

Evidence of Missile Strike Altered/Withheld by Gov't: Families Suing

Severe Inward Bend of Fuselage Flattened While in Federal Custody (First Circuit Notice.pdf)

Concealed Navy Radar Tapes Show Object “HEADING STRAIGHT FOR TWA 800” Before “IMPACT” (FBI Release 1.pdf and FBI Release 2.pdf)

Lockheed Martin Faces Liability in TWA 800 Explosion Federal Judge: “affirmatively false or fraudulent representations [were] made by the United States” (MA District Court Ruling.pdf)

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Oral arguments in the pending lawsuit by families of TWA Flight 800 crash victims against Lockheed Martin, Raytheon, and the DOD is tentatively being planned for January 2027. The final brief was filed on July 27, 2026 with the Second Circuit Court of Appeals arguing that the government concealed and altered evidence consistent with a missile strike that caused the Boeing 747 to explode shortly after it took off from JFK International Airport on its way to Paris. Thirty years after the airplane crashed on July 17, 1996, killing all 230 people aboard, this lawsuit is seeking to show how evidence actively concealed by United States government officials for decades misrepresented the true cause of the crash. In ruling on the initial lawsuit filed in Federal District Court in Massachusetts, the Federal Judge Angel Kelley wrote that the families' case could move forward because of the “affirmatively false or fraudulent representations made by the United States” about the cause of the plane's explosion. The families were fraudulently induced to sign a settlement agreement at the time prohibiting them from reopening the case.

The government and defense contractors Lockheed Martin and Raytheon moved to dismiss the case, arguing that the suit was time-barred under the False Claims Act's two-year statute of limitations. But Judge Angel Kelley on Sept. 29, 2023 ruled that the statute of limitations was suspended until April 15, 2021, when physicist and expert witness Dr. Thomas Stalcup met with the plaintiffs to reveal new evidence supporting their missile claim. Stalcup had obtained the evidence through Freedom of Information Act litigation.

The Federal Court for the Eastern District of New York then dismissed the case, not on the merits, but by holding that agreements the families signed in 1990s related to the official fuel tank scenario precludes this suit. The families will argue at the Appellate court that the same fraud the MA District Court acknowledged voids those prior agreements and allows this action. The July 27 brief will ask the Second Circuit to reverse that dismissal and allow the families to obtain records, examine witnesses and present the physical and radar evidence in court.

The families' appeal will place two developments not previously presented to the public in their full context at the center of the case:

- Newly discovered Navy radar tapes recorded an object “heading straight for TWA 800” prior to “impact”. Sworn testimony recounts the extraordinary removal of those radar recordings shortly after the crash.
- Newly discovered evidence that a critical piece of the reconstructed aircraft was physically altered.

The families' lawsuit alleges that TWA Flight 800 was destroyed during military missile activity and that evidence contradicting the government's center-fuel-tank explanation was withheld, removed, and altered.

Newly Discovered Alteration of a Critical Fuselage Component

During an inspection of the reconstructed aircraft in Virginia within this case, the families' experts examined a large lower-left fuselage component identified as LF-24A. Contemporaneous investigative photographs and NTSB documentation recorded that the component had been curled approximately 180 degrees inward into the aircraft's cargo area, consistent with a missile blast.

However, LF-24A had been flattened back into its pre-event shape and no longer displayed any inward deformation.

The location of LF-24A is significant. It came from the lower-left fuselage precisely where the aircraft broke completely in half in mid-flight and was recovered in the earliest debris field. The families contend that the original inward deformation was evidence of an external explosive force and that flattening the component concealed a feature inconsistent with the government's official explanation.

Court filings state that, after being asked for photographs or records explaining how, when and why LF-24A was changed, the NTSB did not provide documentation answering those questions. The families characterize the alteration as potential spoliation of uniquely important physical evidence.

[Sworn Testimony About the Removal of Navy Radar Tapes](#)

The appeal will also highlight testimony obtained during years of Freedom of Information Act litigation.

Steven Habeger, who directed an East Coast Navy testing facility, testified that within minutes of the crash he was ordered to permit FBI personnel to remove every Navy radar tape at his facility that might have recorded the TWA Flight 800 incident.

Rear Admiral George Huchting corroborated the removal and testified that the only comparable handling of Navy radar tapes he could recall occurred after the USS Vincennes mistakenly shot down Iran Air Flight 655.

Government records later obtained through FOIA also referred to an original Navy radar tape showing an object "heading straight for TWA 800," as well as radar information describing an object before "impact" and spiraling away afterward. According to the families' pleadings, those materials were not incorporated into the NTSB's public investigation or made available to the families at the time.

[Families Seek Their First Opportunity for Discovery](#)

The action was brought by family members and representatives of passengers killed aboard Flight 800 against the United States, Raytheon and Lockheed Martin. Their complaint alleges negligence, gross negligence, wrongful death, product-liability violations and a coordinated concealment of evidence concerning missile-system testing near commercial air routes.

"This anniversary is not only a moment to remember the 230 people who were lost," said physicist and families' consultant Dr. Tom Stalcup. "It is also a moment to ask why critical radar recordings were removed, why a central piece of physical evidence was altered, and why the families have still never been permitted to obtain answers through discovery. Thirty years is long enough."

The families emphasize that they are asking that the evidence be preserved, that responsible officials answer questions under oath and that their claims be decided on a complete factual record rather than dismissed at the courthouse door.

MORE FROM JUDGE KELLEY'S RULING

"This evidence reveals that the United States and its agencies, acting in concert with Contractor Defendants, conducted initial operational tests of the SPY-ID(V) radar upgrade with testing that involved firing at least one missile with a live warhead in May of 1996...."

"Instead of conducting testing away from potential flight paths of other aircrafts, SPY-ID(V) was tested on an expedited basis in and around a land-based testing site called the Combat Systems Engineering and Development Site ('CSEDS') in New Jersey, which is a highly congested area."

Judge Kelley also noted in her decision that evidence obtained through physicist and families' consultant Tom Stalcup's FOIA case indicated that certain federal agencies, including the FBI and CIA, had taken active steps to discredit the missile theory, including suppressing radar evidence showing an object arcing toward Flight 800 just before the plane exploded.

Judge Kelley wrote, "Throughout the course of its investigation, the FBI removed all copies of Navy radar tapes and refused to allow the [National Transportation Safety Board] to conduct eyewitness interviews or review the FBI's results regarding the cause of the TWA 800 crash."

"These copies of the Navy radar tapes were finally released and show an object 'heading straight for TWA 800.' This information appears to corroborate previously discredited testimony from eyewitnesses, many of whom maintained that they saw something 'arcing' toward TWA 800 before the plane exploded, but were not permitted to testify at any NTSB hearings. Some eyewitnesses reported being threatened by the FBI to 'keep quiet.'"

Case: Krick et al. v. Raytheon Company et al.
United States Court of Appeals for the Second Circuit

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