

Congress of the United States

House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

2321 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6301

(202) 225-6371
www.science.house.gov

April 12, 2018

VIA ELECTRONIC MAIL & FACSIMILE

Mr. Herbert Diess
Chief Executive Officer
Volkswagen AG
Wolfsburg, Germany

Dear Mr. Diess,

The Committee on Science, Space, and Technology is conducting an investigation of the ongoing allegations that Volkswagen AG (VW) continues to circumvent global emissions requirements. According to the *Daily Telegraph*, VW vehicles in the United Kingdom continue to be non-compliant and according to *Reuters*, the company continues to be subject to law enforcement investigations in Germany.¹ Independent of published allegations, the Committee has obtained information indicating that VW continues to struggle to comply with the applicable regulations, particularly in Europe. As part of this investigation, the Committee requests documents and information relating to research, development, and technology used to control emissions as well as current testing data on VW emissions.

In 2013, researchers at the University of West Virginia – working on a grant of less than \$70,000 – reported data and methodology that would lead to uncovering VW's scheme to circumvent Clean Air Act emissions regulations on diesel vehicles. The deception escaped federal regulators. Then, in 2016, after negotiations with the U.S. Department of Justice and other government entities, VW entered into a settlement with the United States government for billions of dollars “to settle allegations of cheating emissions tests and deceiving customers.”² VW continues to face allegations of non-

¹ Katie Morley, *One in Ten Car Which Had Free VW Fix Have Experienced 'Limp Mode' in High Speed, Lawyers Claim*, DAILY TELEGRAPH, Mar. 26, 2018; Reuters Staff Reporters, *Prosecutors Search Volkswagen Headquarters in New Emissions Investigation*, REUTERS, March 201, 2018.

² Press Release, U.S. Dep't of Justice, *Volkswagen to Spend Up to \$14.7 Billion to Settle Allegations of Cheating Emissions Tests & Deceiving Customers on 2.0 Liter Diesel Vehicles*, found at

compliance. According to the *New York Times*, one year ago German prosecutors raided VW's Audi division in an effort to obtain evidence related to Audi's conduct in the U.S.³ Three weeks ago, VW was again under siege from German law enforcement. This time VW's headquarters was searched by German authorities.⁴

Recently, the Science Committee obtained information from a confidential source supporting the law enforcement actions and raising concerns that VW is perpetuating this scheme in Europe and elsewhere globally. Although VW is no longer selling diesel vehicles in the U.S., the concern still exists that the use of stealth technology to avoid regulations could be used by VW or other companies in the future to deceive regulators in the U.S. Similarly, where U.S. policymakers have determined there is a need for regulation, it is incumbent upon this Committee to investigate to ensure that emerging technologies in the car industry and other industries are not used to circumvent regulations.

To that end, this Committee is interested in understanding and identifying any emerging or secret technologies used to circumvent U.S. regulations. We have an obligation to investigate the science underpinning the legal and regulatory actions against VW. In order to assist the Committee with its investigation, please produce the following documents, in electronic format, for the time period September 29, 2015, to the present:

1. All documents and communications referring or relating to emissions testing of gasoline vehicles manufactured and sold in the U.S. market.
2. All documents and communications referring or relating to emissions testing of diesel vehicles manufactured and sold in markets other than the U.S.
3. All documents and communications referring or relating to VW repairs of vehicles in Europe, including but not limited to, any consumer complaints and VW responses.

In addition, the Committee intends to hold a hearing in June to examine the use of advanced technologies to circumvent regulations. Please provide dates in June when you would be available to travel to Washington, D.C. to provide testimony.

The Committee has jurisdiction over environmental and scientific research and development programs and "shall review and study on a continuing basis laws, programs, and Government activities" as set forth in House Rule X. This request and any

<https://www.justice.gov/opa/pr/volkswagen-spend-147-billion-settle-allegations-cheating-emissions-tests-and-deceiving>, last visited on Apr. 10, 2018.

³ Jack Ewing, *German Police Raid Audi Offices, Escalating Volkswagen Diesel Inquiry*, N.Y. TIMES, Mar. 15, 2017.

⁴ Reuters Staff Reporters, *Prosecutors Search Volkswagen Headquarters in New Emissions Investigation*, REUTERS, March 201, 2018.

Mr. Diess
April 12, 2018
Page 3

documents created as a result of this request will be deemed congressional documents and property of the House Science Committee. An attachment to this letter provides additional information about responding to the Committee's request.

We request that you provide the requested documents and information as soon as possible, but no later than 5:00 p.m. on April 26, 2018. When producing documents to the Committee, please deliver production sets to the Majority Staff in Room 2321 of the Rayburn House Office Building and the Minority Staff in Room 394 of the Ford House Office Building. The Committee prefers, if possible, to receive all documents in electronic format.

If you have any questions about this request, please contact Ashley Callen or Joseph Brazauskas of the Committee Staff at 202-225-5074. Thank you for your attention to this matter.

Sincerely,



Lamar Smith
Chairman
Committee on Science, Space, and
Technology



Dana Rohrabacher
Member
Committee on Science, Space, and
Technology

Encl.

cc: The Honorable Eddie Bernice Johnson, Ranking Minority Member, House Committee on Science, Space and Technology