NATIONAL TRANSPORTATION SAFETY BOARD
Investigative Hearing
UPS flight 2976
Boeing MD-11F, N259UP
Crash During Takeoff in Louisville, Kentucky
November 4, 2025

EXHIBIT
1F

Statement of the Purpose of a NTSB Investigative Hearing

(3 Pages)

STATEMENT OF THE PURPOSE OF A NATIONAL TRANSPORTATION SAFETY BOARD INVESTIGATIVE HEARING

The National Transportation Safety Board (NTSB) conducts an investigative hearing as a means to assist the NTSB in obtaining information necessary to determine the facts, circumstances, and probable cause of the transportation accident or incident under investigation and to make recommendations to improve transportation safety. See 49 U.S.C. §§ 1131, 1135; 49 C.F.R. § 831.4. Under NTSB rules governing investigative hearings, a hearing is a "factfinding proceeding" during which the NTSB may "examine witnesses and secure, in the form of a public record, all known facts pertaining to the accident or incident and surrounding circumstances and conditions from which cause or probable cause may be determined and recommendations for corrective action may be formulated." 49 C.F.R. §§ 845.2, 845.11. Hearings allow the NTSB and its investigators to supplement relevant evidence the NTSB obtains through other investigative channels.

In advance of an investigative hearing, the NTSB designates parties to the proceeding who contribute a variety of perspectives and views on the issues the NTSB will address at the hearing. A party may be any person or organization "whose participation in the hearing is deemed necessary in the public interest and whose special knowledge will contribute to the development of pertinent evidence." Id. at § 845.13(a). By statute, the Federal Aviation Administration and the U.S. Coast Guard are automatically designated a party to an NTSB investigation in their respective transportation modes. Before a hearing, the NTSB holds a pre-hearing conference during which each party has an opportunity to provide input on the subject matter of the hearing. See id. at § 845.23. The parties' input during the pre-hearing conference helps the NTSB frame the issues to which questions and evidence at the hearing will be confined.

The NTSB identifies, as hearing witnesses, individuals or representatives of organizations who possess information that (1) the NTSB has not already discovered, (2) needs clarification, or (3) should be publicly vetted in an open forum. NTSB investigative staff, NTSB Board Members, and parties themselves may ask questions of witnesses, who testify under oath, during a hearing. See id. at §845.25(a). Ultimately, the NTSB's hearing process ensures that the issues explored in a hearing, and questions posed to witnesses, reflect a variety of perspectives on the accident or incident under investigation. Questions are limited to the predetermined subject matter of the hearing, which the NTSB develops with parties' input.

The investigative hearing's purpose is for the NTSB to receive "all testimony and evidence which may be of aid in determining the cause of accident," and the Chairman of the Board of Inquiry[1] "may exclude any testimony or exhibits which are not pertinent to the investigation or are merely cumulative." Id. at § 845.26. The NTSB does not assign fault or blame for an accident or incident; rather, by NTSB regulation, "[a]ccident/incident investigations are fact-finding proceedings with no formal issues and no adverse parties . . . and are not conducted for the purpose of determining the rights or liabilities of any person." Id. at § 831.4.

[1] The Chairman of the NTSB, or another Board Member, as designated by the Chairman, serves as the Chairman of the Board of Inquiry.

As a result, the NTSB does not permit questions related to fault, outside litigation, or legal liability in general. Questions related to legal liability or fault are not relevant to the fact-finding purposes of an NTSB investigative hearing—or to the NTSB's statutory mission to improve transportation safety by investigating accidents and incidents and issuing safety recommendations.