

NHTSA ccmMercury Routing Slip



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Subject: **WHITE HOUSE FOLLOWUP TO PREVIOUS COMMUNICATION OF 12/22/2005 DEATH OF MOTHER [REDACTED] CAR ACCIDENT INVOLVING AIRBAGS AND SAFETY BELTS POSSIBLE DEFECTIVE**

Ack Date:
Sign Office: DIRECTOR FOR
EXTERNAL AFFAIRS
Cleared Date:
File Loc:
Added By: AANDREWS x62543

Ack By:
Signature: HARRINGTON
Cleared By:
XREF File:
Modified By: LOGLESBY

Signed For:
Cleared For:
Closed Date:

Most Recent Comment:

Author:



10158400

NEW YORK, NY

Tel: [REDACTED] Fax: [REDACTED] E-mail: [REDACTED]

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Assigned To	Task	Asgn Date	Deadline	Returned Date
NVS-200	REPLY	5/23/2006	6/1/2006	
	Return Process	5/24/2006		5/24/2006
NVS-010	INFORMATION	5/23/2006		5/23/2006
NIA-110	INFORMATION	5/23/2006		5/23/2006
ODI	REPLY	5/24/2006	5/29/2006	

*Assmann
5/24/06*

17 January 2006

Ronald L. Medford
Senior Associate Administrator for Vehicle Safety
Stephen R. Kratzke
Associate Administrator for Rulemaking
Daniel C. Smith
Associate Administrator for Enforcement
United States Department of Transportation
National Highway Traffic Safety Administration
400 Seventh Street, S.W.
Washington, D.C. 20590

CERTIFIED MAIL, RETURN RECEIPT

Dear Messrs. Medford, Kratzke and Smith:

My appreciation is extended to Mr. Medford for his 22 December 2005 response to my 27 October 2005 letter regarding the death of my Mom, [REDACTED] in a recent car accident (copies of both letters are attached). I must respectfully question, with a substantial amount of concern and alarm, the wisdom of the administrative regulations under which Mr. Medford's response was drafted.

You will find attached to this letter a copy of the death certificate for my Mom. This is provided to you as a stark reminder that the present air bag system, as designed, as well as the seat belt locking system, both failed to save my Mom's life.

Mr. Medford correctly explained under the regulations, I am sure, that NHTSA wishes to obtain more data "over time" to consider designing an air bag system that could provide protection in multiple impact crashes, and that more data must be gathered on the seat belt system to determine if there are any "safety defect trends" warranting further investigation.

Please permit me to pose a very serious and direct question that is NOT intended to be melodramatic: under the NHTSA regulations, how many more people must die, like my Mom, before an investigation is launched and needed changes are made? This is essentially what the regulations appear to require - that more people must needlessly lose their lives - until there is enough data accumulated "over time" to determine if there is a "safety defect trend" that should be looked into (permit me to make another related, important point: most surviving family members losing a loved one in a car accident probably do not take the time, as I have, to carefully consider how a fatal crash could have been prevented; i.e., whether or not there may have been a defect in a safety system that led needlessly to death. In other words, there may very well be additional fatalities - more data available - caused under similar circumstances like my Mom's accident that are not being reported to you).

The facts of my Mom's car accident are indisputable: she is dead because 1) the air bags were not designed to provide protection in a multiple-impact crash; and 2) the seat belt locking system failed. In other words, there was an obvious design failure in the air bags, and a mechanical failure with the seat belts.

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Why wait for more people to experience a needless and horrific death like my Mom before NHTSA takes action to remedy two incontrovertible problems: a design failure exists in the air bags, and a mechanical failure occurred with the seat belts? Isn't the death of even just one person too many? My plea for action is akin to lobbying, after a fatal crash, for the installation of a traffic light at a busy intersection before more people die.

Once again, I respectfully remind you, as indicated in my earlier letter, that my Mom's 1998 Honda Accord is available for NHTSA to take and examine to determine why, in particular, the seat belt locking system failed. This examination may or may not indicate a mechanical defect common in many other cars, but shouldn't NHTSA take this opportunity to find out?

Messrs. Medford, Kratzke and Smith, I would be very grateful if I could receive a response. Should you wish to speak with me, please telephone me during the day at 212-234-8953.

Thank you very much for considering my request.

Sincerely,


Enc.



U.S. Department of Transportation
National Highway Traffic Safety Administration

400 Seventh Street, S.W.
Washington, D.C. 20590

DEC 22 2005

[Redacted]
New York, NY [Redacted]

NVS-216 aac
Ref. No. 10144269

Dear [Redacted]

Thank you for your letter to the Federal Highway Administration regarding the circumstances surrounding the loss of your mother in a tragic automobile crash. Your letter requested that we review the policy for air bags and consider changing their designs so that they remain inflated for multiple impact crash events. You also expressed concern about the functioning of the seat belt locking mechanism in your mother's 1998 Honda Accord. Your letter was forwarded to the National Highway Traffic Safety Administration (NHTSA) for response.

First of all, let me express my sincere sympathy to you and your family for the loss of your mother. Every highway fatality or serious injury is a heartbreaking tragedy that we do our best to prevent. NHTSA is responsible for reducing deaths, injuries and economic losses resulting from motor vehicle crashes. Some of the ways we do this is by setting and enforcing safety performance standards for motor vehicles and motor vehicle equipment, and through safety defect investigations and recalls.

Federal Motor Vehicle Safety Standard (FMVSS) No. 208, "Occupant crash protection," establishes performance requirements for frontal air bags in passenger vehicles. As you noted in your letter, frontal air bags are typically deployed once during a crash event and only stay inflated for a short period of time. The air bags are vented so they can dissipate the occupant's energy and reduce the potential for injury with the interior components, such as the steering wheel. Multiple impact crashes, while not as common as single-impact crashes, can involve more than one frontal crash. In such cases, most frontal air bags only provide protection for the first significant crash, and the seat belt and other countermeasures are relied upon for supplemental crash protection. Inherent to their nature, multiple impact crashes are difficult to anticipate and react to in the short timeframe necessary to provide supplemental restraint. Simply keeping the air bag inflated for an extended period of time could have the unintended consequence of reducing its effectiveness in providing occupant energy absorption (or cushioning) during a crash event.



DOT AUTO SAFETY HOTLINE
888-DASH-2-DOT
888-327-4238


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To gain more information about multiple impact crashes and how to mitigate occupant injury, we are studying the output of event data recorders (EDRs) that manufacturers have voluntarily installed in some light vehicles. EDRs provide a detailed record of the crash event history (up to three events) and the associated timing of the frontal air bag (and seat belt pretensioners, if so equipped). Capturing this important data, over time, will enable us to obtain better information regarding crash causation, leading to the possibility of improved occupant protection systems with advanced technologies.

We also appreciate the information you provided regarding the seat belt locking mechanism of the 1998 Honda Accord. Such safety-related reports are an important source of information to us. Each report is analyzed and entered into a database to help us determine whether an investigation into a possible safety defect is warranted. At this time, NHTSA does not have sufficient evidence to warrant opening a safety defect investigation for this vehicle. However, the information you provided will be added to our database for consideration with other reports to identify any safety defect trends that may require our attention.

If you have any further questions about the air bag deployment issue, please contact me or Mr. Stephen R. Kratzke, NHTSA's Associate Administrator for Rulemaking, at (202) 366-1810. If you have any questions about our defect investigation process, please contact Mr. Daniel C. Smith, NHTSA's Associate Administrator for Enforcement, at (202) 366-9700.

Sincerely yours,


Ronald L. Medford
Senior Associate Administrator
for Vehicle Safety

WH 534351-001

New York, New York
Telephone: [REDACTED]

21 April 2006

FL CORR

MAY 09 2006

137/26

The Honorable Laura Bush, First Lady
The White House
1600 Pennsylvania Avenue N.W.
Washington, D.C. 20500

Dear Mrs. Bush:

Help!

I am requesting your assistance in addressing an important safety issue regarding air bags and seat belts as they relate to the death of my Mom late last year. The federal bureaucracy is refusing to acknowledge an obvious safety problem that resulted in my Mom's unnecessary death, and I am hoping you can get the attention of the appropriate officials to launch an investigation to insure that other people do not have to die.

You will find attached the following letters:

1. 27 October 2005 letter from me to The Honorable J. Richard Capka, Acting Administrator, and The Honorable Frederick G. Wright, Executive Director, Federal Highway Administration, the United States Department of Transportation. This letter was forwarded by Mr. Capka's office for reply by the National Highway Traffic Safety Administration, United States Department of Transportation;
2. 22 December 2005 letter to me from Ronald L. Medford, Senior Associate Administrator for Vehicle Safety, National Highway Traffic Safety Administration; and
3. 17 January 2006 letter from me to Mr. Medford and other officials at the National Highway Traffic Safety Administration. I have not received a reply to this letter.

A reading of these letters will apprise you of the pertinent issues that, at the moment, are not being addressed by the federal bureaucracy.

In the interest of saving the lives of others, I implore you to intervene.

Thank you for the opportunity to present my request to you.

[REDACTED]

[Redacted]
New York, New York [Redacted]
[Redacted] (day phone)

27 October 2005

The Honorable J. Richard Capka, Acting Administrator
The Honorable Frederick G. Wright, Executive Director
Federal Highway Administration
United States Department of Transportation
400 Seventh Street, SW
Washington, D.C. 20590

Dear Mr. Capka and Mr. Wright:

My Mom [Redacted] was killed in a car accident on Friday, 7 October 2005, at 4:15 p.m. She lost control of her 1998 Honda Accord and collided with a fire hydrant, retaining wall and telephone pole.

Mom should not have died. She suffered massive head injuries, the cause of her death, because the air bags as designed were of no help to her and the shoulder strap failed to keep her from being thrown forward into the steering wheel.

I do not want my Mom to have died for nothing. I am urging you to take action in the following two areas:

1. **Air Bags:** It is my understanding that they inflate at the time of collision for a total of about one second before immediately deflating. This design contributed to the death of my mother. Her car first hit a fire hydrant that presumably caused the air bags to inflate. A few seconds later, after the air bags deflated and the car was continuing to travel at a high rate of speed (about 45 m.p.h.), the car hit the retaining wall and telephone pole. At that point, the air bags were not available to prevent my Mom from suffering fatal head injuries upon impact with the steering wheel.

I have no doubt that there are many accidents occurring every year in which a similar chain of events occurs: the air bags inflate before the final collision, too late to save the driver and/or passenger from sustaining severe injuries. All of this could be avoided if the air bags remained inflated for more than a second. My Mom might still be alive today.

Please review the policy for air bags and consider changing their design so that they remain inflated for far longer than a second.

2. **Shoulder Strap:** Even with the failure of the air bags to save my Mom, the locking system connected to the shoulder strap should have restrained her from being thrown forward into the steering wheel. This clearly did not happen as evidenced by my Mom's fatal head injuries. It is possible that this failure is not limited to her car only, but might be a defect common to other cars using similar locking systems.

Please consider inspecting the shoulder strap and locking system in not only other 1998 Honda Accords but other cars using similar systems. I would welcome someone from your agency removing the system from my Mom's car, before it is sold for scrap, to facilitate your investigation.

I suffer greatly from the death of my Mom. A piece of me died with her that can never be replaced. Please help my family and I to make some sense of the debilitating pain we now experience by taking action to save the lives of others. At least something constructive would arise from her shockingly needless death.

A reply to this letter would be greatly appreciated. My mailing address and telephone number appear at the top of this letter. Thank you.

