



U.S. Department
of Transportation

Federal Motor Carrier
Safety Administration

Administrator

1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Chairman Grassley:

Thank you for your letter regarding reports of fraud by individuals who self-certify as Substance Abuse Professionals (SAPs) within the U.S. Department of Transportation (DOT) Return-to-Duty (RTD) process for commercial truck and bus drivers who have controlled substances violations from DOT drug or alcohol tests.

The RTD process is outlined in 49 CFR Part 40, Subpart O and includes referral to and evaluation by an SAP qualified under 49 CFR § 40.281, SAP clearance for RTD testing, a negative RTD test, and ongoing follow-up testing. The Federal Motor Carrier Safety Administration (FMCSA) is aware of reports of fraudulent activities linked to the RTD process for commercial drivers who have had a prohibited status in FMCSA's Drug and Alcohol Clearinghouse. FMCSA is taking aggressive mitigation actions to prevent similar fraudulent actions from occurring in the future and to hold accountable those individuals who violate DOT and FMCSA regulations. The reported fraudulent activities generally involve individuals exploiting the RTD process for monetary gain by entering fraudulent information into the Clearinghouse that allows drivers in a prohibited status to resume driving commercial motor vehicles on U.S. highways without proper clinical assessment, treatment, RTD testing, or follow-up testing oversight.

On April 27, 2026, FMCSA implemented identity verification requirements for all SAPs, Medical Review Officers (MROs), third-party administrators, and employers registering with the Clearinghouse for the first time. The new verification process is completed using IDEMIA, a company specializing in secure identity verification that also provides services to the Department of Homeland Security at U.S. airports. In the near future, FMCSA will begin to require SAPs, MROs, third-party administrators, and employers who are already registered on the Clearinghouse to verify their identity through IDEMIA as a condition of being able to make entries in the Clearinghouse. As an additional step, later in 2026 the Clearinghouse will move completely away from user self-certification. Instead, FMCSA will begin verification of SAP and MRO certifications and licenses and monitor their expiration dates as well as SAP and MRO compliance with the continuing education requirements of 49 CFR Part 40. These actions will

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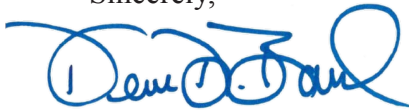
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strengthen fraud prevention, improve record accuracy, and enhance accountability for more than six million users of the Clearinghouse.

In addition, FMCSA works with the DOT Office of Inspector General on investigations into alleged perpetrators making fraudulent entries in the Clearinghouse and is correcting compromised individual driver records in response to driver petitions, requests to delete violations, and Congressional correspondence.

I hope you find this information helpful. If you would like additional information, please feel free to reach out at any time, or your staff may contact Ryan Snyder, Director of Governmental and Legislative Affairs, at ryan.snyder@dot.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Derek D. Barrs", with a stylized flourish at the end.

Derek D. Barrs
Administrator