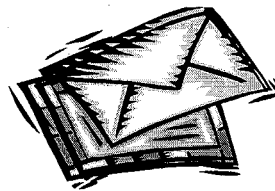


NHTSA ccmMercury Routing Slip



CL-10926921-8016

Printed: 11/15/2016

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

NHTSA #: ES16-004765

XREF #:

Delivery: EML

Rec'd Date: 11/15/2016

Doc Type: CNG

Address To:

Referred By: NAD-200

Doc Date: 11/15/2016

Due Date: 11/14/2016

S10 #:

DOT/I #:

RMP #:

**Subject: LETTER FROM SENATOR NELSON ON BEHALF OF [REDACTED] RE 2005 RX330 LEXUS
RECALL ISSUES NOT BE RESOLVED**

Ack Date:

**Sign Office: DIRECTOR,
GOVERNMENTAL 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 BILL NELSON

UNITED STATES SENATE

Tel: Fax: E-mail:

NOV 17 2016

Assigned To	Task	Asgn Date	Deadline	Returned Date
NGA-010	SIGN	11/15/2016		
NEF-010	REPLY	11/15/2016	12/14/2016	

RR
11/17/16
SMD



United States Senate

WASHINGTON, DC 20510-0905

EXECUTIVE SECRETARIAT
RECEIVED-NHTSA

2016 NOV 15 A 10:18

BILL NELSON
FLORIDA

November 15, 2016

Mr. David J. Friedman
Administrator
National Highway Traffic and Safety Administration
1200 New Jersey Avenue, Southeast
Washington, District of Columbia 20590

Dear Mr. Friedman:

Please find enclosed correspondence I received from one of my constituents. It involves an important matter under the jurisdiction of your agency.

Your review and response to the issues raised would be greatly appreciated. Please send your correspondence directly to my office and reference [REDACTED] for our records. I look forward to a response at your earliest convenience and thank you in advance for your assistance with this matter.

Sincerely,

Bill Nelson

BN/klt
[REDACTED]

Enclosure

ES16-004765

BILL NELSON
FLORIDAUnited States Senate
Washington, DC 20510-0905

Consent For Release Of Information

I'm very concerned you are in need of assistance, and want you to know we're committed to doing our best to resolve your problem. The first thing you need to do is fill out this form and return it quickly to me by fax or mail. This has to be done before I can legally act on your behalf. This is a free service. The form not only tells me about your concerns, but also allows government agencies to share your information with me. (It is something required by the Privacy Act of 1974.)

Please note, if you are inquiring on behalf of someone, that person must sign the release.

Today's Date 10-28-16 Social Security Number [REDACTED]Mr. Mrs. ☒ Ms. Dr. [REDACTED]Mailing Address [REDACTED]LAND O LAKES FLHome Phone [REDACTED] Cell Phone [REDACTED] Work Phone [REDACTED]Date of Birth [REDACTED] E-mail Address [REDACTED]

I hereby authorize Senator Nelson or his representative to make inquiries into my personal records and or files, and to obtain information about me pertaining to my request for assistance.

Signature [REDACTED] For The Attention Of Senator Nelson

Please return form to:

By Mail:

Office of Senator Bill Nelson
225 East Robinson Street, Suite 410
Orlando, Florida 32801

By Fax:

Fax: (407) 872-7165

Questions:

Telephone: (407) 872-7161
Toll-Free in Florida Only:
(888) 671-4091

FOR OFFICE USE ONLY

IT: ☐ Yes ☐ No IT # [REDACTED] (Caseworker Only) Cross Reference Name [REDACTED]Referral: ☐ FTL ☐ FTM ☐ JAX ☐ MIA ☐ ORL ☐ TAL ☐ TPA ☐ WPB ☐ BN ☐ GN ☐ PM ☐ BSWeb Tracking # [REDACTED]

PLEASE COMPLETE PAGE 2 OF THIS FORM

Military or Veteran's Issues

Military ID/VA ID/Other ID Number _____ Sponsor's ID / SSN _____
Rank / Unit _____ Duty Station _____

Immigration Issues

Receipt Number _____ Alien Registration Number _____ A - _____
Date of Birth _____ Place of Birth _____
Type of Application Filed _____

Social Security Administration Issues

Type of claim filed? _____

Initial Claim	Date Filed _____	☐ Pending	☐ Approved	☐ Denied
Reconsideration	Date Filed _____	☐ Pending	☐ Approved	☐ Denied
ALJ Hearing	Date Filed _____	☐ Pending	☐ Approved	☐ Denied
Appeals Council	Date Filed _____	☐ Pending	☐ Approved	☐ Denied

Case Details

Please briefly explain your problem. (In writing, provide my office with a detailed account. Include any additional relevant correspondence that you have initiated or received concerning your problem.)

Please state how you would like Senator Nelson to help you.

October 28, 2016

Dear Senator Nelson,

Every time I pick up the keys to my car, I am haunted by the question of whether or not this will be the day I get into a head on collision and my dash shatters sending pieces of shrapnel flying out into the faces of my children and I. A terrifying thought considering the amount of time and money that I had spent making sure that I purchased a vehicle that not only had a high safety rating but also contained all of the most current safety equipment possible.

Five years ago I noticed that the dash around my passenger side airbag was beginning to crack and immediately brought the issue to the attention of a friend who at the time was a service writer for a local automotive company. After making a few inquiries, he was able to determine there had been a number of complaints logged for exactly the same issue and that Lexus was "looking into the problem". Just to be safe, I called Lexus and they assured me that the issue was being taken seriously and that owners would be notified as soon as they made a determination.

That notification came a few years later and sadly, it stated that they were aware of the defective part but that I had to wait for an "official notice" to come in the mail with instructions as to how I was to proceed. Although I was grateful that they were taking responsibility for the defective part; I wondered how much longer I would have to wait.

Thankfully though, a notice arrived a bit later telling me that I was to call a local Lexus dealer, put my name on a waiting list and that when my vehicle identification number came up, I would have the entire dash replaced at no cost to me. Needless to say, I made the call as quickly as possible (ending up number 200 and something) and prayed that it would come up soon.

It has now been almost two years and although I have been assured by Lexus that they do not "believe that it is a safety issue regardless of how close it is to the passenger side airbag" the dash has continued to crack and now extends from the passenger side, in a spider like manner, all the way to the driver's side and the passenger side dash near the airbag is beginning to show the orange/yellow "foam" layer which had been previously hidden behind the black colored skin.

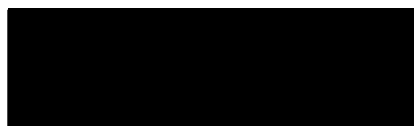
Despite numerous calls both to Lexus of Tampa Bay and Lexus' Service / Warranty line over the past few years, I have been told to continue waiting on the list and eventually someone will call me. "We are repairing them ma'am but it is going to take time". I find this not only frustrating but also irresponsible. I am even beginning wonder if Lexus is simply waiting until my 2005 RX330 has so many miles on it that I am forced to replace it before they make good on their warranty. What happened to the customer service and care for my family

that they first spoke about when I purchased the vehicle all those years ago? Who will take care of my family if the car doesn't perform as it should? What family will I have? How much harm will befall them if that shrapnel does go flying and what will my children have to live with for the rest of their young lives?

So I'm reaching out today to share with you my thoughts and concerns in hope that you will be able to speak up and be heard because it is apparent that my concerns are falling on deaf ears.

As a single mother who is not only paying for the care of three children but who is also the one who is paying the full tuition for both her own and her eldest daughter's college education, I cannot stress more the thought that "I just cannot afford to go out and purchase a new car right now". I don't know what I will drive while the dealership works on the dash but I know that the peace of mind that I receive once it is completed will be worth all of the scrimping I will have to do in order to pay for a rental.

Thank you for taking a moment to read my letter and God bless you,



11/5 update: Michelle from
Lexus called - I'm now
NUMBER 230 - SHE doesn't
KNOW when I'll be ABLE
TO BRING THE CAR IN -
"WORKING ON CARS AS WE
RECEIVE PARTS" "CALL AGAIN
IN SIX MONTHS, IF YOUR
CALL HASN'T BEEN FIXED,
FOR update"



407-872-7165

Butler, Chris CTR (NHTSA)

From: Korkor, Julie (NHTSA)
Sent: Tuesday, November 15, 2016 9:31 AM
To: Butler, Chris CTR (NHTSA)
Subject: FW: Congressional - Office of Senator Bill Nelson - [REDACTED]
Attachments: [REDACTED]

Chris,

Please control and notify me.

Thanks!

Julie

From: Pascale, Alison (NHTSA)
Sent: Tuesday, November 15, 2016 9:16 AM
To: Korkor, Julie (NHTSA)
Cc: Caldwell, Megan (NHTSA)
Subject: FW: Congressional - Office of Senator Bill Nelson - [REDACTED]

Please control.

From: Thorp, Kyle (Bill Nelson) [mailto:Kyle_Thorp@billnelson.senate.gov]
Sent: Tuesday, November 15, 2016 9:04 AM
To: Pascale, Alison (NHTSA)
Subject: Congressional - Office of Senator Bill Nelson - [REDACTED]

Good Morning,

Please find attached correspondence from one of Senator Nelson's constituents. Your review and response to the issues raised would be greatly appreciated.

If you require any additional information, you may contact me directly at Kyle_Thorp@billnelson.senate.gov or at 407-872-7176.

Thanks,
Kyle L. Thorp
U.S. Senator Bill Nelson
225 East Robinson Street, Suite 410
Orlando, FL 32801
407.872.7176 Direct
407.872.7165 Fax

From: Caldwell, Megan (NHTSA) [<mailto:megan.caldwell@dot.gov>]
Sent: Tuesday, November 15, 2016 9:02 AM
To: Thorp, Kyle (Bill Nelson) <Kyle_Thorp@billnelson.senate.gov>
Subject: Automatic reply: Congressional - Office of Senator Bill Nelson - [REDACTED]

Greetings! I am out of the office for a while. If you need assistance, please contact Alison Pascale at alison.pascale@dot.gov.

Thanks,

Kyle L. Thorp

Office of U.S. Senator Bill Nelson

407-872-7176