

Congress of the United States
House of Representatives
Washington, DC 20515-4311

November 18, 2022

Ann Carlson
Acting Administrator
U.S. National Highway Traffic Safety Administrator
1200 New Jersey Avenue SE
Washington, DC 20590

Acting Administrator Carlson:

I write today with concerns over the national security implications of Autonomous Vehicles (AVs)—once artifacts of science fiction, but now a real technology being tested throughout the United States. AV technology has the potential to improve mobility for people living with disabilities, reduce preventable accidents, and make roads safer. **However, I remain concerned that a lack of U.S. oversight in AV technology has opened the door for a foreign nation to spy on American soil, as Chinese companies potentially transfer critical data to the People's Republic of China (PRC).**

While the California Department of Motor Vehicles has already permitted Chinese companies to test AVs on California roads,¹ there remains a serious lack of oversight regarding their data governance. The potential transfer of critical data to China constitutes a serious national security threat to our country. Republican leaders on the Energy & Commerce Committee have repeatedly flagged considerable concerns regarding Chinese-owned companies transferring Americans' data back to China, and such AV companies with Chinese relationships pose a similar national security risk.

These aspirations from Chinese companies make clear that, absent American leadership, the CCP views autonomous and connected vehicles as a pathway to incorporate their systems and technology into our countries infrastructure. Previously, the CCP successfully infiltrated American infrastructure through Huawei Technologies Co. Ltd, which we are still working to recover from years later. This country cannot make the same mistake with our automobile infrastructure. I remain concerned that the United States has not acted appropriately to address this threat.

In light of my concerns, please answer the following questions by December 15, 2022:

¹ <https://www.dmv.ca.gov/portal/news-and-media/dmv-authorizes-autox-to-test-driverless-vehicle-in-portion-of-san-jose/>

1. Please explain NHTSA's work with the DOD, FBI, or other law enforcement and defense agencies to vet foreign companies who request permits to test autonomous vehicles in America for security risks? Are there any mandates by NHTSA that companies testing autonomous vehicles must keep data collected in America here in the United States?
2. Has NHTSA found or been alerted to any Chinese or other companies collecting and sharing data not directly used to improve self-driving systems to China?
3. What procedures does NHTSA have to protect American personal data and data which may pose a national security risk from collection and sharing to foreign adversaries that may exploit such information?
4. Has NHTSA worked independently, or in collaboration with cities or other local governments to set parameters for what foreign based companies, or foreign owned companies can collect and share abroad while testing autonomous vehicles on American roads?
 1. If yes, please explain your work.
5. Has NHTSA worked independently, or in collaboration with cities or other local governments to limit or prevent Chinese owned companies from collecting information from Americans and sharing such information abroad?
 1. If yes, please explain your work.
6. Has NHTSA worked independently, or in collaboration with cities or other local governments to limit or prevent Chinese owned companies from collecting sensitive information from American infrastructure, including information about sensitive government or military facilities and subsequently sharing such information abroad?
 1. If yes, please explain your work.

I look forward to a timely response to our questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "August Pfluger". The signature is fluid and cursive, with a large initial "A" and a long, sweeping tail.

August Pfluger
Member of Congress