



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

APR 29 2004

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. James Vondale, Director
Automotive Safety Office
Environmental and Safety Engineering
Ford Motor Company
330 Town Center Drive, Suite 400
Dearborn, MI 48126

NVS-213dsy
EA04-006

Dear Mr. Vondale:

The Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened an engineering analysis, EA04-006, to investigate allegations of accelerator pedal (AP) position sensor failure that may cause a loss of motive power and/or the inability to increase engine speed above idle in model year (MY) 2002 and 2003 F Super Duty trucks and Excursion SUVs equipped with electronic throttle control (ETC) diesel engines and power adjustable pedals (PAP) manufactured by Ford Motor Company. This letter is a request for certain information pertinent to the investigation.

ODI recognizes nine vehicle owner questionnaires (VOQs) that allege an AP position sensor failure in MY 2002 and 2003 vehicles equipped with 7.3L diesel engine and PAP. The VOQs involve vehicles that were subject to Ford field service action (FSA) 03B03. Two of the reports involved a motor vehicle crash. In one crash, a vehicle was rear-ended while it sat disabled on a roadside allegedly due to a failure of the AP, and a second rear-end collision occurred when a subject vehicle, operating in heavy traffic conditions, allegedly suffered an AP failure while accelerating away from a traffic light. In this case, the AP failure caused the vehicle to suddenly decelerate with no warning to trailing vehicles. A following vehicle subsequently rear-ended the decelerating vehicle. One minor injury is alleged in this incident.

Additionally, ODI recognizes five VOQs that allege an AP failure in MY 2001 and 2002 vehicles equipped with 7.3L diesel engine and fixed AP assemblies; one of the reports involves a serious multi-vehicle accident. The vehicles in the reports were built prior to the August 2002 AP design change discussed in Appendix L of Ford's preliminary evaluation (PE) 03-044 information request (IR) response dated December 2, 2003. The AP failures are alleged to occur when the pedal is being fully depressed at a forceful level. Two reports specifically allege the AP failures occurred due to a throttle pedal overload, and the other three may also involve a similar failure. ODI notes that the August 2002 design changes were undertaken to improve the overload capability of the AP assembly.



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

For your information, an electronic copy of each of these 14 reports (in separate PDF files) is included on the enclosed CD-ROM, titled "EA04-006 IR Attachments," and a list of the VOQ numbers is included at the end of this document.

In responding to ODI's PE03-044 IR letter, Ford elected to exclude certain complaint and warranty information related to vehicles involved in FSA 03B03. Ford stated the exclusions were made on the basis of response expediency, and Ford contended that any alleged malfunction of the AP sensor would have been addressed by the FSA (see Ford's PE03-044 IR response for further detail). In the absence of this information, ODI is unable to fully assess the safety implications of an AP failure. For instance, ODI cannot accurately establish the number of vehicles rendered disabled as the result of an AP failure, or the number of failures that may have resulted in potentially dangerous driving incidents (e.g., vehicles that became stranded in intersections, or were unable to safely merge onto a highway). Accordingly, this IR will request the previously excluded information as well as any new responsive information obtained since Ford's PE response.

Further reviewing the information Ford provided in the PE03-044 IR response, ODI found evidence (consumer complaints, field reports and warranty claims) of alleged 'overload' AP failures on MY 2001 and later vehicles manufactured with fixed APs. ODI notes that the fixed AP component design and component supplier changed with the introduction of MY 2001 vehicle production, and that a mechanically similar component remained in production through MY 2003 (including 6.0L diesel engine vehicles). An additional objective of this IR letter is to collect information regarding overload AP failures; including the overload capability of the various MY 2001 through 2003 fixed AP designs, and the effect of design changes on overload capacity. Therefore, for the purposes of this IR letter, the subject vehicle definition includes MY2001 through 2003 vehicles manufactured with fixed APs.

Unless otherwise stated in the text, the following definitions apply to these information requests:

- **Subject vehicles:** all MY 2001 through 2003 F-Super Duty trucks and SUVs equipped with diesel engines (both 7.3L and 6.0L) and ETC that were manufactured for sale or lease in the United States.
- **Subject component:** the accelerator pedal assembly (including those with base part number 9F836) used in the subject vehicles, including both fixed and PAP versions.
- **Pedal Overload:** refers to a condition of the accelerator pedal where the vehicle operator applies a larger than required force on the accelerator pedal pad (and in a rapid manner) in the opening direction that in some cases may cause the AP sensor output signal to fail causing the engine to return to the idle state.
- **Ford:** Ford Motor Company, all of its past and present officers and employees, whether assigned to its principal offices or any of its field or other locations, including all of its divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of their headquarters, regional, zone and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or

indirectly (e.g., employee of a consultant) by or under the control of Ford (including all business units and persons previously referred to), who are or, in or after 1999, were involved in any way with any of the following related to the alleged defect in the subject vehicles:

- a. Design, engineering, analysis, modification or production (e.g. quality control);
 - b. Testing, assessment or evaluation;
 - c. Consideration, or recognition of potential or actual defects, reporting, record-keeping and information management, (e.g., complaints, field reports, warranty information, part sales), analysis, claims, or lawsuits; or
 - d. Communication to, from or intended for zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the capacity to obtain information from dealers.
- **Alleged defect:** Any conditions of the accelerator pedal assembly (including the position sensor) that, upon demand by the vehicle operator, causes an inability to increase the engine speed above idle (the engine remains at the idle state when the throttle is moved from the closed to an open position), or causes a loss of motive power (the engine returns to an idle state when the throttle is in an open position or fully applied).
 - **Document:** "Document(s)" is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all non-identical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard copy and/or in electronic storage), faxes, mailgrams, telegrams, cables, telex messages, notes, annotations, working papers, drafts, minutes, records, audio and video recordings, data, databases, other information bases, summaries, charts, tables, graphics, other visual displays, photographs, statements, interviews, opinions, reports, newspaper articles, studies, analyses, evaluations, interpretations, contracts, agreements, jottings, agendas, bulletins, notices, announcements, instructions, blueprints, drawings, as-builts, changes, manuals, publications, work schedules, journals, statistical data, desk, portable and computer calendars, appointment books, diaries, travel reports, lists, tabulations, computer printouts, data processing program libraries, data processing inputs and outputs, microfilms, microfiches, statements for services, resolutions, financial statements, governmental records, business records, personnel records, work orders, pleadings, discovery in any form, affidavits, motions, responses to discovery, all transcripts, administrative filings and all mechanical, magnetic, photographic and electronic records or recordings of any kind, including any storage media associated with computers, including, but not limited to, information on hard drives, floppy disks, backup tapes, and zip drives, electronic communications, including but not limited to, the Internet and shall include any drafts or revisions pertaining to any of the foregoing, all other things similar to any of the foregoing, however denominated by, any other data compilations from which information can be obtained, translated if necessary, into a usable form and any other documents. For purposes of this request, any document which contains any note, comment, addition, deletion, insertion, annotation, or otherwise comprises a non-identical copy of another document shall be treated as a separate document subject to production.

In all cases where original and any non-identical copies are not available, "document(s)" also means any identical copies of the original and all non-identical copies thereof. Any document, record, graph, chart, film or photograph originally produced in color must be provided in color. Furnish all documents whether verified by Ford or not. If a document is not in the English language, provide both the original document and an English translation of the document.

- **Other Terms:** To the extent that they are used in these information requests, the terms "claim," "consumer complaint," "dealer field report," "field report," "fire," "fleet," "good will," "make," "model," "model year," "notice," "property damage," "property damage claim," "rollover," "type," "warranty," "warranty adjustment," and "warranty claim," whether used in singular or in plural form, have the same meaning as found in 49 CFR 579.4.

In order for my staff to evaluate the alleged defect, certain information is required. Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following information requests. Insofar as Ford has previously provided a document to ODI, Ford may produce it again or identify the document, the document submission to ODI in which it was included and the precise location in that submission where the document is located. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the organization of this information request letter (including all individual requests and subparts). When documents are produced and the documents would not, standing alone, be self-explanatory, the production of documents shall be supplemented and accompanied by explanation.

Please repeat the applicable request verbatim above each response. After Ford's response to each request, identify the source of the information and indicate the last date the information was gathered.

1. In review of Ford's PE03-044 IR response, ODI found Warranty, MORS, CQIS, and UDB reports with VINs that did not appear in Ford's response to Request 1 of the PE IR (see specific examples contained in the MS Excel spreadsheet, titled "ComplaintVINsNot FoundInPopulation.xls", included on the enclosed CD-ROM). Please note that the subject vehicles definition of this IR differs from the PE03-044 request, and the vehicle transmission type is also being requested. Please restate the number of subject vehicles Ford has manufactured for sale or lease in the United States, and for each subject vehicle manufactured to date by Ford, state the following:
 - a. Vehicle identification number (VIN);
 - b. Model;
 - c. Date of manufacture;
 - d. Date warranty coverage commenced;
 - e. Transmission type (manual or automatic);
 - f. The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease); and
 - g. Accelerator pedal system type (PAP or fixed).

Provide the table in Microsoft Access 2000, or a compatible format, entitled "PRODUCTION DATA." See the enclosed CD-ROM, EA04-006 IR Attachments, for a pre-formatted table which provides further details regarding this submission.

2. Provide a list of the VINs of the subject vehicles that were included in Ford's FSA 03B03. Provide the listing in an electronic format that is compatible with Microsoft Access 2000. Ensure that each VIN provided in this response also appears in the response to Request 1 (population database).
3. State the number of each of the following, received by Ford, or of which Ford are otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles:
 - a. Consumer complaints, including those from fleet operators;
 - b. Field reports, including dealer field reports;
 - c. Reports involving a crash, injury, or fatality, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a subject vehicle, property damage claims, consumer complaints, or field reports;
 - d. Property damage claims;
 - e. Third-party arbitration proceedings where Ford is or was a party to the arbitration; and
 - f. Lawsuits, both pending and closed, in which Ford is or was a defendant or codefendant.

Ensure that this response includes all such items (consumer complaints, field reports, crash reports, etc) received to date by Ford, regardless of whether the vehicle was involved in Ford's FSA 03B03 or not. Please disregard (as opposed to supplement) Ford's PE03-044 response to Request 2 (complaints and reports data) in its entirety and produce a new submission that contains the requested complaint data. Ensure that each VIN provided in this response also appears in the response to Request 1 (population database).

For subparts "a" through "d," state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items "c" through "f," provide a summary description of the alleged problem and causal and contributing factors and Ford's assessment of the problem, with a summary of the significant underlying facts and evidence. For items "f" and "g," identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

4. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 3, state the following information:
 - a. Ford's file number or other identifier used;
 - b. The category of the item, as identified in Request No. 3 (i.e., consumer complaint, field report, etc.);

- c. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
- d. Vehicle's VIN;
- e. Vehicle's make, model and model year;
- f. Vehicle's mileage at time of incident;
- g. Incident date;
- h. Report or claim date;
- i. Whether a crash is alleged;
- j. Whether property damage is alleged;
- k. Number of alleged injuries, if any; and
- l. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "COMPLAINT DATA." See the enclosed CD-ROM, EA04-006 IR Attachments, for a pre-formatted table which provides further details regarding this submission.

- 5. For any responsive information within the scope of Request No. 3 that exists in paper form, produce copies of documents that are related to items "c" through "f" only (crash/injury/fatality, or property damage claims). Organize the paper documents separately by category (i.e., crash complaints, injury claims, etc.) and describe the method Ford used for further organizing the documents within each category.
- 6. State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by Ford to date that relate to, or may relate to, the alleged defect in the subject vehicles: warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

Separately, for each such claim, state the following information:

- a. Ford's claim number;
- b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
- c. VIN;
- d. Repair date;
- e. Vehicle mileage at time of repair;
- f. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
- g. Labor operation number;
- h. Problem code;
- i. Replacement part number(s) and description(s);
- j. Concern stated by customer; and
- k. Comment, if any, by dealer/technician relating to claim and/or repair.

Ensure that this response includes all such claims received by Ford to date, regardless of whether the vehicle was involved in Ford's FSA 03B03 or not. Please disregard (as opposed to supplement) Ford's PE03-044 response to Request 5 (warranty claims) and produce a new submission that contains the requested warranty data. Ensure that each VIN provided in this response also appears in the response to Request 1 (population database). Additionally,

ensure the causal parts fields (PART_NUM_CAUS_PREF, PART_NUM_CAUS_BASE, and PART_NUM_CAUS_SUFF) in each record identifies the AP assembly part number that was submitted with the warranty claim.

Provide this information in Microsoft Access 2000 (or compatible) form and in the standard table format (t_A_Import) used by Ford for reporting warranty data.

7. Describe in detail the search criteria used by Ford to identify the claims identified in response to Request No. 6, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect in the subject vehicles. State, by make and model year, the terms of the new vehicle warranty coverage offered by Ford on the subject vehicles (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) that Ford offered for the subject vehicles and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.
8. Provide the most current engineering drawings for each and every design version (fixed part numbers 1C34-9F836-xx and 3C44-9F836-xx, and PAP part numbers 2C34-9F836-xx and 3C34-9F836-xx, and any others) of the subject component that was either installed on the subject vehicles as original equipment, or sold as a service replacement component for use on the subject vehicles. If the drawings are supplied in paper form, ensure the print size and quality is sufficient to be fully legible. If the drawings are supplied electronically (ODI's preference), ensure they are in a format that ODI will be able to utilize (e. g., Adobe PDF).
9. Provide the most current engineering specification documents for each and every design version (fixed part numbers 1C34-9F836-xx and 3C44-9F836-xx, and PAP part numbers 2C34-9F836-xx and 3C34-9F836-xx, and any others) of the subject components that were either installed on the subject vehicles as original equipment, or sold as a service replacement component for use on the subject vehicles. If the documents are supplied electronically (ODI's preference), ensure they are in a format the agency will be able to utilize (e. g., Adobe PDF, MS Word).
10. Provide the most current failure mode and effect analysis documents for each and every design version (fixed part numbers 1C34-9F836-xx and 3C44-9F836-xx, and PAP part numbers 2C34-9F836-xx and 3C34-9F836-xx, and any others) of the subject components that were either installed on the subject vehicles as original equipment, or sold as a service replacement component for use on the subject vehicles. If the documents are supplied electronically (ODI's preference), ensure they are in a format the agency will be able to utilize (e. g., Adobe PDF, MS Word).
11. State by component part number how to determine the date of manufacture of each design version (fixed part numbers 1C34-9F836-xx and 3C44-9F836-xx, and PAP part numbers 2C34-9F836-xx and 3C34-9F836-xx, and any others) of the subject component. If the

information is visible on the component (on a label or otherwise inscribed), include any diagrams required, and also include any decoding values that might be required.

12. For the MY 2001 through 2003 7.3L equipped subject vehicles, describe in detail, and from an engineering and technical point of view, the relationships between the displacement or rotation of the accelerator pedal, the output voltage of the AP sensor potentiometer signal, the output voltage of the AP sensor IVS signal, and the power production of the engine. Produce a chart or table that relates potentiometer output voltage to engine power production, with the idle state representing the minimum power output condition (0 %) and include applicable tolerance information. State specifically the potentiometer output voltage required to achieve a full engine power output condition (100%) and include applicable tolerance information.
13. Regarding the fixed, 7.3L subject component design levels represented by production part numbers 1C34-9F836-BA (design level 1, or DL1) and 1C34-9F836-BB (DL2) and the design changes referred to in line 5 of Appendix L of Ford's IR response to PE03-044 dated December 2, 2003:
 - a. State Ford's internal identification number for the change referred to in Appendix L;
 - b. Provide copies of the documentation (change requests and approvals, engineering sign-offs, supplier notification, etc.) related to the implementation of the design change;
 - c. State by vehicle manufacturing location the date the DL2 component was first introduced into vehicle production;
 - d. State by vehicle manufacturing location whether the change from DL1 to DL2 components occurred consecutively on a specific date, or if it occurred over a longer period of time and state the period;
 - e. Describe each and any way that the DL1 and DL2 components can be visually distinguished from each other (part number labeling, dimensional/sub component differences, identifying marks, etc);
 - f. Appendix L states, "Part didn't pass required overload test in ES," as the reason the design change to DL2 components was implemented. Explain this statement in greater detail (which specific engineering requirements were not passed) and state whether there were any other reasons that lead Ford to make the DL2 change;
 - g. State how Ford first became aware that the overload related engineering specifications of the DL1 components were not being met;
 - h. State the date when Ford first became aware that the overload engineering specifications for the DL1 component were not being met;
 - i. Appendix L states, "Revised lever arm to improve overload capability," as the description of the design change. Describe in detail, and from an engineering and technical point of view, what the specific design differences are between the DL1 and DL2 components;
 - j. Describe in detail, and from an engineering and technical point of view, how the wide open throttle stop of the DL1 and DL2 components is intended to function;
 - k. State the design intent output voltage of the AP sensor potentiometer signal, and the acceptable voltage tolerance range, for the DL1 and DL2 components when the pedal pad has been depressed to the wide open throttle stop position (as described above);
 - l. Describe in detail, and from an engineering and technical point of view, the failure mechanism(s) and the failure mode(s) that occurs when a pedal overload, which results in the engine going to the idle state, is applied to a DL1 component;

- m. State whether the DL2 components meet all of Ford's engineering specifications for overload, and state any specifications it does not meet;
 - n. State the date that the DL2 component was first available as a service replacement component;
 - o. State whether DL1 components are presently being sold by Ford as service components, and if not, the last date such components were sold; and
 - p. State whether pedal overload failures of a DL1 or DL2 component, that occur in low numbers (5 or 10 events) and at a force level lower than that stipulated in the engineering specification, have any permanent detrimental effect on the operation of the AP assembly and/or the AP position sensor.
14. Regarding the fixed, 7.3L subject component design level represented by production part number 1C34-9F836-BA, and any engineering assessment or testing that Ford may have performed to quantify the pedal overload forces this component is capable of withstanding, please:
- a. Produce a copy of the results of any such testing (specifically the results related to the forces involved in pedal overload);
 - b. Describe the test method used to evaluate the AP(s) for pedal overload, including the test equipment used, the production date of the AP(s) tested, the history of the AP(s) tested (was the test component newly manufactured, or a component returned from field service), and the orientation (location and direction) of the applied pedal force;
 - c. State the average force that was determined to cause a pedal overload failure, the number of tests performed, and the standard deviation of the force based on these tests;
 - d. State the minimum force that was found to cause a pedal overload failure; and
 - e. State what effect, if any, pedal force orientation had on the results.
15. For the MY 2001 through 2003 7.3L equipped subject vehicles, describe in detail, and from an engineering and technical point of view, the diagnostic and fault detection routines used to monitor the operation and functionality of the AP sensor, and that are used to set AP sensor related diagnostic fault codes in diagnostic memory (including but not limited to codes P0220 and P0221). Produce a list of the diagnostic fault codes which are related to or involve the AP, and for each such code:
- a. State which electrical signals are monitored and/or compared;
 - b. State the threshold voltage(s) and time parameter(s) of the monitored and/or compared signals that are required to set the diagnostic fault code;
 - c. State the time rate (frequency) that the signals are sampled and/or compared by the diagnostic routine;
 - d. State whether detection of the fault causes the engine to return to an idle state;
 - e. State whether normal ETC functionality can be re-established in the event the diagnostic routine determines the fault is no longer present;
 - f. State the specific sequence of events that must be undertaken by the vehicle operator to re-establish normal ETC functionality in the event the diagnostic routine determines the fault is no longer present;
 - g. State whether the diagnostic fault code can be extracted from diagnostic memory using commercially available, non-Ford sourced, diagnostic test equipment (OBD II scan tool) that is compliant with the J1962 SAE standard;

- h. State whether detection of the fault causes a malfunction indication light (MIL) and/or the "Service Engine Soon" (SES) light to illuminate on the instrument panel;
 - i. State whether the MIL and or SES lights remain illuminated, or subsequently extinguishes, in the event the diagnostic routine determines the fault is no longer present (both for the current drive cycle and for any subsequent drive cycles); and
 - j. State the period of time the diagnostic fault code remains accessible in diagnostic memory for extraction using diagnostic equipment.
16. Regarding the fixed, 6.0L subject component design levels represented by production part numbers 3C44-9F836-AC (design level 3, or DL3) and 3C44-9F836-AD (DL4) and the design changes referred to in line 13 of Appendix L of Ford's IR response to PE03-044 dated December 2, 2003:
- a. State Ford's internal identification number for the change referred to in Appendix L;
 - b. Describe each and any way that the DL3 and DL4 components can be visually distinguished from each other (part number labeling, dimensional/sub component differences, identifying marks, etc);
 - c. Appendix L states, "Original design was supposed to contact dash panel," as the reason the design change to DL4 components was implemented. Explain this statement in greater detail and state whether there were any other reasons that lead Ford to make the DL4 change;
 - d. Appendix L states, "Revised bracket to contact dash panel," as the description of the design change. Describe in detail, and from an engineering and technical point of view, what the specific design differences are between the DL3 and DL4 components; and
 - e. State whether the DL3 and DL4 components meet all of Ford's engineering specifications for overload, and state any specifications that are not met.
17. Regarding the fixed, 6.0L subject component design levels represented by production part numbers 3C44-9F836-AC (design level 3, or DL3) and 3C44-9F836-AD (DL4) and the photograph included in the enclosed CD-ROM (titled "3C44-9F836-AA.JPG"): ODI notes that the upper end of the pedal lever (opposite the end with the pedal pad attached) does not utilize the forked design (with both closed and wide open throttle stop capability) that has been found on some DL1 and DL2 design level components. Regarding the enclosed photograph, the DL3 and DL4 components, and the forked pedal lever design:
- a. State whether the component in the photograph is of the DL3 or DL4 design type;
 - b. State whether the number shown on the label (3C44-9F836-AA) is the component part number;
 - c. Describe in detail, and from an engineering and technical point of view, how the wide open throttle stop of the DL3 and DL4 components is intended to function;
 - d. State whether all DL3 and DL4 components use the non-forked pedal lever design; and
 - e. State whether the non-forked pedal lever design is unique to the DL3 and DL4 components, or if it has ever been used on the DL1 and DL2 components (as either OE or service replacement components).
18. For any such items not supplied in Ford's PE03-044 IR response: Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject vehicles, that Ford has issued to any dealers, regional or zone offices, field

offices, fleet purchasers, or other entities. This includes, but is not limited to, bulletins, advisories, informational documents, training documents, or other documents or communications, with the exception of standard shop manuals. Also include the latest draft copy of any communication that Ford is planning to issue within the next 120 days.

19. For any such actions not supplied in Ford's PE03-044 IR response, or any new or other actions not supplied in response to this letter: Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") that relate to, or may relate to, the alleged defect in the subject vehicles that have been conducted, are being conducted, are planned, or are being planned by, or for, Ford. For each such action, provide the following information:
- a. Action title or identifier;
 - b. The actual or planned start date;
 - c. The actual or expected end date;
 - d. Brief summary of the subject and objective of the action;
 - e. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and
 - f. A brief summary of the findings and/or conclusions resulting from the action.

For each action identified, provide copies of all documents related to the action, regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action.

20. For any such modifications not supplied in Ford's PE03-044 IR response, or any new or other modifications not supplied in response to this letter: Describe all modifications or changes made by, or on behalf of, Ford in the design, material composition, manufacture, quality control, supply, or installation of the subject component, from the start of production to date, which relate to, or may relate to, the alleged defect in the subject vehicles. For each such modification or change, provide the following information:
- a. The date or approximate date on which the modification or change was incorporated into vehicle production;
 - b. A detailed description of the modification or change;
 - c. The reason(s) for the modification or change;
 - d. The part numbers (service and engineering) of the original component;
 - e. The part number (service and engineering) of the modified component;
 - f. Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;
 - g. When the modified component was made available as a service component; and
 - h. Whether the modified component can be interchanged with earlier production components.
21. Produce an updated response which states the number of subject components that Ford has sold that may be used in the subject vehicles by component part number (both service and engineering/production), model and model year of the vehicle in which it is used and month/year of sale (*including the cut-off date for sales, if applicable*). For each component part number, provide the supplier's name, address, and appropriate point of contact (name,

title, and telephone number) Also identify by make, model and model year, any other vehicles of which Ford is aware that contain the identical component, whether installed in production or in service, and state the applicable dates of production or service usage.

22. For each of the subject component types (PAP and fixed), furnish Ford's assessment of the alleged defect in the subject vehicle, including:
- a. The causal or contributory factor(s);
 - b. The failure mechanism(s);
 - c. The failure mode(s);
 - d. The risk to motor vehicle safety that it poses;
 - e. What warnings, if any, the operator and the other persons both inside and outside the vehicle would have that the alleged defect was occurring or subject component was malfunctioning; and
 - f. The reports included with this inquiry.

This letter is being sent to Ford pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49 and to request reports and the production of things. It constitutes a new request for information. Ford's failure to respond promptly and fully to this letter could subject Ford to civil penalties pursuant to 49 U.S.C. § 30165 or lead to an action for injunctive relief pursuant to 49 U.S.C. § 30163. (Other remedies and sanctions are available as well.) Please note that maximum civil penalties under 49 U.S.C. § 30165 have increased as a result of the recent enactment of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act, Public Law No. 106-414 (signed November 1, 2000). Section 5(a) of the TREAD Act, codified at 49 U.S.C. § 30165(b), provides for civil penalties of up to \$5,000 per day, with a maximum of \$15 million for a related series of violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. This includes failing to respond to ODI information requests.

If Ford cannot respond to any specific request or subpart(s) thereof, please state the reason why it is unable to do so. If on the basis of attorney-client, attorney work product, or other privilege, Ford does not submit one or more requested documents or items of information in response to this information request, Ford must provide a privilege log identifying each document or item withheld, and stating the date, subject or title, the name and position of the person(s) from, and the person(s) to whom it was sent, and the name and position of any other recipient (to include all carbon copies or blind carbon copies), the nature of that information or material, and the basis for the claim of privilege and why that privilege applies.

Ford's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by June 28, 2004. Please refer to EA04-006 in Ford's response to this letter. If Ford finds that it is unable to provide all of the information requested within the time allotted, Ford must request an extension from Mr. Jeffrey Quandt at (202) 366-5207 no later than five business days before the response due date. If Ford is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information Ford then has available, even if an extension has been granted.

If Ford claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, Ford must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with 49 CFR Part 512, as amended (68 Fed. Reg. 44209 et seq; July 28, 2003), to the Office of Chief Counsel (NCC-113), National Highway Traffic Safety Administration, Room 5219, 400 Seventh Street, S.W., Washington, D.C. 20590. Ford is required to submit two copies of the documents containing allegedly confidential information (except only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted.

If you have any technical questions concerning this matter, please call Scott Yon of my staff at (202) 366-6761.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathleen C. DeMeter', with a long horizontal flourish extending to the right.

Kathleen C. DeMeter, Director
Office of Defects Investigation
Enforcement

Enclosure 1, One CD ROM titled 'EA04-006 IR Attachments' containing two MS Access database (template) files, one MS Excel file (ComplaintVINsNotFoundInPopulation.xls), one digital photograph file (3C44-9F836-AA.jpg), and 14 Adobe Acrobat files containing copies of the VOQs listed above.