

APPENDIX: V

DOCUMENT NUMBER: NTSB Record 31

DATE OF DOCUMENT: Unknown

TOTAL NUMBER OF PAGES: 01

TOTAL NUMBER OF PAGES WITHHELD ENTIRELY: 01

TOTAL NUMBER OF REDACTED PAGES: 0

DESCRIPTION OF DOCUMENT: Text and graph titled "Later Nose Separation Timing"

A staff member of the NTSB created this one-page draft document, withheld pursuant to exemption (b)(5), in preparation of his report (Addendum II to Main Wreckage Flight Path Study) to be submitted to the public docket for this accident investigation. The employee was acting as a member of the TWA flight 800 accident investigation team. The document was intended to provide results from a preliminary "fast" simulation that ultimately were described in Addendum II to Main Wreckage Flight Path Study. This Study, identified as Exhibit 22F, is a part of the public docket.

Record 31 describes part of the additional simulations that were done to further derive the flight path responses of the accident aircraft following a catastrophic event, such as the loss of the forward section. Understanding the

flight path following the catastrophic event may assist the Safety Board with the understanding of the cause(s) of the catastrophic event. By narrowing the aerodynamic tolerances used in the Main Wreckage Flight Path Study, NTSB staff was able derive more precise results from the simulations.

Included on this document are handwritten notes of an NTSB employee. These notes indicate refinements that the drafter is considering for this document, and reflect the personal opinion of the writer rather than the policy of the agency.

The information is predecisional and deliberative in nature, thereby exempt from disclosure. By virtue of the application of exemption (b)(5) of the Freedom of Information Act (FOIA), this document was withheld in its entirety.

The (b)(5) exemption for the protection of deliberative process materials has always encompassed the preliminary findings and recommendations made to the decisional authority so as not to cause harm to the quality of the agency's decision-making process, and thereby the decision. The harm arising from the release of this information is that, without the protection provided by the exemption, full and frank discussion of options and opinions so vital to the decision-makers would be impossible. (See

Declaration of Dennis Crider). In this instance, NTSB staff is seeking review and confirmation of data and preliminary findings to prepare the NTSB studies for presentation to the Safety Board. The five-member Safety Board is the ultimate decision-maker as to the probable cause(s) of an accident, and the safety recommendations that follow from that cause. The simulation results described in this document will contribute to Addendum II to Main Wreckage Flight Path Study, and is predecisional, since it will assist the Safety Board in its decisions that will either alter maintenance of systems, training of personnel, or construction of systems so as to prevent future accidents. Because it is purely predecisional and part of the deliberative process, this record is exempt under 5 USC 552 (b) (5).