

ONE HUNDRED FOURTEENTH CONGRESS
Congress of the United States
House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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June 22, 2015

Mr. Mitch Bainwol
President and CEO
Alliance of Automobile Manufacturers
803 7th Street, N.W., Suite 300
Washington, D.C. 20001

Dear Mr. Bainwol,

Thank you for appearing before the Subcommittee on Commerce, Manufacturing, and Trade on Tuesday, June 2, 2015, to testify at the hearing entitled "An Update on the 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 Monday, July 6, 2015. Your responses should be e-mailed to the Legislative Clerk in Word format at 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,



Michael C. Burgess
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 Michael C. Burgess

1. What kind of inspection do automakers conduct on supplier parts incorporated into vehicles as original equipment?
2. When will your member companies stop allowing inflators of a similar chemical composition into their cars?
3. Takata has repeatedly emphasized that this long-term phenomenon of exposure to high absolute humidity was outside the scope of testing prescribed by the vehicle manufacturers. Are manufacturers now including this phenomenon as a specification in the validation process?
4. From the automakers perspective, how long will it take for all cars to be remedied? Are automakers recommending that consumers disable affected passenger side airbags until replacement parts are available?
5. It's been several months and no root cause has been identified. At what point do vehicle manufacturers think they should stop using Takata airbags altogether and use parts from another supplier if a root cause is not (and potentially cannot) be identified?
6. Is it normal practice for NHTSA to announce a recall to the public before notifying affected automakers?

The Honorable Jan Schakowsky

1. For the current recall, testing conducted by NHTSA, Takata, and automakers has shown that it often takes 7-12 years for the inflator defects to manifest. Takata has stated numerous times that it has not yet determined the root cause of its airbag inflator ruptures. As a result, Takata is replacing some inflators with newer versions of the same, potentially defective, model.
 - a. If some or all replacement inflators prove defective or it is unclear whether the replacements are safe, will your member companies commit to conducting another recall, regardless of Takata's actions?
 - b. Have any of your member companies specifically requested replacement inflators manufactured by other suppliers? If so, which companies and for which make, model, and year?
 - c. Have any of your member companies chosen to use other suppliers' products to replace defective Takata inflators? If so, which companies, and for which make, model, and year?
 - d. Have any of your member companies insisted that replacement inflators contain a propellant other than ammonium nitrate? If so, which companies and what chemical is being requested?
 - e. Are any of your member companies willing to provide a replacement inflator from a supplier other than Takata if a consumer requests it? If so, which companies?

- f. Have any of your member companies received reports of malfunctioning replacement parts? If so, please list the company that received the reports and the make and model of the vehicles and types of inflators that were the subject of the reports.
 - g. Have any of your members issued "do not drive" warnings regarding any vehicles with defective Takata airbags? If not, why not?
 - h. Is it your position that rental car companies should be allowed to rent recalled cars to the public before the defect or noncompliance is remedied unless the manufacturer has issued a "do not drive" warning?
2. The current Takata recall now involves nearly 34 million cars made by 11 automakers, making it the largest and most complex auto recall ever conducted. The sheer volume of vehicles, the complexity of handling a recall across 11 manufacturers, and the multiple rounds of regional recalls leading up to this point have led to substantial consumer confusion.
 - a. What specific steps are your member companies taking to address consumer confusion relating to the multiple rounds of Takata recalls?
 - b. Are your member companies reporting any difficulties in acquiring up-to-date or accurate information from Takata? Please explain.
 - c. What specific steps are your member companies taking to ensure auto dealers have up-to-date information and are able to answer consumers' questions?
 - d. How do your member companies plan to reach consumers who have already replaced their airbags but may need to do so again?
 - e. At the hearing, Takata explained that there are new cars being sold today with the soon-to-be-discontinued PSDI inflators. Is it possible for a consumer to know at the time of purchase of new or used cars which type of inflator is in a car? The consumer would then be on the lookout for the recall notice. Will your member companies make that information available at the time of purchase?
3. Following the December hearing, a number of automakers agreed on the record that sharing identifying information about recalled parts with the automotive recycling industry would help increase safety. A number of automakers noted that information about recalled defective parts are available via subscription with service bulletins and other service information.
 - a. Are the subscription services that include service bulletins and other service information available free of charge or must a parts recycler pay a fee to subscribe or otherwise access that information?
 - b. If such information is not available free of charge, why not?
 - c. Do you support the establishment of a system to ensure that this information is made available to the public free of charge?
 - d. If a consumer goes to a junk yard to buy a part to fix his or her car, how will she know if that part is subject to recall if the junkyard owner does not have that information?
4. A June 8, 2015, article in the Detroit News cited a joint letter sent by the Alliance of Automobile Manufacturers and Association of Global Automakers to NHTSA, asking the agency to initiate

“intensive public awareness campaign about the importance of recall participation by consumers.” Please submit that letter as well as any additional supporting information.

5. The massive scale of the Takata recall has left consumers confused—and manufacturers unsure as to whether Takata can produce replacement parts quickly and safely enough to satisfy demand. In addition, given NHTSA’s plan to prioritize repairs in certain parts of the country where the risk of injury or death from the defects is higher, some consumers likely will be unable to have inflators remedied right away.
 - a. Will your member companies make ‘loaner cars’ available to owners of recalled cars when there are not enough replacement kits available and will they be free of charge?
 - b. Will your member companies notify customers that the loaner car they are driving may be subject to a safety recall?
 - c. Can you commit that your member automakers will not loan out cars subject to this recall without first having those loaner cars repaired to ensure that the loaner cars will be safe and not susceptible to the same inflator risks?
 - d. Do you agree that auto dealers should not be able to loan out cars that are under an existing safety recall without first remedying the defect or non-compliance?
 - e. What steps do your member companies take to ensure that their dealers do not provide consumers with loaner cars that are subject to a safety recall?
 - f. Do you agree that it is not the consumer’s responsibility to ensure that a loaner vehicle is safe and not subject to a recall?
 - g. Would you support legislation prohibiting auto dealers from providing loaner vehicles with an open safety recall until the defect or non-compliance is remedied?