



MEMORANDUM FOR THE RECORD

Event: Federal Aviation Administration (FAA) New York Air Route Center

Type of event: Interview

Date: Tuesday, September 30, 2003

Special Access Issues: None

Prepared by: John Azzarello and Geoffrey Brown

Team Number: 8

Location: FAA New York Air Route Center, Ronkonkoma, New York

Participants - Non-Commission: Alfred Johnson, FAA Counsel

Participants - Commission: John Azzarello, Miles Kara, Geoffrey Brown

NOTE: Please refer to the tape recording of the interview for a complete account.

Background FAA Experience

James Kurz was hired by the FAA in April 1983. After a brief assignment at Washington Center (ZDC), Kurz came to ZNY. He has been a certified professional controller (CPC) since 1985. Except for a two year military detail in 1992-93, Kurz has worked at ZNY for approximately 20 years. Kurz has been assigned to the ZNY Traffic Management Unit ("TMU") since the late 1990s. As a coordinator in the TMU, Kurz manages the air traffic flow and coordinates ground stops, delays and various flight activities with other FAA in route centers, tracons and towers. Kurz communicates with Herndon ATCSCC on a daily basis.

The Events of 9-11

On 9/11, Kurz was assigned to work the day shift at the TMU. His shift started at either 6:00 a.m. or 7:00 a.m. According to Kurz, it was a normal morning shift until Evanna Dowis or someone else from Area B advised the TMU that a hijacked aircraft with the call sign AA 11 may be headed towards ZNY from Boston Center. TMU was further advised that AA 11 was a primary target and NORDO (i.e., FAA had lost radio contact with the aircraft).

Kurz noted that, unless another aircraft has visual contact with AA 11, you can not ascertain the altitude of an aircraft that has lost its transponder and radio communications. Kurz had no coordination responsibilities in particular with regard to AA 11 because he was a departure coordinator. Kurz said he may have spoken with someone at New York

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Tracon regarding AA 11. He stated ZNY personnel at the Watch Desk tagged what they assumed to be AA 11 on its scope and tracked it as a primary target. Kurz did not know whether New York Tracon or NEADS obtained a track on AA 11 as a primary target prior to impact.

According to Kurz, prior to 9-11, he would have concluded that an aircraft with no transponder signal, no radio communications and traveling significantly off course had been hijacked. Therefore, he would have assumed that AA 11 was hijacked without the information he received from Boston Center. Kurz first thought AA 11 was headed over the Atlantic Ocean towards South America. He believed it was a traditional hijacking whereby the pilot would seek ransom or political asylum. Kurz stated he had no reason to think otherwise since, prior to 9-11, he had never heard of a scenario whereby terrorists would use aircraft as weapons of mass destruction.

Personnel from ZNY never communicated with anyone in the hijacked aircraft. Moreover, no one told Kurz about the substance of the hijackers' threatening statements that ZBW controllers overheard.

Kurz stated ZNY lost the airplane in the vicinity of New York City. He recalls someone at the OMIC or STMU position said Northeast Air Defense Sector was tracking AA 11. He could not identify the ZNY employee who was communicating with NEADS. Kurz also did not remember what transpired at the Military Operations Specialist ("MOS") position. Kurz called the control towers at JFK and Newark Airports for information. They reported there was a fire at the WTC. He became aware that "something" hit the north tower of the WTC ("WTC 1") when he saw media reports on television. Based on the information he received at ZNY, Kurz believed that AA 11 hit WTC 1 before it was confirmed.

When Kurz worked the MOS position at ZNY, he did not frequently interact directly with NEADS. He recalls that he coordinated events with the Central Altitude Reservation Facility ("CARF") Unit when he was the MOS. Kurz was familiar with the locations of the military warning areas in the National Airspace because he worked the MOS position. Kurz also was aware that warning areas are reserved for military exercises and training.

Kurz explained the FAA procedures in place prior to 9/11 for securing military assistance during a hijack. Kurz understood that someone from ZNY would call NEADS and ask for help. Neads in turn would scramble military aircraft to track the hijacked aircraft until it landed safely. When Kurz worked the MOS position, he recalled he was involved with military "practice scrambles" on a few occasions.

Prior to 9-11, Kurz had limited knowledge regarding the function of Otis AFB. He was not aware of the locations of Air Force bases where alert aircraft were housed on 9-11.

Hijack of UAL 175

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Kurz became aware there was a problem with UAL175 when someone from Area B advised him the aircraft was off course, "Nordo" and was emitting a transponder code different from the one it was assigned. Someone at ZNY may also have stated that UAL 175 was in a descent. While Kurz had limited awareness of transponder code change, he was aware that the FAA could track an aircraft's altitude as long as the aircraft was squawking a transponder code.

Kurz was on the telephone with someone from the Newark Airport control tower when UAL 175 struck the south tower of the WTC ("WTC 2"). While it was not confirmed until perhaps the following day, TMU personnel assumed UAL 175 crashed into WTC 2. *(Kurz changes this position when he is interviewed on October 1, 2003 and questioned about a transcript that depicts a conversation he had on 9-11 regarding the events of that day).*

Kurz stated he heard reports of possible additional hijacks over a "hotline" telephone that was on loud speaker in the TMU—Watch Desk area. Specifically, after WTC 2 was struck, he recalls hearing a report of a bomb on board an aircraft headed westbound near Indianapolis Center. With regard to the crash at the Pentagon, Kurz initially heard the explosion was caused by a small plane that was loaded with explosives. He also heard the FAA had lost radar contact and radio communications with UAL 93. Kurz had no recollection regarding a report that Delta flight 1989 was a hijacked aircraft. Kurz advised commission staff that he, Bruce Barrett, Pete Mulligan and Marty Rosenberg were at the TMU Watch Desk on 9-11.

Kurz stated that he probably participated in the ZNY ground stop and the national ground stop. He said he would have advised the tracons of the order to ground stop and the tracons in turn would have informed the area control towers. Kurz vaguely recalled that he informed the "Philadelphia Towers" about the ground stop. He stated that the national ground stop order would have come from Herndon Command Center. He further stated the FAA would have informed all interested parties about the ground stop through dissemination of a "General Information" or "GI" message.

While Kurz heard the term "SCATANA" prior to 9-11, he did not recall hearing anything about the implementation of "SCATANA" on 9/11. (When SCATANA is declared, the FAA sanitizes and cedes control of the national airspace to military authorities).

Relationship Between FAA and Military

While Kurz acknowledged there was some competition between FAA and the military for airspace, he maintained there was no real ongoing tension between the two entities. He stated any tensions he had observed were limited to individual situations and were based on personality clashes. Kurz further stated weather patterns sometimes impact aircraft routes over coastal areas. When this occurs, it is necessary on occasion for an aircraft to fly into warning areas.

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Lessons Learned From 9-11:

Kurz opined that the Domestic Events Network hotline (the "DEN" or the "DEN line") is an effective means for coordinating a response to an air threat. Today, in the post 9-11 environment, the FAA and military authorities have developed methods for early detection of threats to aircraft so they can respond in a timely manner. They also take any reports that may indicate threats to aircraft very seriously. If the events of 9-11 were repeated today, Kurz believes the authorities would respond more quickly than they did on 9-11. Moreover, Kurz said the FAA is trying to anticipate new methods of airborne terrorism so they can respond appropriately. While a hijack was probably the most severe event anticipated prior to 9-11, today the FAA thinks "outside the box".

Kurz next stated, after 9-11, the FAA micromanaged all events that remotely resembled a threat to aircraft. The FAA does interact more frequently with the military today. Kurz believes FAA involvement in military training and exercises prepares the FAA personnel to interact with the military in a real world event. After 9-11, FAA controllers regularly interacted with military personnel including fighter pilots during the maintenance of fighter caps over major urban areas and critical infrastructure. These efforts served to further improve and enhance the relationship between the FAA and the military.

Interview of Kurz on October 1, 2003

When Kurz was interviewed by Commission staff on September 30, 2003, Kurz was somewhat equivocal regarding his opinion of what caused the initial explosion at the WTC. Commission staff conducted a follow up interview with Kurz on October 1, 2003, during which the participants reviewed a transcript of a conversation Kurz had on September 11, 2001, from ZNY TMU regarding the cause of the initial WTC explosion. After reviewing the transcript, Kurz acknowledged that he was confident that AA 11 had struck WTC 1 shortly after he received reports of the fire at WTC 1. He further stated his firm belief that AA 11 struck WTC 1 was slightly undermined by reports at ZNY that NEADS was still tracking AA 11 after reports of the explosion.

Kurz also acknowledged that the transcript confirmed he and others at ZNY believed the explosions at the WTC were acts of terrorism before it was confirmed.