



May 14, 2021

The Honorable Dick Durbin  
U.S. Senate  
711 Hart Senate Office Building  
Washington, D.C. 20510

The Honorable Bill Cassidy  
U.S. Senate  
520 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senators Durbin and Cassidy:

The [Alliance for Automotive Innovation](#) (Auto Innovators), [Motor & Equipment Manufacturers Association](#) (MEMA) and the [Automotive Anti-Counterfeiting Council](#) (A2C2) support the Integrity, Notification, Fairness in Online Retail Marketplaces for Consumers (INFORM Consumers) Act. The INFORM Consumers Act will help stop the dangerous proliferation of counterfeit motor vehicle parts being sold online.

The motor vehicle industry has made significant investments in innovation in the United States for improving the safety of vehicles for consumers. In a recently released comprehensive [white paper](#), the A2C2 found that many of these safety improvements are being thwarted by the use of counterfeit automotive parts, which are being sold to consumers through third-party marketplaces.

These counterfeit automotive parts [fail to meet](#) the robust testing and quality standards that automobile manufacturers and suppliers follow, thereby putting drivers at risk. For example, airbags are lifesaving devices that have protected [tens of thousands](#) of car occupants. But, counterfeit airbags are known to improperly deploy or not deploy at all. Similarly, counterfeit brake pads have been [found](#) to be made of subpar materials including grass clippings and sawdust, likely jeopardizing stopping ability with the potential to result in personal injury including death.

During the pandemic, Americans have been buying more online than ever before. In fact, consumer spending online increased by 32.1 percent in the last quarter of 2020. With this record number of American consumers now turning to [e-commerce platforms](#) for their shopping needs,

greater efforts must be made to verify independent merchants, especially those located overseas. An automaker [examined](#) counterfeit seller data on one established marketplace, finding that over 75 percent of foreign-seller addresses were completely or partially unverifiable. In 2019, a California man was [sentenced](#) to six months in federal prison after authorities uncovered a scheme involving the sale of counterfeit airbag covers on another established online marketplace. Far too many criminals are slipping through the cracks of these leading online marketplaces.

The INFORM Consumers Act is a common-sense, bipartisan solution to an escalating consumer safety and economic threat and was recently re-introduced in the U.S. Senate by Senators Durbin, Cassidy, Hirono, Grassley, Coons, and Tillis. Senators Rubio and Warnock have also signed on as co-sponsors. The [legislation](#) would require online marketplaces to collect and verify certain business information from high-volume third-party sellers and require the seller to provide basic contact information to consumers.

By addressing the root of the online counterfeit sales issue directly, we can both protect consumers and ensure that the automotive industry continues to drive long-term economic growth. It is our hope that you will join us in supporting the INFORM Consumers Act, which is a viable approach to bolstering transparency and accountability on third-party marketplaces.

We look forward to working with you on keeping American consumers safe while on the road.

Sincerely,

Alliance for Automotive Innovation  
Automotive Anti - Counterfeiting Council  
Motor & Equipment Manufacturing Association

cc: Majority Leader Chuck Schumer  
Minority Leader Mitch McConnell  
Senator Maria Cantwell, Chair, Senate Committee on Commerce, Science, and  
Transportation  
Senator Roger Wicker, Ranking Member, Senate Committee on Commerce, Science, and  
Transportation  
Members of the Senate Committee on Commerce, Science, and Transportation