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Commission Sensitive

**MEMORANDUM FOR THE RECORD**

Event: Federal Aviation Administration (FAA) New York Air Route Center interview with David Bottiglia

Type of event: Recorded Interview

Date: Tuesday, October 1, 2003

Special Access Issues: None

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Team Number: 8

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

Participants - Non-Commission: FAA General Counsel Representative Sandy Lane and Julio Enriquez, NACDA Representative

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 recorded interview for a complete account.  
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**Background:**

Bottiglia started with the FAA on April 1, 1982 in Oklahoma to train and has been at ZNY his entire career. He was originally assigned in Area G, which is now D, and first worked the oceanic side of the operation. He is certified in all north Atlantic sectors. Bottiglia moved over to area B and has been a "Full Performance Level" controller in that area for at least 10 years.

**Events of 9-11:**

There are no specifically assigned sectors in Area B. ZNY controllers are assigned a sector when they report to the radar area. He had just returned from a break, and took over as controller at Sector 42. On any given shift controllers rotate areas with breaks which are variable and occur every one-half to two hours depending on the work load. His shift started around 0630-0700 and was scheduled until 1500.

Sometime after 0800 Bottiglia was sitting at R42 (East Texas) when Mark Merced , R56, Kennedy High Sector – which is adjacent to R42 – asked Bottiglia to put on all limited (all primaries). Since Positive Controlled Airspace (PCA), space above 18K feet altitude, only monitors transponding aircraft, it takes a specific action to display primary-only targets.

**American Air Flight 11:**

Mark pointed to a target on the scope and informed Bottiglia it was AA11. Merced also

told Bottiglia that Boston center thought it was a hijack. Bottiglia started a primary track on the target, and named it "AA 11a". The "a" distinguishes for the computer a track different from the previously established track (AA 11). A controller starts a track on a primary by going to the target on the screen and then typing in information at the keyboard.

Since there was no altitude data associated with the AA 11a track, Bottiglia asked other airplanes to verify AA 11's altitude. He specifically questioned USAIR 583. Normally a pilot would not have his TCAS (traffic collision avoidance system) display set for ten miles out, but the USAIR Pilot changed his TCAS range to check for the target. He did not see AA11. [Staff Note: this is 1240:49Z based on the FAA R42 transcript.]

UAL 175 "checked in" on the same frequency as AA 11 "a bit" earlier than this point, but did not mention anything at the time about hearing unusual transmissions. UAL 175 later informed Bottiglia of suspicious transmissions. A Supervisor had taken everyone but UAL 175 off the Boston frequency that was isolated for AA 11, and UAL 175 did not want to broadcast on the same frequency as AA 11 since then he would be heard by those in control of AA 11, according to Bottiglia. His explanation of why UAL 175 delayed in relaying the information he had heard from AA11 was that once R42 was heard searching for AA 11 the pilot of UAL 175 would feel more comfortable broadcasting what he heard.

Bottiglia immediately called Boston; he had not heard any of the suspicious broadcasts from AA11. He also told his supervisor, Evanna Dowis, what was transpiring. His main conduits of information to others were Dowis and Merced.

At this time he recalled that two airplanes were broadcasting ELTs (Emergency Location Transmissions). An ELT can be set off manually but usually happens in case of a crash. It is always difficult to determine the origination of an ELT. The higher up the target the further away it can be heard.

Bottiglia was trying to relay the ELT information to Dowis, but then AA 11 disappeared altogether as a primary track. Bottiglia noted to Commission staff that it was his opinion at the time that AA 11 was no longer at high altitude. He explained that once an airliner goes too low en route controllers lose the track. So when AA 11 disappeared he did not think anything about it hitting a building.

Bottiglia noted to Commission staff that Mike McCormack was standing nearby, and was on the phone. Dowis was relaying information to McCormack. Thus Battaglia is sure that McCormack had been informed of the hijacking.

After Bottiglia lost the radar feed on the primary track on AA 11, Bottiglia thought AA 11 was flying at a low level, but had no real idea what it was doing. After this point he started getting reports about a fire at the WTC. Even with this new information, his thought process was still that AA 11 was hijacked and was flying low level. The last confirmed altitude on AA 11 was Flight Level 290, and Bottiglia attempted to verify that altitude. Merced had vectored an Eagle flight right over the AA 11 track to try and get an altitude. Delta 2433 reported it could not see the airplane. Bottiglia believed D2433 passed overhead AA 11, and this served to support his thought that AA 11 was proceeding south at low altitude. This information, the ELT signal, and the report of the

WTC fire were all suspicious; but Bottiglia notes he did not know or think that AA 11 had crashed. Bottiglia heard someone say that the WTC fire may have been caused by a small commuter aircraft that struck the tower. So, even with all these factors plus the "disappearance" of AA 11, he did not associate AA 11 with the impact at the WTC.

Battaglia explains this to Commission staff by noting that just prior to the impact he was only relaying information out. He had no awareness of any information regarding military notification, or of what Boston was doing, or of what was going on away from his screen. Once he realized that there was no apparent traffic conflict with AA11 he dealt with other traffic that needed to be handled.

A few airplanes reported smoke from "good distance" away from the towers, and Bottiglia overheard McCormack in a conversation saying a small twin engine aircraft had hit the WTC. In Bottiglia's opinion, a person would have to be very familiar with airplanes to tell exactly what caused the first impact.

#### **United Airlines Flight 175:**

According to Bottiglia, it was right around the time of the confusion about what first hit the WTC that UAL 175 went into a "Coast" track. Bottiglia tried to raise UAL 175 on the correct frequency. He also called Kingston Sector to see if UAL 175 was on the frequency there. Bottiglia noted that despite the Coast track and lack of communication he did not think anything was really going wrong with UAL 175. According to him, sometimes pilots "just don't listen". The mind set at the time was controllers very rarely considered a lack of a pilot immediately communicating back to them as a problem. Normally a pilot is probably "just doing something more important". Pre-9/11 the actions of UAL 175 were not unusual; and it was not unusual for transponders to change code during a flight.

Bottiglia checked his frequency to see if it was still working – a lost transponder code could also be a technical problem at the controller end. He also called Kingston Sector to check if UAL 175 was still on that frequency, it was not.

Bottiglia then saw a change of altitude with the frequency change on UAL 175, and he talked to Sector 10 (the sector he would normally hand off UAL 175 to). He had been "flashing" (a method of alerting controllers on other scopes) UAL 175 to Sector 10 to inform the Sector 10 ATC that he believed flight UAL 175 was broadcasting a 3321 code.

Bottiglia became frightened when the code changed to 3321 and he saw the target climbing. Bottiglia did not think at first that UAL 175 had been hijacked, but when the code changed to 3321, and the flight started to shift its altitude without proper direction from its controllers, he started to think UAL 175 might be another hijack. [Staff Note: When UAL 175 went into "coast" track it was not squawking 3321. There was an intervening code change that lasted about one minute before UAL 175 squawked its final code of 3321.] Other factors, such as the hijack of AA 11 and the WTC fire – though Bottiglia stated he did not know it was AA 11 – caused him to be more concerned regarding UAL 175 than he normally would have been.

Bottiglia told McCormack the uncertain status of UAL 175. McCormack immediately said into his phone "we might have multiple hijacks". Bottiglia does not know who

McCormack was speaking with.

On the radar scope at this point Bottiglia views only the information he has associated with UAL 175 – the data block in the coast track. He explained that the coast track does not immediately disassociate from the target. Even though a target switches to an unknown squawk the coast will stay with it for a number of radar sweeps. But if another plane squawks the same code, the information of a code that was associated with the target in question drops off. On the radar screen the call sign UAL 175 stayed on the data block of the track that was on the correct heading.

When Bottiglia “flashed” (gave notice of a target) UAL 175 to Sector 10 he did not feel a need to speak with UAL 175 again, and was intent on looking for AA 11. There were many imperative air tracks near Kennedy, so he was not necessarily worried about the western portion of the sector [where UA175 was].

**Back to American Air 11 and questioning in conjunction with the transcript:**

After 1250 there was no AA11 primary, and Bottiglia had heard about the fire at the WTC. He again stressed he was not thinking AA 11 was the plane that impacted the tower. He had heard that it was a small aircraft and had heard of an aircraft in question that departed from Poughkeepsie - both overheard from Mike McCormack. US Air gave a report that it might have been a commuter plane that impacted, which was based on a radio report. So, again, at that point the information that was informing Bottiglia’s perspective on the air traffic situation at the time led him to continue thinking AA 11 was a hijack and was south of the city at a low altitude.

Bottiglia noted to Commission staff that in his career he may have experienced one hijack, and he believes that hijack landed in Atlantic City. Despite this one memory of a hijack, Bottiglia noted that, in his mind, hijackers always went south to the Caribbean. Eventually, as the events of the day progressed, he associated AA 11 with the plane that struck the Pentagon. He did not know definitely until media reports confirmed AA11 had hit the WTC. He heard that information after it was confirmed that UAL 175 hit the WTC. He did not change his mind about AA 11 hitting Pentagon until after the media broadcast, and stated to Commission staff that at that point he might have been home already. Bottiglia told Commission staff that the Management of ZNY removed the controllers from Area B ten or fifteen minutes after the events of the morning of 9/11. On that morning Bottiglia thought it unbelievable that a commercial airliner could have hit the WTC.

**Back to UAL175 and questioning in conjunction with a copy of the transcript:**

Bottiglia recalled that around 1251z he asked UAL 175 to recycle its transponder; it did not respond, or do so. He tried numerous ways to contact UAL 175 and thought there was something seriously wrong after speaking to Sector 10. He was thinking UAL 175 was a hijack in his 1253z comment (from the transcript of his position) and told the facility chief he “lost” UAL 175.

At that time he did not equate the 3321 code with UAL 175. 3321 was climbing abnormally. He had an altitude from 3321 data block and it was climbing higher than the assigned UAL 175 altitude. There was no call sign on 3321 and he saw the call sign for UAL 175 on the screen as a coast track. The coast track data block showed UAL 175’s

altitude, but coast altitude would not be the real altitude; he then flashed Sector 10 the information.

Bottiglia did not know if the transponder code 3321 and UAL 175 were two separate planes. "Sometimes" controllers lose targets on planes for periods of time; so Bottiglia noted there could have been a radar technical error.

The factors that caused him to conclude that UAL 175 might be a hijack were: the AA11 hijack, WTC on fire (two separate events to him), and the "missing" transponder information on UAL 175.

The Boston Center information that there was a communication from the cockpit of AA 11 that indicated the hijackers were controlling "more aircraft" was never passed to Bottiglia. He did not know about that information until Tom Brokaw brought it up in an interview with Bottiglia recapping his participation in the tracking of the aircraft on 9/11.

When Battliglia first saw the 3321 code, he did not know what was happening, but realization of the seriousness of the course deviation occurred when the target started turning towards the city. He realized there would be a conflict with traffic and attempted to separate traffic. Delta 2433 identified the code 3321 from a visual as a United B767. Battliglia then was "95%" sure the aircraft transmitting a transponder code of 3321 was in fact UAL 175. He relayed that information to McCormack.

Battliglia tried to clear other air traffic from the path of UAL 175. He was supposed to verbally communicate to the traffic but did not have the time to perform his usual air traffic control functions, track UAL 175, and try and establish communication with UAL 175 all at the same time. Handling of all planes except for the function of tracking transponder code 3321 was taken from Bottiglia and distributed to other controllers. According to Bottiglia, it was either Laurie Barrett or Jimmy Kurz who called NY TRACON and informed them of the situation.

According to Bottiglia, New York Center personnel were active in the area, and evolved in the process of clearing air traffic in response to the deviation of AA 11 and UAL 175. He noted to Commission staff that there was almost a collision with an aircraft in Sector 55. Bottiglia continued to watch the 3321 target turn north towards city. At one point the target 3321 descended and then gained altitude. Bottiglia hoped this was a sign that the pilot was attempting to control the flight of the aircraft. But then it descended ten thousand feet in approximately one minute. Bottiglia monitored the descent of the aircraft he believed to be UAL 175, but that was transponding 3321 until it dropped below the radar field at approximately 2200 feet.

Bottiglia heard someone say "oh my God he's down on the next hit" – which means that someone who monitored the rate of descent knew the flight would be at ground level by the next radar sweep. Battliglia stated that he is "pretty sure" that "everyone" (the ZNY staff) was watching UAL 175 when it hit the WTC. Bottiglia noted to Commission staff that he believes he knew the aircraft was headed towards the WTC when it went off his screen. He noted that "someone" came in who was in the cafeteria watching CNN and said a second airplane hit WTC. He immediately equated that report to UAL 175.

Area B stopped taking traffic after the second collision.

**Military Procedures:**

Battiglia was not aware of procedures to notify the military, or of procedures to ask for military assistance in the case of a hijack. His only training was to tell his supervisor in the case of a possible hijack. Bottiglia understood that the Traffic Management Unit (TMU) had responsibility to make decisions regarding procedure and contacts in the case of a hijack. At the working position his job was to relay information through command. He is "pretty sure" that TMU was communicating to the military information and awareness regarding UAL 175. Bottiglia postulated that after UAL 175 disappeared TMU might have known AA 11 was the first collision at the WTC. Bottiglia noted that he was not getting all the information that the TMU had, and still assumed it was a smaller airplane. Dave LaCates was in Area B as a supervisor and Battiglia did not speak with Bruce Barrett.

**UAL 175 factors prior to crash:**

Bottiglia noted to Commission staff all three factors that led to his concern over UAL 175: he was not speaking to the aircraft, and then he associated the new code 3321 with UAL 175, and then noted it had significantly deviated from course. He reiterated to Commission staff that he probably would not have said it was a hijack without awareness of the other factors that day. He had previously worked an incident of an aircraft that lost all power, and that experience influenced his thought process on the morning of 9/11: When a B767 loses all power there is not much time to get the airplane on the ground. The pilot would not speak with ground for fear that communication would take away power. Therefore, in the case of UAL 175, Bottiglia had previous experience that informed his thought process that UAL 175 was experiencing some mechanical error. He also thought the flight may have lost hydraulic fluid, so the heading towards the city might be for an emergency landing at Kennedy.

**Training:**

Training on Dynamic Simulations involves airplanes that squawk hijack code 7500, inferring that the airliner pilot is in control of the aircraft. Bottiglia continued his point by noting that controllers were never presented with a scenario or practice exercise that was more challenging than this. The procedure that he had learned was 1) to see the "hijack" warning flash on the scope; 2) to verify with the pilot that he is "squawking 7500"; and 3) then to tell the supervisor for the area.

Bottiglia noted to Commission staff that he has never been involved in a real life military intercept on a hijack and has never participated in a simulation that would vector a military aircraft towards a target. He noted to Commission staff that he understands usually HUNTRESS and/or GIANT KILLER are contacted by the FAA to coordinate air traffic controls for the warning areas. He knew of the Northeast Air Defense Sector (NEADS), but did not know that the call sign HUNTRESS was for NEADS. He was not familiar with a number to call other than NEADS. He was not aware of how to contact NORAD.

Bottiglia explained to Commission staff that his training was not to continue contacting a hijacked aircraft, and that FAA ATCs were trained not to verify a hijack unless on a signal from the pilot.

### **Other Comments**

After the second impact his supervisor ordered a "shut down" of the air space and instructed the controllers not to allow any aircraft to transfer into ZNY airspace. This is referred to as being at "air traffic control zero".

After this point Bottiglia recalled meeting with Martin Fournier and other staff from Area B. Bottiglia noted that "everyone" was "in shock" and management attempted to get statements on the day while events were still "fresh in mind". All attendees made verbal statements on tape as to what happened on their scopes. Bottiglia stated the he does not have an issue with Commission Staff requesting and reviewing that tape.

When questioned regarding the UAL 175 turn to the right on its southwest leg, Bottiglia answered that this turn was most likely the aircraft's auto-pilot returning the aircraft to a heading in J80 (the air route "jetway" it would travel on) over the Sparta VOR. Once "Sparta" is programmed into autopilot as a point en route the plane itself would self correct in order to turn back to the correct route. Bottiglia commented to Commission staff that he does not believe UAL 175 went off route until it started to climb and turn southeast; Bottiglia opined that the hijack pilot probably did not change the autopilot until after the turn.

### **Recommendations**

Bottiglia noted that it is his understanding that Boston Center has the capability to pull its voice tapes (recordings) quickly, but that it takes time to do that at ZNY. He noted that he did not hear a pilot ask if UAL 175 was still flying until after reviewing the SATORI.

Bottiglia believes there should be a passive mechanism on aircraft that triggers a hijack alarm at the appropriate agencies. He offered the suggestion that pilots could log on and off of the flight controls when they leave the cockpit.