

STATEMENT -- PUBLIC COMMENT
JERRY LEAPHART

STATEMENT MADE DECEMBER 14, 2006

My name is Jerry Leaphart, I am an attorney at law, having an office in Danbury Connecticut. I make this statement on behalf of myself and in furtherance of consultation had with certain members of the organization known as Scholars for 9/11 Truth, Inc., a Wisconsin nonprofit corporation.

First, a comment on the webpage entitled "NIBS Building Code Experts: Translating WTC Recommendations into Model Building Codes" the date referencing December 8-9, 2006 appear to be erroneous. The reference actually pertain to meetings held in 2005.

Substantively, my comments are based on a concern that NIST's "Statement on Progressive/Disportionate Collapse Provisions" and NIST's currently existing "Recommendations Following the Federal Building and Fire Investigation of the World Trade Center Disaster" are based on misleading and inaccurate information.

On one hand, it may be appropriate to adopt new standards and to implement certain new recommendations pertaining to "progressive collapse" as defined in the United Kingdom, however it is incongruent to base any such changes in standards upon the content of NIST NCSTAR 1, the document otherwise known as "The Final Report on the Collapse of the World Trade Center Towers."

Apparently I am not the only observer to have made this connection between progressive collapse on the one hand and the impropriety of referencing any part of NIST NCSTAR 1 to such phenomena, on the other. At a recent meeting, 5 case studies on progressive collapse were presented. Noticeably absent from that set of case studies was any reference, whatsoever, to the destruction of the World Trade Center Towers.

And that for good reason. NIST NCSTAR 1 does not make out a clear or cogent or even reasonably probable statement of facts that would confirm the destruction of those towers had anything whatever to do with a progressive collapse. Indeed, NIST NCSTAR 1 does not even analyze what it calls "the event of collapse." Small wonder, then, that subsequent case studies on the issue of progressive collapse have avoided mention of the destruction of WTC1,2 as case study references.

It is understood that a number of specific "Next Steps" are currently underway that arise out of and are being conducted pursuant to the recommendations first mentioned in Chapter 9 of NIST NCSTAR 1. Those next steps include the development of recommendations that may be costly and onerous and completely unreliable to the extent they are based on the content of NIST NCSTAR 1.

However, as noted above, recent case study presentations have not utilized the destruction of WTC1,2 as examples of progressive collapse. What needs to be clarified is whether NIST will continue to omit the destruction of WTC1,2 from use for case study purposes in connection with the doctrine of progressive collapse.

If it does not do so, that is to say, if it should utilize the destruction of the World Trade Center as an example of progressive collapse, then doing so may be arbitrary, capricious and unreasonable, thus justifying legal challenge to subsequent attempts to do so.

Let me conclude this comment by indicating that a written version of it will be submitted and the written version will call attention to significant visual evidence that establishes probable cause to

conclude that WTC1,2 were destroyed by actual blast events and not by 'hypothetical blast events' to borrow a phrase that has belatedly entered into NIST's lexicon with respect to the still incomplete, but nonetheless ongoing, investigation of the apparent demolition of WTC 7.

This statement is

Respectfully submitted,

Jerry Leaphart