

September 14, 2023

The Honorable Eric J. Soskin
Inspector General
U.S. Department of Transportation Office of Inspector General
1200 New Jersey Ave SE
Washington, DC 20590

Dear Eric Soskin,

We the undersigned urge the Office of Inspector General to investigate whether officials at the Department of Transportation engaged in misconduct and abuse, breached ethics rules and agency standards of conduct, and violated federal law when they coordinated with lobbyists from the trucking industry to suppress taxpayer-financed research on improving public safety in underride crashes with large commercial freight trucks.

Investigative reporting by PBS Frontline and ProPublica revealed that in 2019 and 2020, officials at the Department of Transportation (DOT), at the direction of lobbyists from the trucking industry, censored any mention of the word “regulation” and struck whole sections of a draft government report that assessed technology designed to protect pedestrians, bicyclists, and other vulnerable road users from death and horrific injuries in collisions with commercial freight trucks. The investigation found,

“ATA lobbyists were allowed to review a draft of the report before publication. After the input, researchers were told to remove any use of the word ‘regulation’. The final report didn’t reflect the researchers’ findings, that the [side]guards would save enough lives to justify their cost.”

Based on emails, communications and an industry-edited draft, the journalists said, “It seems like every part [of the draft report] is contested by industry.”¹

These findings raise very serious concerns. If true, they could constitute misconduct, conflict of interest, unethical conduct, and potentially public corruption. At a minimum, they would constitute an abuse of the agency’s mission. In 1999, known as the “second founding” of the DOT, Congress required that the Department pursue “safety as the highest priority, recognizing

¹ A.C. Thompson, Kartikay Mehrotra. PBS/Frontline:

-Regulators Failed to Act to Prevent Underride Crashes: <https://www.propublica.org/article/americas-dangerous-trucks-cars-underride-crash-frontline> Trapped Under Trucks:

<https://www.propublica.org/article/underride-crashes-nhtsa-dot-iihs-safety-cars-trucks>

-DOT Researchers Suggested a Way to Make Big Trucks Safer. After Meeting with Lobbyists, Agency Officials Rejected the Idea: <https://www.propublica.org/article/dot-rejected-truck-side-guards-trucking-lobbyists-safety>

the clear intent, encouragement, and dedication of Congress to the furtherance of the highest degree of safety in motor carrier transportation.”²

Underride crashes are devastating and horrifically violent. They are also preventable. Requirements for side underride guards have been under consideration at DOT since 1969, yet next to no progress has occurred since that time. This has come at an incredible cost. The National Highway Traffic Safety Administration (NHTSA) reports that in 2021 over 5,700 lost their lives in truck crashes and another 155,000 were injured.³ These losses are unacceptable, and side underride guards can help prevent much of this needless loss of life. The DOT Office of Inspector General should treat this issue with the utmost urgency and conduct a robust investigation as soon as possible.

Sincerely,

Tami Friedrich Trakh, President
Truck Safety Coalition
Truck Crash Victim

Daphne & Steve Izer, Co-Chairs
Russell Swift, Co-Chair
Parents Against Tired Truckers (P.A.T.T.)
Truck Crash Victims

Jerry and Marianne Karth
Parents of underride victims, AnnaLeah &
Mary Karth
AnnaLeah & Mary for Truck Safety

Zach Cahalan, Executive Director
Truck Safety Coalition

Tom Devine, Legal Director
Government Accountability Project

Eric Hein
Truck Crash Victim
In Loving Memory of Riley Eric Hein

Jacqueline Garrick
Founder
Whistleblowers of America
Workplace Promise Institute

Joan Claybrook, Chair
Citizens for Reliable and Safe Highways
Former Administrator, National Highway
Traffic Safety Administration

Robert Weissman, President
Public Citizen

Tracy Russ
North Carolina Families for Safe Streets

Paul Taylor
Truckers Justice Center

Lois Durso
Stop Underrides
Truck Crash Victim
In Loving Memory of Roya

Amy Cohen
Families for Safe Streets National

² Pub. L. No. 106-159 (1999), codified at 49 U.S.C. § 113.

³ Overview of Motor Vehicle Traffic Crashes in 2021, NHTSA, Apr. 2023, DOT HS 813 435.

CC: U.S. Department of Transportation Secretary Pete Buttigieg

Senator Maria Cantwell, Chair, Senate Committee on Commerce, Science, and Transportation

Senator Ted Cruz, Ranking Member, Senate Committee on Commerce, Science, and Transportation

Representative Sam Graves, Chair, House Committee on Transportation and Infrastructure

Representative Rick Larsen, Ranking Member, House Committee on Transportation and Infrastructure