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# CENTER FOR AUTO SAFETY

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Mr. Feinberg:

Limited victim outreach by the GM Ignition Compensation Program means many victims will never be discovered or compensated. Yesterday, the NY Times identified the first victim of the GM ignition switch mass defect as Jean Averill of Washington CT who died in a 2003 Saturn Ion crash on December 23, 2003. The claim on Mrs. Averill's death was the very first one submitted by GM under the Early Warning Reporting (EWR) System on an ignition switch death. Mrs. Averill's family reports that the Compensation Program never contacted. How good can the Compensation Program be if it doesn't contact and provide compensation for the first known victim whose name is in GM's files?

In a June 2, 2014 letter to you and in a follow-up meeting on June 11, we emphasized: "As a first step to identifying ignition switch victims, every GM recalled vehicle EWR report must be searched for deaths and injuries due to the ignition switch defect." We even provided a list of the 2,004 EWR claims provided through 2013 to help you get started. We also emphasized: "As a second step to identifying ignition switch victims, the Fatal Analysis Reporting System (FARS) must be searched for deaths in all crashes with the recalled vehicles, not just the ones where the airbags failed to deploy." As a starter, we provided a list of 303 deaths where the airbag failed to deploy in non-rear impact crashes.

The EWR System now contains [2,703 EWR death and injury claims](#) on the recalled vehicles in the GM Ignition Compensation Program through the second quarter of 2014. (See embedded link.) [FARS contains records on 1,751 occupant deaths](#) in the recalled vehicles in the GM Ignition Compensation Program through 2012. (See embedded link.) By no means are all these deaths due to the ignition switch mass defect, but all of the ignition switch deaths of occupants in the recalled vehicles should be in FARS. Further search is necessary to pull out victims in other vehicles in crashes with the recalled vehicles as well as any pedestrians hit by the recalled vehicles when the driver lost control due to the ignition switch mass defect.

The GM Ignition Compensation Program reports receiving 1,851 claims to date of which it has deemed only 67 eligible simply isn't getting the job done of compensating GM ignition switch victims. Look no further than the fund not having a claim from Mrs. Averill's family. It is not enough to say "well her family didn't file a claim." GM knew the family had a claim and didn't reach out. And the GM Ignition Compensation Program which you head didn't reach out to the family. How many other victims didn't you reach out to?

From the outset, we have said the Fund has to reach out and find victims, not sit back and wait for claims to come in. The practical facts are that most victims are well in the past and like the Averill's don't know they have a claim. And then there is the issue can they prove a claim?

Mr. Kenneth Feinberg  
November 12, 2014  
Page Two

The GM Ignition Compensation Program notes that it has received 1,851 claims of which 67 have been approved. As to the remaining 1,784 claims, the Program says only that they are “either under review, deficient awaiting further documentation or deemed ineligible.” The Program has been in operation for 3 months and 1 week out of its 5 month deadline for receiving claims. The 67 claims deemed eligible seems scant progress. Surely you can release the number of claims deemed ineligible so the public can see how many of the remaining 1,784 claims are still being processed.

The Center for Auto Safety is concerned that the GM Ignition Compensation Program will turn out to be little more than a public relations ploy for General Motors. Even though the program has “unlimited authority” to receive and approve GM ignition switch mass defects claims, that authority is of little use if not used. Based on the Program’s limited outreach to known or findable victims, only a fraction of victims will ever be compensated. The Center urges you to contact every victim and every victim’s family who filed one of the 2,703 claims on the recalled vehicles with GM that the company reported in the Early Warning Reporting System. The Center also urges you to hire investigators to go through every police report behind the 1,751 occupant deaths in the recalled vehicles in FARS as well as to search for victims involved in crashes with the recalled vehicles.

Nothing less than an all-out effort now by the GM Ignition Compensation Program can save it from being little more than a nice try which General Motors can falsely tout as a complete success.

Sincerely,



Clarence Ditlow  
Executive Director

CC:

Senator Jay Rockefeller  
Senator John Thune  
Senator Claire McCaskill  
Senator Richard Blumenthal  
Senator Edward Markey  
Senator Dean Heller  
Rep. Fred Upton  
Rep. Henry Waxman  
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