

Request 1

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.

Answer

Ford is construing this request broadly and is providing not only studies, surveys, and investigations related to the alleged defect, but also certain notes, correspondence, and other communications that were located pursuant to a diligent search for the requested information. Ford provided documents to NHTSA in PE23-021 in response to a similar question in that investigation and those documents are not being reproduced in response to this IR.

Ford is providing responsive documentation in two separate folders. These folders are located within the "Request 1" folder and are labeled "Non-Confidential" and "Confidential" (for documents that Ford is submitting a request for confidentiality). Ford will be submitting a request for confidentiality in a separate file transfer to the agency's Office of the Chief Counsel pursuant to 49 CFR Part 512. Redacted copies of the confidential documents are also provided and are labeled "Public."

Ford is not producing materials or items containing little or no substantive information. Examples of the types of materials not being produced are meeting notices, raw data lists (such as part numbers or VINs) without any analytical content, duplicate copies, non-responsive elements of responsive materials, and draft electronic files for which later versions of the materials are being submitted. Ford is not producing documents responsive to this request that are protected from disclosure by attorney-client privilege, work-product doctrine, or other applicable immunity. Documents protected from disclosure on these bases are described in a privilege log titled "RQ24-015 Part-2 - Request 1 – Privilege Log".

Ford is seeking to provide the agency with substantive responsive materials in our possession in the timing set forth for our response. We believe our response meets this goal. If the agency would like additional materials, please advise.

Previous Responses and Presentations

As the agency is aware, discussions between Ford and the agency have been ongoing since November 2023. As described above, Ford previously presented to NHTSA on some of its initial assessments on November 02, 2023. In that presentation to NHTSA, Ford showed the results of our pretensioner warranty analysis, which revealed a definitive spike period that typically indicates supplier quality concerns. As Ford never conclusively determined root cause, Ford made its recall decision for 24V-099 based on the field performance of certain MY 2018-2020 Expedition and Navigator vehicles.¹ Performance-based recalls are “common,” and NHTSA specifically pointed to the 24V-099 recall as an industry example of a performance based recall when root cause remained unknown.²

NHTSA also previously investigated this concern through PE23-021 and Ford provided narrative responses to NHTSA’s IR questions on February 5, 2024, and March 6, 2024. Ford also produced documents in regard to that IR.³

Around the same time Ford filed its response to the IR for PE23-021, Ford filed its Defect Information Report on February 9, 2024, that is the subject of this RQ. Prior to filing with NHTSA, Ford’s Field Review Committee reviewed the concern for vehicles built between October 01, 2018, to June 30, 2019, and approved a field action 24S06 (NHTSA Campaign Number 24V-099). That Defect Information Report contains a chronology of all principal events that were the basis for the determination of the defect related to motor vehicle safety, many of which are responsive to this question.

After filing the Defect Information Report for 24S06, Ford and NHTSA continued their dialogue on this recall. Ford also responded to NHTSA questions related to the scope of this recall and the repair procedures on March 28 and April 1, 2024. Most recently, Ford responded to NHTSA’s questions related to four related VOQs on October 16, 2024.

Key Documents Provided in Response to Request #1

Given the amount of information Ford is providing and has provided regarding PE23-021 and in response to informal NHTSA requests, Ford is highlighting five key documents for NHTSA’s review. Other documents exist in response to the question and are being provided to NHTSA. If the agency should have questions concerning any of the documents, please advise.

A description of five key documents follows:

- (1) (Bates Beg - RQ24-015_0000000001; Bates End - RQ24-015_0000000012) – This is a presentation made to NHTSA on November 02, 2023. It includes key findings and the work to find a definitive root cause. This presentation was previously shared with NHTSA confidentially. Relevant to RQ24-015, this presentation includes a chart that shows a clearly defined “spike period,” which guided Ford’s later determinations.

¹ Ford relies on the performance record of a vehicle or component in making a defect determination where the engineering or root cause of a failure is unknown. See *Wheels*, 518 F.2d at 432.

² See Supplemental Initial Decision That Certain Frontal Driver and Passenger Air Bag Inflators Manufactured by ARC Automotive Inc. and Delphi Automotive Systems LLC, and Vehicles in Which Those Inflators Were Installed, Contain a Safety Defect, 89 Fed. Reg. 63473, 63485 fn. 131 (August 5, 2024) (“It is common for the industry to recognize obvious defects without identifying a specific cause when, based on the performance record, they present a severe risk to safety,” *citing* 24V-099.

³ All other documents that were already submitted during PE23-021 submission are not being reproduced in response to this IR.

- (2) (Bates Beg - RQ24-015_0000001128; Bates End - RQ24-015_0000001188) – This is a presentation made by the Ford CCRG on January 25, 2024, to the Technical Review Group prior to approval of the 24S06 program. This presentation shows that root cause is still undetermined, and Ford continues to monitor field performance data. It provides a good visual understanding of the issue.
- (3) (Bates Beg - RQ24-015_0000000882; Bates End - RQ24-015_0000000891) – This is a presentation made in an ASO meeting, called an EMM. This presentation shows what the updated field data looked like in September 2024.
- (4) (Bates Beg - RQ24-015_0000002808; Bates End - RQ24-015_0000002815) – This is the 8D report received from seatbelt pretensioner supplier ZF on December 05, 2024. It documents the potential root cause from supplier's perspective and proposed corrective actions that the supplier is investigating. This presentation shows that Ford's supplier continues to investigate the root cause.
- (5) (Bates Beg - RQ24-015_0000002818; Bates End - RQ24-015_0000002843) – This is a micro-gas-generator investigation report conducted by the supplier ZF and includes the summary of parts analysis conducted by ZF on subject components in the vehicles outside of 24S06 population.

A review of these five documents provides an overview of the timeline of Ford's investigation on this topic from its first engagement with NHTSA to the present inquiry.