



## The Facts Don't Matter

**T**his column is no stranger to controversy. In past columns, a number of controversial concepts have been advocated, such as the concept that changes to building code requirements should be based on common sense and logic, rather than emotion, and the concept that fire statistics should be used to determine whether or not code changes are necessary. Of course, there will always be points of view different from those expressed in this column. These points of view deserve to be heard. In this column, I would like to present and discuss two e-mail notes commenting on recent columns.

### Opposing Viewpoints – The World Trade Center Towers Collapse

On Jan. 13, 2005, Monica Gabrielle, the co-chairwoman of the Skyscraper Safety Campaign (SSC), sent an e-mail to the publisher and editors of this magazine objecting to statements made in my March 2005 column. (Since her name was mentioned in the column, an advance copy was sent to Gabrielle as a courtesy.) Gabrielle responded with:

*We are shocked and appalled at this latest tirade by Mr. Schulte. Although his past articles have been insulting and inflammatory, he has gone too far in this article. His slanderous comments about the families of the victims and their quest for public safety demands attention.*

*Sincerely,  
Monica Gabrielle  
Widow of Richard, Aon Corp., WTC2/103Fl.  
Co-Chairperson  
Skyscraper Safety Campaign  
www.skyscrapersafety.org*

Ms. Gabrielle's e-mail concludes with the following quote attributed to Voltaire:

*"To the living we owe respect, to the dead we owe only the truth."*

The February column included quotes from testimony given by Gabrielle and by Beverly Eckert, who represents another group of relatives of victims of the 9/11 terrorist attacks, at various public hearings conducted by the National Institute of Standards and Technology (NIST). In her testimony, Eckert refers to the World Trade Center towers as "death traps" and "a house of cards," while Gabrielle refers to the high-rise provisions contained in building codes as "despicable."

Additionally, the February column also included quotes from written statements made by a member of the SSC's advisory panel, Dr. James Quintiere, a professor of fire protection engineering at the University of Maryland. Dr. Quintiere's statements were paired with quotes from NIST's June 2004 preliminary report on the WTC investigation and with press releases on the investigation issued by NIST in the late summer and fall of 2004. Are quotes of

statements made by NIST "insulting and inflammatory" merely because they are juxtaposed with statements made by Gabrielle, Eckert and Quintiere and because the NIST statements directly contradict the statements made by these three "experts" on high-rise building fire protection?

The SSC's Web site contains extensive transcripts of statements made by Sally Regenhard, the chairwoman of the SSC, and by Gabrielle. The site also includes a collection of articles on the collapse of the World Trade Center towers that have appeared in the New York Times, as well as links to other Web sites pertaining to the collapse of the

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WTC towers. Nowhere on the SSC Web site is there any reference to the fire statistics on high-rise buildings published by the National Fire Protection Association (NFPA) in September 2001. Certainly, if a group were going to advocate for more restrictive fire safety provisions for high-rise buildings, it would seem that the fire statistics on high-rise buildings would be of more than just passing interest to the cause. It seems obvious to me that the reason why the SSC doesn't make any reference to the NFPA statistics is that the statistics don't support the SSC's case. So much for "respect" for the living and for the "truth."

Ms. Gabrielle's e-mail note relies on emotion in an attempt to silence this column. Sound public policy is not based upon emotion, and silencing a critic doesn't help the public understand the issue. This is particularly true when the critic is simply quoting the proponents of a change in public policy (the SSC) and a government investigation that was instigated at the behest of the proponents. Although NIST has yet to issue its final report, the June 2004 preliminary report and the NIST press releases clear-

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ly indicate that the design and construction of the WTC towers was not faulty.

## The Witt Investigation Critique

The responses to the two-part column critiquing the investigation of the fire at the Cook County Administration Building by Witt

Associates that appeared in the December 2004 and January 2005 issues of *Plumbing Engineer* were mainly positive. One e-mail note, however, from a building code official in Louisiana, was decidedly less than positive. The code official writes:

*Whether you think the report is*

*correct or was needed is a moot point. Mr. Witt, from all accounts, completed the investigation that he was called to perform. Since he performed the work as he was hired to do, he is entitled to be paid for the work in accordance with, I presume, a contract. The only question in my mind is that if you feel that an NFPA report would have been done for free, why didn't you inform either of these two entities of that availability? Frankly, it sounds like a waste of taxpayers' money for two agencies to pay for separate fire investigations [the Mikva investigation commissioned by Cook County and the Witt investigation commissioned by the state of Illinois].*

*Could it be that you are making a not so veiled attempt to discredit Mr. Witt because of his position (sic) with ICC? [Mr. Witt is the executive director of the International Code Council.] Our [Building Officials Association of Louisiana] board has met and decided that whether Mr. Witt is qualified to be a Fire Investigator or to run a Fire Investigative company is none of our business. We feel that he is extremely well qualified to run [the] ICC. Your thoughts are, in my mind, completely out of line. I have no problem with your views of the investigation, they may be entirely correct. However, the point of a refund because you disagree with an investigation is ludicrous. You would have much more credibility pointing out to the taxpayers of Illinois how they wasted money if NFPA would do this for free.*

*I saw nothing in the report that would lead me to believe that there were lies, distortions, false statements, etc. ... It appears to be a little sour grapes because no one from the Chicago area was asked to be on the team. Finally, this is a clear attempt to embarrass a really fine gentleman and it has worked in reverse. To paraphrase a former VP candidate, "I have met James Lee Witt. James Lee Witt is a friend of mine. You sir, are no James Lee Witt."*

As an expert in the field of fire protection engineering, I know the difference between a person who is qualified to do a fire investigation and one who is not qualified. I also

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know the difference between a good investigation and one that obviously fails to address facts that are relevant to the investigation. In my opinion as an expert, neither Mr. Witt nor the project leaders for Witt Associates were qualified to perform the investigation of the fire at the Cook County Administration Building. Witt's experience as the former administrator of a large federal government agency, the Federal Emergency Management Agency (FEMA), does not make him a technical expert in either the fields of fire protection or fire safety.

Simply because Mr. Witt produced a 1,300-page report does not entitle Witt Associates to be paid if the work is incomplete. Witt Associates' acceptance of a contract to conduct an investigation of a major fire was a breach of both ethical standards and of the public trust. The code officials of the Building Officials Association of Louisiana should be able to grasp

the concepts of ethical standards and the public trust since these two concepts are so important to the performance of a code official's job. Given that the NFPA would have done a more than competent job with the investi-

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gation and would have also performed the investigation at no expense to taxpayers, the governor of Illinois needs to justify why Witt Associates was chosen to perform the investigation, particularly in light of the poor work product provided to the citizens of Illinois by Witt Associates. (The reported cost to Illinois taxpay-

ers for the investigation was \$1.8 million.) To quote President Bush from his State of the Union address on Feb. 2, 2005:

*"The principle here is clear: Taxpayer dollars must be spent wisely, or not at all."*

If the governor of Illinois had retained the NFPA to do the investigation, no tax dollars would have been spent, and the governor would have made the best choice of an organization to conduct the investigation. Instead, Illinois taxpayers got a \$1.8 million report that I feel belongs in the recycling bin.

Mr. Witt's conduct reflects negatively on the International Code Council. As a member of the ICC, I can only hope that members from states other than Louisiana share my conviction that the executive director of the ICC should maintain the highest ethical standards and be worthy of the public trust. This columnist did not in any way embarrass Witt – Witt embarrassed himself. I would like to express my appreciation that at least the code official recognized that I am "no James Lee Witt."

Like the SSC, Witt Associates owes the public an apology. Additionally, since Witt Associates did not perform the work they were paid good money to do, they owe the citizens of Illinois \$1.8 million. ■

## About the Author

*Richard Schulte is a 1976 graduate of the fire protection engineering program at the Illinois Institute of Technology. After working in various positions within the fire protection field, he formed Schulte & Associates in 1988. His consulting experience includes work on the Sears Tower and numerous other notable structures. He has also acted as an expert witness in the litigation involving the fire at the New Orleans Distribution Center. He can be contacted by sending email to [rschulte@plumbingengineer.com](mailto:rschulte@plumbingengineer.com).*

*Several of Mr. Schulte's previous columns comprising a series on the World Trade Center collapse can be downloaded (in PDF format) from the **Plumbing Engineer** Web site, [www.plumbingengineer.com](http://www.plumbingengineer.com). They are located in the "PE Archives" section.*