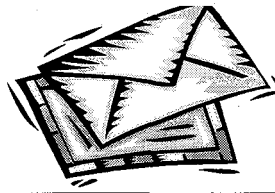


NHTSA ccmMercury Routing Slip

CL-10257869-5081



Printed: 1/30/2009

NHTSA #: ES09-000496
XREF #:
Delivery: MESSENGER ENV.

Rec'd Date: 1/30/2009
Doc Type: CNG
Address To: DOT/I

Referred By: NPO-011
Doc Date: 1/15/2009
Due Date: 2/10/2009

S10 #:

DOT/I #: 2009-1021

RMP #:

Subject: LTR FROM SENATOR HUTCHISON ON BEHALF OF CONSTITUENT [REDACTED] RE FORD MOTOR CO VIOLATING THE MAGNUSON-MOSS WARRANTY FEDERAL TRADE ACT RE HIS 2007 F350 TRUCK (DOT/I#2009-1021) REPLY TO SAN ANTONIA, TX OFFICE

Ack Date:
Sign Office: ACTING DEPUTY ADMINISTRATOR

Ack By:
Signature: RONALD MEDFORD

Signed For:

Cleared Date:
File Loc:
Added By: BMILLINGS x65470

Cleared By:
XREF File:
Modified By:
BERNADETTE.MILLINGS

Cleared For:
Closed Date:

Most Recent Comment:

Author:

KAY BAILEY HUTCHISON
UNITED STATES SENATOR
3133 GENERAL HUDNESS
SUITE 120
SAN ANTONIO, TX 78226
Tel: 210 340-2885 Fax: 210 349-6753 E-mail:

Assigned To	Task	Asgn Date	Deadline	Returned Date
NVS-200	REPLY	1/30/2009	2/10/2009	
NPO-011	INFORMATION	1/30/2009		1/30/2009
NVS-010	INFORMATION	1/30/2009		1/30/2009
NIA-110	INFORMATION	1/30/2009		1/30/2009
I10	INFORMATION	1/30/2009		1/30/2009

2009 FEB - 2 AM 10: 35

Ext 10:35
2/10/09
KJM

KAY BAILEY HUTCHISON
TEXAS

United States Senate

WASHINGTON, DC 20510-4304

January 15, 2009

COMMITTEES:
APPROPRIATIONS
COMMERCE, SCIENCE,
AND TRANSPORTATION
RULES AND ADMINISTRATION
VETERANS' AFFAIRS

2009-0018
1021

RESPECTFULLY REFERRED:

Ms. Nicole Nason
Assistant Secretary for Governmental Affairs
U.S. Department of Transportation
400 Seventh Street SW, Room 10408
Washington, DC 20590

Dear Ms. Nason:

The attached communication was forwarded to Senator Hutchison by a constituent who is concerned about a matter that falls within your agency's jurisdiction. I would appreciate it if appropriate inquiries could be initiated on this individual's behalf, and if a full response could be prepared for me to report to the constituent.

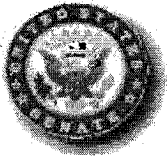
It would be very helpful if the attached were to accompany your response. In the event you require more information, please do not hesitate to contact me in San Antonio at 210/340-2885 or by fax at 210/349-6753.

Thank you for your courtesy.

PLEASE REPLY TO:

Office of Senator Kay Bailey Hutchison
Attention: Jeff Bazan
3133 General Hudnell, Suite 120
San Antonio, TX 78226

Enclosure



KAY BAILEY HUTCHISON

United States Senator • Texas

The Information and Privacy Act Form

I hereby authorize the office of SENATOR KAY BAILEY HUTCHISON to request on my behalf, pertinent to the Freedom of Information and Privacy Act of 1974, access to information concerning me in the files of the Department of _____ . In addition, the office of SENATOR HUTCHISON is also authorized to see any materials that may be disclosed pertinent to that request.

NAME: [Redacted]

MAILING ADDRESS: [Redacted]
Fritch Tx

HOME OF RECORD (servicemembers only): _____

HOME PHONE #: [Redacted]

WORK PHONE #: SAME AS ABOVE

SOC SEC #: [Redacted]

VA CLAIM #: _____

PASSPORT #: _____

ALIEN REGISTRATION #: _____

OTHER ID #: _____

DATE OF BIRTH (mm/dd/yy) [Redacted] 1 60

(Signature) 12-1-08
(Date)

INSTRUCTIONS:

Please write a brief letter outlining the nature of your problem and be as specific as possible. In particular, include the names of any public officials you have communicated with in the past and the dates those communications occurred. Also, please attach any relevant correspondence that you have initiated or received concerning your problem. You can either mail or FAX this completed form, your brief letter, and any other pertinent attachments to:

Senator Kay Bailey Hutchison
961 Pickle Federal Building
300 E. 8th Street
Austin, TX 78701

~~Untitled~~

Ford Motor co. is violating the Magnuson-Moss Warranty-Federal Trades act. The warranty that comes with a new automobile is a binding contract between buyer and sell. This is covered by federal law. Not with just me but with many others nation wide Ford has seen fit to do as they please. Ford Motor co. told me that the Federal Trades Commission has no say in what they do.

My problem is with a warranty on my 2007 F350 truck. Ford void my warranty against

what there warranty reads which is held under a federal law. The problem with my truck

is the same problem Ford has had since 2002 when they started using the 6.0 dissel motor.

Ford has filed a law suit against International who builds these motors for them. Ford

is not wanting to cover the cost of warranty on these motors anymore.

The parts are the EGR valve and the TURBO CHARGER. These parts are part of the emissions system and by federal law they must repair or replace to keep the motor up to EPA standers.

I have after market parts on my truck made by GALE BANKS which alot of FORD dealers are

selling and installing on customer trucks. Fords rep saw these parts and void my warrant.

This accordind to the Magnuson-Moss Federal Act and my Ford warranty are against the law to do.

Jim Moore with GALE BANKS (888) 839-5600 has told me they have had over 30 cases 3 of which

had to go into court and has won all of them. He told me Ford is trying to ware people down

in hope they will drop there claims. He also said he is seeing more and more everyday.

At this point Ford will not give me anything in writing or any names unless I go to them though

an attorney. This is what Ford customer service rep Linda (866) 631-3788 ext.7196 has told me. She has

been helpful but, her hands are tied by Ford. This is not the Rep that came to the dealership.

At this point I'm getting an attorney to file suit against Ford Motor Co. and thier Rep. once the lawyer finds out there name.

The dealership Fenten Ford of Pampa Tx. (800)374-5584 Mike Lane service manger, had no problem

with fixing my truck under the warranty because he knew it has been an on going problem with 6.0

dissel engine an the parts from Gale Banks have nothing to do with the failed parts at all. The

Rep. from Ford was the problem.

Now please do not beleave me Call and talk to JIM MOORE at Gale Banks and here what he is going threw

every day with Ford on this same matter.

My point here is if the Government is going to give money to bail Ford out(my tax dollors)

Then somebody needs to ask Ford why they think there above the law an can do as they please cheating owners

out of there warranties and then stick there hand for the goverment to give them money to stay

in business.

Jim Moore told me Ford fills if 1 out of 25 will fight this and only have to pay out to 1 person

then they have made money. This is wrong I don't care who your are.

I'm in the automotive business myself. I do custom metal fabircation my work and my word is all I have.

If I were do do my customers this way I would be out of business before I could blink my eyes.

untitled

Please call an talk to Gale Banks and help to stop this that Ford is doing, not just for me but for eveyone Ford is doing this to.

PLEASE!!!!!!!!!!!!!!

Gale Banks- JIM MOORE (888)839-5600

LINDA Ford customer service (866)631-3788 ext.7196

[REDACTED]

Tha [REDACTED] me:

12-1-08

28-Jan-09

2009 Senate Report - Governmental Affairs Correspondence
Control Sheet (I-1) W85-328

Control Number: 2009 - 1021
Date DOT Received: 1/28/2009
Date DOT Entered: 1/28/2009
Member's Date: 2/11/2008
Member Last Name: Hutchinson
Member First Name: Kay Bailey
Member Organization: United States Senator
Address1: 3133 General Hudnell, Suite 120
Address2:
City: San Antonio
State: TX
Zip: 78226
Constituent File Name: XXXXXXXXXX
Constituent Date:
Action Office: National Highway Traffic Safety Administration
Subject: Ford Motor, Inc.
Action Office Code: NHTSA
Due Date: 2 /23/2009
Member Contact: Jeff Bazan
Pending: Yes
Member Contact Phone: (210) 340-2885
Closed Date:
Remarks:
Direct Reply/Comeback Copy: Yes
Congressional Affairs Contact Maria Harrison at (202) 366-4573