

Turner, Toiyriah (OST)

From: Casework, Durbin (Durbin) <Durbin_Casework@durbin.senate.gov>
Sent: Thursday, June 17, 2021 4:41 PM
To: OST Government Affairs
Subject: FW: Attn: Cynthia - Requesting Intervention with NHTSA
Attachments: [REDACTED]_CaseworkRequest_SenatorDurbin_061721.pdf

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

We have been contacted by [REDACTED] who are seeking a waiver to allow them to collect their vehicle that is being held by the dealership due to a voluntary recall.
Please see the attached privacy form completed by [REDACTED] with additional information for your review.

Kind Regards,
Cynthia

Cynthia Bajjalieh
Director of Constituent Services
Office of US Senator Richard Durbin
230 S Dearborn Suite 3892
Chicago, IL 60604

DICK DURBIN
UNITED STATES SENATOR
ILLINOIS

Federal agencies are prohibited from releasing information concerning an individual to a third party under the Privacy Act of 1974. Please complete and sign this form, which will allow information regarding your concern to be released to the office of Senator Durbin.

Your Contact Information

Gender:
female

Date of Birth:
[REDACTED]

Phone:
[REDACTED]

Secondary Phone:
[REDACTED]

Email:
[REDACTED]

Residential Address or PO box

Chicago, IL [REDACTED]

Mailing Address or PO box

Chicago, IL [REDACTED]

County & Office

County of Residence
Cook

Office
Chicago

Case Details

Federal Agency Involved:
National Highway Traffic Safety Administration

Contacted another congressional office?

No

Your Request

What do you need help with?

Attn: Cynthia Thank you for speaking with my husband yesterday. Details of our situation follow: I was diagnosed with Scleroderma 20 years ago at [REDACTED]. Scleroderma is an uncommon auto-immune rheumatoid disease frequently characterized by Reynaud's Syndrome/poor circulation, GI system involvement, and hardening of skin or other tissues. I suffer from progressive Interstitial Lung Disease due to hardening of lung tissues in addition to the above symptoms. Despite using supplemental oxygen, my lungs and heart will eventually be unable to satisfy my body's needs. In Fall of 2020, my pulmonologist told us that I would likely survive only one to two years. I was referred for lung transplant evaluation at Northwestern Memorial Hospital and Loyola Medical Center in Chicago but was declined for listing due to my elevated risk. I am no longer able to travel by air due because portable oxygen concentrators have insufficient battery capacity to last through a flight plus the necessary safety margin at my required rate of oxygen flow. Travel is further complicated by my dependence upon daily injectable medication I receive from the NIH on an experimental basis that requires constant refrigeration (36-46 F). Although I am fully vaccinated against COVID-19, sensitive antibody testing performed at Northwestern Memorial confirms that I, like other immune-suppressed patients, have developed minimal antibodies. My Johns Hopkins rheumatologist and the Northwestern pulmonologist had advised me to maintain full pandemic protective behavior as though I was never vaccinated. My mother is [REDACTED] and lives near my brother outside of Washington, DC. Due to the pandemic, we have been unable to see each other since January 2020. After learning my terminal prognosis last fall, we decided to purchase a camper van type of recreational vehicle as the only safe, practical way to travel and visit my East Coast family. We also hope to visit lifelong friends with our adult children in New England as we have every summer since 1985. Because my condition is deteriorating, this summer is likely my last opportunity to make these visits. After evaluating my medical and logistical needs, we ordered a vehicle constructed by Pleasure-Way Industries of Saskatoon, SK Canada, an approved "Upfitter" for the Mercedes Sprinter Van chassis. Our RV dealer is Advance Camping in Milwaukee, as they had the best availability in the Midwest. The van chassis are assembled in South Carolina, transported to Saskatoon for build-out, then trucked to the dealer. We placed our order in November 2020 and were quoted May 2021 delivery. The vehicle was apparently completed the first week of June and delivered to Advance Camping on June 14th. However, the van's VIN (W1X8EC3Y9LT [REDACTED]), when entered into the NHTSA and Mercedes online recall notification pages, indicates that this vehicle is apparently subject to voluntary recall. <https://www.nhtsa.gov/recalls> <https://www.mbusa.com/en/recall> The Pleasure-Way sales representative believes that this result is erroneous but has been unable to obtain verification from Mercedes. In the meantime, the dealer will not sell us the vehicle until Mercedes satisfies the recall by 1) updating certain software and 2) verifying that some bolts are properly torqued. The software is not mission critical; rather, the Mercedes me connect, an optional proprietary subscription road service system, similar to OnStar, may transmit incorrect location information. The bolts could be checked by any Mercedes mechanic. According to a local Sprinter Van repair shop, Mercedes had promised the software fix in May or June ever since the recall was first announced back in February. We contacted the NHTSA yesterday to seek a waiver or temporary exemption but were informed that this is not possible (Reference Number [REDACTED]). Of course, we would want to make the vehicle as safe as possible but, at the same time, both my mother and I have limited time. We believe that a 90-day humanitarian exemption due to extenuating

circumstances would be appropriate and trust that Senator Durbin's office would be able to arrange this with someone at the Department of Transportation. We are happy to provide contact information for the other involved parties upon request. Please notify us if you require additional information. Thank you for offering to look into this matter. Sincerely [REDACTED]
June 17, 2021

Is there anything else that Senator or his staff needs to know?

I omitted my SSN on this form. If truly required, please let me know. You have my permission to discuss this matter with my spouse, [REDACTED]. His email address is: [REDACTED]

I am filling out this form for myself only, not family, friends, or others.

Signed [REDACTED]

I certify, under penalty of perjury, that 1) I provided or authorized all of the information in this privacy release and any document submitted with it; 2) I reviewed and understand all of the information contained in my privacy release and submitted with it; and 3) all of this information is complete, true, and correct.

Signed [REDACTED]

I hereby authorize Senator Durbin and his staff to work on my behalf with any federal agency relevant to the matter described above to receive and review any information contained in my file and, if necessary, to forward any pertinent correspondence sent by me regarding this matter.

Signature: [REDACTED] date: June 17, 2021
(Required)

Please complete and mail this form to:

Senator Dick Durbin
711 Hart Senate Building
Washington, D.C. 20510
Attn: Casework

You may also scan and email this signed form to:

chicagocasework@durbin.senate.gov



NHTSA Exec Secretariat

Control Number: OST-I-210625-005

Action Office: OST-I

Document Date: 6/17/2021

Due Date: 7/30/2021

Correspondent: Dick Durbin

Subject: Inquiry on behalf of the constituents, [REDACTED], regarding them seeking a waiver to allow the collection of their vehicle which is being held by the dealership due to a voluntary recall.

Action: For Direct Reply

Comments: