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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

WEB SITE: <http://commerce.senate.gov>

ELLEN DONESKI, STAFF DIRECTOR
DAVID SCHWIETERT, REPUBLICAN STAFF DIRECTOR

April 15, 2014

Mr. Rodney O'Neal
Chief Executive Officer and President
Delphi Automotive
5725 Delphi Drive
Troy, Michigan 48098-2815

Dear Mr. O'Neal:

As you are aware, General Motors ("GM") has initiated a recall of more than 2.5 million vehicles due to issues with a defective ignition switch and airbag non-deployment. These issues have been associated with as many as 34 crashes and 13 fatalities.¹ GM alleges that the ignition switch in question was manufactured by your company Delphi Packard Electrical/Electronic Architecture.²

On April 2, 2014, the Consumer Protection, Product Safety, and Insurance Subcommittee of the Senate Commerce, Science, and Transportation Committee ("the Committee") held a hearing to examine the response of GM and the National Highway Traffic Safety Administration ("NHTSA") to this defect. We are writing to you today seeking additional information about the role your company played in producing the defective ignition switch and the delay of more than 10 years in notifying consumers and beginning to repair the defect.

We ask that you provide us with the documents and answers requested below no later than April 28, 2014. This information will assist us in understanding the role Delphi played in this matter.

It is our understanding that a fix was proposed by Delphi regarding the ignition switch in 2005 but GM did not adopt the change.³ We request that you provide the Committee all documents regarding Delphi's 2005 proposal to fix the ignition switch, including communications with GM.

In addition, we request responses to the following questions:

1. Did Delphi originate the discussion to fix the part or did GM?
2. What were the reasons given to Delphi by GM in rejecting the design change in 2005?

¹ Hilary Stout, et al., *Auto Regulators Dismissed Defect Tied to 13 Deaths*, N.Y. TIMES, Mar. 9, 2014, at A1.

² Letter from M. Carmen Benavides, Dir., Prod. Investigations and Safety Regulations, Gen. Motors, to Nancy Lewis, Associate Adm'r for Enforcement, NHTSA at Attachment A (Feb. 24, 2014).

³ *Id.*, Attachment B at 1.

3. Did Delphi protest this decision at any point or raise any concern that a failure to enact this change could be fatal for consumers who drive vehicles containing the faulty ignition switch?
4. Did Delphi at any point have communication with NHTSA regarding the ignition switch in the recalled models? If so, please provide copies of all correspondence with the agency on the matter.

In 2006, GM approved a design change for the ignition switch produced by Delphi, but a new part number was not used to appropriately distinguish between the new and old parts.⁴ Please provide the Committee all documents regarding the decision concerning whether to use a new part number for the ignition switch produced by Delphi that resulted from the design change approved in 2006 by GM.

In addition, we request responses to the following questions:

1. Why was the part number not changed?
 - a. Did Delphi determine that the part was not significantly altered and therefore did not necessitate a part change?
 - b. Did GM ask that the part number remain the same?
2. Please provide any Delphi policy that governed determinations — and any updated or current policies — regarding whether a change in design warrants a change in part number and include answers to the following:
 - a. What is the threshold used by Delphi to determine whether a change to a part is significant enough to warrant a change to the part number?
 - b. Is it standard practice by Delphi to change a part and not change the part number? Are there exceptions?
 - c. Would Delphi keep the part number the same if asked to do so by the vendor they are supplying? Is that standard practice?
 - d. Please provide examples of circumstances when Delphi has made changes to a part in the past and not issued a new number for the part.

As we continue evaluating the GM recall it is critically important that we understand the decisions made by Delphi and the company's interaction with GM. In your response to these questions, please provide all corresponding documentation that will assist us in determining what Delphi knew and the actions taken to replace the faulty ignition switches it provided to GM. Furthermore, attached with this letter are instructions on submitting documents to the Committee.

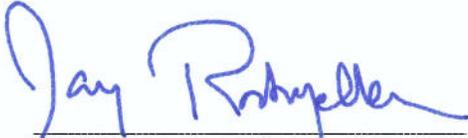
Rather than relying only on GM's version of events, we believe that consumers throughout the United States should hear directly from you regarding this issue and Delphi's actions. We will also be requesting a briefing with our staff to follow up on this matter. If you have any

⁴ Bill Vlasic, *An Engineer's Eureka Moment with a G.M. Flaw*, N.Y. TIMES, Mar. 29, 2014, at A1.

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questions, please feel free to contact Anna Laitin, Majority staff, at (202) 224-1270 and Peter Feldman, Minority staff, at (202) 224-1251 or Josh Finestone, Minority staff, at (202) 224-6244.

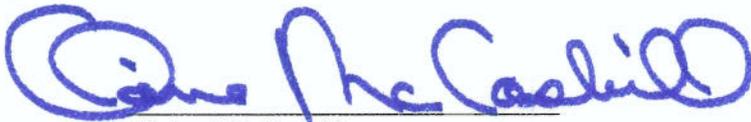
Sincerely,



John D. Rockefeller IV
Chairman
Committee on Commerce, Science, and
Transportation



John Thune
Ranking Member
Committee on Commerce, Science, and
Transportation



Claire McCaskill
Chairman
Subcommittee on Consumer
Protection, Product Safety, and
Insurance



Dean Heller
Ranking Member
Subcommittee on Consumer
Protection, Product Safety, and
Insurance