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ONE HUNDRED THIRTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6115
Majority (202) 225–2927
Minority (202) 225–3641

March 11, 2014

The Honorable David J. Friedman
Acting Administrator
National Highway Traffic and Safety Administration
1200 New Jersey Avenue, SE
West Building
Washington, DC 20590

Dear Administrator Friedman:

Pursuant to Rules X and XI of the U.S. House of Representatives, the Committee on Energy and Commerce is examining General Motors Company's (General Motors or GM) and the National Highway Traffic and Safety Administration's (NHTSA) response to consumer complaints related to problems with ignition switches, including loss of power and shutdown of engines and safety systems, in vehicles manufactured by GM.

Last month, General Motors announced recalls of six vehicle models in the United States, totaling approximately 1.3 million vehicles, in order to "to correct a condition with the ignition switch that may allow the key to unintentionally move or switch to the 'accessory' or 'off' position, turning off the engine and most of the electrical components on the vehicle."[1] As GM acknowledged in a press release dated February 25, 2014, the ignition switch problems, or "recall condition," may have "caused or contributed to the non-deployment of the frontal airbags . . . ."[2] The ignition switch problems in the six recalled GM models have been linked to 31 frontal crashes and 13 fatalities as a result of non-deployment of air bags.

Problems involving ignition switches and stalls in the recalled GM models are not a recent or unknown phenomenon. Since 2003, consumers have filed numerous complaints with your agency describing problems with the recalled GM vehicles, including reports that the vehicles could stall or lose power while driving, sometimes at high rates of speed. The New York Times reported that its review of this database revealed over 260 such cases.[3] Reports indicate that NHTSA conducted investigations of some of these consumer complaints, including hiring

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[1] Press Release, General Motors LLC, "GM Expands Ignition Switch Recall," (February 25, 2014) available at http://media.gm.com/media/us/en/gm/news.detail.html/content/Pages/news/us/en/2014/Feb/0225-ion.html.
[2] Id.
[3] Hilary Scott et al. *Auto Regulators Dismissed Defect Tied to 13 Deaths* N.Y. Times (March 8, 2014) available at http://www.nytimes.com/2014/03/09/business/auto-regulators-dismissed-defect-tied-to-13-deaths.html.

contractors to examine two incidents that involved fatalities.[4] In response to other complaints related to stalls and ignition switches in GM vehicles, the agency determined that there was "insufficient evidence to warrant opening a safety defect investigation at this time."[5] Recently, on March 4, 2014, NHTSA issued a Special Order to General Motors, opening a "Timeliness Query . . . to evaluate the timing of GM's defect decision-making and reporting of the safety defect to NHTSA."[6]

Yesterday, NHTSA staff briefed Committee staff on the recent GM recall. NHTSA staff acknowledged that its Office of Defects Investigations had examined data related to stalling incidents and airbag failure in GM vehicles, in 2007 and 2010. NHTSA officials indicated that the agency had been unable to identify trends in the GM vehicles that were significant when compared to peer vehicles or the U.S. passenger fleet, or were indicative of potential problems.

In addition to this briefing, to further assist the Committee in its investigation, we request that you provide the following documents no later than March 25, 2014:

1. All analyses of field reports, incident reports, defect petitions, consumer complaints, warranty reports, and/or reports of injury, death or property damage that refer or relate to problems with stalls, airbags, and/or ignition switches in the GM vehicles subject to the recall.
2. All documents relating to investigations NHTSA performed of problems with stalls, airbags, and/or ignition switches in the GM vehicles subject to the recall. This request includes documents provided to NHTSA by GM, Special Crash Investigations, and documents or analyses prepared by contractors or other third parties on behalf of or at the request of NHTSA.
3. All correspondence with consumers who made vehicle-related safety complaints to NHTSA that refer or relate to stalls, airbags, and/or ignition switches in the GM vehicles subject to the recall.
4. All analyses of the Early Warning System for problems with stalls, airbags, and/or ignition switches in the GM vehicles subject to the recall.
5. All presentations made to NHTSA referring or relating to problems with stalls, airbags, and/or ignition switches in the GM vehicles subject to the recall.
6. All communications between GM and NHTSA relating or referring to stalls, airbags, and/or ignition switches in the GM vehicles subject to the recall.
7. All internal communications referring or relating to decisions to investigate stalls, airbags, and/or ignition switches in the GM vehicles subject to the recall.
8. A detailed timeline of interactions and communications between GM and NHTSA related to stalls, airbags, and/or ignition switches in the GM vehicles subject to recall.

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[4] Id.

[5] See, e.g., documents available at http://www.nytimes.com/interactive/2014/03/09/business/09recall-docviewer.html?action=click&contentCollection=Business%20Day&module=RelatedCoverage&region=Marginalia&pgtype=article.

[6] Special Order, National Highway Traffic Safety Administration, in re TQ14-001 NHTSA Recall No. 14V-047 (March 4, 2014) available at http://www.nhtsa.gov/staticfiles/communications/pdf/2014-03-04_Special_Order_Directed_GM_LLC.pdf.

An attachment to this letter provides additional information on how to respond to the Committee's request. If you have any questions regarding this letter, please contact Karen Christian or John Ohly of the Majority Committee staff at (202) 225-2927 or Brian Cohen of the Minority Committee Staff at (202) 225-3641.

Sincerely,

Fred Upton
Chairman

Henry A. Waxman
Ranking Member

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