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**Submission ID:** 200246

# Success!

**Your FOIA request has been created and is being sent to the National Highway Traffic Safety Administration.**

You'll hear back from the agency confirming receipt in the coming weeks using the contact information you provided. If you have questions about your request, feel free to reach out to the agency FOIA personnel using the information provided below.

## Contact the agency



FOIA Requester Service Center 

202-366-1834



Mary Sprague, FOIA Public Liaison 

202-366-2330



FOIA Contact, NHTSA Executive Secretariat, W41-304

## Request summary

Request submitted on **March 7, 2021**.

The confirmation ID for your request is **200246**.

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## Contact information

### Name

Aaron Greenspan

### Mailing address

956 Carolina Street  
San Francisco, CA 94107  
United States

### Phone number

+1 415 670 9350

### Fax number

+1 415 373 3959

**Company/organization**

Think Computer Foundation

**Email**

aaron.greenspan@plainsite.org

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**Your request**

Copies of any and all e-mails (with attachments), letters and/or subpoenas to or from Tesla, Inc. (domain names tesla.com or teslamotors.com) from June 3, 2019 through present regarding self-driving vehicles, autonomous vehicles, smart summon, and/or “robo-taxis” (with or without the hyphen).

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**Fees**

**What type of requester are you?**

media

**Fee waiver**

yes

**Fee waiver justification**

Think Computer Foundation operates PlainSite (<http://www.plainsite.org>), which provides public records to the general public free of charge. Our focus concerns monitoring operations of the federal government and we aim to increase public understanding of government operations. Tesla's semi-autonomous driving features and the regulatory landscape surrounding them are of interest to a very broad audience. Other federal agencies have granted Think Computer Foundation fee waivers for FOIA requests several times in the past.

**The amount of money you're willing to pay in fees, if any**

0.00

## Request expedited processing

Expedited processing

no



FOIA.gov

### CONTACT

Office of Information Policy (OIP)  
U.S. Department of Justice  
441 G St, NW, 6th Floor  
Washington, DC 20530  
E-mail: [National.FOIAPortal@usdoj.gov](mailto:National.FOIAPortal@usdoj.gov)

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U.S. Department  
of Transportation  
**National Highway  
Traffic Safety  
Administration**

1200 New Jersey Avenue SE.  
Washington, DC 20590

April 15, 2021

Mr. Aaron Greenspan  
Think Computer Foundation  
956 Carolina Street  
San Francisco, CA 94107  
Email: [aaron.greenspan@plainsite.org](mailto:aaron.greenspan@plainsite.org)

Re: Freedom of Information Act Request No.: ES21-000275

Dear Mr. Greenspan:

This acknowledges receipt of your April 7, 2021, Freedom of Information Act (FOIA) request to the National Highway Traffic Safety Administration (NHTSA). Your request was received by email on April 14, 2021.

NHTSA may assess fees to process your FOIA request. We may not process your request until all fee issues are resolved. Fees may be assessed even if the search does not produce responsive records or the agency withholds them from disclosure.

NHTSA employs a multitrack system for processing FOIA requests that: 1) distinguishes between a simple request and a complex request that may require more time to process; and 2) the number of records involved with respect to the request. In general, a simple request for a specific record or a small number of records is typically processed within 20-30 business days. A complex request that requires a broad search and/or a review of a voluminous amount of records may take longer. When NHTSA determines a request is complex, we notify the requester of estimated processing time. We process complex requests on a first-in, first-out basis.

Currently, the agency is experiencing a significant backlog of simple and complex FOIA requests. If you submitted a request that appears to seek a significant number of records, we strongly encourage you to reformulate or narrow your request to limit the scope of your request in order to qualify for the simple track. Processing complex requests can take over a year given current conditions and agency resources.

You may find more information related to the FOIA process and how NHTSA processes your FOIA here: <http://www.dot.gov/foia>. If you have any questions, or have an interest in narrowing your request to ensure timely processing of your request, please contact us at (202) 366-1834.

Sincerely,

NHTSA's FOIA Office

Begin forwarded message:

**From:** "Humphrey, Shonda (NHTSA)" <[shonda.humphrey@dot.gov](mailto:shonda.humphrey@dot.gov)>  
**Subject:** RE: NHTSA FOIA Requests Update  
**Date:** November 4, 2021 at 4:53:35 AM PDT  
**To:** Aaron Greenspan <[aaron.greenspan@plainsite.org](mailto:aaron.greenspan@plainsite.org)>  
**Cc:** "Bell, Michael (OST)" <[michael.bell1@dot.gov](mailto:michael.bell1@dot.gov)>, "Carlson, Ann (NHTSA)" <[ann.carlson@dot.gov](mailto:ann.carlson@dot.gov)>, "Cliff, Steven (NHTSA)" <[steven.cliff@dot.gov](mailto:steven.cliff@dot.gov)>, "Hirshberg, Danielle (OST)" <[Danielle.Hirshberg@dot.gov](mailto:Danielle.Hirshberg@dot.gov)>

Mr. Greenspan,

The agency has provided responses to you in the past regarding the status of your FOIA requests. These status updates occurred on 5/17/21, 6/22/21, 7/16/21, 7/30/21, and 9/27/21. These responses are in addition to the FOIA responses we provided to you during the same period on 5/14/21, 9/2/21, and 10/26/21. For your current requests, the NHTSA FOIA Unit remains your point of contact for updates. OST's FOIA Office is not involved in processing your requests.

I understand my prior update indicated that additional records responsive to some of your requests would be provided in October. We need a few more weeks to continue processing but you should receive additional records soon. These requests are identified as ES19-003496, ES19-003495, and ES21-000180. For your two other requests, we are continuing to process those. For request ES21-000398, we are reviewing the search results and anticipate providing a response by the end of November, and for request ES21-000275, we are still conducting a search for responsive records. Once we receive those results, we will have a better idea of the anticipated response timeframe and I will send updated information at that point.

Thank you,  
Shonda Humphrey

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**From:** Aaron Greenspan <[aaron.greenspan@plainsite.org](mailto:aaron.greenspan@plainsite.org)>  
**Sent:** Tuesday, November 2, 2021 12:26 PM  
**To:** Hirshberg, Danielle (OST) <[Danielle.Hirshberg@dot.gov](mailto:Danielle.Hirshberg@dot.gov)>  
**Cc:** Humphrey, Shonda (NHTSA) <[shonda.humphrey@dot.gov](mailto:shonda.humphrey@dot.gov)>; Bell, Michael (OST) <[michael.bell1@dot.gov](mailto:michael.bell1@dot.gov)>; Cliff, Steven (NHTSA) <[steven.cliff@dot.gov](mailto:steven.cliff@dot.gov)>; NHTSAFOIAPublicliaison <[NHTSAFOIAPublicliaison@dot.gov](mailto:NHTSAFOIAPublicliaison@dot.gov)>; Eric Kashdan <[eric\\_kashdan@markey.senate.gov](mailto:eric_kashdan@markey.senate.gov)>  
**Subject:** Fwd: NHTSA FOIA Requests Update

**CAUTION:** This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Ms. Hirshberg,

I cannot seem get a response from NHTSA's FOIA office or even Mr. Bell anymore. This is unacceptable.

Please advise.

Aaron

PlainSite | <https://www.plainsite.org>

Begin forwarded message:

**From:** Aaron Greenspan <[aaron.greenspan@plainsite.org](mailto:aaron.greenspan@plainsite.org)>  
**Subject:** Fwd: NHTSA FOIA Requests Update  
**Date:** November 1, 2021 at 10:32:19 AM PDT  
**To:** Shonda Humphrey <[shonda.humphrey@dot.gov](mailto:shonda.humphrey@dot.gov)>  
**Cc:** Michael Bell <[michael.bell1@dot.gov](mailto:michael.bell1@dot.gov)>

Ms. Humphrey,

It is now November.

Where are the documents?

Aaron

PlainSite | <https://www.plainsite.org>

Begin forwarded message:

**From:** Aaron Greenspan <[aaron.greenspan@plainsite.org](mailto:aaron.greenspan@plainsite.org)>  
**Subject:** Re: NHTSA FOIA Requests Update  
**Date:** October 29, 2021 at 10:35:38 AM PDT  
**To:** Shonda Humphrey <[shonda.humphrey@dot.gov](mailto:shonda.humphrey@dot.gov)>  
**Cc:** Michael Bell <[michael.bell1@dot.gov](mailto:michael.bell1@dot.gov)>

Ms. Humphrey,

It is now the last business day of October, and I still have no documents from you despite your assurances below, let alone any update on my other FOIA requests.

Please advise.

Aaron

PlainSite | <https://www.plainsite.org>

On Oct 19, 2021, at 4:04 PM, Aaron Greenspan <[aaron.greenspan@PLAINSITE.ORG](mailto:aaron.greenspan@PLAINSITE.ORG)> wrote:

Ms. Humphrey,

It is now past "mid-October," I have no additional documents or responses from you, and no update as to the status of Request Nos. ES21-000275, submitted March 7, 2021 or ES21-000398, submitted May 27, 2021.

Please advise.

Aaron

PlainSite | <https://www.plainsite.org>



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**Submission ID:** 221671

# Success!

**Your FOIA request has been created and is being sent to the National Highway Traffic Safety Administration.**

You'll hear back from the agency confirming receipt in the coming weeks using the contact information you provided. If you have questions about your request, feel free to reach out to the agency FOIA personnel using the information provided below.

## Contact the agency



FOIA Requester Service Center 

202-366-1834



Mary Sprague, FOIA Public Liaison 

202-366-2330



FOIA Contact, NHTSA Executive Secretariat, W41-304



## Request summary

Request submitted on **May 27, 2021**.

The confirmation ID for your request is **221671**.

The confirmation ID is only for identifying your request on FOIA.gov and acts as a receipt to show that you submitted a request using FOIA.gov. This number does not replace the information you'll receive from the agency to track your request. In case there is an issue submitting your request to the agency you selected, you can use this number to help.

## Contact information

### Name

Aaron Greenspan

### Mailing address

956 Carolina Street  
San Francisco, CA 94107  
United States

### Phone number

+1 415 670 9350

### Fax number

+1 415 373 3959

**Company/organization**

PlainSite

**Email**

aaron.greenspan@plainsite.org

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**Your request**

All e-mails (to or from the tesla.com domain name, or generated by NHTSA or DOT), memoranda, presentations, briefings, meeting notes, videoconference/call notes, test results, or other documents from February 1, 2021 through present regarding the disabling and/or removal of radar from certain Tesla vehicles.

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**Fees**

**What type of requester are you?**

media

**Fee waiver**

yes

**Fee waiver justification**

PlainSite (<http://www.plainsite.org>) provides public records to the general public free of charge. Our focus concerns monitoring operations of the federal government and we aim to increase public understanding of government operations. NHTSA has granted PlainSite fee waivers for FOIA requests several times in the past.

**The amount of money you're willing to pay in fees, if any**

0.00

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## Request expedited processing

### Expedited processing

yes

### Justification for expedited processing

There is a compelling need for urgent disclosure of the materials sought in this request. In March-April 2021, Tesla, Inc. made a sudden and poorly-explained decision not only to disable radar functionality in certain vehicles, but to remove radar entirely from certain new vehicles. This is reportedly affecting autonomous driving features \*and automatic braking\* for new vehicles and vehicles \*already on the road\*. See <https://www.consumerreports.org/car-safety/tesla-model-3-loses-cr-top-pick-status-and-iihs-safety-award-a2421791602/>. These vehicles have spontaneously lost their safety ratings from NHTSA and Consumer Reports as a result. Accordingly, there is an urgent public safety risk associated with these changes, and NHTSA has already publicly disclosed that Tesla briefed NHTSA on the changes. The contents of these briefings must be made public to better assist drivers with understanding what has actually changed and what risks are posed. Reporting on the matter is already confusing and inadequate. Furthermore, accidents involving Teslas have recently killed several individuals due to the severe fire risk associated with Li-Ion batteries, which is itself the subject of a separate FOIA request already on appeal, as well as several letters to NHTSA from various members of Congress. The public needs to know exactly what actions NHTSA has or has not taken with regard to these surprise developments.



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## CONTACT

Office of Information Policy (OIP)  
U.S. Department of Justice  
441 G St, NW, 6th Floor  
Washington, DC 20530  
E-mail: [National.FOIAPortal@usdoj.gov](mailto:National.FOIAPortal@usdoj.gov)

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U.S. Department  
of Transportation  
**National Highway  
Traffic Safety  
Administration**

1200 New Jersey Avenue SE.  
Washington, DC 20590

June 1, 2021

Aaron Greenspan  
PlainSite  
956 Carolina Street  
San Francisco, CA 94107  
Email: aaron.greenspan@plainsite.org

Re: Freedom of Information Act Request No.: ES21-000398

Dear Mr. Greenspan:

This acknowledges receipt of your May 28, 2021, Freedom of Information Act (FOIA) request to the National Highway Traffic Safety Administration (NHTSA). Your request was received by email on May 28, 2021.

NHTSA may assess fees to process your FOIA request. We may not process your request until all fee issues are resolved. Fees may be assessed even if the search does not produce responsive records or the agency withholds them from disclosure.

NHTSA employs a multitrack system for processing FOIA requests that: 1) distinguishes between a simple request and a complex request that may require more time to process; and 2) the number of records involved with respect to the request. In general, a simple request for a specific record or a small number of records is typically processed within 20-30 business days. A complex request that requires a broad search and/or a review of a voluminous amount of records may take longer. When NHTSA determines a request is complex, we notify the requester of estimated processing time. We process complex requests on a first-in, first-out basis.

Currently, the agency is experiencing a significant backlog of simple and complex FOIA requests. If you submitted a request that appears to seek a significant number of records, we strongly encourage you to reformulate or narrow your request to limit the scope of your request in order to qualify for the simple track. Processing complex requests can take over a year given current conditions and agency resources.

You may find more information related to the FOIA process and how NHTSA processes your FOIA here: <http://www.dot.gov/foia>. If you have any questions, or have an interest in narrowing your request to ensure timely processing of your request, please contact us at (202) 366-1834.

Sincerely,

NHTSA's FOIA Office

---

**Re: NHTSA FOIA Requests Update**


---

Aaron Greenspan <aaron.greenspan@plainsite.org>

Wed, Dec 8, 2021 at 11:37 AM

To: Shonda Humphrey <shonda.humphrey@dot.gov>

Cc: Michael Bell <michael.bell1@dot.gov>, Ann Carlson <ann.carlson@dot.gov>, Steven Cliff <steven.cliff@dot.gov>, Danielle Hirshberg <Danielle.Hirshberg@dot.gov>, Matt Topic <matt@loevy.com>, Rachel Eun <eun@loevy.com>

Ms. Humphrey,

On November 4th you claimed, "For request ES21-000398, we are reviewing the search results and anticipate providing a response by the end of November, and for request ES21-000275, we are still conducting a search for responsive records."

It is now December 8th. I have received no documents for either of these requests. Where are the documents, and if you cannot produce them today, when will you?

For your reference, I have a court filing deadline **tomorrow** and you have had these requests for **seven and nine months**, respectively.

Aaron

PlainSite | <https://www.plainsite.org>

On Nov 4, 2021, at 4:53 AM, Humphrey, Shonda (NHTSA) <shonda.humphrey@dot.gov> wrote:

Mr. Greenspan,

The agency has provided responses to you in the past regarding the status of your FOIA requests. These status updates occurred on 5/17/21, 6/22/21, 7/16/21, 7/30/21, and 9/27/21. These responses are in addition to the FOIA responses we provided to you during the same period on 5/14/21, 9/2/21, and 10/26/21. For your current requests, the NHTSA FOIA Unit remains your point of contact for updates. OST's FOIA Office is not involved in processing your requests.

I understand my prior update indicated that additional records responsive to some of your requests would be provided in October. We need a few more weeks to continue processing but you should receive additional records soon. These requests are identified as ES19-003496, ES19-003495, and ES21-000180. For your two other requests, we are continuing to process those. For request ES21-000398, we are reviewing the search results and anticipate providing a response by the end of November, and for request ES21-000275, we are still conducting a search for responsive records. Once we receive those results, we will have a better idea of the anticipated response timeframe and I will send updated information at that point.

Thank you,  
Shonda Humphrey

---

**From:** Aaron Greenspan <[aaron.greenspan@plainsite.org](mailto:aaron.greenspan@plainsite.org)>

**Sent:** Tuesday, November 2, 2021 12:26 PM

**To:** Hirshberg, Danielle (OST) <[Danielle.Hirshberg@dot.gov](mailto:Danielle.Hirshberg@dot.gov)>

**Cc:** Humphrey, Shonda (NHTSA) <[shonda.humphrey@dot.gov](mailto:shonda.humphrey@dot.gov)>; Bell, Michael (OST) <[michael.bell1@dot.gov](mailto:michael.bell1@dot.gov)>; Cliff, Steven (NHTSA) <[steven.cliff@dot.gov](mailto:steven.cliff@dot.gov)>; NHTSAFOIAPublicliaison <[NHTSAFOIAPublicliaison@dot.gov](mailto:NHTSAFOIAPublicliaison@dot.gov)>; Eric Kashdan <[eric\\_kashdan@markey.senate.gov](mailto:eric_kashdan@markey.senate.gov)>

**Subject:** Fwd: NHTSA FOIA Requests Update

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Ms. Hirshberg,

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Aaron