













*Inc. v. Rossotti*, 326 F.3d 1309, 1312 (D.C. Cir. 2003) (“Congress amended FOIA to ensure that it be ‘liberally construed in favor of waivers for noncommercial requesters.’” (citation and internal quotations omitted)). Any information disclosed by the ACLU as a result of this FOIA will be available to the public at no cost.

#### **IV. Waiver of All Costs**

The ACLU additionally requests a waiver of all costs pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) (“Documents shall be furnished without any charge . . . if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.”).

The requested information will “contribute significantly to public understanding.” *Id.* Disclosure of the requested information will help the American public better understand the tradeoffs between law enforcement needs and citizens’ privacy. The public needs more information about the use of ALPR so that it can play a meaningful role in determining how the balance should be struck. The public has already demonstrated a strong interest in learning more about ALPR, as is apparent by the escalating amount of press coverage devoted to this issue. *See, e.g.*, Allison Klein & Josh White, *License Plate Readers: A Useful Tool For Police Comes With Privacy Concerns*, Wash. Post, Nov. 19, 2011; Cimarón Neugebauer, *Utah Sheriffs Back Away From Plan To Scan License Plates*, Salt Lake Trib., June 13, 2012; Jon Campbell, *License Plate Recognition Logs Our Lives Long Before We Sin*, L.A. Wkly., June 21, 2012; Andreae Downs, *Police To Deploy Automatic License-Plate Reader*, Bos. Globe, July 8, 2012; G.W. Schulz, *DEA Installs License-Plate Recognition Devices Near Southwest Border*, Sacramento Bee, July 11, 2012.

As a nonprofit 501(c)(3) organization and “representative of the news media” as discussed in Section III, the ACLU is well-situated to disseminate information it gains from this request to the general public and to groups that protect constitutional rights. Because the ACLU meets the test for a fee

