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Commission Sensitive

MEMORANDUM FOR THE RECORD

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

Type of event: Interview – Martin Fournier, Operations Supervisor Area C

Date: Tuesday, September 30, 2003

Special Access Issues: None

Prepared by: Geoffrey Brown and Miles Kara

Team Number: 8

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

Participants - Non-Commission: Alfred Johnson, FAA General Consul

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

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NOTE: Unless otherwise noted, the following paraphrases the response and opinion of the interviewee. Please refer to the interview transcript for a complete account.

Background

Fournier began his career with the FAA on June 24, 1986. He originally worked at Oakland Center, then transferred to ZNY. He specifically worked on the preparation of the accident package regarding AA 175. He is currently the Operations Supervisor for Area C ZNY, and has been assigned there since November 2002, prior to that he was a Quality Assurance (QA) Support Specialist.

During his assignment as a QA Specialist, Fournier's main focus was to insure the quality of air traffic at the facility. He assured that the minimum requirements were maintained at the facility, and provided briefings as to specific aircraft functions. Aircraft accidents, noted Fournier, are for the most part due to pilot error. It is for these accidents that most incident and accident files and packages are prepared.

Events of 9-11

On 9-11 Fournier was serving as QA Support Specialist. His office was on the second floor at the training wing at the east side of the building. The QA offices have no access to radar scopes. Fournier vividly remembers being in the tape room investigating a pilot incident. While he was listening to voice tapes, Terry Kirk (?), the office assistant, told him Kevin Delaney wanted him to go and watch CNN since an aircraft had hit the World Trade Center. Fournier was under the impression it was a small aircraft. He started watching CNN live in the cafeteria, which began filling with employees. As he watched CNN, he saw a second aircraft go behind the towers. "It looked fake for some reason." The speed of the aircraft was 500 or 600 mph, and he noted that the reason it looked distorted may have been because aircraft "just don't fly that fast under 10,000 ft." He had a hand held phone with him and was in communication with Delaney. He called down to the conference room and realized there was a serious problem, but he stayed in the cafeteria and reported to Delaney what was being covered on CNN. Until the second collision Fournier still thought the first impact was a small airplane.

After the second impact Fournier went to the air traffic managers' conference room. He knew the first move as QA Specialist in an accident response was to start pulling tapes. Controllers started being pulled off position in Area B, so Fournier began trying to gather information as quickly as he could. Many of

those people just wanted to leave. He went down to the conference room and a Telcon was ongoing. There was an open microphone with "maybe command center and maybe headquarters." He heard reports of possible missing airplanes, but doesn't know where that information came from. Mike McCormack and Kevin Delaney were definitely in the conference room at that point.

Session with Area B Personnel

Fournier told Staff that the Area B ZNY staff (the area with primary involvement with AA 11 and UAL 175) were "sequestered" in a conference room shortly after the first two impacts. The meeting may have been to "figure out" some details of the attacks, but was very unclear on details regarding the meeting. Commission staff later learned more on this meeting (Refer to the MFRs for Kevin Delaney, Dave LeCates and Mike McCormack for further details. In Mike McCormack's interview, Staff learned that McCormack specifically tasked Fournier to gather information from the Area B controllers, and to facilitate their emotional needs).

[Staff Note: Fournier was the first individual interviewed at New York Center. He was defensive and somewhat confrontational in his approach. Wolfgang Lurch, the Union Representative present challenged the Staff as to the lack of notification and preparation time. Staff got to the bottom of the meeting referenced above by the time the suite of interviews at New York Center was completed and saw no practical reason to reinterview Fourner at the time of the visit on his clearly established basis for direct knowledge of the Area B session. He ran the session.]

Paul Thumser, a supervisor, was the Controller-In-Charge on duty in Area B at the time. Thumser was concerned for the well being of the controllers. Fournier approached him to find out what happened. With concurrence from the union president, Thumser got an operations managers' room to talk to Area B personnel to find out what happened. Fournier noted that Bob Ott was possibly one of the support managers, as well as possibly Mark DePalma. Also in the conference room, to Fournier's best recollection, were George Tracy of Quality Assurance, Mark Merced, a controller for Area B, David Battiglia, another Area B controller, Anthony Palmieri, Evanna Dowis, Christopher Tucker, and Lorraine Barrett. The complete list of the people present is in the accident file.

Fournier tried to put them at ease as best as could. It was an extremely difficult situation. They were repeating the event they had just witnessed. He advised that personal statements would be required. He does not remember if everyone in that room did provide a statement. The statements that would have been required by the accident package would be those people who talked to the aircraft or were operationally involved in some way.

American Air 11 and United Air 175

Fournier was not sure who was first notified of the situation aboard AA 11 without looking at the accident package. He does remember that there was some communication to HUNTRESS [Northeast Air Defense Sector] from possibly the OMIC, though he does not know which sector called first. Fournier thought it could have been Area B, though he does not know who picked up the call. He recalls a call from Boston Center to Area B but is not sure if that was the first AA 11 notification without looking at the timeline.

Regarding identification of AA 11 being the impact, Fournier knows there was coordination from Boston to New York. He noted that this coordination extended through/to HUNTRESS and the OMIC. He believes Boston informed New York Center (ZNY) of a lost beacon and primary target only, and thought that relay of information placed AA 11 at a last known altitude of FL 290. The tape may indicate if ZNY wasn't exact on the correct identification of the primary track for AA 11. He noted that Area B asked UAL 175 to identify AA 11 for aircraft type and altitude, and that UAL 175 did not confirm whether or not it was an American flight. Fournier does not believe that the identification of AA 11's primary track was 100% certain when it crossed the boundary from Boston Center to New York Center.

After the second impact. and after he left the cafeteria, Fournier recalls no specific effort or discussion to identify what type of aircraft, or which aircraft hit the WTC. Fournier stated that people recounted what they saw on their scopes and naturally "filled in the holes." Fournier thinks he remembers Jim Bouliber say that he observed UAL 175 and concluded that it was probably heading towards Manhattan. He does remember that people identified UAL 175 as the second plane to impact, but does not recall the dissemination of this information.

Fournier does not remember the Pentagon collision. Regarding UAL 93, he does not remember anything specific, or that there were inquiries regarding a "missing" Delta flight. He does not remember any uncertainty regarding which aircraft collided at which site, and only remembers information he came across during the investigation.

Fournier remembers there was a Telcon ongoing with nationwide facilities to monitor and attempt to assure that flights were remaining on course, but he does not recall anything specific in regard to AA 11 and UAL 175, and does not remember when it was specifically determined that those two flights had been lost. Fournier recalls that UAL 175 had a code beacon change but was on course, and he recalls an extreme amount of attention trying to locate and contact AA 11. Fournier noted that a loss of tracking an aircraft drastically upsets the system, but that controllers do their best not to allow distractions as they work traffic.

Concerning the code change, when UAL 175 went to coast mode, Fournier recalled that Dave Battiglia then realized the flight had taken a strange change in its course.

Fournier remembered that Boston did call and report to ZNY that AA11 was primary target only and at a last known altitude of FL 290. He stated he does not know if it was an ATC or the OMIC who were informed initially. Fournier then stated to Commission staff that it might have been an accepted assumption at ZNY that the first lost flight was AA 11.

Other Information

Fournier does not remember communicating with either American orUnited Airlines. He does think there was communication between these companies and ZNY.

When pressed on the effort to identify what struck the WTC Fournier stated that he "just doesn't know what exact steps were taken". Further, Fournier does not recall if there was an effort to find out what happened. Fournier was not sure whose responsibility it would be to gather accurate initial information regarding AA 11. He does think that it was determined/confirmed that company (American Airlines) was missing an aircraft quickly; though he does not know what steps would be taken to verify this information.

Fournier remembers no specific efforts to determine what happened to UAL 175.

Fournier stated that there must have been coordination between TMU and at least Newark tower to discover what had struck the WTC. He believes that there was some discussion of "aircraft and problems", and that call signs might have been stated.

Fournier stated that after seeing the second aircraft live on CNN strike the WTC it was "probably not" safe to assume it was a commercial aircraft. Fournier stated that it could only be considered "a large target". He agrees that when the second plane struck you could identify it as a fast moving commercial jet, especially once the news networks replayed the attack in slow motion.

Fournier stated that 100% of air traffic workers would have said [prior to 9-11]that a hijack was not a terrorist suicide mission. He pointed out that with 8000 flights in the air "right now", controllers then and now maintain a vigilant watch over their airspace.

Fournier stated that with the benefit of two years of hindsight part of the problem on 9-11 was that Boston Center was not positive it had a hijack with AA11. He believes that since controllers are institutionally taught to operate with surety, then having a *possible* situation planted seeds of doubt and hesitation across the air traffic system, and may have delayed action.

Fournier noted that it is his understanding that UAL 175 heard questionable communications of "everyone remain seated" from either the ground or from departure. He also noted that with hijacks you clear the airspace and "let them do whatever they want - block his way from everyone else."

Fournier noted that he had received briefings and refresher training - requirements and procedures with handling hijack and what to do if they need to be intercepted. He stated that he did an intercept "out west years ago" for a hijack.

Fournier does not think there is anything that can be done from an Air Traffic Control perspective to stop an aircraft from hitting something. In his opinion, he does not think things could have been handled differently even if the awareness was different. He notes that there exists a higher awareness today, but does not know if anything could still be done.

Fournier would like to see the cockpit for aircrafts impenetrable. He stated to Commission staff that prior to 9/11 the "FAM trips" (familiarization trips) that used to be taken by FAA controllers in the cockpit of airliners as a method for increasing the dialogue between the controllers and the pilots had been cancelled. He stated that "99.9%" of pilots are territorial about cockpit, but that the thin door of the cockpit prior to 9/11 was inadequate.

Fournier explained the difference between Controller-In-Charge and Area Supervisor. Both perform the same operational function but the "Controller in Charge (CIC)" can not counsel employees. Other than tht the two terms are interchangeable--the difference in the relationship to the employees is a labor relations issue. Area supervisors are official supervisors and are excluded from the bargaining unit, Controllers-in-charge are not.

The UA 175 Mode 3 Code Change

What the controllers sees on his scope depends on what type of filters the controller has selected. [Staff Note: This explains why all statements by controllers contains a statement that they did not observe what the exact settings were on that day.] When an aircraft is on the assigned beacon code the data tag display seen will be correlated by the computer. When the code broadcast by the aircraft does not align with the one assigned, the controller will be able to see on his radar screen that the data tag and the radar track are not in sync. Tthe computer will "project" the most likely course of the aircraft based on the radar for a few cycles and then the data tag will stop tracking with the radar track.

Controllers are trained to visually know when an aircraft is not on the right code and will pick up on this quickly if there is a low level of traffic in the airspace. What is seen by on the scope is a code different than the one assigne, but not a separate target.

When the code changes and the computer does not recognize the associated data tag with that change, the data tag goes into (CST) "coast" mode and separates from the radar track. A limited data block remains with the target but only displays the last certain information of the aircraft. In this circumstance steps would be taken by the controller to reestablish and verify contact.

A full data block displays the aircraft call sign and altitude, and, in addition, varies in display between a computer ID, an approximate airspeed, aircraft status (hand off or point out status). After the beacon changes the tag freezes in the coast mode and when the radar loses the aircraft's Mode C transmission the controller looses altitude information as well.