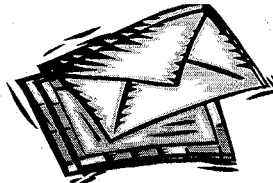


NHTSA ccmMercury Routing Slip



CL-10670690-8822

Printed: 9/30/2015

INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

NHTSA #: ES15-005129

XREF #: ES15-000177

Delivery: EML

Rec'd Date: 9/30/2015

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Address To: DOT/I

Referred By: NPO-011

Doc Date: 9/28/2015

Due Date: 10/30/2015

S10 #:

DOT/I #: S- 2015 177

RMP #:

**Subject: LETTER FROM SENATOR MCCAIN ON BEHALF OF CONSTITUENT [REDACTED] RE
RECALL**

Ack Date:

Sign Office: DIR. GOVT.

AFFAIRS

Cleared Date:

File Loc:

Added By: CBUTLER x60180

Ack By:

Signature: ALISON PASCALE

Cleared By:

XREF File:

Modified By: Chris.Butler

Signed For:

Cleared For:

Closed Date:

Most Recent Comment:

Author:

THE HONORABLE JOHN MCCAIN
UNITED STATES SENATOR
2201 EAST CAMELBACK ROAD, SUITE 115
PHOENIX, AZ 85016
Tel: 602-952-2410 Fax: E-mail:

OCT -1 2015

Assigned To	Task	Asgn Date	Deadline	Returned Date
NGA-110	SIGN	9/30/2015		
NVS-200	REPLY	9/30/2015	10/30/2015	

RR
10.115
SMD

JOHN MCCAIN
ARIZONA

CHAIRMAN, COMMITTEE ON
ARMED SERVICES
COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS
COMMITTEE ON INDIAN AFFAIRS

United States Senate

September 29, 2015

Mr. Dana Gresham
Assistant Secretary for Governmental Affairs
U. S. Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590-0001

Dear Mr. Mr. Gresham,

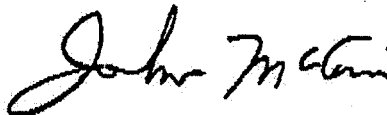
Refer to: [REDACTED]

I wish to bring to your attention a matter concerning my constituent, [REDACTED] who has encountered a problem with the recall on the Chrysler vehicles. Please investigate my constituent's claim, within the existing rules, regulations and ethical guidelines, and provide me with a copy of the final decision. MARK ALL CORRESPONDENCE TO:

Attn: Diana Biya
Office of Senator John McCain
2201 E. Camelback Road
Suite 115
Phoenix, Arizona 85016

The response you provide will be most appreciated and will be forwarded to my constituent. If you should have any questions in the meantime, you can reach my office at (602) 952-2410. I look forward to your reply at your earliest convenience.

Sincerely,



John McCain
United States Senator

JM/xdb

225 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510-0303
(202) 224-2235

2201 EAST CAMELBACK ROAD
SUITE 115
PHOENIX, AZ 85016
(602) 952-2410

122 NORTH CORTEZ STREET
SUITE 108
PHOENIX, AZ 85001
(602) 445-0833

407 WEST CONGRESS STREET
SUITE 103
TUCSON, AZ 85701
(520) 870-6334

TELEPHONE FOR HEARING IMPAIRED
(602) 952-0170

ES15-005129

PRIVACY ACT CONSENT FORM

DATE 1-17-15

To Whom It May Concern:

In accordance with the provisions of Public Law 93-579 (The Privacy Act of 1974), I hereby give my consent for information concerning my file to be furnished to my Senator, John McCain. I request that any relevant information he may require in order to assist in responding to my inquiry, as his constituent, be provided to him in accordance with the provisions of the law.

FULL NAME: [REDACTED]

COMPLETE ADDRESS: [REDACTED]

PHOENIX, AZ

EMAIL: [REDACTED]

PHONE (DAY): [REDACTED]

(NIGHT):

Same

OTHER NAMES RELATING TO YOUR CASE:

T&R TRUST and Trustee

Government Agency Involved:

Dept of Transportation - NHTSA

Social Security Number: [REDACTED]

Date and Place of Birth: [REDACTED]

*(For OPM) Civil Service Claim Number: [REDACTED]

*(For IRS) Tax Return Year(s) in Question: [REDACTED]

*(For VA/MILITARY) Veteran Claim Number: [REDACTED]

Military Service Number: [REDACTED]

Branch of Service and Rank: [REDACTED]

*If applicable for Office of Personnel Management, Internal Revenue Service, or Veterans Affairs/Military cases

I affirm that by my signature I am attesting to the truth of all the above:

SIGNATURE (required): [REDACTED]

For office use only. Third party name: _____

OFFICE AIDE INITIALS: XDB

MAIL FORM AND WRITTEN STATEMENT REGARDING THE DETAILS OF YOUR SITUATION TO:
Senator John McCain, 2201 East Camelback Road, Suite 115, Phoenix AZ 85016 or Fax to 602-952-8702

DEATH TRAP...I (trustee of J & R Trust) was duly noticed (P60/NHTSA 14V-6^P4) of a defect in my 2013 Chrysler 300 purchased from Bill Luke Chrysler Jeep & Dodge Inc. on 11/25/2012 in the amount of \$33,768.39. The Notice came from Chrysler Group LLC to VIN specific owners.

The defect is in vehicles equipped with a 160 amp alternator and generally with a 3.6L engine. This is a **SERIOUS DEFECT**. In the event of failure..."The driver will have limited or no detection of the alternator failing, which can result in vehicle shutdown while driving and/or an underhood electrical fire." A number of communication exchanges between NHTSA and Chrysler Group, LLC, refer to a failure causing a vehicle shut down affecting all electrical systems (steering, braking, etc) without warning. A DEATH TRAP disaster just waiting to happen.

Chrysler Group has not given NHTSA a timeline for completing the repair...in fact they don't have the part available. It appears that the part needs to be designed and manufactured before Chrysler Group can begin the repair process. A "reasonable" time for completing the repair is not on the table.

Bill Luke Chrysler Jeep & Dodge, Inc. and Chrysler Group LLC have refused to provide loaner or rental cars during the time it will take to complete repairs on the defective vehicles.

Any responsible person after being duly noticed would refuse to operate a vehicle that is defective and might be the instrument causing accidental property and/or personal injury or death.

Actually, this Chrysler Safety Recall is a diabolically clever CYA. Chrysler Group and Bill Luke Chrysler seek to shift their liability for a defective vehicle onto the backs of consumers. Owners are forced to either park the vehicle for an indefinite period and be without the vehicle they purchased...or, drive the vehicle and by virtue of being forewarned of the defective nature of the vehicle, be held responsible for any personal or property damage resulting from an accident caused by the defect. Pretty devious.

NHTSA is a willing partner with Chrysler to this CYA. NHTSA shields Chrysler from legal action. This travesty must not be allowed to continue. NHTSA and the Department of Transportation protects the interests of Chrysler over the interests of consumers. NHTSA could include in the terms of a serious safety recall, a requirement for Chrysler to accommodate consumers in the event Chrysler does not do so voluntarily.

I received two phone calls relating to the Recall of my 2013 Chrysler 300. The ¹st was from Nathaniel Hayes, Correspondence Unit, NHTSA (202-366-5247). The second from Steve Stander, Chrysler Headquarters, (586-274-8086).

I asked Mr. Hayes why NHTSA shielded Chrysler from a lawsuit and why they have taken the position that consumers "...have no option except patience." He advised me that the NHTSA staff made that decision based on their authority and how they interpret related law. Basically, the interests of the corporation trumps the interests of the consumer. NHTSA is still waiting for Chrysler to provide a timeline for having the part available to dealers to do the needed repair. When asked what should I do in the meantime...he told me that I could ask my neighbors to give me a ride...or, call my church for help...or, call my relatives for help...or, check other community resources. Or, I could go rent a car for whatever period of time it takes Chrysler to complete the repair. Or, I could take the *known safety risk* and drive my car. But, I was assured that NHTSA feels my pain.

Mr. Stander told me that Chrysler hopes to have a better idea in about a month as to when the repair part will be available. He advised that providing a loaner or rental was not a part of the terms of the recall and that Chrysler would not do so. Mr. Stander advised me that it was my decision to store the car and refuse to drive it...even though my decision was based on the clear warning of the Chrysler Recall...to wit: the car could shutdown without warning...leaving the driver without steering, brakes or all other electrical operations. He refused to answer the question "Would you drive my car today?" Chrysler recognizes the costs consumers must bear due to them selling us a defective vehicle. It just doesn't matter.

Consumers have urgent and important interests in their cars. Getting to work...going shopping...picking up kids from school...doctors appointments...etc. are significant economic/health/societal interests that should trump the corporate "bottom line".

NHTSA SHOULD REQUIRE AUTOMAKERS TO ACCOMMODATE CUSTOMERS WHEN A SERIOUS SAFETY RECALL IS MADE. AUTOMAKERS SHOULD BE REQUIRED TO OFFER CUSTOMERS A CHOICE BETWEEN A "FAIR MARKET BUY-BACK" OR A FREE LOANER/RENTAL DURING THE TIME IT TAKES TO REMEDY THEIR SAFETY DEFECT. CONSUMERS SHOULD NOT BE FORCED TO BEAR THE COSTS OF BEING WITHOUT THEIR "UNDER WARRANTY" VEHICLE PURCHASED IN GOOD FAITH AND HARBORING A REASONABLE EXPECTATION OF YEARS OF SAFE SERVICE.



2014 Senate Input Form for Governmental Affairs Correspondence
Control Sheet (I-10), W85-328



Control Number S - 2015 177

General

EXECUTIVE SECRETARIAT
RECEIVED-NHTSA
2015 SEP 30 P 3 51

Date DOT Received 9/28/2015

Date DOT Entered 9/28/2015

Member's Date 9/28/2015

Member Last Name McCain

Member First Name John

Member Organization United States Senator

Address1 2201 East Camelback Road, Suite 115

Address2

City Phoenix

State AZ

Zip 85016

Constituents

File Name

Date 9/28/2015

Subject Recall on Chrysler

Action Office NHTSA

Action Code

Due Date 10/30/2015

Contacts

MemberContact Diana Biya

Phone (602) 952-2410

Pending ☐

Closed Date

Remarks

DOT Contact Nikki Purnell at (202) 366-4573

Notes: