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BY MAIL and EMAIL

Merrick Garland, U.S. Attorney General
United States Department of Justice
950 Pennsylvania Ave., NW
Washington, DC 20530-0001
askdoj@usdoj.gov

Re: The LED Fraud

Dear Merrick Garland,

The automakers are falsely self-certifying their LED headlights as compliant with the National Highway Traffic Safety Administration regulation FMVSS-108 Lamps, Reflective Devices and Associated Equipment. The NHTSA is fully aware of this false self-certification and yet allows it to occur. Because NHTSA and the automakers are acting in concert, this is a conspiracy to commit fraud so we are requesting an investigation by the US Department of Justice.

With the invention of LEDs, there are two categories of light: point source and surface source.

Point Source: The light from a point source is spatially uniform. An incandescent light bulb is an example of a point source. Brightness is measured with luminous intensity in candela. Point source light is generally considered safe and high quality.

Surface Source: The light from a surface source is a directed beam of non-uniform energy. An LED is an example of a surface source. Brightness is measured with luminance in nits (candela per square meter). Surface source light is a low-quality, industrial grade light that is unsafe.

NHTSA regulation FMVSS-108 was written in 1966 and is only applicable to point source light. Point sources include tungsten filament and tungsten filament with halogen gas. FMVSS-108 details minimums and maximums for luminous intensity in candela, which is how brightness is measured for point light sources.

On the other hand, LED headlights are surface sources, with brightness being measured in candela per square meter (nits). FMVSS-108 makes no mention of measuring the peak luminance of the light because, when FMVSS-108 was written, LEDs were just being invented in the lab and details about how LED light is shaped spatially was not understood.

It is not possible for LED headlights to be compliant with FMVSS-108 because the LED chips used in vehicle headlights are exceeding 100,000,000 nits as of 2018 and the power continues to increase.


The auto makers are purposely failing to measure their headlights with the correct instruments and correct precision, thus allowing them to falsely certify their LED headlights. It is this purposeful act of hiding the true nature of the dangers of LED headlights, plus the act of conspiring with NHTSA that makes these actions fraudulent.

We have contacted Jeep, Cadillac, Ford, Toyota, Honda, Hella, General Motors, Stellantis, Rivian and Volkswagen, so there is no doubt that these automakers are fully aware of the fraud they are committing. We have also communicated with Secretary of Transportation Pete Buttigieg, NHTSA Acting Director Steven Cliff, NHTSA Chief Legal Counsel Ann Carlson, and dozens of NHTSA staff, so there is no doubt that NHTSA is fully aware of their participation in the fraud. We have sent a significant amount of evidence to the NHTSA Whistleblower without receiving a single response, so we believe that the NHTSA Whistleblower has been explicitly told not to investigate.

There are likely millions of Americans who cannot neurologically tolerate LED light. This group includes those with epilepsy, migraines, autism, children, and the elderly. These LED electronic devices cause epileptic seizures, migraines, anxiety, distorted vision, eye damage and a host of other negative health consequences. LEDs emit a low-quality, toxic light, and have created a new class of LED light-disabled people whose civil rights are being violated. The consumer was told that the headlights on their vehicles comply with federal regulations and that they are safe, but instead their vehicles fail to comply with Motor Vehicle Safety Act of 1966 and their headlights blind oncoming drivers and pedestrians. Our petition to ban blinding LED headlights has over 30,000 signatures and comments: <https://www.change.org/p/u-s-dot-ban-blinding-headlights-and-save-lives>

Since NHTSA has failed to enforce their own regulations and has conspired with the auto industry to defraud Americans, we are requesting that the Attorney General launch an investigation. To start, I am requesting an appointment for a virtual meeting with a staff member from the AG's office to discuss the LED headlight fraud in detail.

Sincerely,



Mark Baker

President

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