How Trucking Cos. Can Tackle Risk From New DOJ Task Force

By **Gregory Rosen, William Hart and Lauren Sujeeth** (September 15, 2026)

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For most of the last few decades, a trucking company's worst day in front of federal regulators involved a compliance review, safety rating concerns or a corrective action plan — actions by the government to ensure safe roads and insured carriers. Prosecutions, while not unheard of, were the exception.

Now that may be changing. On Aug. 31, the U.S. Department of Justice joined the U.S. Department of Transportation, the U.S. Department of Homeland Security and the White House Task Force to Eliminate Fraud to announce the Joint Task Force Crossroads of America, a national prosecutorial partnership uniting several U.S. attorney's offices and federal law enforcement agencies, namely the FBI, the U.S. Drug Enforcement Administration, Homeland Security Investigations, Immigration and Customs Enforcement, and the Bureau of Alcohol, Tobacco, Firearms and Explosives.[1]

The attorney general and multiple U.S. attorneys appeared at the announcement, framing the purpose of the Crossroads of America as targeting the infiltration of U.S. companies by "foreigners and illegal aliens [who] have exploited America's trucking industry," as well as the training schools and licensing bodies that enabled them.[2] As Attorney General Todd Blanche put it,[3] the bull's-eye centered on two actors: drivers and the companies that "allow for this dangerous activity."[4]

Those companies, as discussed below, should identify these legal issues themselves and try to fix them before a subpoena forces the question.

The Details of the Initiative

The initiative combines the power of three government agencies.

First, the DOT's Federal Motor Carrier Safety Administration is focusing on driver training schools. Already, the FMCSA has opened roughly 400 investigations into training providers whose drivers failed the English-language proficiency checks, which resulted in more than 160 notices of proposed removal in July and the emergency removal of more than 100 entry-level driver training providers.[5]

The FMCSA also opened a national audit of both third-party commercial driver's license, or CDL, skills testers and the state agencies that oversee them, with the familiar escalation process behind it: notice of noncompliance, corrective action, withholding of federal funding and, if warranted, decertification of a state's authority to issue CDLs at all.[6]

Second, DHS ran a single-day sweep, serving notices of inspection at more than 200 driving schools across 23 states.[7] Law enforcement, through HSI, claimed to have distributed over 1,000 business leads for investigations.[8] Meanwhile, ICE's Enforcement and Removal Operations aimed its dedicated operations at trucking companies, CDL holders and other commercial drivers.[9]

Finally, the DOJ is providing the prosecutorial spine for the fruit of these investigations.

A Shift or a Nudge?

CDL prosecutions themselves are not new. For example:

- In the U.S. District Court for the Eastern District of Louisiana, several state motor vehicle employees and others pled guilty in U.S. v. Alhattab over the past few months in relation to a scheme in which state employees issued commercial learner's permits in exchange for cash and meals, producing more than 100 unqualified CDL holders.[10]

- In U.S. v. Datkun before the U.S. District Court for the Northern District of Illinois, prosecutors in 2024 charged a trucking company owner who allegedly outfitted CDL test-takers with earpieces and collar microphones to enable them to cheat.[11]

- A 2017 case in the U.S. District Court for the Eastern District of California, U.S. v. Singh, identified problematic training entities that simply re-formed even after investigatory action.[12]

So is this new initiative really that different?

In some ways, yes.

First, what is worthy of investigation has moved from safety concerns to immigration status. And with the DOJ now supplying the mission and the target category in advance, prosecutors, rather than field agents, now direct who is worthy of investigation.

The FMCSA's administrative datasets have been converted to a set of law enforcement leads to be investigated in the service of a predefined objective. With more than 28,000 drivers removed from service on English-language proficiency grounds since last June, we expect to see a surge in law enforcement investigations.[13]

Second, the targets have now moved up the chain. Earlier cases were mostly about corrupt Department of Motor Vehicles employees, testers or schools. But these announcements reach carriers and employers more directly.

HSI investigations are more expansive in nature. The DOJ press release mentions investigations into a trucking company suspected of fraudulently using visa holders for domestic cargo hauling;[14] a freight company subject to immigration enforcement after a crash killed a state law enforcement officer;[15] medical practitioners suspected of falsifying the physical examinations that CDL issuance requires;[16] or companies alleged to be combining visa fraud, labor exploitation, financial crimes and narcotics trafficking.

The Statutory Exposure

Carriers tend to assume that the exposure here is only to the undocumented worker or only under immigration law. While it's true that Title 8 of the U.S. Code, for instance, reaches companies that knowingly employ unauthorized workers as part of a broader pattern or practice[17] and criminalizes the concealment or furnishing of housing and transportation of illegal immigrants,[18] Title 18 will also do a fair amount of heavy lifting.

Supplying or knowingly accepting false immigration documents are crimes.[19] Furthermore, because visas, work authorizations and CDLs are all identification documents, using those could potentially lead to charges of identity theft and aggravated identity theft.[20] Individuals and entities may be on the hook for conspiracy or other forms of liability.[21] Finally, the CDL framework in Title 49 also creates additional criminal exposure.[22]

For those carriers and logistics companies that do business with the federal government and move federal freight, the DOJ retains its most versatile tool: the False Claims Act.[23] Any carrier moving product under a federal contract or a contractor that must certify certain requirements regarding its workforce immediately becomes a prime focus for the DOJ's Civil Division, which is willing to use the FCA's treble damages and per-claim penalty clauses.[24]

There are also the Federal Acquisition Regulations, which are replete with legal jeopardies for carriers. Section 52.222-54 requires E-Verify enrollment, flowing down to subcontractors for services over $3,000,[25] and Section 52.203-13 has mandatory disclosure obligations.[26] Executive Order No. 12989 on economical government procurement, published in 1996, supplies a mechanism for debarring contractors.[27] A DHS termination of an E-Verify memorandum of understanding could trigger a referral to the DOJ.

While it's not likely that every case will draw an all-hands-on-deck approach under the current charging protocols, that will not stop relators from qui tam actions. The freight world is full of dispatchers and safety directors who know exactly where files might be thin. And with the U.S. Court of Appeals for the Eleventh Circuit's Sept. 1 decision and remand in Zafirov v. Florida Medical Associates LLC, the relator bar remains resolute.[28]

The Next Steps

Companies and carriers should take proactive steps to identify their risk areas.

1. Audit files. Use the public Training Provider Registry to identify drivers whose certifying providers have been removed or noticed for removal.

2. Verify English proficiency. Section 391.11(b)(2) obligates the carrier to qualify a driver. Document this at hire and review.

3. Run a Form I-9 audit and correct errors as they come, in the right and prescribed manner, with updated signatures and dates. Don't backdate.

4. Verify medical examiner credentials for all drivers.

5. Build a protocol for notices of inspection before you need one. Designate a company representative responsible for responding to these inquiries and develop a written protocol to ensure uniformity and consistency. Train your team on preservation.

6. Don't be afraid of documentation. If you have a problem with a carrier, driver or school, document it. Create a record, including — most importantly — how you resolved the issue.

7. For those that obtain federal funding, buyer beware. Know the relevant FAR or regulatory requirements for how you obtain, use and certify federal funding. If

something bad happens, do not look the other way. The False Claims Act does not excuse willful blindness; it guarantees a federal payday.

Conclusion

Failing to identify the areas of risk, or even take some basic steps to mitigate them, has its consequences. In the past, these issues became administrative or regulatory headaches. Under the joint initiative, they now carry implications that reach a jail cell. Companies must protect themselves.

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[1] Press Release, U.S. Dep't of Justice, Off. of Pub. Affs., No. 26-1000, "U.S. Attorneys and Department of Justice Join Departments of Transportation and Homeland Security and White House Fraud Task Force to Launch Historic Interagency Effort to Crack Down on Fraud in Trucking Industry" (Aug. 31, 2026), https://www.justice.gov/opa/pr/us-attorneys-and-department-justice-join-departments-transportation-and-homeland-security [hereinafter DOJ Press Release]. The release identifies the Joint Task Force Crossroads of America as uniting the U.S. Attorneys' Offices in Illinois, Indiana, Michigan, and Ohio with DOT, the FMCSA, the FBI, the DEA, the HSI, ICE and the ATF.

[2] Id. Eight U.S. attorneys appeared in person at the Detroit announcement; they were joined by Transportation Secretary Sean Duffy, Homeland Security Secretary Markwayne Mullin and White House Task Force to Eliminate Fraud Vice Chairman Andrew Ferguson.

[3] Id.

[4] Id.

[5] DOJ Press Release, supra note 1 (describing 175 investigators deployed across 40 states to conduct nearly 400 investigations of Entry-Level Driver Training providers in July 2026, yielding more than 160 notices of proposed removal).

[6] Id. (describing the annual state CDL program review, formal notification of noncompliance to the governor and state driver's licensing agency, a 30-day corrective action plan window, withholding of federal highway funds of up to 4% in the first year of noncompliance and 8% for each subsequent year, and decertification of a state's authority

to issue CDLs in cases of serious deficiency); see generally Title 49 of the U.S. Code, Section 31314 (withholding of amounts for state noncompliance); Title 49 of the Code of Federal Regulations, Part 384 (state compliance with CDL program requirements).

[7] DOJ Press Release, supra note 1; Press Release, U.S. Dep't of Homeland Sec. (Aug. 31, 2026), https://www.dhs.gov/news/2026/08/31/us-homeland-security-secretary-mullin-us-transportation-secretary-duffy-white-house.

[8] DOJ Press Release, supra note 1 (HSI, in coordination with FMCSA and the DOT Office of Inspector General, disseminated more than 1,000 CDL-related business leads; HSI field offices had issued more than 80 notices of inspection as of the date of the announcement).

[9] Id. (describing Operation ICE Wall, targeting trucking companies and drivers subject to final orders of removal, prior removals, or reinstated removal orders; Operation Guardrail, targeting unlawfully present CDL holders; and Operation Freightliner, coordinating with 287(g) partners to identify and interdict aliens unlawfully operating commercial motor vehicles).

[10] See "Fake Tests, Real Licenses: Three Plead Guilty in Louisiana CDL Fraud Scheme," Landline (Aug. 2026); "3 Plead Guilty in CDL Fraud Scheme in Louisiana," The Trucker (Aug. 2026); https://www.justice.gov/usao-edla/pr/defendants-convicted-scheme-enabling-more-100-drivers-many-not-proficient-english.

[11] See "Feds Charge Illinois Trucking Company Owner in Alleged CDL Fraud," FreightWaves (June 2024) (reporting charges against the owner of an Island Lake, Illinois, testing facility for conspiracy to produce fraudulent identification documents, based on the alleged use of concealed earpieces and collar-mounted microphones to feed answers to CDL test-takers).

[12] See Rob Carpenter, "California's CDL Fraud Factory," The Tea (Mar. 2026) (documenting a federal prosecution arising from a California Department of Motor Vehicles bribery scheme that produced guilty pleas and custodial sentences, and tracing subsequent FMCSA registrations by successor training entities).

[13] DOJ Press Release, supra note 1 (more than 28,000 drivers placed out of service for English-language proficiency violations since June 2025). tHE FMCSA's own rulemaking record supplies the underlying data: Between Jan. 1, 2025, and June 24, 2025, 7,812 ELP violations were issued nationwide, 33 of which resulted in out-of-service orders; between June 25, 2025, and March 19, 2026, 60,399 ELP violations were issued, 19,045 of which resulted in out-of-service orders. English Language Proficiency; Out of Service Criteria, 91 Fed. Reg. (proposed Aug. 10, 2026). Note the distinction between violations and out-of-service orders, and note that an out-of-service order suspends a driver until compliance is demonstrated, rather than permanently removing the driver from the industry.

[14] DOJ Press Release, supra note 1 (HSI investigation of a trucking company suspected of using B-1/B-2 visa holders to transport domestic cargo, resulting in three driver arrests and the seizure of several firearms).

[15] Id.

[16] Id.; see 49 C.F.R. §§ 391.41-49.

[17] 8 U.S.C. § 1324a(a)(1)(A), (a)(2); § 1324a(f)(1); 8 C.F.R. § 274a.2.

[18] 8 U.S.C. § 1324.

[19] 18 U.S.C. § 1546(a), (b).

[20] 18 U.S.C. § 1028(a); 18 U.S.C. § 1028A(a)(1), (b)(2), (c). See also Dubin v. U.S., 599 U.S. 110, 114 (2023) (holding that a defendant "uses" a means of identification "in relation to" a predicate offense only where that use is at the crux of what makes the underlying conduct criminal).

[21] 18 U.S.C. §§ 2, 381 (conspiracy), 1349 (conspiracy to commit wire or mail fraud); 8 U.S.C. § 1324(a)(1)(A)(v)(I)-(II) (conspiracy and aiding and abetting as applied to immigration related offenses).

[22] 49 U.S.C. § 521(b)(6)(A), (b)(6)(B); 49 U.S.C. § 526 (penalties).

[23] 31 U.S.C. §§ 3729-3733.

[24] 31 U.S.C. § 3729(a)(1); 28 C.F.R. § 85.5 (inflation). See also Universal Health Services Inc. v. U.S. ex rel. Escobar, 579 U.S. 176, 194-95 (2016) (implied false certification liability and materiality standard).

[25] FAR 52.222-54 (Employment Eligibility Verification); FAR 22.1802-03.

[26] FAR 52.203-13(b)(3)(i).

[27] Exec. Order No. 12989, 61 Fed. Reg. 6091 (Feb. 13, 1996), as amended by Exec. Order No. 13465, 73 Fed. Reg. 33285 (June 6, 2008).

[28] United States ex rel. Zafirov v. Florida Medical Associates LLC, No. 24-13581, 2026 WL 2581886, at *1 (11th Cir. Sept. 1, 2026) (holding that qui tam relators are not officers of the United States subject to the Appointments Clause, reversing the district court, and remanding for consideration of the defendants' Vesting Clause and Take Care Clause challenges).