
CENTER FOR AUTO SAFETY

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May 29, 2014

Anton R. Valukas
Jenner & Block
353 N. Clark Street
Chicago, IL 60654-3456

Dear Mr. Valukas:

On April 16, 2014, [Joan Claybrook and the Center for Auto Safety wrote General Motors CEO Marry Barra](#) about the fatal design decision GM made in the fall of 2001 on the ignition switch that condemned untold numbers of consumers to death. GM had before it two competing designs for the ignition switch on the 2003 Saturn Ion. One was the [short detent spring and plunger](#) that allowed the ignition key to move easily from the “run” position to the “accessory” position with the vehicle in motion and cut off the engine, power steering and airbag. The other was the [long detent spring and plunger](#) with greater torque that made it much harder to move the ignition key from the “run” position to the “accessory” position. The rejected design became the silent remedy GM introduced into production in late 2006 without changing the part number.

We asked GM CEO Barra:

“to publicly and openly produce all documents relevant to the decision-making on the selection of the lethal short detent spring and plunger switch in 2001 including documents showing the costs of the two switches. Who inside GM made these decisions and at what level? Given these startling revelations that a safer switch existed in 2001 before the Saturn and Cobalt were put into production, we call on you to make the full “unvarnished” internal investigation of Anton Valukas public as he must surely probe these areas.”

GM spokesman James Cain released a statement saying: “All of the questions you are asking [about the Claybrook-CAS letter] involve issues the Valukas investigation will address.” As promised by GM in response to our letter to CEO Barra, we expect your investigation to address the issues we discovered buried in the [documents submitted to U.S. Congress](#). These documents show that GM chose a cheaper, less safe ignition switch plunger in 2001 over a safer, more expensive and resurrected the safer design in the silent remedy in 2006 when it changed the ignition switch but not the part number.

The failure to change the part number in 2006 led to lower failure and warranty rates which misled NHTSA into believing the defect complaint rate for the same part had fallen by half in 2010 when the agency took its second look at the ignition switch defect in 2010. Unbeknownst to NHTSA, the agency was looking at a mix of old bad parts with high failure rates and good new parts with lower failure rates. Your investigation must probe whether this was a deliberate fraud by GM personnel who knew exactly how NHTSA operated and that the agency would not open an investigation where the failure rate had fallen so sharply.

Sincerely,



Clarence Ditlow
Executive Director,

cc: Anthony Foxx, US Secretary of Transportation
David Friedman, NHTSA Acting Administrator
Senator Jay Rockefeller
Senator John Thune
Senator Claire McCaskill
Senator Dean Heller
Senator Richard Blumenthal
Senator Edward Markey
Rep. Fred Upton
Rep. Henry Waxman
Rep. Tim Murphy
Rep. Diana DeGette
Preet Bharara, US Attorney, SDNY