

# Congress of the United States

## House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

2321 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6301

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[www.science.house.gov](http://www.science.house.gov)

June 14, 2018

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

Dear Mr. Diess,

The Committee on Science, Space, and Technology previously wrote Volkswagen AG (VW) regarding allegations that VW “continues to circumvent global emissions requirements” using stealth technology.<sup>1</sup> Recent reports and law enforcement action against VW indicate that there could still be potential issues within the company that would be of concern to the U.S. government.<sup>2</sup> VW continues to operate under a cloud—recently news broke that VW was required to pay over a billion dollar fine in Germany.<sup>3</sup> The Committee is wary that more companies could be engaging in research and development (R&D) aimed at defeating emissions regulations, as well as using emerging technologies to manipulate and defeat these same U.S. regulations. Therefore, in order to exercise effective oversight of and coordination with EPA, the Committee has an obligation to understand the depth and breadth of the usage of this technology.

The Committee has advocated a restrained approach to regulation. However, where U.S. policymakers have determined there is a need for regulations, it is incumbent upon this Committee to investigate to ensure that R&D on emerging technologies in the automobile and

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<sup>1</sup> Letter from Hon. Lamar Smith, Chairman, H. Comm. on Sci., Space, & Tech. and Hon. Dana Rohrabacher, Member, H. Comm. on Sci., Space, & Tech. Comm. to Mr. Herbert Diess, Chief Exec. Officer, Volkswagen AG (Apr. 12, 2018).

<sup>2</sup> Jack Ewing, *Top Porsche Official Targeted in German Police Raid Tied to Diesel Scheme*, N.Y. TIMES (Apr. 18, 2018), <https://nyti.ms/2vpLdHV>; Reuters Staff, *Prosecutors search Volkswagen headquarters in new emissions investigation*, REUTERS (Mar. 20, 2018), <https://www.reuters.com/article/us-volkswagen-emissions/prosecutors-search-volkswagen-headquarters-in-new-emissions-investigation-idUSKBNIGW0PT>; Andreas Cremer & Irene Preisinger, *Volkswagen's Audi finds emissions problem with another 60,000 cars*, REUTERS (May 8, 2018), <https://uk.reuters.com/article/uk-audi-emissions/volkswagens-audi-finds-emissions-problem-with-another-60000-cars-idUKKBN1I91ID>; William Boston, *Volkswagen Fined \$1.17 Billion in Germany in Emissions-Cheating Scandal*, WALL ST. J. (June 13, 2018), <https://www.wsj.com/articles/volkswagen-fined-1-1-billion-in-germany-in-emissions-cheating-scandal-1528914419>.

<sup>3</sup> Boston, *supra* note 2.

other industries is not used to illegally circumvent regulations resulting in unfair competition and public harm. We appreciate the efforts VW has taken to meet with Committee staff to discuss these issues, and given your concerns, we are making an accommodation by significantly narrowing the Committee's requests.

To continue assisting the Committee with its investigation, please produce the following documents, in electronic format, for the time period January 1, 2016, to the present:

1. All documents and communications sufficient to show a detailed timeline of events and activity related to VW's actions in response to the violations outlined in the Clean Air Act civil settlements in 2016.
2. All documents and communications between and among VW and Bosch referring or relating to the development, testing, approval, and use of the software installed in diesel model passenger vehicles that EPA found to act as a "defeat device," including any documents and communications with any suppliers involved in the development of the electronic control module and any associated software capable of cycle detection.
3. All documents and communications between and among VW and Bosch referring or relating to any anomalies or discrepancies concerning actual on-road performance of VW models and the performance of those models under EPA or other testing conditions since January 2016.

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

The Committee on Science, Space, and Technology 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 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.

Please provide the requested documents and information as soon as possible, but no later than 5:00 p.m. on June 28, 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.

Mr. Herbert Diess  
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If you have any questions about this request, please contact Travis Voyles or Ashley Callen of the Committee staff at 202-225-6371. Thank you for your attention to this matter.

Sincerely,



Lamar Smith  
Chairman  
House Committee on Science,  
Space, and Technology



Dana Rohrabacher  
Member  
House Committee on Science,  
Space, and Technology

Encl.

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