

March 7, 2014

Honorable Calvin L. Scovel III
Inspector General
U.S. Department of Transportation
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

Dear Mr. Scovel:

I am writing to request that you conduct an investigation into the failure of the National Highway Traffic Safety Administration to require the recall of the General Motors 2005-2007 Cobalt in 2006 or 2007, and to evaluate the deficiencies in NHTSA defect recall system. The 2005-2007 Cobalt and similar vehicles contain a deadly defect that causes the ignition switch to inadvertently turn off the vehicle's electrical power. As a result, the power steering and power braking don't work, startling the driver, making it enormously difficult to steer or brake the vehicle, and at the same time the air bag system is disabled.

As a result of this deadly defect, 13 people are already known to have died and others have been injured. NHTSA first learned about the problem in late 2005 when one of its special crash investigation (SCI) teams evaluated a fatal crash in Maryland in which the air bag did not deploy. In February 2006 NHTSA issued its report finding that the ignition was in the "Accessory" power mode at the time of the crash.

In November 2006 NHTSA conducted another SCI investigation of a fatal Cobalt crash with non-deployment of the air bag and likewise found the vehicle was in the "Accessory" power mode at the time of the crash. This SCI report was issued in April 2007. It also found the vehicle was in "Accessory" power mode at the time of this crash.

In October 2006, about the time of this crash GM issued a service bulletin with a copy to NHTSA, explaining the possibility that drivers were inadvertently turning off the ignition key.

In March 2007 NHTSA staff met with GM to discuss the air bag non-deployments and its SCI reports. NHTSA asked GM for comments and received them on June 11 2007. And as Clarence Ditlow of the Center for Auto Safety outlines in his attached letter to Acting Administrator of NHTSA David Friedman today, NHTSA subsequently got additional information from its Early Warning Reports program enacted into law following the Firestone Tire/Ford Explorer case in 2000. But most of this information and responses from GM to NHTSA concerning requests made in 2006 and 2007 are not public.

NHTSA obviously failed to carry out its responsibilities in this case since 2006/7. And GM similarly failed to do so as well or intentionally covered up the problem. The National Traffic and Motor Vehicle Safety Act requires a company to notify NHTA

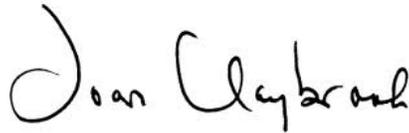
within 5 days of discovering a defect. GM ignored this duty and did not so notify NHTSA for a decade after it first realized there was a problem.

Earlier this week NHTSA sent GM a special order asking over 100 questions in order to find out why GM did not conduct this recall on a timely basis. It wants to know what GM knew and when did it know it. This will be important in determining federal penalties against GM. GM is also conducting an internal inquiry.

But no one is evaluating why NHTSA failed to carry out the law. Thus I am asking you to undertake a full evaluation of this failure, taking into consideration the overt secrecy the agency now imposes on most of its defect investigation work so that the public is deterred from pressing the agency to act. Many of the important documents concerning this recall are on the webpage for the Center for Auto Safety.

We would like to meet with you and your staff about this request at your earliest availability. We await your response.

Sincerely,

A handwritten signature in black ink that reads "Joan Claybrook". The signature is written in a cursive, flowing style.

Joan Claybrook
Former Administrator,
National Highway Traffic Safety
Administration

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