



U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

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January 23, 2008

James W. Coon II, Republican Chief of Staff

The Honorable Mark V. Rosenker
Chairman
National Transportation Safety Board
490 L' Enfant Plaza, SW
Washington, DC 20594

Dear Chairman Rosenker:

Since the collapse of the I-35W bridge in Minneapolis, the National Transportation Safety Board (NTSB) has done an admirable job of investigating the cause of this tragedy. This is a formidable task, and I am grateful for the work being done by your agency. The lessons we learn from the Board's final report will give us a greater understanding of what happened on August 1, 2007, and can help us prevent another tragedy from occurring.

It is for this reason that I write to raise serious concerns with some unfortunate comments you made at a January 15, 2008 press conference that could compromise the Board's investigation and findings. The press conference was intended to provide an update on the status of the bridge investigation, and to warn the FHWA and owners of other bridges that the NTSB investigation had revealed that gusset plates in the I-35 bridge were undersized due to a design flaw. This was an important and appropriate message for the Board to convey. However, as properly noted in the Safety Recommendation issued at the conference, "the Board's investigation is on-going and no determination of probable cause has been reached." This means that the Board has not yet determined the role played by the poor design of the gusset plates in causing the accident. The Board has not determined whether the design of the plates was the primary cause of the accident compared to other possible causes such as corrosion or poor maintenance.

In these circumstances I consider it highly inappropriate for you to have stated, as you did in the press conference, that the poor design of the plates "tells us why the bridge collapsed." Although you admitted that you did not have complete information on corrosion, you nonetheless insisted that poor design was "the critical factor."

During its 41 year history, the Board has always followed a process which leads to decisions and recommendations which are highly respected throughout the world for their soundness and objectivity. An important part of this process is that the Board takes the time needed to thoroughly

The Honorable Mark V. Rosenker

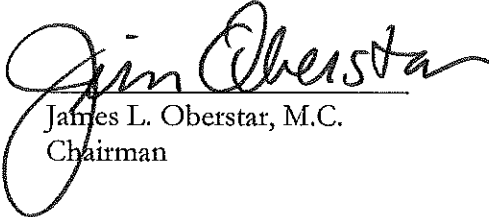
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explore and analyze issues related to an accident and that the Board refrains from announcements of the cause of an accident before an investigation is completed. Such announcements undermine the process and create the potential for committing the Board to conclusions which will be difficult to change if the subsequent investigation suggests other possible conclusions.

I strongly urge you to adhere to the Board's established process of not announcing the cause of an accident until the investigation is completed.

Sincerely,



James L. Oberstar, M.C.
Chairman