, Michael

>> Subject: Uh, dude, it would be remiss on my part

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>> Regards, Friday, April 27, 2007

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>> John Barry Smith

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>> and continue to live the tragedy and its
>> aftermath can truly feel the impact of
>> this act of terrorism."
>> - Commissioner John C. Major, at the
>> conclusion of Stage One of the Inquiry,
>> October 13, 2007

From: John Barry Smith <barry@johnbarrysmith.com>
Date: September 5, 2009 11:46:54 PM PDT
To: kdickerson@majorcomm.ca, mtansey@majorcomm.ca
Subject: Smith Submission 19: I respond to your appeal to contact you.

Commission of Inquiry into the Investigation of the Bombing of

Air India Flight 182

Tansey, Michael

Spokesperson

Ken Dickerson

Public Affairs Officer/Agent des affaires publique

Dear Mr. Dickerson and Mr. Tansey, Monday, May
21, 2007

"You're free, Mr. Smith, as you probably know, to add to your
filed material should you choose."

As given permission by the Commissioner to submit material:

Enclosed below is Smith Submission 19: I respond to your
appeal to contact you. Filed Monday, May 21, 2007 2007

Smith Submission 1, Grievous Error of Fact Detected, Filed 28
July, 2006. (Please correct Commission website.)

Smith Submission 2: Inquiry into the Inquiry: Who, what, why,
and will you, Filed 3 August, 2006 (Please grant me standing.)

Smith Submission 3: The Official Versions: Bomb, bomb,
bomb, in the baggage, baggage, baggage go boom, boom, boom.
(Please ask TSB Air for their opinion to resolve official conflicts
of type of explosion and where it occurred.) Filed Tuesday,
August 8, 2006

Smith Submission 4: The Unofficial Version: The shorted
wiring/ruptured open/forward cargo door/explosive
decompression/inflight breakup explanation. (Please consider a
plausible, reasonable, electrical cause with precedent) Filed
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Layperson version. (It's not rocket science) Filed Friday, August
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Smith Submission 15: Letter to PM, AG, Commissioner, Minister of Transport, TSB, Securitas, RCMP AITF. Filed Wednesday, October 25, 2006.

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Regards,

John Barry Smith

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=====
=====
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Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Honourable John C. Major, Q.C. Commissioner
Sheila-Marie Cook, Executive Director and Commission
Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

Ken Dickerson, Public Affairs Officer/Agent des affaires
publiques

Michael Tansey, Commission Spokesperson

Dear Commissioner Major and specifically Mr. Mark J.
Freiman, Monday, May 21, 2007

Mark Freiman, chief counsel to the inquiry, has not only
welcomed the unexpected volunteers who have come knocking
at his door to date, but has issued a public appeal for more.

"We are continuing to hear from people who are coming
forward," said Freiman. "This is one of the benefits of a public
inquiry . . . I encourage people who have relevant information to

contact the commission."

Mr. Freiman, I respond to your appeal to contact you.

I know a lot about Air India Flight 182 and the circumstances of its explosion. I was investigated by RCMP. I can contribute to the Commission. I fall within your mandate. Call me to speak before you and let me testify about my research and conclusions.

The Commission has shown that there is much to be gained by going over the past and bringing it up. Please be fair and consider all aspects of Air India Flight 182. Please respect science which can be confirmed as much as you respect conversations of twenty two years ago. Please review my shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation for Air India Flight 182. Please request update on Air India Flight 182 from TSB (Air), the Crown experts in aircraft crashes.

Please consider the preponderance of scientific evidence which rules out the bomb explanation in that Canadian aircraft accident investigators declined to state a bomb explosion while the UK aircraft accident investigator ruled it out:

Aviation Occurrence Report of the Canadian Aviation Safety Board for

Air India Flight 182 of January 22, 1986

"4.0 CONCLUSIONS

The Canadian Aviation Safety Board respectfully submits as follows:

4.1 Cause-Related Findings

1. At 0714 GMT, 23 June 1985, and without warning, Air India Flight 182 was subjected to a sudden event at an altitude of

31,000 feet resulting in its crash into the sea and the death of all on board.

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment. This evidence is not conclusive. However, the evidence does not support any other conclusion." "Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K. 3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified. It must be concluded that without positive evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident".

The UK aircraft accident expert officially states: "...there is no evidence of a high explosive device having detonated on AI 182."

He is correct. The Canadians are correct. Let their scientific conclusions be heard through me in front of your Commission. Be as fair to the science explanation as you are to the conspiracy explanations.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
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Flood of startling revelations transforms work of Air India inquiry

Jim Brown, Canadian Press

Published: Monday, May 21, 2007

OTTAWA (CP) - When John Major began his inquiry into the 1985 Air India bombing, cynics wondered how he could possibly discover anything new about a tragic event so far in the past.

The former Supreme Court judge and his staff of lawyers have

since provided a dramatic answer to that question, as witnesses step forward to tell stories they had kept to themselves for more than two decades.

"In my heart of hearts I hoped we would have that," says Jacques Shore, a lawyer for the families of the bombing victims. "When I spoke of that openly at the very beginning of the commission, people said I was being naive and maybe too hopeful."

In the last three weeks, however, the inquiry has heard startling testimony from:

-(at)Former diplomat James Bartleman, who says he shared intelligence with the RCMP before the bombing indicating that Air India was about to come under attack, only to be told by the Mounties that they already knew about the threat and didn't need his help to do their job.

-(at)Former Justice Department lawyer Graham Pinos, who says he heard Mel Deschenes, a top CSIS anti-terrorist officer, predict just days before the attack that Sikh extremists would bring down a plane sooner or later.

-(at)Former Quebec provincial policeman Serge Carignan, who says his sniffer dog never got a chance to check most of the baggage aboard Flight 182 because it took off before he arrived.

-(at)Former Burns Security guard Daniel Lalonde, who says Air India's security chief John D'Souza appeared anxious to get the plane off the ground for economic reasons, even if there hadn't been a full-scale luggage check.

Shore sees the flood of testimony as a kind of psychological

cleansing for many of the witnesses.

"There was no place (until now) to unload the information that had been obviously sitting on these people's minds for so long. People had to clear their conscience but there wasn't an opportunity to do so."

He's hoping the trend will continue this week as the focus shifts to surveillance carried out by the Canadian Security Intelligence Service on Sikh militants in the months preceding the June 1985 attack.

It's known that CSIS had wiretapped most of the key suspects and had many of them under physical surveillance as well. The question has always been why nobody managed to piece the puzzle together in time to head off the bombing.

Mark Freiman, chief counsel to the inquiry, has not only welcomed the unexpected volunteers who have come knocking at his door to date, but has issued a public appeal for more.

"We are continuing to hear from people who are coming forward," said Freiman. "This is one of the benefits of a public inquiry . . . I encourage people who have relevant information to contact the commission."

It's a far cry from the course Major charted when he started his work. He thought then that most of the facts were long since on the public record, and his main task would be to draw lessons from them for future anti-terrorism policy.

From: John Barry Smith <barry@johnbarrysmith.com>

Date: September 5, 2009 11:46:54 PM PDT

To: "Dickerson, Ken" <kdickerson@majorcomm.ca>
Subject: RE: Smith Submission 19: I respond to your appeal to contact you.

Dear Mr. Dickerson, Tuesday, May 22, 2007

Thank you, sir, we (Commissioner, Commission Staff, and I) have common goals with different routes to attain them.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
1 831 659 3552
1 831 241 0631 Cell
barry@johnbarrysmith.com
<http://www.montereypeninsulaairport.com>
<http://www.ntsب.org>

At 3:00 PM -0400 5/22/07, Dickerson, Ken wrote:
Mr. Smith,

I have forwarded your submission number 19 (ÒSmith Submission 19: I respond to your appeal to contact youÓ, received on May 21, 2007) to the recipients you listed.

I have also highlighted for Mr. Freiman, Mr. Dorval and other Commission counsel your offer to provide testimony.

Your submissions have all been filed with the Registrar in the permanent record of the Commission, and as such are available

to the Commission's research staff.

Thank you,

Ken Dickerson

Public Affairs Officer / Agent des affaires publiques
tel.: 613-992-1834

-----Original Message-----

From: John Barry Smith [mailto:barry@johnbarrysmith.com]
Sent: Monday, May 21, 2007 8:05 PM
To: Dickerson, Ken; Tansey, Michael
Subject: Smith Submission 19: I respond to your appeal to
contact you.

Commission of Inquiry into the Investigation of
the Bombing of Air India Flight 182

Tansey, Michael

Spokesperson

Ken Dickerson

Public Affairs Officer/Agent des affaires publique

Dear Mr. Dickerson and Mr. Tansey,
21, 2007

Monday, May

"You're free, Mr. Smith, as you probably know, to

add to your filed material should you choose."

As given permission by the Commissioner to submit material: Enclosed below is Smith Submission 19: I respond to your appeal to contact you. Filed Monday, May 21, 2007 2007

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Smith Submission 2: Inquiry into the Inquiry: Who, what, why, and will you, Filed 3 August, 2006 (Please grant me standing.)

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Commission of Inquiry into the Investigation of
the Bombing of Air India Flight 182
Honourable John C. Major, Q.C. Commissioner
Sheila-Marie Cook, Executive Director and Commission
Secretary
Mark J. Freiman, Commission's Lead Counsel
Michel Dorval, Commission's Co-Counsel
Ken Dickerson, Public Affairs Officer/Agent des affaires
publiques
Michael Tansey, Commission Spokesperson

Dear Commissioner Major and specifically Mr. Mark
J. Freiman, Monday, May 21, 2007

>Mark Freiman, chief counsel to the inquiry, has

>not only welcomed the unexpected volunteers who
>have come knocking at his door to date, but has
>issued a public appeal for more.

>

>"We are continuing to hear from people who are
>coming forward," said Freiman. "This is one of
>the benefits of a public inquiry . . . I
>encourage people who have relevant information
>to contact the commission."

Mr. Freiman, I respond to your appeal to contact you.

I know a lot about Air India Flight 182 and the
circumstances of its explosion. I was
investigated by RCMP. I can contribute to the
Commission. I fall within your mandate. Call me
to speak before you and let me testify about my
research and conclusions.

The Commission has shown that there is much to be
gained by going over the past and bringing it up.
Please be fair and consider all aspects of Air
India Flight 182. Please respect science which
can be confirmed as much as you respect
conversations of twenty two years ago. Please
review my shorted wiring/unlatch motor
on/ruptured open forward cargo door/explosive
decompression/inflight breakup explanation for
Air India Flight 182. Please request update on
Air India Flight 182 from TSB (Air), the Crown
experts in aircraft crashes.

Please consider the preponderance of scientific

evidence which rules out the bomb explanation in that Canadian aircraft accident investigators declined to state a bomb explosion while the UK aircraft accident investigator ruled it out:

Aviation Occurrence Report of the Canadian Aviation Safety Board for

Air India Flight 182 of January 22, 1986

"4.0 CONCLUSIONS

The Canadian Aviation Safety Board respectfully submits as follows:

4.1 Cause-Related Findings

1. At 0714 GMT, 23 June 1985, and without warning, Air India Flight 182 was subjected to a sudden event at an altitude of 31,000 feet resulting in its crash into the sea and the death of all on board.

5. There is considerable circumstantial and other evidence to indicate that the initial event was an explosion occurring in the forward cargo compartment. This evidence is not conclusive. However, the evidence does not support any other conclusion."

"Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K.

3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified.

It must be concluded that without positive evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident".

The UK aircraft accident expert officially states: "...there is no evidence of a high explosive device having detonated on AI 182."

He is correct. The Canadians are correct. Let their scientific conclusions be heard through me in front of your Commission. Be as fair to the science explanation as you are to the conspiracy explanations.

Regards,

John Barry Smith
541 Country Club Drive
Carmel Valley, California 93924
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either. (I feel your pain.) Filed Wednesday,
February 21, 2007

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Flood of startling revelations transforms work of Air India
inquiry

Jim Brown, Canadian Press

Published: Monday, May 21, 2007

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into the 1985 Air India bombing, cynics wondered
how he could possibly discover anything new about
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name="image001.jpg"

Content-ID: <image001.jpg@01C79C81.8C542EF0>

Content-Description: image001.jpg

Content-Location: image001.jpg

From: John Barry Smith <barry@johnbarrysmith.com>
Date: September 5, 2009 11:46:54 PM PDT
To: kdickerson@majorcomm.ca, mtansey@majorcomm.ca
Subject: Smith Submission 20: Show Trial. (Help to get subpoena to Air Canada)

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Michael Tansey,

Spokesperson

Ken Dickerson

Public Affairs Officer/Agent des affaires publique

Dear Mr. Dickerson and Mr. Tansey,

Wednesday,

May 30, 2007

"You're free, Mr. Smith, as you probably know, to add to your filed material should you choose."

As given permission by the Commissioner to submit material:
Enclosed below is Smith Submission 20: Show Trial. Filed
Wednesday, May 30, 2007

(Help provided in Submission 20 to procure subpoena to Air
Canada to testify before the Commission)

Smith Submission 1, Grievous Error of Fact Detected, Filed 28
July, 2006. (Please correct Commission website.)

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and will you, Filed 3 August, 2006 (Please grant me standing.)

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Regards,

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Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182
Honourable John C. Major, Q.C. Commissioner
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Mark J. Freiman, Commission's Lead Counsel
Michel Dorval, Commission's Co-Counsel
Ken Dickerson, Public Affairs Officer/Agent des affaires
publiques
Michael Tansey, Commission Spokesperson
Dear Commissioner Major and specifically Mr. Mark J.
Freiman, Wednesday, May 30, 2007

"We are continuing to hear from people who are coming forward," said Freiman. "This is one of the benefits of a public inquiry . . . I encourage people who have relevant information to contact the commission."

Thank you, Mr. Freiman, for your most polite response to my offer to testify before the Commission in response to your

request for public citizens with knowledge of Air India Flight 182 to come forward. (Scanned letter below)

I read that you coordinate evidence and testimony to be presented to the Commissioner in order to fulfill the Inquiry's mandate. Fine. I qualify to offer testimony to the Commissioner to fulfill the Inquiry's mandate. I repeat my offer to provide relevant information about Air India Flight 182 to you.

You state that matters I could assist with are covered by other evidence that is already available to the Commission. You mean someone else has provided you with an alternative explanation for the tragedy of Air India Flight 182? Who? And what evidence? You appear to state that because of this anonymous 'other evidence' my presence is not required. I do not believe you have 'other evidence' which covers 'other matters' because it's obvious that my previous submissions have not been considered by your research staff as I have received no inquiries as one would expect for a complex mechanical explanation for a controversial airplane accident.

It seems to me that if you listen to an airport 'cleaner' about his opinions about the causes of the crash of Air India Flight 182, you should be able to hear from an aviation professional who has been in a fatal jet crash, has been investigated by the RCMP Air India Task Force, who has written extensively about the event, and offers data, facts, and evidence to support an explanation which exonerates the RCMP, the CSIS, and Crown prosecutors for failing to secure convictions, and event which precipitated the formation of the Commission.

My mechanical wiring/cargo door explanation for Air India Flight 182 does the following:

RCMP vindicated. Ghosts, no criminals.
CSIS vindicated. Ghosts, no criminals.
Justice Josephson vindicated, correct verdict.
Canadian justice system correct in acquittal and appeals.
Commission of Inquiry Harper correct, open inquiry.
CASB correct, no bomb, unknown cause was correct for 1986.
Less hate amongst citizens. Not trying to kill each other.
Safer planes sell better, cargo doors fixed.
Better economy for Canadians, more planes sold in Seattle, near Vancouver.
Safer for Canadian flying public, less crashes.
Trust in government increased, proof that it is trying for public safety.
Airline vindicated. Not their fault.
Airports at Vancouver, Montreal, Toronto vindicated, no bombs through security.
Security services at airports vindicated. No terrorists slipped through.

As an attorney, Mr. Freiman, I'm sure you understand the adversary style of the law to determine the best account of events. You also understand the fairness of a Crown justice system that allows both sides of an issue to clearly present differing opinions using rules of evidence and established procedures. A prosecutor is not obligated to present evidence that helps the defence counsel and vice versa but both get a chance in front of the judge and jury and the public to present their opinions, as wacky as they may be.

You are not being fair, Mr. Freiman. Your prosecution, errrr...I mean, presentation of providing testimony to support the bomb explanation seems to be going well, sort of. You listen to cabin cleaners, reject offers from someone who knows more about Air

India Flight 182 than most, and then get rejected by Air Canada. You have very loose standards for someone to offer testimony when it comes to supporting your prosecution but very tight standards when rejecting anyone who offers a contrary point of view. You are not conducting an Inquiry (sic) but a show trial. You ask me no questions but tell me to sit down long before my allotted fifteen minutes was up. Even when the rules allow some sparse minutes to an opposing side you violate procedures. Is that why you became an attorney at in Inquiry (sic), Mr. Freiman, to stack the cards, to fix the deck? Does it feel free to finally be able to project a point of view without the pesky restrictions of a court of law?

My position is the cause of Air India Flight 182 is a common cause, mechanical, which has happened since in an irrefutable matching accident, United Airlines Flight 811. My loyal position supports the Crown aviation crash experts and a Justice verdict.

Your position is that of a very very rare cause, a bomb involving conspiracy, perjury, and shootouts.

Your position causes sectarian hatreds among Canadian citizens to continue, it causes distrust of the public towards its police agencies, it instills fear in the flying public of the ability of the security and the airport to protect them from terrorists, it casts doubt on the judicial system represented by Justice Josephson with his verdict of acquittals, and it undercuts the credibility of Canadians in their aviation experts in the CASB who never concluded the cause was a bomb explosion even under intense pressure to do so.

There is a name for propaganda that undermines the public confidence in its governmental institutions: Subversive.

What are you afraid of? What is so revolutionary in the wiring/cargo door explanation that impels you to violate rules of fairness and objectivity which your profession reveres and which I assume you believe you are a valued member of that fraternity?

I realize, Mr. Freiman, you are only doing the bidding of your client. Could you please persuade the Commissioner to be fair, respect science, and contribute to the peace of the citizenry by considering a common cause for airplane accidents and thus for Air India Flight 182?

I'm off in a week and a half to do further research in Scotland on Pan Am Flight 103 and then to Amsterdam to do research on El Al 1862, two more early model Boeing 747s that crashed under controversial circumstances. I see you've extended the Commission public hearings from the original schedule. I will be glad to testify when I get back from Europe on July 8th should you reconsider and grant my offer to provide an alternative, non conspiracy, mechanical explanation with precedent for Air India Flight 182, the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation.

By the way, you wish to hear testimony from Air Canada...well, sir, to help your cause for subpoena, Air Canada has a direct link to the Narita bombing event and to Air India Flight 182. CP Air 003 flew the alleged bomb from Vancouver to Narita. CP Air 060 flew the alleged bomb from Vancouver to Toronto to be loaded about Air India Flight 182. Canadian Pacific Air merged into Air Canada. Air Canada has the documents it inherited which would describe aviation safety in the time period you are interested in, 1985 and the present.

Article: In 1987, due to sporadic profits in the 1980s, CP decided to sell its airline to Pacific Western Airlines for \$300 million and assume the airline's debt of \$600 million. In April of 1987, PWA announced the new name of the merged airlines: Canadian Airlines International. In 2000 Canadian Airlines merged into Air Canada.

Thank you again for your polite response to my offer to present relevant testimony about Air India Flight 182.

Regards,

John Barry Smith
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Major slams Air Canada at Air India inquiry

Kim Bolan, CanWest News Service

Published: Wednesday, May 30, 2007

Air India commissioner John Major slammed Canada's largest airline Wednesday for refusing to participate in the inquiry into the bombing of Flight 182 in June 1985.

Major said it is Air Canada's "duty" to give evidence at the judicial inquiry and that he will issue subpoenas for senior officers if they do not cooperate.

Major was reacting after inquiry lawyer Brian Gover informed him that Air Canada had sent an email declining to send a witness to the inquiry.

Air India inquiry commissioner justice John Major.

Air India inquiry commissioner justice John Major.

The email, from a senior Air Canada lawyer, said: "We must advise that after consideration we will not be able to testify at the inquiry on the topics identified."

Major said it is surprising that the country's flag carrier has declined to participate in the work of the commission.

"That response to your request is unusual. Their attendance provides them and us with an opportunity to hear from Canada's largest airline which in turn would reassure its customers that safety is an important issue for the airline and the public they serve," Major said.

"Air Canada is our largest airline and one of the world's oldest and largest. It might be able to make recommendations. It should be able to make recommendations on improving air safety for travelers, for baggage and for other ancillary matters related to safety in the air and to confirm its observation of the rules and regulations."

Major said Air Canada should change its position quickly or it will have no choice.

"This subpoena can be avoided by Air Canada designating a representative knowledgeable in aviation safety to appear at this inquiry at a time of the inquiry's choosing," Major said.

The inquiry into the June 23, 1985 Air India bombing is now looking at the issue of airport security in Canada after a month reviewing the police response to the terrorist threat posed by Sikh extremists before the plot unfolded.

The inquiry was called in 2006 after renewed demands of

victims' relatives after the March 2005 acquittals of two B.C. Sikh separatists. A third man, Inderjit Singh Reyat, pleaded guilty to manslaughter for his role in the bombing, which killed 329 people, mostly Canadian.

Vancouver Sun

From: John Barry Smith <barry@johnbarrismith.com>
Date: September 5, 2009 11:46:54 PM PDT
To: kdickerson@majorcomm.ca
Subject: Smith Submission 22: Relevant, material, and timely. Saturday, July 14, 2007.

Commission of Inquiry into the Investigation of the Bombing of Air
India Flight 182

Michael Tansey,
Spokesperson
Ken Dickerson

Public Affairs Officer/Agent des affaires publique

Dear Mr. Dickerson and Mr. Tansey, Saturday, July 14, 2007

"You're free, Mr. Smith, as you probably know, to add to your filed material should you choose."

As given permission by the Commissioner to submit material: Enclosed below is Smith Submission 22: Relevant, material, public interest, and timely. Saturday, July 14, 2007.

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Regards,

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Commission of Inquiry into the Investigation of the Bombing of Air
India Flight 182
Honourable John C. Major, Q.C. Commissioner
Sheila-Marie Cook, Executive Director and Commission Secretary
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Michel Dorval
Senior Counsel
Brian Gover
Anil Kapoor
Roger Bilodeau
Legal Counsel
Francis Barragan
Nadine Blum
Fr/d/rick Carle
Geneviðve Coutl/e
Teja Rachamalla
Louis S/v/no
Marisa Victor
Legal Coordinator
Yolanda Saito

Smith Submission 22: Relevant, material, and timely. Saturday, July 14, 2007

Dear Commissioner Major, Lead and Co-Counsel, Legal Staff, and Research Staff, Saturday, July 14, 2007

Regarding Air India Flight 182: A lawsuit was recently filed against CBC.

News Report excerpt: (Full report attached)

In response to what it describes as a "dishonest and highly offensive" characterization made by the Canadian Broadcasting Corporation, a \$110 million civil lawsuit was filed yesterday on behalf of the World Sikh Organization against the national broadcaster.

Another mistake, according to Sandhu, is the CBC news story's assertion that the WSO released a 2000 press release with the title: "Sikhs did not bomb Air India 182", which, according to the CBC, claimed that a cargo door fell off the plane.

I've been trying to persuade the Commissioner, and Counsel, and legal staff, and research staff that the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation for Air India Flight 182 is worthy of consideration based on scientific facts, logic, and reasoning. Thus far I have not met with success, in fact, failure is not too strong a word. When I say that the pressure differential inside Air India Flight 182 at 31000 thousand feet was 8.9 PSI (pounds per square inch) and the cargo door of a Boeing 747 is 99 inches tall by 110 inches wide and thus the amount of weight on that nonplug cargo door was 96921 pounds pressing outward relentlessly....I now expect you to say, "Whoa! That's math and we don't do arithmetics, we hire people, consultant type people, to do that..with calculator thingies."

But, lawsuits, filings, factual misrepresentations, defamation, libel and slander, now that's enough to get justices, attorneys, counsel, barristers, and solicitors to sit up, take notes and probably ask questions.

Well, well, the legal battlefield, an arena in which I fear to tread and am but a rookie.

One argument against rejecting the wiring/cargo door theory for Air India Flight 182 is that it is too weird to be considered, sort of like saying the plane had a mid air collision with a flying saucer (which would elicit some questions for sure). The cargo door explanation is not too weird. It is reasonable, plausible and has a precedent with United Airlines Flight 811. The hazard of faulty wire continues to this day in early model Boeing 747, five hundred of which are still in service, some flying in Canadian skies. The wiring/cargo door explanation is still relevant.

Another argument for rejection is that the wiring/cargo door explanation has been evaluated and rejected by aviation authorities and thus

immaterial. The non bomb explanation has never been presented in court to any judge. The mechanical explanation has never been argued in court amongst attorneys. The defence for the accused have essentially stipulated it was a bomb but their clients did not plant it. A proper evaluation by Crown aviation authorities is warranted based on subsequent similar accidents to early model Boeing 747s. In fact, the bomb explanation has never been accepted by Canadian aviation accident investigators. The wiring/cargo door explanation is material.

Another argument used to reject the scientific explanation is that the wiring/cargo door theory is old news and thus not important. Safety in aviation is always using the past to make a safer future. There is no statute of limitations on safety. The Commission itself was formed twenty years after the event. A documentary is to be filmed about Air India Flight 182. There is current public interest in the tragedy. The wiring/cargo door explanation and Air India Flight 182 are timely subjects and have ongoing public interest.

Another argument is that there is no current activity regarding the cargo door explanation in the court system and thus no venue available to explore the possibilities of a non bomb explanation. There is current activity with a lawsuit filed recently against the Canadian Broadcasting Corporation in which 'cargo door fell off' is one of the issues for litigation. The wiring/cargo door issue will now achieve attention which will allow the facts in the case to speak for themselves; facts such as the 96921 pounds pressing outward relentlessly on that non plug cargo door.

Stop me if you've heard this one before but...a plug type door is like the passenger doors in that once airborne and the aircraft is pressurized the door plugs the hole and can not be opened regardless of how hard a drunk or deranged passenger tries. It is a safe design feature. Submarines have plug type hatches so that the lower the boat goes, the tighter the hatch fits.

A nonplug door does not plug the hole in which it fits but is instead subject to the increasing internal compressed air pressure as the aircraft gets higher. The load on the nonplug cargo doors of Air India Flight 182 were incredible but the hinge, the two midspan latches, and the eight lower latches with locking sectors usually hold those two identical huge nonplug cargo doors safely closed for the flight. Usually. There are literally thousands of incidents with nonplug cargo doors on airliners over the years with inadvertent openings occurring rarely but much more often than bomb explosions. When the cargo door opens on takeoff or landing the consequences are mild; when it opens at altitude the result of the explosive decompression (which mimics a bomb explosion in force) gives varying degrees of inflight damage, from nine passengers being sucked out to the nose of the Boeing 747 being torn off and hundreds of passengers dying.

The irrefutable proof of the fatal and catastrophic consequences of an inadvertent opening of the forward cargo door in flight (at a lower pressure differential than Air India Flight 182) was United Airlines Flight 811. The evidence of UAL 811 matches AI 182 in many significant areas such as the sudden loud sound on the cockpit voice recorder. The cause is the same: Explosive decompression. It's mechanical, not a bomb as suspected for AI 182 and erroneously stated by the copilot of UAL 811 after he saw the huge hole in the side of his aircraft where the forward cargo door used to be. He was wrong. His initial gut reaction was wrong. He can be excused for his error of judgment because bombs can cause explosive decompression, just like metal fatigue, leaking seals, wiring short, and failed latches can also.

The above for United Airlines Flight 811, (picture from the NTSB AAR,) is what happened to Air India Flight 182 except AI 182 was higher, had a larger pressure differential, and thus more weight on the door which created a larger hole which caused the entire nose to tear off

in flight leading to inflight disintegration.

The cause of the cargo door rupture for UAL 811 was originally thought to be a bomb explosion, then improper latching and later, after the door pieces were retrieved, an entirely new AAR was written to blame the electrical system of a faulty switch or wiring. A subsequent similar accident to another early model Boeing 747, TWA Flight 800, has shown that Poly X wiring is the probable culprit.

The hazard of faulty wiring is still present. The wiring/cargo door explanation for Air India Flight 182 is relevant, material, and timely.

The Commission can extend its public hearings and has done so already. The Commission can hear from persons not previously been granted standing and has done so already. The Commission can inquire into theories about the cause of Air India Flight 182, as the Commissioner confirmed he would do.

The Commissioner: "Yes. Well, I will confirm that. The nature of this Commission was to be very broad in the evidence that it heard, in order to put to rest the various theories, rumours and neglect that have occurred since the explosion in 1985."

The Commissioner is not putting to rest the wiring/cargo door theory discovered by me in 1996 but instead rejecting any inquiry into it. He is renegeing on his own confirmation.

I've tried science to persuade and now current legal issues. What is left? Buddies sitting in a bar drinking a few LaBatt Blues, hey?

The Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182 is similar to the Commissioner of the Canadian Football League in that he oversees a subject of national interest, is entrusted with the integrity of the contests, and has great influence in the outcome

if he wishes. The Commissioner of Football must ensure the referees are honest and give the best unbiased judgment calls they can give. The Commissioner must ensure the teams are well prepared and play clean football. Above all, the Commissioner must ensure that the outcome is not preordained, biased, or fixed in any way. He must be fair and honest for the national sport to maintain trust, confidence, and thrive.

The Commissioner in the Inquiry about Air India Flight 182 also must be fair and honest to maintain trust and confidence for the government to thrive.

From my point of view, that is not happening. The Inquiry has the play by play announcers/press/TV on its side when they report only on what goes on inside the public hearing hall. The Inquiry selects the friendly stadium/Bytown Pavilion to play in. The Inquiry chooses its referees/police who confirm the preordained outcome of the Inquiry. The Inquiry owns the team/bombing explanation in the championship and ensures its victory by excluding other teams/theories from competing. Other teams such as missile, center tank explosion, lightning, and electrical all played earlier and were eliminated except the electrical.

As the sole team playing, the bombing team, comes onto the field, the electrical wiring team is in the locker room asking to play based on promises made by the Commissioner but is now rejected by the Commissioner thus leaving the playing field empty except for the bombing team which is cheered by almost everyone, puffed up by the announcers, and smiled upon by the referees. Even the audience/fans in the stands are cheering for its inevitable victory. Go Bomb Go! they chant over and over.

There is no opposition to the bombing team...which scores! And scores and scores, week after week, month after month. The bombing team is winning. Duh.

The game is fixed. There is no adversary in the contest to determine the better team as the British system of justice is based on, prosecution versus defence moderated by a neutral but fair judge. There is no fair play which is what the rules for sport and law are based on. The contest is an exhibition, not a competition, sort of like professional wrestling.

The outcome of the exhibition is predetermined by the Commissioner who represents the bombing explanation and excludes any competition.

Is that what the Inquiry is all about? To spend a year arranging matters to present an already determined point of view? To lie about a conclusion made by Crown aircraft investigators years ago? To reject any new evidence uncovered that reveals a different explanation?

Sports figures risk their health and spend years preparing for their contests. When they honestly win, they are showered with money, receive adulation from strangers, and get kisses blown to them from beautiful women. Is that what the participants in the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182 expect after reporting a bomb blew up Air India Flight 182 and the RCMP, CSIS, Justice Josephson, airport security, and the airline blew their jobs??

I see it differently. I see the fairness of a justice system suborned into a fixed charade. I see promises made by high officials reneged. I see creative and inspired conclusions based on hard evidence stifled. I see confidence undermined in the police forces and the verdict of a justice who followed the law.

To cheat, lie, and 'fix' the outcome of a match is not honorable and unworthy of respect, never mind any adulation. That type of dishonorable behavior demands shame. Shame for lying, shame for excluding reasonable alternatives, shame for stifling discussion, shame for violating principles of the legal profession, shame for betraying one's

own promises, and shame for letting down all those who have entrusted the Inquiry to find out the details of how and why Air India Flight 182 crashed in the very broad evidence that it was to hear and why there were no convictions in the case.

Shame on a research staff that does no broad research. Shame on counsel that allow violations of the Inquiry rules of procedure to give applicants for standing fifteen minutes of oral presentation. Shame on the legal staff who allow a lie to blast out on the website for over a year. Shame on the Commissioner for going back on his word to the public, for also not inquiring but prosecuting, and lastly for distrusting and undermining confidence in Canadian institutions of law enforcement, the court system, and aviation accident investigation. To be a traitor to oneself is the highest form of betrayal.

To correct an obvious prejudicial error on a website, to inquire to find out answers not known, to evaluate other ideas which are supported by facts, and then to modify long held strong beliefs based on new conclusions...that is tough, courageous, and warrants admiration and deference.

To summarize: The wiring/cargo door explanation for Air India Flight 182 is relevant, material, and timely which warrants the attention of the Inquiry in a public forum not just electronic files stashed someplace. The Inquiry as it is now structured is 'fixed' by specifying in advance conclusions which are to be made only after the Inquiry concludes. Those stifling and preordained actions betray the system of rules set up to ensure fairness and enlightenment.

Regards,

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Sikh organization sues CBC

Another mistake, according to Sandhu, is the CBC news story's assertion that the WSO released a 2000 press release with the title: "Sikhs did not bomb Air India 182", which, according to the CBC, claimed that a cargo door fell off the plane. Documentary contained significant and numerous factual misrepresentations.

Jul 11, 2007 03:19 Pm

SAN GREWAL

STAFF REPORTER

In response to what it describes as a dishonest and highly offensive characterization made by the Canadian Broadcasting Corporation, a \$110 million civil lawsuit was filed yesterday on behalf of the World Sikh Organization against the national broadcaster.

The lawsuit, filed in the Ontario Superior Court in Toronto also names reporter Terry Milewski and Liberal MP Ujjal Dosanjh for comments they made in a June 28, 2007 feature story titled "Samosa Politics" that aired on The National.

A similar version of the story, which linked Sikh extremism to the WSO and highlighted its ties to the mainstream Canadian political scene, also aired on CBC Radio, with a print version posted on the CBC News website.

The WSO describes itself as a non-profit human rights group established in 1984 with national bodies around the world that defend not only Sikhs but the rights of all people. Representatives would not say how many members there are in Canada or worldwide.

"It is the WSO's view that the CBC documentary contained significant and numerous factual misrepresentations about the World Sikh Organization," said Gian Singh Sandhu, a policy advisor with the group's Canadian body, who spoke at a press conference held yesterday in downtown Toronto.

"The WSO's lawsuit for defamation, libel and slander arises from the airing of the documentary noted above."

Sandhu added that the story, which he says was written about in Indian newspapers and mentioned by media in other parts of the world, has resulted in "significant damage to the reputation of the WSO and the Sikh community."

A CBC spokesperson said the broadcaster was not aware of the suit until it was informed about the press conference yesterday and that "if and when" the suit was received it would be given "due consideration." Until then, the CBC will not make any comment.

A spokesperson for Mr. Dosanjh, MP for Vancouver South, said he had not been served as of 4 pm eastern time and had no comment about the suit, but stood behind his statements made in the CBC news story.

When asked what Mr. Dosanjh specifically said in the story that the WSO objected to, Mr. Sandhu said it was obvious that the MP was making a connection between the WSO and Sikh extremism.

A segment of the story included comments by Dosanjh, stating that at the Dec. 2006 Liberal leadership convention in Montreal the WSO exercised significant influence. He then states that a Sikh delegate told Dosanjh's wife, not knowing who she was, not to vote for Bob Rae. Dosanjh then states in the story that the delegate said Rae, in a 2005 report to the federal government, was openly critical of Sikh extremists behind the 1985 Air India bombing, and should not be supported.

As for factual errors that the WSO believes were included in Milewski's reporting, Sandhu said after the press conference that, contrary to what appears in the news story, a man with alleged ties to convicted Air India-bomb maker Inderjit Reyat, named Daljit Singh Sandhu, was never the leader of the WSO.

Another mistake, according to Sandhu, is the CBC news story's assertion that the WSO released a 2000 press release with the title: "Sikhs did not bomb Air India 182", which, according to the CBC "claimed that a cargo door fell off the plane."

"There was no such press release from the WSO," Sandhu said.

He added that the story's characterization of a 1984 convention at New York's Madison Square Garden where Sikhs were videotaped calling for violence, as a WSO event is factually incorrect.

"That was not a WSO function. Mr Milewski needs to do his homework."

The Canadian Football League (CFL) (Ligue canadienne de football (LCF) in French), is a professional sports league located in Canada that plays Canadian football. Its eight teams, located in eight cities, are divided into two divisions (East and West), with each division containing four teams. During the league's nineteen-week regular season, which runs from the Canada Day weekend to early November,

each team plays eighteen games, and rests during one bye week. In November, following the regular season, six of the eight teams compete in the league's three-week playoffs, which culminate in the Grey Cup championship (first contested in 1909), the country's largest annual sports and television event.[1] The CFL, officially founded in 1958, yet tracing its origins to the 1860s, is the highest level of play in Canadian football, the most popular football league in Canada, and most popular sports league in Canada after the NHL.[2]

From: John Barry Smith <barry@johnbarrysmith.com>
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To: kdickerson@majorcomm.ca
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Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Michael Tansey,

Spokesperson

Ken Dickerson

Public Affairs Officer/Agent des affaires publique

Dear Mr. Dickerson and Mr. Tansey, Tuesday, July 31,
2007

"You're free, Mr. Smith, as you probably know, to add to your
filed material should you choose."

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Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

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Secretary

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publiques

Michael Tansey, Commission Spokesperson
Senior Counsel

Brian Gover

Anil Kapoor

Roger Bilodeau

Legal Counsel

Francis Barragan

Nadine Blum

Frédrick Carle

Geneviève Couture

Teja Rachamalla

Louis Sivo

Marisa Victor

Legal Coordinator

Yolanda Saito

Smith Submission 23: Please do what you said you are going to
do.

Dear Commissioner Major, Lead and Co-Counsel, Legal Staff,
Public Affairs, Spokesperson, and Research Staff, Tuesday,
July 31, 2007

Spokesperson (Mr. Michael Tansey) explores:

Air India inquiry spokesman Michael Tansey declined to comment on the report of a meeting with the commission to present Mr. Parmar's confession. "We're aware of this article [in Tehelka], and we will explore this and any other allegations when the hearings resume in the fall," Mr. Tansey said in an interview.

Lead Counsel (Mr. Freiman) encourages:

Mark Freiman, chief counsel to the inquiry, has not only welcomed the unexpected volunteers who have come knocking at his door to date, but has issued a public appeal for more.

"We are continuing to hear from people who are coming forward," said Freiman. "This is one of the benefits of a public inquiry . . . I encourage people who have relevant information to contact the commission."

The Commissioner of the Inquiry (Justice John Major) testifies:

THE COMMISSIONER: "Yes. Well, I will confirm that. The nature of this Commission was to be very broad in the evidence that it heard, in order to put to rest the various theories, rumours and neglect that have occurred since the explosion in 1985."

The Attorney General Representative (Mr. Barney Brucker) opines:

MR. BRUCKER: No, we can't, but we are concerned about the focus of the Inquiry. When I attended here and listened to your Opening Statement I was struck by one comment that you made and I will paraphrase that, perhaps not accurately, but what I took from your comments was that you intended to conduct a thorough but efficient inquiry and that an efficient inquiry does not mean that it has to take a great deal of time.

The Prime Minister (Honourable Stephen Harper) gives guidance:

Speech excerpts - Prime Minister Harper announces inquiry into Air India bombing

"A full public inquiry is required. This inquiry will be launched immediately and led by an outstanding Canadian, retired Supreme Court Justice John Major. He has agreed to serve as Commissioner for this inquiry and I have every confidence that he will conduct a thorough and compassionate investigation into the events surrounding this tragedy. This inquiry is about analyzing the evidence that has come to light since 1985 and applying it to the world we live in today."

To sum up the publicly stated goals and directions for the Inquiry by the participants:

The Prime Minister creates the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182 and orders a thorough investigation into the events surrounding the tragedy and he wants the evidence analyzed that has come to light since 1985.

The Attorney General agrees to a thorough investigation during the Inquiry and insists on 'efficiency.'

The Commissioner of the Inquiry decides to be very broad in the evidence that he hears in 'order to put to rest the various theories' that have occurred since the explosion in 1985."

The Counsel for the Inquiry appeals for people who have relevant information to 'contact the commission.'

The Spokesperson for the Inquiry states, "...we will explore this

and any other allegations when the hearings resume in the fall."

Well, All Right!!! We agree!

Gentlemen, hear me out: I have evidence that has come to light since 1985, I agree with a thorough and efficient inquiry, I welcome the very broad examination of evidence, I wish to put to rest various theories which have arisen since 1985, I am contacting the Commission with relevant information, and I cherish the thought of an exploration of my allegation that the cause of Air India Flight 182 was the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation and not the conspiracy of bombers with bombs in two aircraft flying and landing in four airports before the bombs go off in who knows what section of the airplane.

We agree fully in our common goal of a thorough investigation, putting to rest theories, exploring allegations, efficient inquiry, and evidence analyzed. And we both feel so strongly about our intentions that we put in writing.

I look forward to our meetings. When can I start? I'll make my own arrangements for travel and accommodations, all at my expense of course. Shall I meet you at your place or mine? Which documents would you like to look at first? Shall I bring some tea and biscuits?

Wait, you're not joking are you with all those public statements that apply to me? You're not putting me on, are you? Are you having a laugh? Is he having a laugh?

'No way', I say, 'high government officials (and some not so high,

but just the same) when dealing with an intensely interesting public event which includes emotional tragedy for thousands, financial hardship for hundreds of thousands, and the disruptive effects for millions will certainly do what they say they are going to do, especially since the comments were made while not under any duress and sound so honest and reassuring.'

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So, Mr. Harper, Mr. Brucker, Mr. Major, Mr. Freiman, and Mr. Tansey, please do what you said you are going to do.

To do what you said you are going to do means inviting me to testify this fall before the Commission of Inquiry to hear my evidence which has come to light since 1985, to explore my allegation about wiring/cargo door caused problems with Air India Flight 182, to honor my response to your appeal for relevant information, and to put to rest various theories about the crash, specifically the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup theory.

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Recording of Air India bombing confession allegedly surfaces 22 years later

ROBERT MATAS

July 30, 2007

VANCOUVER -- A recording of the alleged confession of the mastermind behind the bombing of Air India Flight 182 has surfaced 22 years after the tragedy, an investigative magazine in India says.

Vancouver Sikh militant Talwinder Singh Parmar confessed to Punjab police during five days of interrogation in October, 1992, before being killed by police, the article says. The officer who arrested Mr. Parmar, Harmail Singh Chandi, was directed to destroy the tape-recorded confession but he kept them secretly, it says.

Under the headline "Operation Silence," the article in the magazine Tehelka also says the police officer who arrested Mr. Parmar flew to Canada in June to provide evidence to the Air India inquiry headed by retired judge John Major.

However a spokesman for families of the victims of the attack said last night that he knew nothing about a statement by Mr. Parmar.

In the alleged confession, Mr. Parmar shifted the blame from himself, telling police he was acting on behalf of Lakhbir Singh Brar, a member of a prominent family in the fight in the 1980s for a Sikh separate country called Khalistan.

Mr. Parmar is said to have told police that Vancouver Island resident Inderjit Singh Reyat prepared the suitcases with bombs for two flights while Mr. Brar arranged for the booking of the tickets.

Mr. Brar has not been linked to the Air India disaster previously.

Mr. Reyat was convicted in 2005 and sent to prison; he is the only person to have been convicted for the bombings. In one of the deadliest terrorist attacks in aviation history, a bomb exploded on an Air India flight from Canada to India on June 23, 1985, killing 329 people. The bombs were in suitcases checked in at Vancouver airport. Police say the attacks were the work of a Vancouver-based circle of Sikh militants fighting with the Indian government over the creation of Khalistan. Mr. Reyat was convicted for providing items that went into the bombs.

Mr. Parmar was arrested in connection with the bombings and released without being charged. He left Canada after Mr. Reyat was arrested in 1988 and was later reported to be living in Pakistan. Mr. Parmar was killed in 1992 in India. Indian police maintain he was shot during an encounter with a group of militants. Khalistani supporters have said he was tortured by police and subsequently died.

Tehelka reported that Mr. Parmar was caught by Punjab police officer Chandi in Jammu province in September, 1992 and interrogated from Oct. 9 to Oct. 14. Mr. Chandi told the magazine that Mr. Parmar was killed in police custody on the order of senior officers.

Lakhbir Singh Brar came to Canada in April, 1985, as a refugee. He was identified as a national security risk by Canada's security service and deported in the early 1990s. He is reported to be living in Pakistan and is wanted by the Indian government for minor offences.

The Punjab Human Rights Organization, a non-governmental organization based in Chandigarh, put together a report of the confession, and two members of the organization accompanied Mr. Chandi to Canada.

Air India inquiry spokesman Michael Tansey declined to comment on the report of a meeting with the commission to present Mr. Parmar's confession. "We're aware of this article [in

Tehelka], and we will explore this and any other allegations when the hearings resume in the fall," Mr. Tansey said in an interview.

From: John Barry Smith <barry@johnbarrysmith.com>
Date: September 5, 2009 11:46:54 PM PDT
To: mtansey@majorcomm.ca
Subject: Smith Submission 23: Please do what you said you are going to do.

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Michael Tansey,
Spokesperson

Ken Dickerson

Public Affairs Officer/Agent des affaires publique

Dear Mr. Tansey and Mr. Dickerson, Tuesday, July 31,
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Dear Commissioner Major, Lead and Co-Counsel, Legal Staff,
Public Affairs, Spokesperson, and Research Staff, Tuesday,
July 31, 2007

Spokesperson (Mr. Michael Tansey) explores:

Air India inquiry spokesman Michael Tansey declined to comment on the report of a meeting with the commission to present Mr. Parmar's confession. "We're aware of this article [in Tehelka], and we will explore this and any other allegations when the hearings resume in the fall," Mr. Tansey said in an

interview.

Lead Counsel (Mr. Freiman) encourages:

Mark Freiman, chief counsel to the inquiry, has not only welcomed the unexpected volunteers who have come knocking at his door to date, but has issued a public appeal for more.

"We are continuing to hear from people who are coming forward," said Freiman. "This is one of the benefits of a public inquiry . . . I encourage people who have relevant information to contact the commission."

The Commissioner of the Inquiry (Justice John Major) testifies:

THE COMMISSIONER: "Yes. Well, I will confirm that. The nature of this Commission was to be very broad in the evidence that it heard, in order to put to rest the various theories, rumours and neglect that have occurred since the explosion in 1985."

The Attorney General Representative (Mr. Barney Brucker) opines:

MR. BRUCKER: No, we can't, but we are concerned about the focus of the Inquiry. When I attended here and listened to your Opening Statement I was struck by one comment that you made and I will paraphrase that, perhaps not accurately, but what I took from your comments was that you intended to conduct a thorough but efficient inquiry and that an efficient inquiry does not mean that it has to take a great deal of time.

The Prime Minister (Honourable Stephen Harper) gives guidance:

Speech excerpts - Prime Minister Harper announces inquiry into Air India bombing

"A full public inquiry is required. This inquiry will be launched

immediately and led by an outstanding Canadian, retired Supreme Court Justice John Major. He has agreed to serve as Commissioner for this inquiry and I have every confidence that he will conduct a thorough and compassionate investigation into the events surrounding this tragedy. This inquiry is about analyzing the evidence that has come to light since 1985 and applying it to the world we live in today."

To sum up the publicly stated goals and directions for the Inquiry by the participants:

The Prime Minister creates the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182 and orders a thorough investigation into the events surrounding the tragedy and he wants the evidence analyzed that has come to light since 1985.

The Attorney General agrees to a thorough investigation during the Inquiry and insists on 'efficiency.'

The Commissioner of the Inquiry decides to be very broad in the evidence that he hears in 'order to put to rest the various theories' that have occurred since the explosion in 1985."

The Counsel for the Inquiry appeals for people who have relevant information to 'contact the commission.'

The Spokesperson for the Inquiry states, "...we will explore this and any other allegations when the hearings resume in the fall."

Well, All Right!!! We agree!

Gentlemen, hear me out: I have evidence that has come to light

since 1985, I agree with a thorough and efficient inquiry, I welcome the very broad examination of evidence, I wish to put to rest various theories which have arisen since 1985, I am contacting the Commission with relevant information, and I cherish the thought of an exploration of my allegation that the cause of Air India Flight 182 was the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation and not the conspiracy of bombers with bombs in two aircraft flying and landing in four airports before the bombs go off in who knows what section of the airplane.

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The Commissioner of the Inquiry decides to be very broad in the evidence that he hears in 'order to put to rest the various theories' that have occurred since the explosion in 1985."

The Counsel for the Inquiry appeals for people who have relevant information to 'contact the commission.'

The Spokesperson for the Inquiry states, "...we will explore this and any other allegations when the hearings resume in the fall."

Well, All Right!!! We agree!

Gentlemen, hear me out: I have evidence that has come to light since 1985, I agree with a thorough and efficient inquiry, I welcome the very broad examination of evidence, I wish to put to rest various theories which have arisen since 1985, I am contacting the Commission with relevant information, and I cherish the thought of an exploration of my allegation that the

cause of Air India Flight 182 was the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation and not the conspiracy of bombers with bombs in two aircraft flying and landing in four airports before the bombs go off in who knows what section of the airplane.

We agree fully in our common goal of a thorough investigation, putting to rest theories, exploring allegations, efficient inquiry, and evidence analyzed. And we both feel so strongly about our intentions that we put in writing.

I look forward to our meetings. When can I start? I'll make my own arrangements for travel and accommodations, all at my expense of course. Shall I meet you at your place or mine? Which documents would you like to look at first? Shall I bring some tea and biscuits?

Wait, you're not joking are you with all those public statements that apply to me? You're not putting me on, are you? Are you having a laugh? Is he having a laugh?

'No way', I say, 'high government officials (and some not so high, but just the same) when dealing with an intensely interesting public event which includes emotional tragedy for thousands, financial hardship for hundreds of thousands, and the disruptive effects for millions will certainly do what they say they are going to do, especially since the comments were made while not under any duress and sound so honest and reassuring.'

I am very reassured by the very recent comment by the Spokesperson for the Inquiry to explore allegations and the previous assertions given honestly from the Prime Minister, AG,

Commissioner of the Inquiry, and Counsel for a thorough and broad investigation to include analyzing evidence to put to rest various theories about Air India Flight 182.

So, Mr. Harper, Mr. Brucker, Mr. Major, Mr. Freiman, and Mr. Tansey, please do what you said you are going to do.

To do what you said you are going to do means inviting me to testify this fall before the Commission of Inquiry to hear my evidence which has come to light since 1985, to explore my allegation about wiring/cargo door caused problems with Air India Flight 182, to honor my response to your appeal for relevant information, and to put to rest various theories about the crash, specifically the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup theory.

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Recording of Air India bombing confession allegedly surfaces 22 years later

ROBERT MATAS

July 30, 2007

VANCOUVER -- A recording of the alleged confession of the mastermind behind the bombing of Air India Flight 182 has surfaced 22 years after the tragedy, an investigative magazine in India says.

Vancouver Sikh militant Talwinder Singh Parmar confessed to Punjab police during five days of interrogation in October, 1992, before being killed by police, the article says. The officer who arrested Mr. Parmar, Harmail Singh Chandi, was directed to destroy the tape-recorded confession but he kept them secretly, it says.

Under the headline "Operation Silence," the article in the magazine Tehelka also says the police officer who arrested Mr. Parmar flew to Canada in June to provide evidence to the Air India inquiry headed by retired judge John Major. However a spokesman for families of the victims of the attack said last night that he knew nothing about a statement by Mr. Parmar.

In the alleged confession, Mr. Parmar shifted the blame from himself, telling police he was acting on behalf of Lakhbir Singh Brar, a member of a prominent family in the fight in the 1980s for a Sikh separate country called Khalistan.

Mr. Parmar is said to have told police that Vancouver Island resident Inderjit Singh Reyat prepared the suitcases with bombs for two flights while Mr. Brar arranged for the booking of the tickets.

Mr. Brar has not been linked to the Air India disaster previously. Mr. Reyat was convicted in 2005 and sent to prison; he is the only person to have been convicted for the bombings. In one of the deadliest terrorist attacks in aviation history, a bomb exploded on an Air India flight from Canada to India on June 23, 1985, killing 329 people. The bombs were in suitcases checked in at Vancouver airport. Police say the attacks were the work of a Vancouver-based circle of Sikh militants fighting with the Indian government over the creation of Khalistan. Mr. Reyat was convicted for providing items that went into the bombs.

Mr. Parmar was arrested in connection with the bombings and

released without being charged. He left Canada after Mr. Reyat was arrested in 1988 and was later reported to be living in Pakistan. Mr. Parmar was killed in 1992 in India. Indian police maintain he was shot during an encounter with a group of militants. Khalistani supporters have said he was tortured by police and subsequently died.

Tehelka reported that Mr. Parmar was caught by Punjab police officer Chandi in Jammu province in September, 1992 and interrogated from Oct. 9 to Oct. 14. Mr. Chandi told the magazine that Mr. Parmar was killed in police custody on the order of senior officers.

Lakhbir Singh Brar came to Canada in April, 1985, as a refugee. He was identified as a national security risk by Canada's security service and deported in the early 1990s. He is reported to be living in Pakistan and is wanted by the Indian government for minor offences.

The Punjab Human Rights Organization, a non-governmental organization based in Chandigarh, put together a report of the confession, and two members of the organization accompanied Mr. Chandi to Canada.

Air India inquiry spokesman Michael Tansey declined to comment on the report of a meeting with the commission to present Mr. Parmar's confession. "We're aware of this article [in Tehelka], and we will explore this and any other allegations when the hearings resume in the fall," Mr. Tansey said in an interview.

From: John Barry Smith <barry@johnbarrysmith.com>

Date: September 5, 2009 11:46:54 PM PDT

To: ggodbout@majorcomm.ca

Subject: Smith Submission 23: Please do what you said you are going to do.

Commission of Inquiry into the Investigation of the Bombing of
Air India Flight 182

Michael Tansey,

Spokesperson

Ken Dickerson

Public Affairs Officer/Agent des affaires publique

Dear Mr. Tansey and Mr. Dickerson, Tuesday, July 31,
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Dear Commissioner Major, Lead and Co-Counsel, Legal Staff, Public Affairs, Spokesperson, and Research Staff, Tuesday, July 31, 2007

Spokesperson (Mr. Michael Tansey) explores:

Air India inquiry spokesman Michael Tansey declined to comment on the report of a meeting with the commission to present Mr. Parmar's confession. "We're aware of this article [in Tehelka], and we will explore this and any other allegations when the hearings resume in the fall," Mr. Tansey said in an interview.

Lead Counsel (Mr. Freiman) encourages:

Mark Freiman, chief counsel to the inquiry, has not only welcomed the unexpected volunteers who have come knocking at his door to date, but has issued a public appeal for more.

"We are continuing to hear from people who are coming forward," said Freiman. "This is one of the benefits of a public inquiry . . . I encourage people who have relevant information to

contact the commission."

The Commissioner of the Inquiry (Justice John Major) testifies:
THE COMMISSIONER: "Yes. Well, I will confirm that. The nature of this Commission was to be very broad in the evidence that it heard, in order to put to rest the various theories, rumours and neglect that have occurred since the explosion in 1985."

The Attorney General Representative (Mr. Barney Brucker) opines:

MR. BRUCKER: No, we can't, but we are concerned about the focus of the Inquiry. When I attended here and listened to your Opening Statement I was struck by one comment that you made and I will paraphrase that, perhaps not accurately, but what I took from your comments was that you intended to conduct a thorough but efficient inquiry and that an efficient inquiry does not mean that it has to take a great deal of time.

The Prime Minister (Honourable Stephen Harper) gives guidance:

Speech excerpts - Prime Minister Harper announces inquiry into Air India bombing

"A full public inquiry is required. This inquiry will be launched immediately and led by an outstanding Canadian, retired Supreme Court Justice John Major. He has agreed to serve as Commissioner for this inquiry and I have every confidence that he will conduct a thorough and compassionate investigation into the events surrounding this tragedy. This inquiry is about analyzing the evidence that has come to light since 1985 and applying it to the world we live in today."

To sum up the publicly stated goals and directions for the Inquiry by the participants:

The Prime Minister creates the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182 and orders a thorough investigation into the events surrounding the tragedy and he wants the evidence analyzed that has come to light since 1985.

The Attorney General agrees to a thorough investigation during the Inquiry and insists on 'efficiency.'

The Commissioner of the Inquiry decides to be very broad in the evidence that he hears in 'order to put to rest the various theories' that have occurred since the explosion in 1985."

The Counsel for the Inquiry appeals for people who have relevant information to 'contact the commission.'

The Spokesperson for the Inquiry states, "...we will explore this and any other allegations when the hearings resume in the fall."

Well, All Right!!! We agree!

Gentlemen, hear me out: I have evidence that has come to light since 1985, I agree with a thorough and efficient inquiry, I welcome the very broad examination of evidence, I wish to put to rest various theories which have arisen since 1985, I am contacting the Commission with relevant information, and I cherish the thought of an exploration of my allegation that the cause of Air India Flight 182 was the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation and not the conspiracy of bombers with bombs in two aircraft flying and landing in four airports before the bombs go off in who knows

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So, Mr. Harper, Mr. Brucker, Mr. Major, Mr. Freiman, and Mr.

Tansey, please do what you said you are going to do.

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The Prime Minister (Honourable Stephen Harper) gives guidance:

Speech excerpts - Prime Minister Harper announces inquiry into Air India bombing

"A full public inquiry is required. This inquiry will be launched immediately and led by an outstanding Canadian, retired Supreme Court Justice John Major. He has agreed to serve as Commissioner for this inquiry and I have every confidence that he will conduct a thorough and compassionate investigation into the events surrounding this tragedy. This inquiry is about analyzing the evidence that has come to light since 1985 and applying it to the world we live in today."

To sum up the publicly stated goals and directions for the Inquiry by the participants:

The Prime Minister creates the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182 and orders a thorough investigation into the events surrounding the tragedy and he wants the evidence analyzed that has come to light since

1985.

The Attorney General agrees to a thorough investigation during the Inquiry and insists on 'efficiency.'

The Commissioner of the Inquiry decides to be very broad in the evidence that he hears in 'order to put to rest the various theories' that have occurred since the explosion in 1985."

The Counsel for the Inquiry appeals for people who have relevant information to 'contact the commission.'

The Spokesperson for the Inquiry states, "...we will explore this and any other allegations when the hearings resume in the fall."

Well, All Right!!! We agree!

Gentlemen, hear me out: I have evidence that has come to light since 1985, I agree with a thorough and efficient inquiry, I welcome the very broad examination of evidence, I wish to put to rest various theories which have arisen since 1985, I am contacting the Commission with relevant information, and I cherish the thought of an exploration of my allegation that the cause of Air India Flight 182 was the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation and not the conspiracy of bombers with bombs in two aircraft flying and landing in four airports before the bombs go off in who knows what section of the airplane.

We agree fully in our common goal of a thorough investigation, putting to rest theories, exploring allegations, efficient inquiry, and evidence analyzed. And we both feel so strongly about our

intentions that we put in writing.

I look forward to our meetings. When can I start? I'll make my own arrangements for travel and accommodations, all at my expense of course. Shall I meet you at your place or mine? Which documents would you like to look at first? Shall I bring some tea and biscuits?

Wait, you're not joking are you with all those public statements that apply to me? You're not putting me on, are you? Are you having a laugh? Is he having a laugh?

'No way', I say, 'high government officials (and some not so high, but just the same) when dealing with an intensely interesting public event which includes emotional tragedy for thousands, financial hardship for hundreds of thousands, and the disruptive effects for millions will certainly do what they say they are going to do, especially since the comments were made while not under any duress and sound so honest and reassuring.'

I am very reassured by the very recent comment by the Spokesperson for the Inquiry to explore allegations and the previous assertions given honestly from the Prime Minister, AG, Commissioner of the Inquiry, and Counsel for a thorough and broad investigation to include analyzing evidence to put to rest various theories about Air India Flight 182.

So, Mr. Harper, Mr. Brucker, Mr. Major, Mr. Freiman, and Mr. Tansey, please do what you said you are going to do.

To do what you said you are going to do means inviting me to testify this fall before the Commission of Inquiry to hear my evidence which has come to light since 1985, to explore my

allegation about wiring/cargo door caused problems with Air India Flight 182, to honor my response to your appeal for relevant information, and to put to rest various theories about the crash, specifically the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup theory.

And yes, I will be efficient in my presentation.

Regards,

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Smith Submission 1, Grievous Error of Fact Detected, Filed 28 July, 2006. (Please correct Commission website.)

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Smith Submission 4: The Unofficial Version: The shorted wiring/ruptured open/forward cargo door/explosive decompression/inflight breakup explanation. (Please consider a plausible, reasonable, electrical cause with precedent) Filed Tuesday, August 8, 2006.

Smith Submission 5: Substantiating the Unofficial Version: The Layperson version. (It's not rocket science) Filed Friday, August 11, 2006

Smith Submission 6: Substantiating the Unofficial Version: The DNA Match. (A match made in heaven) Filed Tuesday, August 15, 2006

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Smith Submission 21: Fairness, Prosecution, and Inquiry. Filed Saturday, July 7, 2007

Smith Submission 22: Relevant, material, and timely. Saturday, July 14, 2007

Smith Submission 23: Please do what you said you are going to do. Filed Tuesday, July 31, 2007

Recording of Air India bombing confession allegedly surfaces 22 years later

ROBERT MATAS

July 30, 2007

VANCOUVER -- A recording of the alleged confession of the mastermind behind the bombing of Air India Flight 182 has surfaced 22 years after the tragedy, an investigative magazine in India says.

Vancouver Sikh militant Talwinder Singh Parmar confessed to Punjab police during five days of interrogation in October, 1992, before being killed by police, the article says. The officer who arrested Mr. Parmar, Harmail Singh Chandi, was directed to destroy the tape-recorded confession but he kept them secretly, it says.

Under the headline "Operation Silence," the article in the magazine Tehelka also says the police officer who arrested Mr. Parmar flew to Canada in June to provide evidence to the Air India inquiry headed by retired judge John Major.

However a spokesman for families of the victims of the attack said last night that he knew nothing about a statement by Mr. Parmar.

In the alleged confession, Mr. Parmar shifted the blame from himself, telling police he was acting on behalf of Lakhbir Singh Brar, a member of a prominent family in the fight in the 1980s for a Sikh separate country called Khalistan.

Mr. Parmar is said to have told police that Vancouver Island resident Inderjit Singh Reyat prepared the suitcases with bombs for two flights while Mr. Brar arranged for the booking of the tickets.

Mr. Brar has not been linked to the Air India disaster previously. Mr. Reyat was convicted in 2005 and sent to prison; he is the only person to have been convicted for the bombings. In one of the deadliest terrorist attacks in aviation history, a bomb exploded on an Air India flight from Canada to India on June 23, 1985, killing 329 people. The bombs were in suitcases checked in at Vancouver airport. Police say the attacks were the work of a Vancouver-based circle of Sikh militants fighting with the Indian government over the creation of Khalistan. Mr. Reyat was convicted for providing items that went into the bombs.

Mr. Parmar was arrested in connection with the bombings and released without being charged. He left Canada after Mr. Reyat was arrested in 1988 and was later reported to be living in Pakistan. Mr. Parmar was killed in 1992 in India. Indian police maintain he was shot during an encounter with a group of militants. Khalistani supporters have said he was tortured by police and subsequently died.

Tehelka reported that Mr. Parmar was caught by Punjab police officer Chandi in Jammu province in September, 1992 and interrogated from Oct. 9 to Oct. 14. Mr. Chandi told the magazine that Mr. Parmar was killed in police custody on the

order of senior officers.

Lakhbir Singh Brar came to Canada in April, 1985, as a refugee. He was identified as a national security risk by Canada's security service and deported in the early 1990s. He is reported to be living in Pakistan and is wanted by the Indian government for minor offences.

The Punjab Human Rights Organization, a non-governmental organization based in Chandigarh, put together a report of the confession, and two members of the organization accompanied Mr. Chandi to Canada.

Air India inquiry spokesman Michael Tansey declined to comment on the report of a meeting with the commission to present Mr. Parmar's confession. "We're aware of this article [in Tehelka], and we will explore this and any other allegations when the hearings resume in the fall," Mr. Tansey said in an interview.

From: John Barry Smith <barry@johnbarrysmith.com>
Date: September 5, 2009 11:46:54 PM PDT
To: kdickerson@majorcomm.ca, mtansey@majorcomm.ca
Subject: Smith Submission 25: Acte D'Accusation. Filed Friday, September 28, 2007

Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182

Michael Tansey,
Spokesperson
Ken Dickerson

Public Affairs Officer/Agent des affaires publique

Dear Mr. Tansey and Mr. Dickerson, Friday, September 28, 2007

"You're free, Mr. Smith, as you probably know, to add to your filed material should you choose."

As given permission by the Commissioner to submit material: Enclosed below is Smith Submission 25: Acte D'Accusation. Filed Friday, September 28, 2007

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(Please correct Commission website.)

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Smith Submission 24: Kidders. Filed Sunday, August 19, 2007

Smith Submission 25: Acte D'Accusation. Filed Friday, September 28, 2007

Regards,

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Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182

Honourable John C. Major, Q.C. Commissioner

Sheila-Marie Cook, Executive Director and Commission Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

Ken Dickerson, Public Affairs Officer/Agent des affaires publiques

Michael Tansey, Commission Spokesperson

Senior Counsel

Brian Gover

Anil Kapoor

Roger Bilodeau

Legal Counsel

Francis Barragan

Nadine Blum

Fr/drick Carle

Geneviðve Coutl/e

Teja Rachamalla

Louis S/v/no

Marisa Victor

Legal Coordinator

Yolanda Saito

Smith Submission 25: Acte D'Accusation. Filed Friday, September 28, 2007

Dear Commissioner Major, Lead and Co-Counsel, Legal Staff, Public Affairs,

Spokesperson, Research Staff, Commission Sources, and the Insider, Friday, September 28, 2007

(By the words 'The Commission' I refer to all staff and the Commissioner.)

News Article: "Commission sources say Major is aware of that possibility and doesn't want to let it happen. They say he's made it clear privately that he has no mandate to conduct a detailed investigation of Punjabi police tactics or to reopen the poetically charged debate over a Sikh homeland. But he fears that, unless he deals in some way with the issue, he will be accused of failing to follow all possible leads. "The last thing we want is to have somebody floating around after this inquiry is over, saying they have a confession and they could have solved the whole thing," said one insider. "A story like this has to be put to bed."

Yes, I 'accuse' Commissioner Major of failing to follow all possible leads. The fear becomes real. There is a lead not followed, the scientific one, the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation.

News Article, One Insider states: "The last thing we want is to have somebody floating around after this inquiry is over,..."

The last thing the Commission wants, the Commission has. Well, at least I'm someone the Commission wants, even though last. I have been, am now, and will be floating around after the Commission Inquiry is over because science based reality has a pesky habit of 'floating around' long after the emotionally driven conspiracy nonsense vaporizes under honest scrutiny.

The Commission error was not an error of reason based upon proper research and careful consideration of the facts, but it was a Commission error/sin/derelection of duty of not doing what the Commission said the Commission was going to do which was to conduct an open, broad, and thorough inquiry into the bombing of Air India Flight 182. An inquiry into a bombing needs to confirm the bombing and that was not done because the aircraft accident experts gave no updated conclusions and the previous Canadian experts refused to state there was a bombing. The default opinion from Crown accident experts was then and is now: No bomb.

News Article: "We'll deal with it in a way that we hope will be responsible," {Mr. Freiman} said. "But we're not going to avoid looking at issues simply because they're complex, or because they're unpleasant."

Ha! The Commission certainly did and is now avoiding issues because of complexity and unpleasant. Machine failures are complex and the implications of fixing airplanes costs money.....which is unpleasant to most.

My error of judgment was believing the Commission's words since words are the Commission's only weapons. The Commission's words turned out to be a chimera.

This is what the Commission really meant when the Commission asked the public for input, when the Commission held hearings to determine witnesses, and when the Commission made public statements about being open and thorough:

"Please, anybody, come forward and help us prosecute the acquitted (who are not here to defend themselves) by giving us new evidence that we may construct a case against a people we don't like." And "Please help us prove that criminals are everywhere and the justice system needs more and better trained staff and higher budgets to protect citizens." And "Please help me prosecute the enemy du jour, in this case, terrorists." ("du jour" means 'of the day' but then, the Commission knew that didn't it, being bilingual and all. And terrorists are surely fashionable at this point in time at the end of the day after all is said and done.)

Etymology: French, literally, of the day

1 : made for a particular day -- used of an item not specified on the regular menu
<soup du jour>

2 : popular, fashionable, or prominent at a particular time

I started out last year full of hope that the Commission inquiry would be exactly that: An inquiry into the Investigation of the Bombing of Air India Flight 182. It wasn't. It was a prosecution of people unnamed but well known who allegedly bombed an airplane. The original investigation into the bombing of Air India Flight 182 included investigating me by the RCMP, an episode the Commission chose to ignore while inviting aircraft cabin cleaners to the Inquiry to testify. I naively thought that an investigation into an investigation would examine all those investigated. I was wrong.

What did a member of the Air India Task Force of the RCMP think was so important about me and my evidence about the bombing of Air India Flight 182 that an RCMP investigator traveled from Vancouver to California to inquire in my home? What did a high ranking official of TSB (Air) think was so important that he traveled from Ottawa to California to meet with me and discuss Air India Flight 182 years after the event?

I took the Commission seriously as warrants an appointed Crown political group. Later, as the hearings wore on and I saw the bias, the selected evidence, and the emotionally draining sob stories, I became frustrated. I wrote submissions which were based on science, precedent, and hard evidence that can be touched and heard by a machine that was actually there at the initial event site. (That machine recorder revealed no bomb explosion.)

I was rejected in violation of the Commission's own rules of procedure and

mandate. The scientific explanation was never heard in public or examined by competent authority although the imaginative and exciting conspiracy stories were played out in detail.

The Commission sought no Crown expert opinion on the wiring/cargo door explanation. The TSB (Air) has a mandate to explain airplane crashes and yet has given no opinion, nor has it been asked, to give one on the most famous of all Canadian airplane crashes. Why is that? Is there a fear of fact based conclusions which contradict the paranoid criminal ones of bombs in many airplanes at several airports put there by several terrorists who are conveniently dead or inconveniently acquitted?

I was perplexed. I kept on writing submissions in the hope that common sense would eventually prevail and I would be asked to explain my mechanical explanation, the statistically normal one, for Air India Flight 182, the wiring/cargo explanation which has caused similar accidents in similar aircraft leaving similar evidence.

After a while I became indifferent as the nonsense of the hearings continued into weird testimony from oppressed religious groups that have little or no connection to Air India Flight 182.

So then later, after not hearing from witnesses that refused to testify and agencies pointing fingers of blame this way and that, the charade of an inquiry became funny. I saw the humor, black humor, of learned men sitting around flag draped rooms with TV cameras and microphones talking about this and that, somewhat similar to Alice and Wonderland with the Mad Hatter Tea Party. Nothing made sense because it was not supposed to make sense. It was a show, a fiction show to give the people what they wanted which was reassurance their government cared about them and that bad guys would be caught and punished.....just like on pretty TV, just like in daydreams. (Helpful Hint: Long white wigs on men are always crowd pleasers.)

Now, it's not funny anymore. There is a life and death hazard out there of faulty wiring in early model Boeing 747s and nothing is being done about it. The Commission had a wonderful opportunity to examine that hazard and contribute to removing it. I now scorn the Commission.

Acte D'Accusation: The Commission is unworthy of respect or obedience. The Commission has betrayed the public trust by fear mongering and conducting a fraud of an inquiry. The Commission has betrayed the legal profession which allows in principle for opposing sides to have equal time to present their case, be cross examined and allowed time for rebuttal. The Commission has betrayed the flying public because Air India Flight 182 was an airplane crash and several crash experts, including Canadians, have concluded the cause was undetermined or not a

bomb and in fact the hazard still exists in my flying airplanes today; faulty wiring. The Commission has betrayed itself because the show of authority and wisdom is nothing than an exhibition, sort of like a high school play of Les Misérables. (The French word "miserables" means both poor wretches and scoundrels or villains, but the Commission knew that, didn't it, being bilingual thus knowing two ways to express an idea, sort of like considering two ways to explain an airplane crash.) But well acted! Bravo to stage setting, the deliberate atmosphere, and blocking of the actors' movements.

For the record, the one which is said to be available to the public, I am the one proposing a scientific based explanation for a specific airplane crash, Air India Flight 182 which is based on material evidence. The Commission is the one sustaining an emotional, revenge based, hearsay conspiracy fantasy which includes Japan, India, Canada, and Ireland, two religions, dead witnesses, dead suspects, and a Mr. X. (Conspiracy guys do love their dead suspects and their Mr. X's, especially when they make confessions from the grave.)

Below is a quote from Canadian and Indian aircraft accident reports for Air India Flight 182 which are from official reports specifically directed to be considered by the Commission in the original instructions to the Commission:

2.11.6.5 Target 47 - Aft Cargo Compartment. There was no evidence to indicate characteristics of an explosion emanating from the aft cargo compartment.

"Mr. R.A. Davis, Head, Flight Recorder Section, Accidents Investigation Branch, Farnborough, U.K.

3.4.6.16 In conclusion, Mr. Davis reported as follows :- "It is considered that from the CVR and ATC recordings supplied for analysis, there is no evidence of a high explosive device having detonated on AI 182. There is strong evidence to suggest that a sudden explosive decompression occurred but the cause has not been identified. It must be concluded that without positive evidence of an explosive device from either the wreckage or pathological examinations, some other cause has to be established for the accident". "

Time has established the 'other cause' for Air India Flight 182 and it was in fact the "sudden explosive decompression" event. The "other cause" for that explosion was the wiring/cargo door explanation and discovered only because nine other passengers died in United Airlines Flight 811 in a similar accident in a similar airplane leaving similar evidence four years later. The aviation accident investigators were and are correct in their conclusion of a mechanical explanation for Air India Flight 182 and the criminal justices, the criminal attorneys, the prosecutors, the TV, the newspapers, and the gullible trusting public are wrong. And the ignorant laypersons just named often contradict themselves in their fantasies, such as Criminal Justice Kirpal saying the explosion was a bomb in the

forward cargo compartment and definitely not in the aft cargo compartment and Criminal Justice Josephson saying it was a bomb in the aft cargo compartment and definitely not in the forward cargo compartment.

And yet the conclusion the Commission bases its assumption of a bomb for Air India Flight 182 is the conclusion by criminal court Justice Josephson who stated there was an explosion of a bomb in the aft cargo compartment, completely contrary to the evidence and conclusions of Canadian aviation accident investigators.

News Article: "The only person ever convicted in the June 1985 bombing that took 320 lives is Inderjit Singh Reyat, a Parmar associate who was found guilty on a reduced charge of manslaughter. "

To read the Crown Indictment/Acte D'Accusation of Inderjit Singh Reyat for perjury is to get into a very scared and unstable mental state of prosecuting officials.

Below is the Indictment and my tortured analysis:

I

The Crown>Indictment/Acte D'Accusation "...Reyat did commit perjury...by swearing falsely and attempt to mislead the Court that he did not know or recall any details of the alleged conspiracy...that:"

JBS>All of the charges start out in lower case as they are the suffixes to the preliminary statement ending in '...alleged conspiracy...that:" The key to the successful defence of Mr. Reyat is in Count 1 as quoted above. "...of the alleged conspiracy..." It is their undoing.

The Crown says that some of the statements {of the alleged conspiracy} made by

Mr. Reyat were untrue. (Inserts of {of the alleged conspiracy} clarify your word "statements" and come exactly from the Indictment.

JBS>He may have made untrue statements but they were not about a conspiracy since there was none. No bomb, no bombers, no conspiracy, no conspiracy, no lying statement about it. If Reyat lied about his memories of the names of his friends from years ago, then let the Crown accuse him of that. They have not done that, they have accused him of misleading and making false statements of the alleged conspiracy which included names of friends. Get rid of the conspiracy and get rid of the accusation of perjury about it.

JBS>The Crown can never prove anybody made misleading statements about a conspiracy when there was no conspiracy. There are millions of Canadians out there who had nothing to do with Air India Flight 182, why is it that Mr. Reyat is on trial if he had nothing to do with it? He is on trial because he is accused of having a lot to do with it. Regarding the phrase, "...or more particularly, whether the Crown can prove his statements {of the alleged conspiracy} were false", that refers to a strategy I call the Crossin Defence.

There is a defence: It's where you do not prove your client is innocent. It's where you do not present an alternative culprit that could have committed the crime for which your client is accused. It's where you just poke holes in the Crown's case enough so that reasonable doubt is created in the mind of the judge or jury. It's a full defensive defence with no offence. The Defence is based upon the belief that the defence is more cunning and can avoid, deflect, or repel any offensive action without fatal injury. In the current system of British based law, that's good enough...for a not guilty verdict. It also requires an honest judge or impartial jury.

It's also the best type of defence used to defend the guilty. The innocent deserve better. They deserve to be exonerated of the false charges. They need to be shown to be innocent which is of higher quality vindication than 'not guilty'. But if the accused did not do the crime, then who did it? And was it a crime after all? The innocent deserve to have the true culprit identified or to show the charges lacked merit since no crime occurred at all.

Mr. Reyat is innocent of perjury of a conspiracy and also innocent in any assistance in the bombing of Air India Flight 182. I know that and he deserves the exoneration of the accusations. That exoneration can be achieved by showing there was no bombing and also revealing the true culprit, in this case a manufacturing defect of faulty wiring and a design defect of a non plug cargo door. One byproduct of this exoneration will be the resurrection of the honor of a religion of twenty million world wide. Another consequence will be improved safety in current and future airliners.

JBS> The Crown alleges that Reyat had everything to do with that event. He knew

the conspirators, he provided the materials for the bomb, he practiced with the bomb, he harbored the conspirators; (and he lied about all of it!) The only thing he didn't do was put the bomb in the suitcase. If the Crown suspected that, they would not have severed him from Misterys Malik and Bagri.

JBS>Maintained but not convicted by a jury that says "What's the big deal, he protected his buddies who were acquitted of a crime and it turns out no crime anyway. Not guilty and stop wasting our time." The worst case guilty scenario would be a vastly reduced sentence for lying about what his friends' names were, his friends that were not part of an alleged conspiracy to blow up an airliner since there was no bomb, bombers, or conspiracy.

JBS> He certainly is accused, although indirectly, with assisting in the death of a person, in fact, 329 persons. He was asked at trial to effectively admit he was a co-conspirator. He declined. The Crown says he lied.

The Crown asserts in so many words: If he had not provided the materials for the bomb and practiced with it with Mr. X (those conspiracy boys do love their Mr. Xs, who always seem to die or remain missing) then there would have been no bombing and thus no deaths. If he had not lied about his involvement in the alleged conspiracy, his guilty friends would have been convicted. Because he lied, two mass murderers of passengers in an airliner went free. He must be punished for those lies about the alleged conspiracy.

Again I say, no bomb, no bombers, no conspiracy, no perjury about the alleged conspiracy, no punishment.

If there were no bomb, bombers or conspiracy, it is impossible to give false statements about the alleged conspiracy. He is innocent...but first it needs to be proved there was no bomb, bombers and thus no conspiracy.

JBS>If a man is accused of adultery by having an affair with a woman and I as a witness testify he was with me one assignation night and I'm lying (he was somewhere else) and thus accused of perjury about the adultery, if there were no affair in truth then there was no perjury about the adultery because I did not lie about an event that did not take place. If the Crown wants to accuse me of lying about where my friend was one night, then let them charge me for that. I am innocent about lying about an alleged adulterous affair since there was none.

Facts:

1. Talwinder Singh Parmar is dead and Mr. X is nowhere to be found and thus, fortunately for the defence and unfortunately for the prosecution, unable to be cross examined.

2. Air India Flight 182 crashed on June 23, 1985.

Assumptions:

A. The Babbar Khalsa is a terrorist group of Sikh extremists banned by the Canadian government.

B. Mr. Parmar was chief of the Babbar Khalsa, an organization of Sikh separatists.

C. Investigators believe the Air India bombing was masterminded by Talwinder Singh Parmar, leader of the extremist Babbar Khalsa group that advocates creating a Sikh state called Khalistan in India's Punjab region. Parmar was killed by Indian police in 1992.

JBS> All of the twenty seven charges of perjury against Mr. Reyat are prefaced by this edited statement: "...Reyat did commit perjury...by swearing falsely and attempt to mislead the Court that he did not know or recall any details of the alleged conspiracy...that:" All of the charges then start out in lower case as they are the suffixes to the preliminary statement ending in '...alleged conspiracy...that:"

Every complete charge thus includes the words 'alleged conspiracy'.

For example: Charge 5 would read in its entirety if standing alone: "...Reyat did commit perjury...by swearing falsely and attempt to mislead the Court that he did not know or recall any details of the alleged conspiracy...that Parmar asked him to make one explosive device."

The words "know" and "recall" appear to be redundant with the proper one word being 'recall'. A clearer accusation might read: Charge 5: "Reyat did commit perjury by swearing falsely and attempt to mislead the Court by stating he did not recall any details of the alleged conspiracy that resulted in the bombing of Air India Flight 182, for example, that Parmar asked him to make one explosive device."

Charge 1. he (Reyat) did not know....

Charge 2. he did not know...

Charge 3. he had no idea...

Charge 4. he could not recall what Parmar..

Charge 5. Parmar asked him...

Charge 6. the only reason Parmar...

Charge 7. Parmar did not say...

Charge 8. most of his conversations with Parmar...

Charge 9. Parmar never asked...

Charge 10. the two test devices that he built and tested for Parmar...

Charge 11. during the two tests...

Charge 12. after Parmar asked him...

Charge 13. before the second test, an associate of Parmar ("Mr. X")...

Charge 14. he never learned Mr. X's name...

Charge 15. after the second test, neither Mr. X nor Parmar...

Charge 16. after the second test, Parmar returned to the ferry in Nanaimo but Mr. X...

Charge 17. he gave Mr. X... and had 'no idea' why Mr. X...

Charge 18. ...he never discussed doing so with Parmar or Mr. X;

Charge 19. although he believed at the time that Mr. X intended...he did not know why Mr. X intended...

Charge 20. Mr. X asked him....

Charge 21. while Mr. X and he ... Mr. X spent...but Mr. X did not say why....

Charge 22. he gave Mr. X...anticipating that Mr. X may want...

Charge 23. Mr. X never discussed...

Charge 24. before Mr. X left his home, Mr. X's phone number...

Charge 25. he introduced Mr. X...

Charge 26. he never asked Parmar...

Charge 27. he told either Parmar or Mr. X that...he never asked Parmar or Mr. X....

Perjury:

(For the USA) In order for a person to be found guilty of perjury the government must prove: the person testified under oath before; at least one particular statement was false; and the person knew at the time the testimony was false.

The three elements of a perjury charge: 1: Testify under oath. 2. Statement was false to start with. 3. The person knew at the time of testimony the statement was false.

The first element is proven, Mr. Reyat testified under oath. The third element may or may not be proven since Mr. Reyat may have known he was lying. The second element of false statement involving Parmar or Mr. X is impossible to prove for twenty three of the charges.

The second of three elements of a perjury charge is impossible to fulfill for all charges related to Parmar or Mr. X (4 through 10, 12 through 27, total 23 charges) because the statement has to be false to fulfill element two and the only persons to confirm the falsehood are dead or missing. Charges related to the state of mind of Parmar or Mr. X can only be confirmed by them and that is impossible.

For instance, Charge 20 essentially states that "Reyat did commit perjury by swearing falsely and attempt to mislead the Court by stating he did not recall any details of the alleged conspiracy that resulted in the bombing of Air India Flight 182 such that Mr. X asked him for a Micronta clock after seeing one installed in Reyat's car." The only person who could confirm that Reyat made a false statement that he could not recall the conversation is Mr. X who could contradict Mr. Reyat and testify he did indeed ask Mr. Reyat for a Micronta clock... Without Mr. X, there is no proof that Mr. Reyat made a false statement about a clock and thus no perjury charge is proven. Twenty three charges are thus bogus and unprovable without the only persons who can prove they were false to start with, Parmar and Mr. X. In Mr. Reyat's case, let the Crown produce Parmar or Mr. X and prove the second element in that the statements by Mr. Reyat in twenty three charges are false. And if they can't produce the rebutting evidence, then the assumption is that the statements by Mr. Reyat are true.

Regarding charges 1 through 3: These are mind reading charges, thought crimes of a thoughtful person made by the Thought Police. The Crown assumes it knows what Mr. Reyat knows or should know. Many supposedly educated citizens are woefully ignorant about basic knowledge that is required for daily living. For Mr. Reyat to claim he did not know about a political splinter group or its leader is reasonable and to claim he should have known is doubtful. For Mr. Reyat to claim he had no idea what was going on politically in a country six thousand miles away which undergoes political change weekly is certainly plausible. To claim Mr. Reyat,

a millworker, is assumed to know the internal politics of a foreign country is doubtful. The Crown can never prove the statement that "Mr. Reyat did not know the name of a leader of a political splinter group" is false because the only one who knows what goes on in Mr. Reyat's mind is Mr. Reyat. Are there witnesses who can rebut Mr. Reyat's claimed ignorance of Indian politics? Bring them on. There is none. What is Mr. Reyat's IQ? What is his reading level? Is he a political science professor at McGill? Did Mr. Reyat lead seminars on Sikh separatist movements? Are his students available for testimony as to Mr. Reyat's political knowledge?

Charges 1 through 3 are unprovable for element two because only Mr. Reyat knows what Mr. Reyat knows and if he says he didn't know this or that, then it has to be assumed he did not know this or that. If Mr. Reyat says his favorite color is red, then it's red if there is no one to contradict him even if there is no red in his wardrobe, his car is not red, his house is not red, and his wife is not a redhead. And tomorrow if he says he hates red, then he hates red even though he wears red pants, his car is red, his house is red and his wife is...still blond.

Charges 4 through 10, 12 through 27 are unprovable for element two because the only two person who could confirm statements about the alleged conspiracy were false and thus rebut Mr. Reyat are dead or missing. And of course, Mr. Reyat can change his mind about what his mind remembers. If he made previous incriminating statements and then remembers differently, well, that's what goes on inside people's heads all the time, selective memory and reinterpretations of history.

Charge 11: "during the two tests he used gunpowder rather than dynamite to ensure that no one got hurt."

What is the false statement? There was only one test? He was not present at the test? He did use dynamite after all? Someone got hurt? He couldn't remember what he used as the explosive? Regardless, since Mr. Reyat is the only one available about what did or did not happen that day so his testimony can not be reliably rebutted.

Charge number 8: It's interesting as it makes no sense. "most of his conversation with Parmar in the weeks prior to the June 22, 1985 concerned the conversation of Parmar's car to propane." What is the word 'the' doing in the sentence? It's as if the writer meant, "...prior to the June 22, 1985 bombing concerned the conversation..." Regardless, this charge is a direct reference to Air India Flight 182 and determines the end date of any interest in Mr. Reyat's contacts with the parties named in the other charges.

To sum up:

1. All of the perjury charges against Mr. Reyat include the phrase 'alleged conspiracy' which directly refers to the alleged conspiracy of bombers to bomb Air

India Flight 182 on February 23, 1985. Any information about Air India Flight 182 is thus relevant to the perjury charges.

2. If the 'alleged' conspiracy were shown to be not proved, then all the charges are not proved. Note the second meaning of 'alleged', doubtful conspiracy indeed. alleged [adj.]

PRON: /&'lΔjd/

1. Declared but not proved; "alleged abuses of housing benefits" -- Wall Street Journal.

2. Doubtful or suspect; "these alleged experts are no help"; SYN. so-called, supposed.

3. All of the perjury charges are unprovable for the second element required: a statement was false. The only persons who can prove the statements were false are dead or missing or Mr. Reyat himself.

News Article: "Justice John Major, the inquiry commissioner, asked Mr. Cunningham why he thought Mr. Singh would have tried to commit suicide and to bite off his tongue if he had played no role in the crime."

Well, Sir, because he's guilty that's why! He tried to bite off his tongue because he just confessed to putting dynamite on an airplane and now he feels bad about it, what's so hard to understand? Sheesh. He's a moral terrorist who feels bad about all that killing and while in a remorseful depressed state of mind, tries to kill himself by biting off this tongue. We all saw "Million Dollar Baby" where the paralyzed woman boxer wants to die but they won't let her so she bites off her tongue in a suicide attempt. Bite Tongue equals suicide. Suicide equals guilt. Verdict decided.

I can see the trial: The prosecutor lays out the above logic of biting tongue equals suicide equals guilt. He then announces, "I offer in evidence Exhibit 1, Mr. Singh tongue, piece thereof."

"Objection, Your Honor," shouts the Defence Counsel, "Too stinky."

The judge ponders about what to do and then looks up, and in a gravelly voice opines, "Objection overruled, let the tongue speak for itself."

It's logic like that, biting a tongue proves guilt for mass murder, from a retired Supreme Court Justice that puts me back in a good humor....well, humour, let me humour my English based readers. (Two ways to express an idea, sort of like two ways to explain an airplane crash.)

To sum up and look ahead: the Commission hearings presented a shifty show. The members' biased conduct was shameful. The inquiries were shallow. Assigned duties were shirked. The staff were shills. The final report will be sh....

Some guys like to stand on principle and walk away on nonsense...and run from crazies.

I am the cautious researcher making reasoned conclusions based on study and matching patterns among thousands of incidents. It's the principle that an ounce of prevention is worth a pound of cure. The Commission is the wild eyed conspiracy nutter going off in any direction that confirms its internal belief structure of bombs and terrorists everywhere and two went free! OMG!

Many people with rigid internal belief structures, such as conspiracy nuts and fanatical religious zealots, react strongly when confronted with real evidence that would require changes in that internal belief structure. Many conspiracy based persons just ignore the incoming refuting facts but some get violent.

The Commission is just as rigid in its belief of conspiracy and bombs being carried by two aircraft all over the world being put there by militant fanatics living in several countries as the beliefs held by the 911 "Truthers" who believe in the conspiracy of bombs being carried by aircraft and flown in to skyscrapers on the orders of the US government. No amount of film, pictures, or other hard evidence will ever persuade them otherwise. Conspiracy crazies need to believe in their fantasies to maintain a mental balance for their naive, ignorant, and fearful minds.

I don't believe in conspiracies for Air India Flight 182. There is none. There are no coverups, no bombers, no crimes, and no criminals, just a machine failing and breaking which is what many machines do and which fault causes most airplane crashes. To those who believe in conspiracies behind the Air India Flight 182 crash, I believe they are normal but misguided people in government, the media, and family members who are acting in the mistaken belief they are doing good for themselves and their country. To believe the cause of the crash and the deaths of hundreds was caused by a simple wire short that was preventable and easily fixed is too horrible to contemplate; better to have the deaths of loved ones caused by worldwide forces of evil beyond the control of police. Everyone who continues to promulgate the bombing conspiracy explanation is acting in their own perceived best interest but they are not part of a conspiracy to keep the real explanation secret. They honestly don't know of the alternate, don't care about it, and refuse to even consider the alternative to their emotionally satisfying and exciting story of bombs, conspirators, foreign lands, and bungled investigations.

But because some conspiracy believers, individuals as well as commissions and governments, occasionally react irrationally, I reluctantly withdraw my repeated offer of the last year to travel at my own expense to testify before the Commission. (Should I ever be asked. Double Ha.)

I protect lives by solving problems using reason, logic, and research to prevent the

tragedy.

The police, courts, and inquiry commissions wait for tragedy; then act in a revengeful, emotional, punishing manner as a way of cure.

If and when the substantiated mechanical explanation for Air India Flight 182 is confirmed by Crown experts in aircraft crashes (TSB Air investigators), the political consequences are very positive:

1. The caution and prudence of the Canadian Aviation Safety Board of 1986 will be revealed; their findings were correct, there was an explosion in the forward cargo compartment of Air India Flight 182 with an electrical cause only apparent four years later with United Airlines Flight 811.
2. The RCMP and CSIS will be exonerated for their failure to catch their men because there were no men to catch. There was no bomb, there were no bombers, there was no conspiracy, there was no crime, there were no criminals; the small cause was faulty Poly-X wiring destroying a large machine, an early model Boeing 747.
3. The security of Canadian airports was intact and not penetrated because there was no bomb placed in a CP aircraft leaving Vancouver, BC, which then passed through Montreal and Toronto airports.
4. The wisdom of the Canadian judicial system will be reaffirmed as represented by Justice Josephson who found the two accused not guilty because they were.
- 5 The tenacity and bravery of the Prime Minister to order an Inquiry that eventually would reveal the probable cause for the two decade old tragedy whilst knowing that official Inquiries sometimes answer key questions that remain unsolved, can help prevent future aircraft accidents, but can cause turbulent changes in attitude amongst the public.
6. A grand reduction in the amount of fear, suspicion, and hate among Canadian citizens against themselves, a religion, an airline, and law enforcement.
7. Closure for the families.

My wiring/cargo door explanation for Air India Flight 182 is beneficial politically while the bombing conspiracy explanation continues to sow dissent, anger, and fear amongst Canadian citizens, demoralizes the security police agencies, sustains grief among family members, and creates headaches for the leadership.

The Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182 believes in the society disturbing bombing conspiracy explanation without proper examination of an alternative explanation which would have positive benefits to the Canadian citizens the Commission is sworn to protect and inform. Shame, shame, shame.

(PostScript>News Article:"There may be a distastefulness about how purported information was received from an individual, if it was by torture or some (other)

means," said Schwartz. "However, the role of the investigator is to take the information and try to work with it."

The bitten off tongue was probably due to the Indian police inflicted torture the very moral but understanding RCMP Insp. Lorne Schwartz implied the victim may have suffered.)

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¥ CSIS wiretap erasures to be scrutinized at Air India inquiry
CBC Ottawa - 4 hours ago

Full coverage Ë

Air India inquiry to probe RCMP-CSIS rivalry, Parmar confession
8 hours ago

OTTAWA (CP) Ñ Twenty-two years after the Air India bombing, the questions remain the same: how could it happen, why can't the perpetrators be brought to justice, and what can be done to keep it from happening again?

A public inquiry into the worst terrorist act in Canadian history is ready to take one more stab at finding the answers in a final round of hearings between now and the end of the year.

But even Mark Freiman, the chief counsel for the inquiry headed by retired Supreme Court justice John Major, isn't sure how things will turn out.

"Let's strap on our seatbelts and see where the ride takes us," Freiman said as he prepared for the resumption of testimony Monday after a three-month summer break.

The fall hearings will begin by delving into the rocky relations between the RCMP and the Canadian Security Intelligence Service in the months following the 1985 downing of Air India Flight 182.

First up Monday will be two retired Mounties, Mike Roth and Lyman Henschel, who will recount the already well-publicized erasure by CSIS of hundreds of hours of wiretap tapes that the RCMP had hoped to comb through for clues in its criminal investigation.

James Jardine, a British Columbia provincial court judge and former Crown attorney, will be on hand later in the week to describe the impact of the erasures on subsequent court proceedings. After that, CSIS representatives - including retired counter-terrorism chief Jake Warren - will tell their side of the story.

Debate has raged for years over whether the tapes - had they survived - could have led to any convictions. That's because CSIS, as an intelligence agency, didn't always gather information in a way that would meet the rules of evidence in a court of law.

The various players have long offered conflicting versions of what happened and who was to blame for the erasures, and sources say dramatic differences will likely be evident again when they appear before Major.

Freiman wouldn't speculate on that possibility, but he did acknowledge that a key theme will be the "complex issue" of how to transform raw intelligence into evidence that can prove a case beyond a reasonable doubt.

The same issue will be even more starkly illustrated later this month, when the inquiry hopes to examine an alleged confession given to Indian police by Talwinder Singh Parmar, the prime suspect in the bombing.

Parmar, the head of the militant Sikh separatist group Babar Khalsa, was arrested by the RCMP shortly after the attack but was released for lack of evidence. He later left Canada, and Indian authorities reported in 1992 he had been shot dead by police in the Punjab.

There have been claims for years that he was actually taken alive, that a confession was extracted from him - likely under torture - and that he was then put to death in what amounted to an extra-judicial execution.

A trio of witnesses, including retired Punjab policeman Harmail Singh Chandi, had been expected to testify on the matter in June, but got cold feet after Major was unable to guarantee their anonymity.

Upon their return to India, the story leaked to the magazine Tehelka, which reported Chandi had kept audio tapes and transcripts of Parmar's confession, in which he supposedly admitted to participating in the bombing but claimed the true mastermind was Lakhbir Singh Brar, former head of the International Sikh Youth Federation.

Brar was investigated in Canada but never charged and is now said to be living in Pakistan.

It's unclear whether the Indian witnesses will return to Ottawa this fall, but even if they don't, the commission intends to pursue the matter through other channels. The RCMP has looked into similar claims in the past and reportedly concluded in 2002 that Parmar had indeed been captured alive and interrogated.

There are serious questions, however, about whether any statement he gave could be used in a Canadian court, given the suspicion that it was obtained by torture.

Even if the Mounties obtained corroborating evidence from other sources, the material could be fraught with legal problems.

All those questions need to be examined, said Freiman.

"We'll deal with it in a way that we hope will be responsible," he said. "But we're

not going to avoid looking at issues simply because they're complex, or because they're unpleasant."

Lawyers for the families of the Air India victims fear the matter could take the inquiry off on a tangent and hand Sikh extremists an opportunity to use the hearings as a platform to advance their cause.

Commission sources say Major is aware of that possibility and doesn't want to let it happen. They say he's made it clear privately that he has no mandate to conduct a detailed investigation of Punjabi police tactics or to reopen the poetically charged debate over a Sikh homeland.

But he fears that, unless he deals in some way with the issue, he will be accused of failing to follow all possible leads.

"The last thing we want is to have somebody floating around after this inquiry is over, saying they have a confession and they could have solved the whole thing," said one insider. "A story like this has to be put to bed."

The only person ever convicted in the June 1985 bombing that took 320 lives is Inderjit Singh Reyat, a Parmar associate who was found guilty on a reduced charge of manslaughter. Two others, Ripudaman Singh Malik and Ajaib Singh Bagri, were acquitted at trial in Vancouver two years ago, in a verdict that outraged the victims' families.

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Confession didn't match facts, Air India probe told

Sep 24, 2007 07:54 Pm

JIM BROWN

THE CANADIAN PRESS

OTTAWA < The prime suspect in the 1985 Air India bombing admitted to a role in the attack years later under questioning by Indian police, a public inquiry has been told.

But Talwinder Singh Parmar, head of the militant Sikh separatist group Babbar Khalsa, reportedly insisted, during his 1992 interrogation, that he was a minor player and that others took the lead in hatching the plot that cost 329 lives.

The claims, contained in a summary of the affair presented Monday by the Punjab Human Rights Organization, were taken with a grain of salt by former Supreme Court justice John Major, the head of the inquiry.

He noted that although he was allowing the material to be entered in evidence he wasn't making any call at this point on how credible it might be.

"It's a document that forms part of this record," said Major. "It may be true, it may not be true."

Mark Freiman, chief counsel for the inquiry, also cautioned against drawing any "hasty conclusions," while the RCMP maintained there was little it hadn't already seen in its long-running effort to bring the bombers to justice.

Insp. Lorne Schwartz testified the Mounties first became aware of the supposed

Parmar confession in 1997 and spent years pursuing the leads it provided < even though they suspected that anything Parmar had told police in the Punjab was extracted under torture.

"There may be a distastefulness about how purported information was received from an individual, if it was by torture or some (other) means," said Schwartz.

"However, the role of the investigator is to take the information and try to work with it."

Parmar was arrested in British Columbia shortly after the bombing but was never convicted for the downing of Air India Flight 182. He slipped out of Canada several years later.

Indian authorities maintained he was killed in a shootout with police in 1992, but there have been claims for years that he was captured alive and questioned, then put to death in what amounted to an extra-judicial execution.

In what was said to be a police summary of his interrogation, he claimed the Air India bomb plot wasn't his idea and he wasn't enthusiastic about it when it was proposed by others.

Nevertheless, he went along and "agreed to arrange (for) the dynamite sticks,"

Parmar was quoted as saying in the written material tabled Monday.

He attempted to shift much of the blame to Lakhbir Singh Brar, a former head of the International Sikh Youth Federation, and Inderjit Singh Reyat, the only person ever convicted in a Canadian court.

Two other Parmar associates, Ripudaman Singh Malik and Ajaib Singh Bagri, were acquitted at trial in Vancouver two years ago, a verdict that outraged the families of the bombing victims.

In the purported 1992 confession, Brar was identified as the mysterious "Mr. X" < as he was then known to Canadian investigators < who accompanied Parmar and Reyat to an explosives test in the woods near Duncan, B.C., a few days before the bombing of Flight 182.

But Schwartz said Brar didn't match the physical description of Mr. X provided by a surveillance team from the Canadian Security Intelligence Service.

There were also other discrepancies between the confession and facts known to the Mounties through other sources. Nevertheless, investigators looked into possible links between the Sikh youth federation and Babbar Khalsa.

Brar had been deported from Canada in the 1990s as a security risk, and the Mounties didn't track him down and interview him in India until 2001.

By that time, said Schwartz, he was "well on his way to being eliminated" as a suspect in the bomb plot, but the force still wanted to talk to him. He denied any involvement in the bombing, and his comments about others were considered too unreliable for him to be a witness in any court case.

Rajvinder Singh Bains, the legal counsel for the Punjab Human Rights Organization, said the group conducted its own investigation of the affair after Malik and Bagri were acquitted.

A key source in that probe was Harmail Singh Chandi, a former Punjab policeman who is also reported to have been one of the sources for the RCMP years earlier.

Chandi travelled to Ottawa last June but backed out of testifying at Major's inquiry when he couldn't get a guarantee his identity would be protected. His cover was later blown by a magazine report in India.

Bains said Monday his organization approached the RCMP in late 2005 and again in 2006 to try to share what it had discovered about the Parmar confession.

"Whether it's true, whether it's authentic ... this is information only a police agency could have verified," he said.

Instead, the Mounties indicated they already knew most of the story and the group eventually took its tale to counsel for Major.

But Bains and Sarabjit Singh, the secretary general to the human rights group, did meet the Mounties again last weekend to hand over additional material, including tape recordings related to the affair.

Bains said the recordings did not include tapes of Parmar's purported confession.

Rather, they were Punjabi police wiretaps that were part of an effort to lure Parmar from Pakistan onto Indian territory so he could be captured.

The RCMP is reviewing the tapes, which they had never heard previously, but details were not made public Monday. That's because Major's mandate requires him to steer clear of anything that could compromise continuing RCMP efforts to uncover fresh evidence that could be used in future criminal prosecutions.

From: John Barry Smith <barry@johnbarrismith.com>

Date: September 5, 2009 11:46:54 PM PDT

To: kdickerson@majorcomm.ca, mtansey@majorcomm.ca

Subject: Smith Submission 26: "Everything has come out in the open." Filed Friday, February 15, 2008

Commission of Inquiry into the Investigation of the Bombing of Air
India Flight 182

Michael Tansey,

Spokesperson

Ken Dickerson

Public Affairs Officer/Agent des affaires publique

Dear Mr. Tansey and Mr. Dickerson, Friday, February 15, 2008

"You're free, Mr. Smith, as you probably know, to add to your filed material should you choose."

As given permission by the Commissioner to submit material: Enclosed

below is Smith Submission 26: "Everything has come out in the open."
Filed Friday, February 15, 2008

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Regards,

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Commission of Inquiry into the Investigation of the Bombing of Air
India Flight 182

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Sheila-Marie Cook, Executive Director and Commission Secretary

Mark J. Freiman, Commission's Lead Counsel

Michel Dorval, Commission's Co-Counsel

Ken Dickerson, Public Affairs Officer/Agent des affaires publiques

Michael Tansey, Commission Spokesperson

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Teja Rachamalla

Louis S/v/no

Marisa Victor

Legal Coordinator

Yolanda Saito

Smith Submission 26: "Everything has come out in the open." Filed
Friday, February 15, 2008

Dear Commissioner Major, Lead and Co-Counsel, Legal Staff, Public
Affairs, Spokesperson, Research Staff, Commission Sources, and the
Insider, Friday, February 15, 2008

"Everything has come out in the open." Pervez Madon.

Oh, impossible to satirize. But let me try, I enjoy a challenge. How about, "....", nope, can't do it. Defeated. 'Everything has come out in the open' during a year and a half inquiry is too funny....for those that actually know about why that particular Boeing 747-200 flew and why it didn't.

Well, as we all know, there was something that did not come out in the open during the inquiry into the investigation. There was the event where Sergeant Blachford of the Air India Task Force of the RCMP while investigating the bombing of Air India Flight 182 found the information about the shorted wiring/unlatch motor on/ruptured open forward cargo door/explosive decompression/inflight breakup explanation so intriguing he flew down from Vancouver BC to the USA to interview me for a day on a two day trip to the Monterey Peninsula. That must have cost a pretty penny of taxpayer money. I wonder if his after action debrief reports are still in the files.... Probably not, as shown by the rejection by the Access to Information Office of requests for the video tapes of the wreckage of Flight 182. No testimony from me, no access to video tapes of wreckage, ignoring an investigator's interview...what are you all hiding?

But, hey, Mission Accomplished: Surviving family members mollified, Canadian security agencies still dysfunctional with squabbling, minority citizens still hating each other, high levels of fear of mystery Mr. X terrorists maintained, science based investigations still being trumped by emotionally laden political opinion, and taxpayer money still being squandered.....and the hazard of defective wiring killing passengers and crew in airliners still present.

It's now time for one last surge of influencing public opinion with your 'Final Report'.

Regards,

John Barry Smith
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News article below:

Air India public inquiry resumes Thursday

By Gurmukh Singh

Toronto, Feb 13 (IANS) The Air India public inquiry commission begins two days of public hearings Thursday. The commission is looking into the 1985 bombing of AI Flight 182, which killed 329 people.

After these public hearings, inquiry commissioner John major will start working on the final report, likely to be submitted this spring.

Those whom Major will hear include the Royal Canadian Mounted Police (RCMP), the Canadian Intelligence Security Service (CSIS) and Toronto University professor Sherene Razack.

Though some relatives of the Air India bombing victims were also expected to make their submissions, they decided against it.

Vancouver-based Pervez Madon, whose husband was among the 329 victims of Flight 182 bombed mid-air on June 23, 1985, told IANS that her family would not attend the public hearings.

"We are very pleased with the way inquiry commissioner John major has conducted the probe. Everything has come out in the open. He has addressed our all long-pending grievances. So we have nothing more to present before him. We commend his work," said Madon, who, along with her daughter Natasha, has been in the forefront of the fight for justice for the families of the victims.

No Toronto-based family of the victims confirmed whether they would be present at the final hearings.

A spokesperson for the inquiry commission in Ottawa also confirmed that the panel has received no fresh submissions from the families.

Regards,

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From: John Barry Smith <barry@johnbarrysmith.com>

Date: September 5, 2009 11:46:54 PM PDT

To: michael@tancom.ca, kdickerson@majorcomm.ca, ggodbout@majorcomm.ca

Subject: Smith Submission 27. My submissions will be part of the Air India record according to the Commissioner.

Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182

>Honourable John C. Major, Q.C. Commissioner

>Sheila-Marie Cook, Executive Director and Commission Secretary

>Mark J. Freiman, Commission's Lead Counsel

>Michel Dorval, Commission's Co-Counsel

>Ken Dickerson, Public Affairs Officer/Agent des affaires publiques

>Michael Tansey, Commission Spokesperson

>Senior Counsel

>Brian Gover

>Anil Kapoor

>Roger Bilodeau

>Legal Counsel

>Francis Barragan

>Nadine Blum

>Fr/d/rick Carle

>Geneviðve Coutl/e

>Teja Rachamalla

>Louis S/v/no

>Marisa Victor

>Legal Coordinator

>Yolanda Saito

Dear Commissioner and Members, Thursday, July 10, 2008 at 1:15 PM

THE COMMISSIONER: The alternate theory may over time prove to be correct. I don't know.

What I do know is that we cannot consider it as part of the evidence in this Inquiry but what I can do is permit you to file any written material that substantiates your view and it will be part of the Air India record. It will be there for examination by people who look at this Inquiry in future years, but the Terms of Reference preclude our considering whether or not there was any cause for that explosion other than the bomb that is found by the Supreme Court of British Columbia. So I can't do anything more for you than permit you to do what I have just suggested."

Commissioner: "...but what I can do is permit you to file any written material that substantiates your view and it will be part of the Air India record."

I note today that the public Air India record of submissions released by the Commission omits all of my twenty seven submissions over a two year span. Why is that? Mistake? Administrative error? On purpose? Irrelevant? Something to hide? Cover up? Why would the Commissioner betray his own promise to me personally given at a hearing?

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Commercial pilot, instrument rated, former FAA Part 135 certificate holder.

US Navy reconnaissance navigator, RA-5C 650 hours.

US Navy patrol crewman, P2V-5FS 2000 hours.

Air Intelligence Officer, US Navy

Retired US Army Major MSC

Owner Mooney M-20C, 1000 hours.

Survivor of sudden night fiery fatal jet plane crash in RA-5C

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