

MEMORANDUM FOR THE RECORD

Event: North Eastern Air Defense Sector (NEADS) field site visit
Type of event: Interview with NEADS Alpha Flight Mission Crew Commander (MCC),
Lt. Col. Kevin J. Nasypany
Date: January 22, 2004 and January 23, 2004
Special Access Issues: Clearance check
Prepared by: Geoffrey Brown
Team Number: 8
Location: Commander's Conference Room, Building 102
Participants - Non-Commission: Lt. Col. Kevin J. Nasypany, and Lt. Col. Fred Davies,
Esq.
Participants - Commission: Team 8: John Azzarello, Geoffrey Brown. John Farmer,
Miles Kara, Kevin Shaeffer

Note: ~~Please refer to the recorded interview for further details.~~

Background:

Nasypany left active duty in 1992 and entered the Air National Guard. He came to NEADS on November 22nd, 1994. He was originally a Weapons Director and Weapons Controller. He became certified as a Weapons Instructor, spent time in Weapons and Tactics, and following that began as the MCC of Charlie Flight. In 2001 he became the MCC for Alpha Flight.

He holds the position Alpha Flight Commander, and has authority for over forty officers and enlisted members of NEADS staff. These staff members belong to the Tracking Technician (TT), Identification (ID), Weapons, Surveillance, and other floor operations.

Staffing on September 11, 2001 (9/11):

Nasypany commented that the ongoing exercise on 9/11 increased the control teams and the crew size that was present on the NEADS floor. Nasypany commented that he was the Flight Commander MCC, and was planning on assuming Colonel Cleveland morning exercise responsibilities.

MSgt. McCain, Sgt. Bianchi, and [? rank] Perry were all Nasypany's MCC Technicians. Nasypany recalls SSgt. Rountree, TSgt. Watson, MSgt. Dooley, and [? rank] LaBlanche as the ID section. Nasypany confirmed that Major Fox, Sgt. Powell and Sgt.

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Bilushio [sp?] were all part of Nasypany's Weapons team. He does not recall who the other control team may have consisted of. He recalls that Captains Hedrick and Satino were the Air Weapons Officers (AWO). He commented that the Air Surveillance Technicians were possibly Kevin Foster and/or Steve Richmond. Major Ovens was assigned as Nasypany's MCC trainee.

Nasypany noted that he had a secure phone that linked to the Battle Cab from the operations floor. He noted that Base Commander Colonel Marr was in the battle cab preparing for the expected exercise.

Nasypany commented that he had a red switch that is a classified phone that connects to Air Defense Technicians (ADT) at CONR. He noted that they are the same personnel that NEADS speaks to regularly. Nasypany spoke with a Sgt. who was an ADT. He did not have a connection to Cheyenne Mountain.

He continually monitored the operation floor SD, AST, ID, and two WD and WDT teams. Nasypany's communication with the Battle Cab was either to the FO (Fighter Officer) or the BC (Battle Commander).

Chat logs:

Nasypany identified chat log information for Commission staff. He confirmed that some "real world" information was interjected into the exercise chat log, and did not know why there are disjointed time and day entries in the same exercise chat log. He noted that there were chat logs at ICT, ASD and [?] on 9/11 from the operations floor. He explained that he monitored the AWC (Air Warning Center) chat log and the CONR chat log. He commented that protocol was for NEADS to enter data into the CONR chat log.

Nasypany does not recall if he spoke with Colonel Stuart on 9/11. Stuart was operating an Intel Chat Log.

Federal Aviation Administration (FAA) communication:

Nasypany noted that he would direct the ID section to speak with the FAA regarding any communication or information. Nasypany noted that if he needed to, he could speak to the FAA through the FAA representative stationed in NEADS' Battle Cab. He did not monitor any FAA conference calls on 9/11.

Phone capabilities:

Nasypany noted that the operations floor has both secure and commercial lines, and operated both on 9/11.

Events of September 11, 2001 (9/11):

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Nasypany related to Commission staff that when he was paged over the internal loudspeaker on the morning of 9/11 he initially thought that he was called to the operations floor because the exercise had begun.

Nasypany described his situational awareness and his interaction with the operations floor on 9/11 with "If I missed a piece, then I was fed that piece immediately...if they saw a deer in a headlight look from me, then they fed me that piece of information immediately".

Commission staff reviewed the "DRM 1 DAT 2 Channel 2 MCC Op" audio recording in conjunction with that position's Alderson Reporting transcript with Nasypany, as follows:

OTIS Scramble:

Based on standard protocol, the military is tasked with establishing a fighter tail on hijacked aircraft. Nasypany directed a flight of F-15 Air Defense Fighters, designated PANTA, to scramble from Otis ANGB, Cape Cod. Nasypany described his tactic in mind was to place the fighters over the New York Manhattan area as quickly as possible. He knew that the flight was headed south, and knew that the flight could most likely be intercepted somewhere over the New York area.

He commented that the latitude and longitude points that were passed to NEADS by the Federal Aviation Administration (FAA) indicated the flight was north of New York City. He told the Surveillance Section to input a "Z" point (a point of reference that is last known on an aircraft) and look for tracks around the area indicated by that point. He noted that he trusted his staff to coordinate his orders, and if he saw something contrary, then he would have intervened. He confirmed that the Otis scramble was directed out of a direct path to the Z point due to the need to coordinate with FAA airspace and commercial air traffic.

Nasypany noted that once the fighters were scrambled the FAA controlled their travel until they reached a military controlled airspace over the water. At that point the military controllers had the ability to redirect the flight to its correct point. Nasypany explained to Commission staff that there are several airports and heavy GA (general aviation) and small aviation flights that are in the direct path between Otis ANGB and the New York area. He noted that not only other aircraft, but in most circumstance weather conditions as well effect the choice of the most appropriate scramble route.

Nasypany commented that both he and MSgt. Joe McCain were monitoring a scope and noticed what they believed to be AA 11 moments before they lost contact with the track. He explained that despite this occurrence, and the unconfirmed report of a "737" having hit the World Trade Center, he planned on continuing the direction of the Otis Fighters towards New York City with the expectation that it would proceed on mission.

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Nasypany verified with Commission staff that he has no recollection of any information related to United Airlines Flight 175 (UAL 175) before the operations floor heard that there was a second hijack. Nasypany did not speculate on the effect earlier information on UAL 175 would have on the decisions directing the Otis scramble.

Nasypany noted to Commission staff based on the radar reconstruction of the Otis fighter's route that the fighters most likely began a holding pattern, then received orders to proceed to Manhattan, at which point they performed a tight "spin" and flew directly to establish a cap over New York City.

Langley scramble:

Regarding placing Langley on Battle Stations at approximately 9:09 AM, Nasypany commented that the strategy was to "lean forward" in case of another event. He placed Langley on Battle Stations without a specific target, but with the intention of using them in response to another threat. He notes that the Langley Battle Stations order was generated by the events taking place in New York. Nasypany thought to put the Langley scramble over Baltimore, and place a "barrier cap" between the hijack and Washington, D.C.

Nasypany commented that the fighters were given a 010 heading even though they scrambled to a 090 for 60 heading. He continued and stated that Commission staff would have to speak with Langley and Giant Killer for an explanation of why the fighters flew on a different heading than that in the scramble order.

He commented that the traffic at Norfolk Approach would explain the initial trajectory, but once it became clear the fighters were out of Norfolk Approach air traffic the NEADS Weapons desk noticed the fighters were not turning per the scramble order, and became immediately involved.

Nasypany commented that he expected Giant Killer and the FAA agencies to put the fighters on the 010 heading as soon as possible. He further commented that in the future he would expect the scramble orders to be followed as they are given, but he does not know if there are any agreements between Huntress and Langley Tower that would dictate that an active air scramble supercedes standing FAA protocol.

Nasypany noted that the Langley fighter pilots were communicating with the FAA. Nasypany noted that Huckibone, the controller at NEADS who handled the flight, would not take the handoff of the Langley fighters from Giant Killer or from the FAA himself because of the high volume aircraft traffic in that area.

Authorization for Intercept Order (AFIO):

Nasypany commented that the order for the fighters to declare AFIO had to be a carefully decided. He does not recollect if he recommended the Battle Cab authorize an

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AFIO order, or if he did so himself. He noted that post 9/11 to declare AFIO must come from a "higher authority".

Nasypany explained that his comment to the operations floor regarding the AFIO comment on 9/11 that "I don't care how many windows they break" was a direction for the Langley fighters to achieve supersonic speed.

American Airlines Flight 77 (AA 77):

Nasypany informed Commission staff that the tracker he assigned to monitor the airspace over the Washington, D.C. area immediately spotted an aircraft once NEADS was informed of the aircraft in National Capital Area airspace.

Nasypany noted that the first notice that the Pentagon had been struck was from CNN at approximately 9:48 AM.

Nasypany recollected that there had been no change in the ROE or specific orders from higher authority that changed the engagement regulations for NEADS or the fighters by that point on 9/11.

United Airlines Flight 93 (UAL 93) and Delta Airlines Flight 1989 (Delta 1989):

The operations floor passed the information that Delta 1989 was a possible hijack to Nasypany approximately between 9:41AM and 9:42 AM.

Nasypany explained that his staff attempted to get Duluth AFB to send military assets towards Delta 1989, but Duluth was unable to respond. Nasypany noted that attempting to obtain more military assets to respond to the suspected hijacked flights was not a normal procedure. He continued and commented Colonel Marr spoke with some of the other base commanders receive aid.

Nasypany noted that while he first received word that UAL 93 had a possible bomb on board, there was also a target of interest over the White House that the Langley fighters went to intercept.

Reports of hijacked aircraft:

Nasypany informed Commission staff that the report of an aircraft headed south from Canada was the fifth aircraft that NEADS became concerned with.

Rules of Engagement and Transition of DEFCON:

Regarding the fighters that were re-vectored after a training mission and had no armament, Nasypany noted that when he asked the Battle Cab what to do with the fighters, he was looking for an indication of one of two things: either the fighters were going to have to monitor the flight, or there needed to be a change of ROE.

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Nasypany passed the information to the operations floor that they had "negative clearance to shoot" in order to make sure all the members of his operations understood that there had been no specific orders or change in ROE at that point (approximately 10:10 AM). He follows this with stating the goals for the fighters were to achieve identification, aircraft type, and tail number. This information would then be passed to the Battle Cab.

Commission staff established that at 10:14 AM, when NEADS first received word that UAL 93 was "down northeast of Camp David", Nasypany recalled having received no engagement orders or change in ROE.

Commission staff presented that at 1415 GMT on the CONR chat log it was reiterated that the defensive posture was still Peacetime ROE. NEADS received orders from the CONR chat log at 1431 (GMT) that the Regional Commander had declared that tracks that did not respond to direction could be shot down. At 1433 it is confirmed that this order was cleared through the Vice President. This was declared to the operations floor.

Commission staff presented the move to transition established by Nasypany relating DEFCON 3 to the operations floor at approximately 11:03 AM based on the audio recording, and the CONR chat log.

Nasypany commented to Commission staff that standard intercept during peacetime is a rear intercept, whereas in transition ROE it is a stern intercept. Nasypany noted that the peacetime ROE intercept is much less aggressive.

Nasypany also commented that there was no weapons free order on 9/11 to his knowledge. If there was a "weapons free" declaration, the pilots would still need permission through the chain of command to fire upon a target.

Radio:

Nasypany commented that the radio coverage on 9/11 that was necessary to effectively place the Langely fighters over the NCA was being overwhelmed.

Training and exercises:

Nasypany commented that the NEADS training was for specific training objectives that were put forth as goals by the writer of the event. He continued by commenting that there may never have been a "correct end" for these exercises.

Awards:

Nasypany noted that numerous award nominations were submitted by him and other crew commanders for operations floor personnel after 9/11.

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