



Anthony Foxx
Secretary
Department of Transportation

May 18, 2016

Mark R. Rosekind
Administrator
National Highway Traffic and Safety Administration

Dear Secretary Foxx and Administrator Rosekind:

As NHTSA rushes to issue new guidance on autonomous vehicle technology, Consumer Watchdog calls on you both to take an essential step to demonstrate that the policies coming out of the process are unbiased and in the public interest. You must make a public commitment that you will not work for developers of self-driving autonomous vehicles for at least seven years after leaving government.

Slam shut the revolving door that has become the reward for taking a top job at NHTSA. Failure to do so will leave the public with the troubling perception that the revised autonomous vehicle policies expected to be released in July have been crafted with an eye focused on your future employment prospects rather than on the public interest.

The revolving door between NHTSA and industry has become an embarrassment to the agency and the administration. This was driven home on the eve of NHTSA's second public meeting on autonomous vehicle technology with the announcement that former NHTSA Administrator David L. Strickland would serve as counsel and spokesman for the Self-Driving Coalition for Safer Streets, comprised of Google, Lyft, Uber, Ford and Volvo. Strickland, who spoke on behalf of this coalition to his former employees at the meeting in Stanford, is hardly the first NHTSA veteran now touting the virtues of self-driving cars for Google. Including Strickland, four former agency officials are now leading the race for Google to develop self-driving robot cars without steering wheels and brake pedals so a human driver can take control.

Ron Medford, former Deputy Director of NHTSA, is Director of Safety for Google's self-driving car program. Chan Lieu, who served as Director of Government Affairs, Policy and Strategic Planning, is at Venable, LLP, like Strickland and lobbies for Google. Daniel Smith, who ran NHTSA's Office of Vehicle Safety, is now a Google consultant. This regular shifting of the chessboard with players moving from the regulator to the regulated places the agency at a decided disadvantage and is unfair to current agency staff, who may have worked for them.

Sadly, NHTSA's revolving door is not a recent development. From 1984 to 2010, according to USA Today, the Department of Transportation inspector general found that 40 officials left the safety agency for jobs with automakers, their law firms or auto industry consultants. The group included four administrators, two deputy administrators, seven associate administrators and two chief counsels. In addition, 23 auto industry executives moved into top NHTSA jobs from 1999 to 2010. The practice has become so commonplace that potential NHTSA employees must

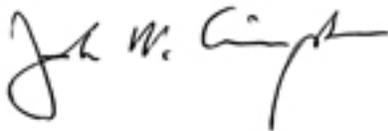
anticipate that a golden parachute will await them when they jump ship to land at an automotive or technology company. Is it any wonder that the public doubts you when you claim that safety is your top priority and that you are acting in our interest?

Consumer Watchdog supports autonomous vehicle policies, such as those proposed by the California Department of Motor Vehicles, that require a driver behind a steering wheel and brake pedal capable of assuming control of the self-driving robot technology when something goes wrong. Data from self-driving car developers show this is a key safety provision. For example, in a required disengagement report filed with the California DMV Google said its self-driving technology failed 341 times during the reporting period. The technology turned over control to the test driver 272 times because it couldn't cope and the test driver intervened 69 times because they felt the situation was dangerous. Consumer Watchdog calls on you to maintain this essential safety requirement in your new autonomous vehicle policies. Google, on the other hand, is adamant in its call for the first generation of robot cars to not have these safety features.

You have repeatedly said that safety is the National Highway Traffic Safety Administration's top priority. However, whatever autonomous policies emerge in July, this much is certain: Unless you lead by example and repudiate the revolving door, any policy you produce will be viewed with skepticism if not downright distrust as a boon for the industry.

You both are in a unique position to both enhance NHTSA's standing and to demonstrate that the new autonomous vehicle policies to be issued in July are truly focused on the public's safety and not your future employment prospects. It's time to seal NHTSA's revolving door with auto industry. Consumer Watchdog calls on you both to pledge not to take employment with, serve as a consultant to, or become lawyer for a company developing self-driving car technology for seven years.

Sincerely,

A handwritten signature in black ink, appearing to read "John M. Simpson". The signature is fluid and cursive, with a long horizontal stroke at the end.

John M. Simpson
Privacy Project Director

Cc: Nathaniel Beuse, Associate Administrator for Vehicle Safety Research