

HENRY A. WAXMAN, CALIFORNIA
CHAIRMAN

JOHN D. DINGELL, MICHIGAN
CHAIRMAN EMERITUS
EDWARD J. MARKEY, MASSACHUSETTS
RICK BOUCHER, VIRGINIA
FRANK PALLONE, JR., NEW JERSEY
BART GORDON, TENNESSEE
BOBBY L. RUSH, ILLINOIS
ANNA G. ESHOO, CALIFORNIA
BART STUPAK, MICHIGAN
ELIOT L. ENGEL, NEW YORK
GENE GREEN, TEXAS
DIANA DEGETTE, COLORADO
VICE CHAIRMAN
LOIS CAPPS, CALIFORNIA
MIKE DOYLE, PENNSYLVANIA
JANE HARMAN, CALIFORNIA
JAN SCHAKOWSKY, ILLINOIS
CHARLES A. GONZALEZ, TEXAS
JAY INSLEE, WASHINGTON
TAMMY BALDWIN, WISCONSIN
MIKE ROSS, ARKANSAS
ANTHONY D. WEINER, NEW YORK
JIM MATHESON, UTAH
G.K. BUTTERFIELD, NORTH CAROLINA
CHARLIE MELANCON, LOUISIANA
JOHN BARROW, GEORGIA
BARON P. HILL, INDIANA
DORIS O. MATSUI, CALIFORNIA
DONNA CHRISTENSEN, VIRGIN ISLANDS
KATHY CASTOR, FLORIDA
JOHN SARBANES, MARYLAND
CHRISTOPHER MURPHY, CONNECTICUT
ZACHARY T. SPACE, OHIO
JERRY MCNERNEY, CALIFORNIA
BETTY SUTTON, OHIO
BRUCE BRALEY, IOWA
PETER WELCH, VERMONT

JOE BARTON, TEXAS
RANKING MEMBER

ROY BLUNT, MISSOURI
DEPUTY RANKING MEMBER
RALPH M. HALL, TEXAS
FRED UPTON, MICHIGAN
CLIFF STEARNS, FLORIDA
ED WHITFIELD, KENTUCKY
JOHN SHIMKUS, ILLINOIS
JOHN B. SHADEGG, ARIZONA
STEVE BUYER, INDIANA
GEORGE RADANOVICH, CALIFORNIA
JOSEPH R. PITTS, PENNSYLVANIA
MARY BONO MACK, CALIFORNIA
LEE TERRY, NEBRASKA
MIKE ROGERS, MICHIGAN
SUE WILKINS MYRICK, NORTH CAROLINA
JOHN SULLIVAN, OKLAHOMA
TIM MURPHY, PENNSYLVANIA
MICHAEL C. BURGESS, TEXAS
MARSHA BLACKBURN, TENNESSEE
PHIL GINGREY, GEORGIA
STEVE SCALISE, LOUISIANA
PARKER GRIFFITH, ALABAMA
ROBERT E. LATTA, OHIO

ONE HUNDRED ELEVENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6115

MAJORITY (202) 225-2927
FACSIMILE (202) 225-2525
MINORITY (202) 225-3641

energycommerce.house.gov

July 21, 2010

The Honorable David L. Strickland
Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, S.E.
West Building
Washington, D.C. 20590

Dear Administrator Strickland:

On July 13, 2010, *The Wall Street Journal* reported that data retrieved by the Department of Transportation from the event data recorders (EDRs) in Toyota vehicles allegedly involved in sudden unintended acceleration events revealed that the throttles were “wide open” and the brakes were not depressed.¹

Committee on Energy and Commerce (Committee) staff contacted the National Highway Traffic Safety Administration (NHTSA) the day after the report surfaced and requested a briefing on any EDR data in NHTSA’s possession. NHTSA staff replied that it had no EDR data despite possessing the EDRs since April 2010. NHTSA staff further suggested that the data in *The Wall Street Journal* article did not come from NHTSA.

Several subsequent news reports now indicate that NHTSA has denied any connection with *The Wall Street Journal* article, leading some industry analysts to conclude that Toyota is the source,² a claim Toyota also reportedly denies.³

Given these murky facts, it is important for us to know whether NHTSA has EDR data showing that some incidents of reported sudden unintended acceleration were the result of pedal misapplication. This Committee recently passed, and the House of Representatives may soon consider, a sweeping \$800 million reauthorization of NHTSA that includes provisions aimed at unintended acceleration.

¹ See http://online.wsj.com/article/SB10001424052748703834604575364871534435744.html?mod=WSJ_hps_LEADNewsCollection

² See <http://kansascity.injuryboard.com/automobile-accidents/did-toyota-leak-premature-test-findings-in-pr-stunt.aspx?googleid=283044> and <http://www.safetyresearch.net/2010/07/14/no-black-box-exoneration-for-toyota/>.

³ See http://www.just-auto.com/news/toyota-us-unit-strongly-objects-to-nhtsa-claims_id105138.aspx.

We therefore respectfully request an update on the status of your investigation and the data in your possession. Please contact Committee staff to arrange a briefing to occur no later than Monday, July 26, 2010, and be prepared to answer the following questions.

1. According to Mike Ramsey, *The Wall Street Journal* directly received EDR data from NHTSA. Is this true?
2. If the answer to the previous question is no, have you or anyone at NHTSA requested *The Wall Street Journal* retract the statements in the July 13, story entitled "Early Tests Pin Toyota Accidents on Drivers" that identifies NHTSA as its source?
3. NHTSA staff asserted to Committee staff that NHTSA had no EDR data despite having possession of the devices since April. Is this assertion that NHTSA has no EDR data true? If not, how long has NHTSA had EDR data?
4. When will NHTSA's EDR data analysis be complete?
5. When will the NHTSA/NASA Unintended Acceleration Study be complete?

Thank you for your cooperation. If you have any questions, please contact Minority Committee staff at (202) 225-3641.

Sincerely,



Joe Barton
Ranking Member



Ed Whitfield
Ranking Member
Subcommittee on Commerce, Trade, and
Consumer Protection



Michael C. Burgess
Ranking Member
Subcommittee on Oversight and Investigations

cc: The Honorable Henry A. Waxman, Chairman

The Honorable Bobby L. Rush, Chairman
Subcommittee on Commerce, Trade, and Consumer Protection

The Honorable Bart Stupak, Chairman
Subcommittee on Oversight and Investigations