

Liberty Unyielding & Bader Family Foundation  
1236 N. Stafford St., Arlington, VA 22201  
(703) 399-6738; [hfb138@yahoo.com](mailto:hfb138@yahoo.com)  
February 8, 2023

Federal Motor Carrier Safety Administration  
FOIA Team MC-MMI, 1200 New Jersey Ave, SE  
Washington, DC 20590, [FOIA2@dot.gov](mailto:FOIA2@dot.gov)

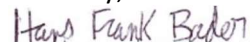
Dear Sir/Madam:

Liberty Unyielding and the Bader Family Foundation (a non-profit 501(c)(3)) hereby request the following records pursuant to the Freedom of Information Act (FOIA):

All communications (other than comments posted at Regulations.Gov) between March 1, 2022, and the date you process this request, about the constitutional implications of requiring commercial motor vehicles to install an electronic device that could wirelessly transmit identifying information to law enforcement, or that would wirelessly transmit identifying information to law enforcement on demand. That includes any communications between March 1, 2022, and the date you process this request, regarding whether the Fourth Amendment prohibits transmitting such information without a warrant, or without probable cause to believe a crime is being committed, or whether the required installation of a transponder constitutes a warrantless search in violation of the Fourth Amendment or a taking of private property in violation of the Fifth Amendment.

Please produce the records in electronic form, including any metadata. We request that fees not be charged for anything other than duplication (and also not for the copying costs of the first 100 pages of duplication) because Liberty Unyielding is a blog that qualifies news media; I am a media representative. Since 2012, Liberty Unyielding has published daily & has thousands of published articles & readers. <https://www.similarweb.com/website/libertyunyielding.com> (showing blog has thousands of readers); <https://libertyunyielding.com> (blog front page); <https://libertyunyielding.com/page/820/> (showing 820<sup>th</sup> page of articles). Courts ruled that bloggers qualified as media entities, even though they blogged less than Liberty Unyielding. *See Cause of Action v. FTC*, 799 F.3d 1108 (D.C. Cir. 2015). Liberty Unyielding is read and quoted by other media entities. *See* Editorial, *Democrats need voters to forget the economy and other commentary*, New York Post, July 8, 2019, <https://nypost.com/2019/07/08/democrats-need-voters-to-forget-the-economy-and-other-commentary/> (quoting “Hans Bader” of “Liberty Unyielding”). Liberty Unyielding has posted and publicly disseminated records obtained through FOIA requests, resulting in news stories that disseminated the records further. *See, e.g.*, Ashe Schow, [\*Biden Administration Knew Its Racial Preferences For COVID Relief Were Unconstitutional, Went Ahead Anyway\*](#), Aug. 21, 2021 (quoting & linking to such records). Thus, disclosure of the records will significantly contribute to public understanding of Federal Government operations or activities. The records will not promote any commercial interest of the requesters. I declare under penalty of perjury under 28 U.S.C. 1746 that the facts stated above are true and correct.

Sincerely,



Hans Bader (Writer and operator, Liberty Unyielding; Trustee, Bader Family Foundation)  
1236 N. Stafford Street, Arlington, VA 22201, [hfb138@yahoo.com](mailto:hfb138@yahoo.com)