

ONE HUNDRED FOURTEENTH 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
Minority (202) 225-3641

September 29, 2015

Mr. Michael Horn
President and CEO
Volkswagen Group of America, Inc.
2200 Ferdinand Porsche Drive
Herndon, VA 20171

Dear Mr. Horn:

On September 18, 2015, the Environmental Protection Agency (EPA) notified Volkswagen AG, Audi AG, and Volkswagen Group of America, Inc. (collectively, VW) that the agency “determined that VW manufactured and installed defeat devices” in certain model year Volkswagen and Audi diesel passenger cars. The “defeat devices” took the form of software, according to the agency, that “sensed” when the vehicles were undergoing emissions testing and ensured emissions control systems were operating to pass the tests. During normal vehicle use, according to the agency, the software would “switch” to a different mode that produced certain emissions 10 to 40 times above EPA standards and in violation of the Clean Air Act. The scope of the alleged violations — affecting some 480,000 vehicles according to news reports — and EPA’s assertion that VW admitted it “designed and installed” defeat devices in these vehicles, raise serious questions about VW’s efforts to comply with its statutory obligations under the Clean Air Act.

The Committee on Energy and Commerce and its Subcommittee on Oversight and Investigations are investigating the facts and circumstances surrounding VW’s use of software in vehicle emissions control systems to affect Clean Air Act related compliance and emissions test results. To assist the committee with its investigation, and pursuant to Rules X and XI of the U.S. House of Representatives, we ask that you provide to the committee the following:


1. All documents, including communications, relating to compliance with the Clean Air Act, EPA emissions standards and regulations, or testing of diesel emissions for all make and model year vehicles associated with the alleged violation(s).

2. All documents, including communications, relating to EPA and California Air Resources Board (CARB) inquiries concerning potential noncompliance of any VW models with emissions standards or with EPA's certificates of conformity applications.
3. All documents, including communications, relating to VW efforts to respond to EPA and CARB requests to explain potential noncompliance with EPA or California standards and emissions test requirements, including, but not limited to, VW deliberations concerning any and all recalls and technical solutions initiated or considered to address EPA or CARB concerns.
4. All documents, including communications, 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 2010.
5. All documents, including communications, relating to the development, testing, approval and use of the software installed in the electronic control module of diesel model passenger vehicles that EPA alleges acts as a "defeat device." This includes any documents, including communications, with any suppliers involved in the development of the electronic control module and any associated software.
6. A detailed timeline of events and activity related to the alleged violation(s) outlined in EPA's Notice of Violation dated September 18, 2015.

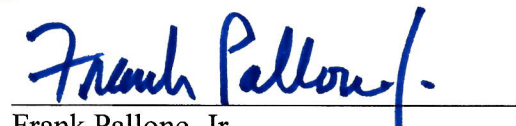
Please produce the requested information by October 13, 2015. We also request that you arrange VW to provide an initial briefing with committee staff to occur by October 2, 2015. Instructions for responding to the committee's document requests are included as an attachment to this letter.

We request that you arrange to provide this briefing with committee staff to occur by October 2, 2015. If you have questions regarding this request, please contact Peter Spencer or John Ohly of the majority committee staff at (202) 225-2927 or Elizabeth Letter or Ryan Gottschall of the minority committee staff at (202) 225-3641.

Sincerely,



Fred Upton
Chairman



Frank Pallone, Jr.
Ranking Member



Tim Murphy
Chairman
Subcommittee on Oversight and
Investigations



Diana DeGette
Ranking Member
Subcommittee on Oversight and
Investigations

Attachment