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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

December 15, 2014

Mr. Abbas Saadat  
North American Regional  
Product Safety Executive  
Toyota North America  
19001 South Western Avenue  
Torrance, CA 90501

Dear Mr. Saadat,

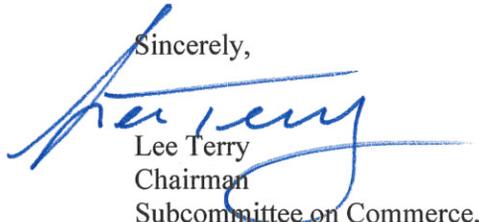
Thank you for appearing before the Subcommittee on Commerce, Manufacturing, and Trade on Wednesday, December, 2014 to testify at the hearing entitled "Takata Airbag Ruptures and Recalls."

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.

To facilitate the printing of the hearing record, please respond to these questions by the close of business on Tuesday, December 30, 2014. Your responses should be e-mailed to the Legislative Clerk in Word format at [Kirby.Howard@mail.house.gov](mailto:Kirby.Howard@mail.house.gov) and mailed to Kirby Howard, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, D.C. 20515.

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

Sincerely,



Lee Terry  
Chairman  
Subcommittee on Commerce,  
Manufacturing, and Trade

cc: Jan Schakowsky, Ranking Member, Subcommittee on Commerce, Manufacturing, and Trade  
Attachment

### Additional Questions for the Record

#### **The Honorable Lee Terry**

1. Why didn't Toyota replace all frontal passenger Takata airbag inflators when it first launched recall 13V-133 in April 2013?
2. Has Toyota had any incidents of ruptured inflators occur in the field? If so, how many have there been? When did they occur? What was the geographic location of those ruptures? Please identify the automobile model and model year of all ruptures matched with the time and location of the rupture.
3. Mr. Saadat's testimony states that Toyota intensified its recall efforts after viewing testing data from Takata that suggested the safety risk was highest in areas of high absolute humidity. How many parts has Toyota collected to date from high absolute humidity areas? How many of those parts have been tested? What do the results show? Were there any reported ruptures in the testing? If so, how many have there been and where were those parts collected from?
4. Mr. Saadat's testimony states that Toyota wants additional assurances about the integrity and quality of Takata's manufacturing processes. What assurances, if any, has Takata given Toyota in the past about the integrity and quality of its manufacturing processes? Were those assurances ever updated or clarified? How did Toyota verify those claims? Please identify any scheduled verification and/or quality assurance procedures that Takata reported to Toyota.
5. Can Toyota currently identify each car in which a potentially defective passenger airbag was installed? Can Toyota currently identify all the vehicles in which a replacement inflator has been installed?
6. Has Toyota modified its safety and/or quality assurance policies in light of these defects to help catch potential defects in original equipment earlier in its processes?

#### **The Honorable Gregg Harper**

1. Mr. Saadat, you mentioned in your opening statement that Toyota had a recall in Japan in 2010 for a different manufacturing issue. You also discussed Toyota's national and regional recalls during your testimony. In addition to those recalls, does Toyota have any other Takata inflator-related recalls?
2. You mentioned that Toyota has not used the inflators that Takata has identified as defective on the driver side in the United States. But does Toyota use Takata brand inflators or airbags in locations other than the passenger side?
3. You made a reference to Toyota's response to the General Order, and you and I specifically discussed Toyota's testing of Takata's inflators in connection with NHTSA's preliminary evaluation in June 2014. Could you describe for me any other testing Toyota has done?
4. We spoke about Toyota's remedies and accommodations for customers located in the high absolute humidity region. What is Toyota doing for customers outside that region?

### **The Honorable Adam Kinzinger**

1. There has been significant discussion about regional recalls and the movement of recalled vehicles from high humidity states to other states outside of those regions. I believe an area that needs focus by automakers is the commerce of recycled original equipment manufacturer (OEM) parts. Each day, over a half million recycled OEM parts - the very same parts designed by your companies to meet your fit, finish and durability standards - are sold by professional automotive recyclers. These parts play an important part in the automotive supply chain and are readily sold from one state or region of the country to another.

Recently, General Motors reached out to professional automotive recyclers offering to buyback or purchase recalled GM ignition switches. To accomplish this, General Motors provided specific Original Equipment Manufacturer (OEM) part numbers for the ignition switches that were critical to ensure that automotive recyclers could identify the specific recalled parts in their company's inventories.

- a. Do you agree that sharing OEM part numbers and other identifiable information with the professional automotive recycling industry would increase safety?
- b. Do you agree this would assist in tracking recalled parts, such as the Takata Airbags?
- c. Does Toyota currently have a similar buy-back program in place with the professional automotive recyclers? If not, why not?

### **The Honorable Jan Schakowsky**

1. At the Subcommittee hearing on December 3, 2014, I asked Honda about confidential settlement agreements made in lawsuits in which plaintiffs have alleged injuries or death as a result of malfunctions of the airbags supplied by Takata.
  - a. How many settlement agreements related to Takata airbags has Toyota reached with plaintiffs? Please provide (1) the dates of these agreements and (2) the dates of the alleged injuries that were the subject of the settlement agreements.
  - b. Please list (1) the year, make, and model of the vehicles that were the subject of those settlement agreements and (2) the nature of the alleged injuries that were the subject of the settlement agreements.
  - c. How many of these agreements were confidential or otherwise restricted the plaintiff or plaintiff's representatives from publicly discussing the case?
2. According to a Reuters article on December 4, 2014, titled "Toyota Expands Takata Air Bag Recall in Japan, China," Toyota announced that it would recall 185,000 vehicles across 19 models in Japan and 5,000 vehicles in China.
  - a. What prompted Toyota to take this action?

- b. Are the recalls in Japan and China being conducted pursuant to laws or regulations in those countries? If so, what laws or regulations?
    - c. Have other recalls related to Takata airbag inflator ruptures been conducted in Japan or China? If so, please list the make, model, and model years of each vehicle that was recalled in Japan and China related to Takata airbag inflator ruptures?
3. On November 18, NHTSA announced its intention to expand the regional recall of driver's side airbags to a nationwide recall. Toyota is conducting both a national recall and a regional recall of certain passenger side airbags. According to Toyota's website, there is some overlap in the models and model years covered by both the national and regional recalls.
  - a. Briefly explain why Toyota is conducting both a national and a regional recall on the same vehicles.
  - b. Is Toyota planning to expand its current regional recall of passenger side airbags to a national recall?
  - c. Does Toyota support the expansion of the current regional recall of passenger side airbag recalls to a national recall?
4. Many members of the armed forces serve at bases in located in the high absolute humidity regions, and may be stationed there or deployed from there for years, but are allowed to register their cars in their home states. In these or other cases, the vehicle may be operated in Florida for many years, but never registered in Florida.
  - a. Is Toyota working to identify vehicles that have been operated in high-humidity regions but have never been registered in those regions? If so, how is Toyota identifying such vehicles?
  - b. Has Toyota notified owners of vehicles that have been operated in high-humidity regions but have never been registered in those regions?
5. Toyota has expressed its commitment to ensuring that all vehicles you produce that are covered by a safety recall are repaired. In your written testimony submitted to the Subcommittee, you stated that Toyota "plan[s] to replace all involved inflators as parts become available."
  - a. Do you include a provision in agreements with Toyota dealerships that requires them to perform safety recall repairs prior to offering used Toyota vehicles or used vehicles originally produced by other vehicle manufacturers for sale to consumers?
  - b. Does compensation to Toyota dealers for repairs made under a safety recall or a safety improvement campaign match their earnings for normal retail repairs, i.e., based on the same hourly rate and the same time allowed for repairs?
  - c. What criteria do Toyota and Toyota dealerships use in deciding whether to provide a loaner or rental car to a customer?

- d. What steps is Toyota taking to ensure that the loaner cars are not also subject to a safety recall and, if they are subject to a safety recall, that those loaner cars were repaired before being loaned to a customer?
6. Takata, NHTSA, and the automakers testified at the Subcommittee hearing on December 3, 2014, that the root cause of the airbag ruptures is still unknown. Takata claims that high humidity, high temperature, and the age of the vehicle are factors contributing to the ruptures. What is Toyota doing to ensure that the new airbags currently being installed into cars in Florida will not have the same problems in five or ten years?