



Aviation Investigation Preliminary Report

Location:	Queens, NY	Incident Number:	DCA23LA125
Date & Time:	January 13, 2023, 20:44 Local	Registration:	N914DU (A1); N754AN (A2)
Aircraft:	Boeing 737-900ER (A1); Boeing 777-223 (A2)	Injuries:	159 None (A1); 149 None (A2)
Flight Conducted Under:	Part 121: Air carrier - Scheduled (A1); Part 121: Air carrier - Scheduled (A2)		

On January 13, 2023, about 2044 local time, American Airlines (AA) flight 106, a Boeing 777-200, crossed runway 4L, without air traffic control (ATC) clearance, at John F. Kennedy International Airport (JFK), Queens, New York causing Delta Air Lines (DAL) flight 1943, a Boeing 737-900ER, to abort its takeoff on runway 4L. Of the 6 crew and 153 passengers on DAL 1943, and 12 crew and 137 passengers on AA106, there were no injuries. There was no damage to either aircraft. AA 106 was a 14 *Code of Federal Regulations* (CFR) Part 121 scheduled international passenger flight from JFK to London Heathrow International Airport, London, United Kingdom (LHR). DAL 1943 was a CFR Part 121 scheduled international passenger flight from JFK to Santo Domingo, Dominican Republic (SDQ).

AA 106 was instructed to taxi from the ramp to Runway 4L via taxiway B and hold short of taxiway K. As the aircraft left the ramp, the ground controller cleared AA 106 to cross runway 31L at taxiway K. Upon reaching the Taxiway B/Taxiway K intersection, AA 106 continued straight to taxiway J crossing runway 4L without ATC clearance. At the time AA106 entered on runway 4L at taxiway J, DAL 1943 had begun its takeoff roll increasing speed through 80 knots, and was abeam taxiway K3, about 2700 feet from the taxiway J intersection.



Figure 1. Depiction of AA106 cleared vs. actual taxi route (adapted from Google Earth)

The ASDE-X alerted the JFK ATC tower to the conflict and the tower controller issued a takeoff cancellation to DAL 1943. The DAL 1943 crew aborted takeoff at about 100 knots and came to stop about 500 feet short of taxiway J. The closest point between the two aircraft was about 1400 feet and occurred as DAL 1943 decelerated past taxiway K4 and AA106 exited the runway at taxiway J.

NTSB groups formed to investigate this accident: operational factors, human performance, air traffic control, and flight data recorder. Parties to the investigation include the Federal Aviation Administration (FAA), the Boeing Company, Delta Air Lines, American Airlines, the Allied Pilots Association (APA) and the National Air Traffic Controllers Association (NATCA).

On February 1, 2023, NTSB conducted ATC interviews, which were audio recorded for transcription. Recorder data from both aircraft were obtained. Cockpit voice recorder data were both overwritten. Flight crew statements were received. In addition to the crew statements, NTSB attempted to interview the American Airlines flight crew three different times. American Airlines cleared the flight crew's schedule to ensure their availability; however, the flight crew refused to be interviewed on the basis that their statements would be audio recorded for transcription. On behalf of the crew, the APA party representative informed the NTSB that the crew would not consent to participate in audio recorded interviews in any manner. NTSB has determined that this investigation requires that the flight crew interviews be audio recorded and transcribed by a court reporter to ensure the highest degree of accuracy, completeness, and efficiency. As a result of the flight crew's repeated unwillingness to proceed with a recorded interview, subpoenas for their testimony have been issued.

Aircraft and Owner/Operator Information (A1)

Aircraft Make:	Boeing	Registration:	N914DU
Model/Series:	737-900ER	Aircraft Category:	Airplane
Amateur Built:			
Operator:		Operating Certificate(s) Held:	Flag carrier (121)
Operator Designator Code:			

Aircraft and Owner/Operator Information (A2)

Aircraft Make:	Boeing	Registration:	N754AN
Model/Series:	777-223	Aircraft Category:	Airplane
Amateur Built:			
Operator:		Operating Certificate(s) Held:	Flag carrier (121)
Operator Designator Code:	AALA		

Meteorological Information and Flight Plan

Conditions at Accident Site:	VMC	Condition of Light:	Night
Observation Facility, Elevation:	JFK	Observation Time:	01:51 Local
Distance from Accident Site:	0 Nautical Miles	Temperature/Dew Point:	-15.6°C /-20°C
Lowest Cloud Condition:	Clear	Wind Speed/Gusts, Direction:	17 knots / 25 knots, 320°
Lowest Ceiling:	Overcast / 3000 ft AGL	Visibility:	
Altimeter Setting:	29.7 inches Hg	Type of Flight Plan Filed:	
Departure Point:		Destination:	

Wreckage and Impact Information (A1)

Crew Injuries:	6 None	Aircraft Damage:	None
Passenger Injuries:	153 None	Aircraft Fire:	None
Ground Injuries:		Aircraft Explosion:	None
Total Injuries:	159 None	Latitude, Longitude:	40.6413,-73.7781

Wreckage and Impact Information (A2)

Crew Injuries:	12 None	Aircraft Damage:	None
Passenger Injuries:	137 None	Aircraft Fire:	None
Ground Injuries:		Aircraft Explosion:	None
Total Injuries:	149 None	Latitude, Longitude:	40.6413,-73.7781

Administrative Information

Investigator In Charge (IIC):	Silva, Sathya
Additional Participating Persons:	Patrick Lusch; FAA Josh Migdal; Delta Air Lines John DeLeeuw; American Airlines Eric East; Boeing Craig Stroup; Allied Pilots Association Sarah Lewis; National Air Traffic Controllers Association
Note:	The NTSB did not travel to the scene of this incident.