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ONE HUNDRED THIRTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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April 24, 2014

Ms. Mary T. Barra
Chief Executive Officer
General Motors Company
P.O. Box 33170
Detroit, MI 48232-5170

Dear Ms. Barra:

Thank you for appearing before the Subcommittee on Oversight and Investigations on Tuesday, April 1, 2014, to testify at the hearing entitled "The GM Ignition Switch Recall: Why Did It Take So Long?"

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

Also attached are Member requests made during the hearing. The format of your responses to these requests should follow the same format as your responses to the additional questions for the record.

To facilitate the printing of the hearing record, please respond to these questions and requests with a transmittal letter by the close of business on Thursday, May 8, 2014. Your responses should be mailed to Brittany Havens, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, D.C. 20515 and e-mailed in Word format to brittany.havens@mail.house.gov.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Tim Murphy
Chairman
Subcommittee on Oversight and Investigations

cc: Diana DeGette, Ranking Member, Subcommittee on Oversight and Investigations

Attachments

Attachment 1—Additional Questions for the Record

The Honorable Tim Murphy

1. In April 2009, NHTSA conducted a Special Crash Investigation (SCI) of a fatal accident in Pennsylvania involving a Cobalt. The airbags failed to deploy and the vehicle was found in the accessory position. Unlike previous crashes investigated by SCI, this accident did not involve an off-road incident. [Tab 20]
 - a. Was GM aware of the April 2009 accident in Pennsylvania that was investigated by NHTSA? If so, when did GM learn of this tragic accident? How did you become aware of this accident?
 - b. Did GM inform NHTSA of this accident?
 - c. Was GM aware that NHTSA conducted a Special Crash Investigation of this accident? If not, why not? If so, when did you learn of the Special Crash Investigation?
 - d. Was this accident included in GM's list of 31 accidents involving death or serious injury that may be associated with this recall condition?
 - i. What factors did GM consider to make this determination?
2. Documents produced to the Committee reveal that in 2011 you were informed about an ongoing NHTSA investigation involving the electric power steering in the Saturn Ion. This was a separate defect investigation but the email demonstrates that some product investigations did reach your level within GM.
 - a. In 2011, were there specific criteria for when a product or safety investigation was brought to your attention?
 - b. In the example of electric power steering in the Saturn Ion, why was this brought to your attention in 2011?
 - c. How has this process changed?

The Honorable Henry A. Waxman

1. Did GM engineers investigate the placement of the steering column as a contributing factor to accidental ignition switch position movement? If so, what were their conclusions?
2. Does the placement of the steering column in vehicles affected by this recall increase the likelihood of a driver inadvertently jostling the key out of position through contact with the driver's knee or body?

3. Does GM believe that there is any safety problem with the placement of the steering column in vehicles affected by this recall?
4. What are the risks of the ignition switch implicated in this recall not meeting minimum torque performance specifications?
5. If an ignition switch fails to meet specification, does that mean it is unsafe? If not, what factors determine safety for the part? Does GM have a formal documented process or any guidelines for determining whether an ignition switch is safe?
6. In December 2005, GM decided to issue a Technical Service Bulletin (TSB) letting dealers know about ignition switch problems and provided a key insert to fix them. Why did GM issue a TSB instead of addressing this serious safety concern directly by issuing a recall?
7. How many people actually received key inserts as a result of the December 2005 TSB?
8. At the time GM issued the December 2005 TSB, did any company engineers know that changes to the key wouldn't completely solve the problem of the ignition switch position inadvertently moving from run to accessory?
9. When the ignition switch position moves from run to accessory, what's the actual problem? Is it that power is disconnected from the airbags, meaning that they wouldn't deploy in an accident, or is the engine shutting down in and of itself the problem?
10. Has GM looked at possible accidents or fatalities related to the defective ignition switch where airbag nondeployment did not occur? If not, why not?
11. Does GM monitor its own warranty claims for defects and other problems?

The Honorable G.K. Butterfield

Ms. Barra, as you know, the underlying focus of the hearing today is protection of consumers and others against injury from safety defects. The recall system mandated by the Motor Vehicle Safety Act and supplemented by the Transportation Recall Enhancement, Accountability and Documentation (TREAD) Act are in place for that purpose. Recently, the Senate Commerce Committee took bi-partisan action to further protect consumers by approving legislation (S. 921) that would ensure that vehicles subject to a safety recall and that are part of rental car company fleets may not be rented until the required repairs are done. The legislation essentially codifies the current practice of rental car firms into a single, uniform nationwide standard. The major rental car companies—likely GM's biggest single customers—support and have endorsed S. 921 as well as the American Car Rental Association (ACRA) on behalf of the industry as a whole.

1. Does General Motors support S.921?
2. Given that the major car rental companies are some of GM's largest customers; do you agree that a uniform, nationwide standard pertaining to recalls and cars in rental car fleets is desirable?

3. Will you commit to work with those us in the Congress to enact legislation to make sure that cars that consumers rent are not under a safety recall?
4. Some organizations believe that S.921 may encourage car rental firms to bring “loss of use” suits by the major rental car companies against auto manufacturers. Do you share those concerns?
5. What has been GM’s experience with loss of use claims?
6. Are loss of use issues a matter of negotiation that are addressed in the contracts between you – the manufacturer – and the rental car company?

The Honorable Paul D. Tonko

1. What is the part number of the faulty ignition switch that was approved in 2002 despite being below GM specifications? Will the replacement ignition switch that will be installed beginning this month continue to have this part number?
2. Can you please explain the modifications that will be made to vehicles when they are brought in under the recall? Will the entire ignition switch be replaced or only certain components? Will all recalled vehicles receive the 2006 switch?
3. Has the 2006 switch been redesigned or reengineered since it was first approved?
4. Have quality control or manufacturing processes for this switch been changed in light of the recall?
5. Has GM established a minimum torque requirement for replacement switches that will be installed in recalled vehicles?
6. Generally speaking, at what level within GM’s corporate structure is part approval done?
7. Your written testimony stated, “If people do not want to drive a recalled vehicle before it is repaired, dealers can provide them a loaner or rental car — free of charge.” My office heard from at least one Upstate New Yorker that this offer wasn’t being recognized by at least one dealership. What information was sent to GM dealerships to inform them of this policy?
8. How many of the recalled models have been sold outside the United States?
9. Do the models sold outside the United States use the same ignition switch?
10. Have there been any previous recalls, safety investigations, or complaints of these models in other countries?
11. Are manufacturers required to notify NHTSA about recalls in other countries?

12. Are manufacturers required to notify NHTSA if a regulatory or safety agency in another country launches a safety investigation?

Attachment 2—Member Requests for the Record

During the hearing, Members asked you to provide additional information for the record, and you indicated that you would provide that information. For your convenience, descriptions of the requested information are provided below.

The Honorable Fred Upton

1. Who within GM made the decision to move forward with the redesigned switch without a new part number?

The Honorable Marsha Blackburn

1. During the hearing you said that General Motors has changed its core values. Please submit to the Committee what General Motors' core values are.

The Honorable Gregg Harper

1. What was Lori Queen's position at General Motors in 2005?
2. In the email reviewed at the hearing (GMHEC000219123), Ms. Queen stated, "I'm not sure it's ok to wait. I want to discuss at PET..."
 - a. What is "PET?"
 - b. After the date of this email, September 28, 2005, did Ms. Queen have any influence over changes made to the switch? If so, what did she do and when did this occur?
3. During the hearing, you indicated that a specific traffic death was not included in the count of fatalities that may have been associated with this issue. Please provide the Committee with the information regarding the other traffic accidents that resulted in a fatality or serious injury that were looked at but the determination was made that it was not part of this total.

The Honorable Morgan Griffith

1. The 2004/2005 Problem Resolution Tracking System report (N172404) identified the issue of Severity 3. Please explain what Severity 3 means.

The Honorable John D. Dingell

1. Is it correct that General Motors' torque requirement for the redesigned switch remained the same as the torque requirement for the original switch?
2. Please submit to the Committee an explanation of the factors that General Motors takes into consideration when approving a part for production.

3. Are there circumstances where General Motors may approve parts for production when such parts do not meet design specifications? If so, please submit materials explaining when and why that might occur.

The Honorable Bruce Braley

1. Representative Blackburn asked you to submit General Motors' current core values. Please also submit to the committee any prior statements of core values from General Motors over the last 20 years so that we can see what has changed.

The Honorable Peter Welch

1. How many cars would GM have had to recall had you acted in 2006 when the company made the decision to change the switch?
2. What do you estimate will be the cost of the recall now that it is being done 8 years later? How does that amount compare to what you estimate the cost would have been 8 years ago?

The Honorable John Yarmuth

1. How do you make the decision as to which type of ignition, push button or traditional, goes into what car?
2. You also mentioned that General Motors is conducting an analysis on which type of key ignition switch is safer. Please share the findings of this analysis with the Committee.