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COMMITTEE ON APPROPRIATIONS

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October 3, 2023

The Honorable Robert Califf, M.D.
Commissioner of Food and Drugs
U.S. Food and Drug Administration
10903 New Hampshire Avenue
Silver Spring, MD 20993

Dear Commissioner Califf:

I write to respectfully ask for your assistance in addressing the potential health and safety impacts of Light Emitting Diode (LED) headlights on automobiles. As you know, the Food, Drug, and Cosmetic Act authorizes the Food and Drug Administration (FDA) to regulate radiation from electronic products, including by promulgating performance standards for such products to protect public health and safety. I have heard from constituents who are concerned that LED headlights may pose risks to other drivers, so I wish to call your attention to those concerns and encourage you to consider promulgating such a standard.

You may be aware that the National Highway Traffic Safety Administration (NHTSA) issued a rule in February 2022 allowing automobile manufacturers to install adaptive driving beam (ADB) headlight systems that improve road safety by illuminating distant objects without impairing the visibility of other drivers. I am pleased that NHTSA took this step, as required by the Infrastructure Investment and Jobs Act. However, because the use of this new technology is not mandatory, there may still be a need for a performance standard. I ask that you carefully consider the health and safety impacts of LED headlights in determining whether a performance standard is necessary to protect public health and safety.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark Pocan', with a stylized flourish at the end.

Mark Pocan
Member of Congress