

10109458



Office of Defects Investigation

2004 JAN -7 AM 4:02

VOQ Confirmation

Your Complaint Information is successfully submitted.

Your Confirmation number (ODI Number) is: 10100766

Your Complaint Information

Consumer Information

Name :
Org. Name :
Address :
City, State, Zip : Flanders, NJ
USA
Daytime Phone : Ext :
Evening Phone : Fax :
Email :

[top](#)

Complaint Information

Description : Repeated (2 times) safety related engine malfunction causing loss of control and power of the vehicle. On November 4, 2004 owner of 1999 Honda Prelude was driving home from work at night time when shortly afterwards owner's vehicle lost power and control for the second time on a major highway. The engine's Cam Seal broke off leading the engine oil out onto the highway of Rt. 80 and the engine seized. Owner's vehicle has proven repeatedly to have serious engine defects that posed a risk to the owner as well as other drivers on the road. In October 2002, the first engine malfunction occurred when the Timing Belt broke due to a defect while owner was driving and the vehicle lost all power and control. The owner, a child in the back seat and other drivers were placed at serious risk of injury or death. As owner was covered under Honda Care which extends the standard New Car Limited warranty until 100,000 repairs were covered. However, the engine was not replaced. The malfunction of the engine parts was not due in any part to owner's neglect or fault as owner. Owner has followed every maintenance and service recommended. Owner has records to indicate this. All of the service was performed only at Sussex Honda, in Newton, N.J. This owner requested that Manufacturer repair/replace the engine at no cost to the owner due to serious safety related defect in the engine. American Honda has declined the owner's request to repair the said vehicle at no cost to owner.

Incident Date :	11/4/2004	Fire :	No
Num. Failures :		Property Damage :	No
Num. Deaths :		Crash :	No
Num. Injured :		Police Report :	No

Cameron
1/13/05

Referral Source : N/A

[top](#)

Vehicle Information

VIN :	JHMBB6140XC	Purchase Date :	11/25/1998
Manufacturer :	AMERICAN HONDA MOTOR CO.		
Year, Make and Model :	1998/HONDA/PRELUDE	Original Owner :	Yes
# of Cylinders :	4	Trans. Type :	MANUAL
Engine Size :		VehicleDetails Usage :	UNKNOWN
Cruise Control :	Yes	Antilock Brakes :	Yes
Current Mileage :	103000	Speed :	60
Failure Mileage :	103000	Powertrain :	FRONT WHEEL DRIVE
Body Style :	2-DOOR	Fuel System :	FUEL INJECTION
Fuel Type :	GAS	Vehicle Type :	PASSENGER CAR

Vehicle Component Information

Component 1:	ENGINE AND ENGINE COOLING:ENGINE:GASOLINE:BELTS AND ASSOCIATED PULLEYS	OEM:	No
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Vehicle Dealer Information

☒ Dealer :	1	Dealer Type :	SALES DEALER
Name :	Sussex Honda		
Address :	57 Hampton House Road		
	Newton		
	NJ 07860		
Dealer Phone:	973-579-3500	Dealer Fax:	973-579-5179
Email:			

[top](#)

Flander, NJ

December 20, 2004

CERTIFIED MAIL/RETURN
RECEIPT REQUESTED

American Honda Automobile
Ronald Rubino, Customer Service Case Manager
1919 Torrance Blvd
Torrance, CA 90501

Re: Improper Refusal to Replace Damaged Engine
Vehicle Year/Make/Model: 1999 Honda Prelude
Vehicle Identification #: JHMBB614XXC
Vehicle Owner: Tze Yuen Yau

Dear Ronald Rubino:

I am writing this letter in response to the improper refusal of Sussex Honda of American Honda Motor Company to replace the damaged engine of my Honda Prelude without cost to me. Please note that, by carbon copy of this letter, I am also advising the Better Business Bureau, the Division of Consumer Affairs and the U.S. Department of Transportation, National Highway Traffic and Safety Administration regarding American Honda's improper actions.

I purchased my 1999 Honda Prelude from Sussex Honda in Newton, N.J. on December 30, 1998. Since that date, I have properly serviced and maintained the automobile as recommended in the 1999 Honda Prelude Owner's Manual. All service, maintenance and repairs were performed by Sussex Honda.

At approximately 7:20 pm on November 4, 2004, while I was driving alone on Highway Route 80 during a rain storm, the car's oil pressure indicator light came on. I immediately took the nearest exit (i.e., 27A) off the highway which was approximately half a mile away. As I pulled off the exit ramp my car lost power.

On November 6, 2004 I spoke with Dallas M. Kohn, Sussex Honda's Service Advisor. He advised me that the engine damage had resulted from oil leakage caused by a broken cam seal. Subsequently, on November 6, 2004 I was advised by Dallas M. Kohn that as a result of the broken Cam seal, the engine must be replaced. Significantly, although Sussex Honda had performed a

¹ scheduled maintenance, check up and oil change on my car on August 20, 2004 – approximately 10 weeks prior to this incident – the leaking cam seal went undiscovered, or worse, unmentioned.

On November 8, 2004, I called American Honda Automobile Customer Service to request that my car engine be replaced. On November 11, 2004, Case Manager Ronald Rubinoff called to advise me that American Honda would not "goodwill" the replacement (i.e., replace the engine at no cost to me) solely because I had "driven the car after the oil light came on." (On the date of the incident, the mileage on my car was approximately 103,000 – just 3 thousand miles beyond the 100,000 mile extended warranty I had purchased.)

American Honda's refusal to replace the engine of my car based upon my having driven half a mile to the nearest exit in order to safely exit a major highway in the dark during a rainstorm is entirely improper. In fact, the 1999 Honda Owner's Manual specifically states on page 283 that if the oil pressure light comes on while the engine is running, the driver should "[t]urn off the engine as soon as [she] can safely get the car stopped". In my judgment, it was hazardous for me – a woman driving alone on a major highway during a rainstorm – to pull over to the shoulder. Further, in light of the weather conditions, doing so would also have been hazardous to the other drivers on the highway. Therefore, I properly determined that safety required me to take the next available exit – a decision which was in accordance with the Honda Owner's Manual.

Quite significantly, this incident was not the first time my engine was severely damaged and in need of replacement. In October of 2002, my car's timing belt broke while I was driving with my daughter in the back seat. Having suffered serious engine damage, the vehicle lost all power – causing me to lose control of the car and placing me and my daughter at serious risk of injury or death. On the date of the incident, the mileage on the car was 67,061 miles – approximately 40,000 miles less than the 105,000 recommended mileage for changing the timing belt. Importantly, I have recently been advised both by a service technician from Joyce Honda and an independent mechanic that a leaking cam seal can cause a timing belt to slip off and break.

On October 24, 2002, after Sussex Honda assessed the engine, service advisor Stacy Grabowski advised me verbally that the engine might have to be replaced due to the severe damage caused by the broken timing belt. The engine damage had occurred approximately 33,000 miles prior to the expiration of the 100,000 mile (or 7-year) extended warranty I had purchased. As a result, the cost of engine replacement was covered by my warranty. Nevertheless, Sussex Honda did not replace the engine at that time, but instead, chose to "refurbish" the engine by resurfacing the head. Although Sussex Honda advised me in 2002 that this type of repair was sufficient, I have since been advised by an independent mechanic that this method does not properly repair a broken cam seal and, in fact, can damage it (and therefore, the engine) further. Equally

Important, the independent mechanic has also advised me that a leaking cam seal should be discovered during regular maintenance.

The National Highway Traffic Safety Administration, Office of Defects Investigation provides that: "If a safety-related defect exists in a motor vehicle or item of motor vehicle equipment, the manufacturer must fix it at no cost to the owner." It is amply clear that my car's defective cam seal and damaged engine posed serious risk to me, my child and other drivers on the road.

It is clear that Sussex Honda negligently failed to replace the damaged engine and repair the defective cam seal in 2002 during the warranty period and subsequently failed to discover and repair the leaking, defective cam seal during regular maintenance. It is, therefore, American Honda's obligation to replace the engine now at no cost to me. If American Honda fails to do so within 30 days of receipt of this letter, I will take whatever action is necessary.

Sincerely,

Cc: **Via Certified Mail/**
Return Receipt Requested
Mr. Ian Stoddard
Better Business Bureau
4200 Wilson Blvd
Suite 800
Arlington, Va 22203

Division of Consumer Affairs – Department of Law and Public Safety
P.O. Box 45025
Newark, NJ 07101

U.S. Department of Transportation, National Highway Traffic Safety
Administration
Office of Defects Investigation,
NSA-10.01, 400 7th Street, SW,
Washington, DC 20590

Mr. Peter Zablocki, Service Manager
Sussex Honda
57 Hampton House Road
Route 206 North
Newton, NJ 07860

Flanders, NJ

December 29, 2004

American Honda
Attention: Department of Customer Satisfaction Survey
1919 Torrance Blvd
Torrance, CA 90501

Re: Ronald Rubinoff, Case Manager
Customer Service Department
American Honda Automobile
1919 Torrance Blvd.
Torrance, CA 90501

This letter is a formal complaint against Ronald Rubinoff, Case Manager of Customer Service Department of American Honda. Since the purchase of my 1999 Honda Prelude in 1998 VIN# JHMBB614XXC, I have been a dedicated and loyal customer of Sussex Honda. I have brought my Honda Prelude for every major service suggested in the 1999 Owner's Manual and every regular oil change as well as yearly detailing. For the last 6 years, I have been a repeat customer choosing to service my vehicle at Sussex Honda, driving approximately 20 miles out to Newton, New Jersey. The nearest Honda Dealership to my home is Joyce Honda in Denville, New Jersey a mere 7 miles. Notwithstanding, I have referred both my mother and a former supervisor to Sussex Honda when they wanted to purchase a car. In 2000, my mother purchased a Honda Accord from David Madden, Sales Representative from Sussex Honda. I have also taken the time to answer and fill in Customer Satisfaction Surveys when they were sent to me from American Honda.

So, it is with deep disappointment and anger that when my vehicle, 1999 Honda Prelude engine had serious safety-related malfunctioned for the second time, that Mr. Ronald Rubinoff, Case Manager of Customer Service Department of American Honda has not returned the loyalty and dedication by finding a reasonable solution to cover the cost of replacing my engine or finding another solution to the problem. The defect in the engine in both instances caused the vehicle to lose power and control. This placed passengers in my car, other drivers and me at serious risk of injury or death. Mr. Rubinoff has demonstrated very poor customer relations. I have repeatedly left messages for Mr. Rubinoff without even the courtesy of a return phone call. It is Sussex Honda and American Honda's loss since this customer who has demonstrated brand loyalty for over 10 years will never again purchase a Honda and will continue to share my story with others.

1999 Honda Prelude
VIN# JHMBB614XXC

CC:

Ronald Rubinoff, Case Manager
Customer Service Department
American Honda Automobile
1919 Torrance Blvd.
Torrance, CA 90501

Via Certified Mail/
Return Receipt Requested

Mr. Ian Stoddard
Better Business Bureau
4200 Wilson Blvd
Suite 800
Arlington, Va 22203

Mr. Van Mallett
Division of Consumer Affairs – Department of Law and Public Safety
P.O. Box 45025
Newark, NJ 07101

U.S. Department of Transportation, National Highway Traffic Safety Administration
Office of Defects Investigation,
NHTSA-10.01, 400 7th Street, SW,
Washington, DC 20590

Flanders, NJ

December 29, 2004

American Honda
Attention: Department of Customer Satisfaction Survey
1919 Torrance Blvd
Torrance, CA 90501

Re: Peter Zablocki, Manager of Service Department
Sussex Honda
57 Hampton House Road
Route 206 N
Newton, NJ 07860

This letter is a formal complaint against Peter Zablocki, Manager of Service Department of Sussex Honda and the Sussex Honda Service Department as a whole. Since the purchase of my 1999 Honda Prelude in 1998 VIN#: JHMBB614XXC, I have been a dedicated and loyal customer of Sussex Honda. I have brought my Honda Prelude for every major service suggested in the 1999 Owner's Manual and every regular oil change as well as yearly detailing. For the last 6 years, I have been a repeat customer choosing to service my vehicle at Sussex Honda, driving approximately 20 miles out to Newton, New Jersey. The nearest Honda Dealership to my home is Joyce Honda in Denville, New Jersey a mere 7 miles. Notwithstanding, I have referred both my mother and a former supervisor to Sussex Honda when they wanted to purchase a car. In 2000, my mother purchased a Honda Accord from David Madden, Sales Representative from Sussex Honda. I have also taken the time to answer and fill in Customer Satisfaction Surveys when they were sent to me from American Honda.

So, it is with deep disappointment and anger that when my vehicle, 1999 Honda Prelude engine had serious safety-related malfunctioned for the second time, that Mr. Zablocki, Manager of Service Department and Sussex Honda has not returned the loyalty and dedication by finding a reasonable solution to cover the cost of replacing my engine or finding another solution to the problem. The defect in the engine in both instances caused the vehicle to lose power and control. This placed passengers in my car, other drivers and me at serious risk of injury or death. Mr. Zablocki has demonstrated very poor customer relations since the second major engine problem. I have repeatedly left messages for Mr. Zablocki without even the courtesy of a return phone call. It is Sussex Honda and American Honda's loss since this customer who has demonstrated brand loyalty for over 10 years will never again purchase a Honda and will continue to share my story with others.

1999 Honda Prelude
VIN# JHMBB614XXC

CC:

Mr. Peter Zablocki, Service Manager
Sussex Honda
57 Hampton House Road
Route 206 North
Newton, NJ 07860

Via Certified Mail/
Return Receipt Requested

Mr. Ian Stoddard
Better Business Bureau
4200 Wilson Blvd
Suite 800
Arlington, Va 22203

Mr. Van Mallett
Division of Consumer Affairs - Department of Law and Public Safety
P.O. Box 46025
Newark, NJ 07101

U.S. Department of Transportation, National Highway Traffic Safety Administration
Office of Defects Investigation,
NSA-10.01, 400 7th Street, SW,
Washington, DC 20590

Motor Vehicle Commission **NEW JERSEY**

VEHICLE REGISTRATION

PLATE NO: 123456 **EXPIRATION DATE:** 12/2008

VEHICLE IDENTIFICATION NUMBER: 1G1ZB5H45J1111111

REGISTRATION FEE: 43.50 **SALES TAX:** 4.13

VEHICLE TYPE: PASSENGER **CLASS:** 07

REGISTRATION NO: 200420301989001

PLATE NO: 123456 **EXPIRATION DATE:** 12/2008

VEHICLE IDENTIFICATION NUMBER: 1G1ZB5H45J1111111

REGISTRATION FEE: 43.50 **SALES TAX:** 4.13

VEHICLE TYPE: PASSENGER **CLASS:** 07

REGISTRATION NO: 200420301989001

NEW JERSEY MOTOR VEHICLE REGISTRATION

PLATE NO: 123456 **EXPIRATION DATE:** 12/2008

VEHICLE IDENTIFICATION NUMBER: 1G1ZB5H45J1111111

REGISTRATION FEE: 43.50 **SALES TAX:** 4.13

VEHICLE TYPE: PASSENGER **CLASS:** 07

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VEHICLE IDENTIFICATION NUMBER: 1G1ZB5H45J1111111

REGISTRATION FEE: 43.50 **SALES TAX:** 4.13

VEHICLE TYPE: PASSENGER **CLASS:** 07

REGISTRATION NO: 200420301989001

11/05/2004

SUMMARY HISTORY DISPLAY

3651

14:22:00

PAGE 1

CUSTOMER NAME

SERIAL NO. JIMBOSIATEC

TOTAL R/O'S 25

TOTAL SERV. DAYS 111

MAKE NO B000A

LINE NO. NO. DATE.. MILES. ADV/TECH # T OPERATION CODE. DESCRIPTION.....

1	188911	02/20/2004	39950 A	1282						
			T	5665	1	W	11H0080		SHOCKING SYSTEM	
			T	5665	2	W	06H0001		DIAG DRIVABILITY	
			T	5665	3	W	35H0005		REPAIR CAR	
			T	5665	4	C	01H00097		97,500 MILE SERV	125.00
			T	5665	5	W	06H0003		CHECK ENGINE LIO	
			T	5665	6	I	17H000		FITTINGS & HARDW	
			T	5665	7	C	06H0019		EP RA PAIDSONH ED	
2	189316	05/21/2004	93103 A	1282						
			T	4579	1	W	06H000		ELECTRICAL MACH	Defect (Warranty)
			T	3327	2	W	35H0005		REPAIR CAR	
3	182252	04/16/2004	91327 A	9552						
			T	4579	1	C	01H00090		50000 MILE SERV	425.00
			T	8744	2	C	30H0039		DRIVEN DETAIL	129.95
			T	4579	3	C	10H000		OPERATION ELECTR	
4	178400	01/23/2004	87600 A	1282						
			T	7684	1	C	00H0005		CHANGE OIL & FIL	24.95
			T	7684	2	I	06H0003		CHECK ENGINE LIO	
			T	7684	3	I	10H0001		INSP WIPERS/WASH	
			T	7684	4	I	00H0023		CHECK FOR NOISE	
5	173434	15/08/2003	61589 A	1282						
			T	8916	1	C	01H00082		82,500 MILE SERV	125.00
			T	8916	2	I	00H0046		VIBRATION	
			T	8916	3	I	13H000		ENGINE MACH MING	
			T	8916	4	I	11H0000		SHOCKING SYSTEM	Defect (Warranty)
			T	8916	5	W	00H0023		CHECK FOR NOISE	
			T	8916	6	W	35H0005		REPAIR CAR	
6	168429	06/11/2003	75512 A	9552						
			T	8021	1	C	02H000		WHEELS & TIRES	
			T	8021	2	C	09H000		ELECTRICAL MACH	
7	168013	05/31/2003	75116 A	9552						
			T	8062	1	C	01H00078		75,000 MILE SERV	275.00
			T	8062	2	C	02H000		WHEELS & TIRES	Recall
			T	8062	3	W	20H000		CAMSHAFTS - RECA	
8	162833	01/17/2003	69963 A	1282						
			T	8021	1	C	00H0006		CHANGE OIL & FIL	
9	159718	10/24/2002	67061 A	1282						
			T	8062	1	W	35H0004		SCORING	
10	156955	08/20/2002	63782 A	9552						
			T	8062	1	C	01H00060		60000 MILE SERV	425.00
			T	8062	2	C	02H000		SUBJECT	
11	153583	05/29/2002	69675 A	9552						
			T	4579	1	C	00H0006		CHANGE OIL & FIL	24.95
			T	4579	2	C	00H0026		REPL L/F HEADLIG	20.00
12	150412	03/06/2002	55746 A	9543						
			T	1963	1	C	02H00062		NT./BAL. (2) TIR	2.00
13	158287	03/02/2002	55534 A	9621						
			T	4579	1	C	01H00056		55,250 MILE SERV	45.00
			T	4579	2	C	02H000		WHEELS & TIRES	29.95
			T	4579	3	C	00H0016		(4) WHEEL ALIGN	

11/05/2004
14:22:59

SUMMARY HISTORY DISPLAY

1031
PAGE 2

CUSTOMER NAME

SERIAL NO. JH0006142X1

TOTAL E/O'S 28

TOTAL SERV. DAYS 111

MAKE NO BODIA

LINE NO.	NO.	DATE	MILES	REV/INCH	Q	T	OPERATION	CODE	DESCRIPTION
14	144094	01/02/2002	82864	A			3301		
				T	8042	1	C 0000000		CHANGE OIL & FIL
15	143104	04/28/2001	46950	A			3301		
				T	4579	1	C 01000045		45,000 MILE SERV
16	138294	04/18/2001	42150	A			1106		
				T	7694	1	C 0000000		CHANGE OIL & FIL
17	136324	09/18/2000	38802	A			3882		
				T	8811	1	C 0000000		CHANGE OIL & FIL
				T	8811	2	C 35000		MISCELLANEOUS
				T	8811	3	C 17000		FITTINGS & HARDW
18	125080	04/22/2000	31052	A			144		
				T	8042	1	C 01000000		16000 MILE SERV
				T	8042	2	C 500000		SHOULDER DETAIL
19	122412	02/05/2000	26400	A			3882		
				T	8319	1	C 01000		RECOMMENDED OIL
20	119439	10/30/1999	21789	A			4458		
				T	8011	1	C 01000022		21,500 MILE SERV
21	117056	08/14/1999	16355	A			4458		
				T	4579	1	C 01000018		18000 MILE SERV
				T	8042				
22	115070	06/19/1999	12110	A			4458		
				T	8042	1	C 01000011		11,250 MILE SERV
23	113016	04/17/1999	7625	A			7293		
				T	8011	1	C 01000007		7500 MILE SERVICE
				T	8011	2	C 06000		DRIVABILITY
24	111246	02/20/1999	8728	A			784		
				T	3284	1	C 0000000		CHANGE OIL & FIL
25	109881	12/29/1998	11	A			144		
				T	5811	1	X 30000004		NEW CAR FOR
				T	5811	2	X 30000000		INSTALL FLOOR BR
				T	5811	3	X 20000004		INST FLOOR BRD BR
26	108712	11/25/1998	3	A			144		
				T	3256	1	X 30000004		NEW CAR FOR

24.95

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**HONDA
CARE**

FOR ROADSIDE ASSISTANCE, CALL
CROSS COUNTRY MOTOR CLUB
FOR HONDA CARE 1 • 800-594-7400
FOR HONDA EASY CARE 1 • 800-554-9876

50.00

Name (Last)	(First)	(M.I.)											
Address													
FLANDERS	NJ												
City	State	Zip											
		Phone											
Information:													
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J	H	H	B	B	6	1	A	X	X	G			
HONDA	PRELUDE 5	1999											
Make	Model	Year											
10	12/30/98												
Current Mileometer Reading	VSC Retail Date	Vehicle Original Retail Date (Honda Spec Cars Only)											

CITIBANK	50	F
Loan/offer Make	Term (Mo.)	Type (D-Direct; F-Forward; L-Letter)
88 DURYEA RD.		
Address		
RELVILLE	NY 11747	(516)391-0544
City	State Zip	Phone

12/30/99

Date:

Delivery Statement

If you have not received your Vehicle Service Contract within 30 days of the date of this Application, please call 1-800-999-5901 or forward a copy of this Application to: American Honda Finance Corp., Vehicle Service Contract Division, P.O. Box 2125, Torrance, CA 90501.

CUSTOMER

* AHFC-D14-397

CERTIFICATE OF TITLE

FINDERS

CONTROL NUMBER **N080299**

State of New Jersey
DIVISION OF MOTOR VEHICLES



11

DATE 01-11-1999
18900 00001 174
CITIBANK
80 BAYLES RD
MEYVILLE

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Discussion

9A NO19990110619

10/1/88-1-31/88

VOIDMIF ALTERED

THE UNITED STATES OF AMERICA

IN SENATE
January 10, 1907

SUBJECT: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

WITNESSED BY THE SECRETARY OF THE SENATE

1907	1907	1907	1907
1907	1907	1907	1907
1907	1907	1907	1907
1907	1907	1907	1907

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

THE ATTACHMENTS TO THIS
DOCUMENT HAVE BEEN REMOVED
TO PROTECT UNWARRANTED
INVASION OF PERSONAL PRIVACY
PURSUANT TO EXEMPTION 6 OF
THE FREEDOM OF INFORMATION
ACT (FOIA), 5 U.S.C. 552(b)(6).